

Agenda

Strathfield Independent Hearing and Assessment Panel Meeting

Notice is hereby given that a Strathfield Independent Hearing and Assessment Panel Meeting will be held at Council Town Hall (Supper Room), 65 Homebush Road, Strathfield on:

Thursday, 3 August 2017

Commencing at 10:30am for the purpose of considering items included on the Agenda

Persons in the gallery are advised that the proceedings of the meeting are being recorded for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes a video camera and any electronic device capable of recording speech.

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TO: Strathfield Independent Hearing and Assessment Panel Meeting - 3 August 2017

REPORT: SIHAP – Report No. 1

SUBJECT: 47-48 LOFTUS CRESCENT AND 12-18 BRIDGE ROAD HOMEBUSH
LOTS 1 AND 2 DP841916, LOTS A,B,C AND D DP313831

DA NO. 2017/059

SUMMARY

Proposal: Demolition of existing structures and construction of a part six (6) storey and part seven (7) storey residential flat building containing (70) units over two (2) levels of basement car parking.

Applicant: Saade Chafic

Owner: Charlie & Sue P/L, AREZ P/L, TSSA Group P/L

Date of lodgement: 4 May 2017

Notification period: 16 May 2017 to 15 June 2017

Submissions received: Nil

Assessment officer: LP

Estimated cost of works: \$16,833,934

Zoning: R4 High Density Residential - SLEP 2012

Heritage: N/A

Flood affected: No

Is a Clause 4.6 variation proposed? Yes - Building height

Extent of the variation supported? Part 1.8m or 9% and part 3.35m or 20.9%

Peer review of Clause 4.6 variation: A peer review of the Clause 4.6 variation has been undertaken and the assessment officer's recommendation is supported.

RECOMMENDATION OF OFFICER: APPROVAL

EXECUTIVE SUMMARY

Approval is sought for demolition of existing structures and construction of a part seven (6) storey and part seven (7) storey residential flat building containing (70) units over two (2) levels of basement car parking.

The site forms the entirety of Key Site 58 under the Strathfield Local Environmental Plan (SLEP) 2012 with the proposed development being consistent with the intended future character of the area. The proposed development has sought to provide interest to the external façade of the building through articulation and the use of a range of material types.

The proposal provides an overall building height of part 21.8m and part 19.35m, resulting in a part 1.8m or 9% and part 3.35m or 20.9% height breach to Clause 4.3A of the Strathfield Local Environmental Plan 2012 (SLEP 2012). The areas of noncompliance relate to a pergola structure over an area of roof top communal open space and a portion of the seventh storey emphasising

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the corner element of the structure. Nonetheless, the proposal generally satisfies the relevant statutory controls applicable to the site under SEPP 55, SEPP 65, SEPP BASIX, the Strathfield Local Environmental Plan 2012 (SLEP) and is generally consistent with the built form sought by DCP 20 – Parramatta Road Corridor and Council's preliminary revisions to DCP 20.

The built form is modern and responsive to the corner element of the site. The unit layouts are efficient and provide a good level of amenity for future residents. The site provides generous landscaped spaces around the peripheries of the site with consolidated communal open space areas located within the central and north-eastern portions of the site upon the ground floor as well as the sixth floor of the development.

Due to the proximity of the site to the north-west rail line, the subject application was forwarded to Sydney Trains for consideration. Concurrence was received on 26 July 2017 however Sydney Trains have requested that the application be granted a Deferred Commencement approval subject to a number of standard matters relating to excavation.

Overall, the development presents a good outcome for the site and is recommended to be granted a deferred commencement consent.

BACKGROUND

14 February 2017 Prelodgment meeting held between the applicant and Council officers. Throughout the meeting concerns were raised in relation to building height, streetscape compatibility and landscaping. The application as lodged is generally consistent with the advice provided by Council officers.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is an irregular shaped allotment located on the north-eastern corner of Loftus Crescent and Bridge Road. The site is comprised of six (6) existing allotments legally identified as Lots 1 & 2 in DP 841916 and Lots A, B, C, D in DP 31383. The site contains a primary frontage of 51.86m to Loftus Crescent, a secondary street frontage of 46.34m to Bridge Road, a northern side boundary of 53.39m and a rear eastern boundary of 33.29m. The site provides a total site area of 2,219m².



Figure 1: Locality plan

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The subject site is identified as Key Site 58 and is zoned R4 – High Density under the Strathfield LEP. The maximum permitted height is 16m to Loftus Crescent and 20m to Bridge Road and an incentive FSR of 2.25:1 is applicable to the site under Clause 4.3A and 4.4A of the Strathfield LEP.

The area surrounding the subject site is currently undergoing a transition from low density residential development to high density residential development as a result of the gazettal of the Strathfield Local Environmental Plan 2012. Immediately to the east of the subject site (19 Crane Street) is a six (6) storey residential flat building. A six (6) storey residential flat building was recently completed adjacent to the subject site at 19 Bridge Road and 50 Loftus Crescent. Immediately to the north of the subject site is a single storey.

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for demolition of existing structures and construction of a part six (6) storey and seven (7) storey residential flat building containing (70) units over two (2) levels of basement car parking.

The specific elements of the proposal are:

- Excavation to accommodate two (2) levels of basement parking containing (75) parking spaces;
- Construction of a part six (6) storey and part five (5) storey residential flat building comprised of
 - 19 x 1 bedroom;
 - 45 x 2 bedroom; and
 - Six (6) x 3 bedroom unit; and
- Associated landscaping and drainage works

A photomontage of the building is provided below:



Figure 2: 3D photomontage of the proposal extracted from the architectural plans.

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REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Waste Comments

Council's Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Landscaping Comments

Council's Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Traffic Comments

Council's Traffic Engineer has commented on the proposal as follows:

Council's Traffic Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Environmental Health Comments

Council's Environmental Health Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

EXTERNAL REFERRALS

Sydney Water

The subject application is identified as Integrated Development under Section 91 of the Environmental Planning and Assessment Act 1979 as the application is deemed an aquifer interference activity requiring authorisation under the Water Management Act 2000. The General Terms of Approval (GTA) were received from the Water NSW on 31 May 2017 and have been included in the recommended conditions of consent.

Sydney Trains

The subject application is identified as integrated development under Clause 86(1) of State Environmental Planning Policy (Infrastructure) 2007 due to the proximity of the site to the north-west rail line. Concurrence was received from Sydney Trains on 26 July 2017, however Sydney Trains have requested that the application be granted Deferred Commencement approval subject to a number of standard matters relating to excavation.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

- (i) any environmental planning instrument**

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The following Environmental Planning Instruments (EPI's) are applicable to the assessment of the subject application:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Building and Sustainability Index - BASIX) 2004;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings;
- Strathfield Local Environmental Plan 2012;
- Strathfield Development Contributions Plan 2010-2030; and
- Strathfield Development Control Plan 2005:
 - DCP 20 – Parramatta Road Corridor Area
 - Part H – Waste Management
 - Part L – Notification

An assessment of the proposal against the relevant provisions of each of these EPI's is provided below.

SEPP 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purpose for which development consent is being sought. The site is not located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield local government area.

A Phase 1 Preliminary Site Investigation was undertaken by Environmental Investigation Services. The report concludes that the site is considered to be suitable in its current state for the purposes of the proposed development. None the less, the report makes a number of recommendations regarding required works throughout the proposed construction process that are recommended to be included as conditions of consent.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65)

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

Strathfield Council does not have a design review panel referred to under Clause 28 however an assessment of the design quality of the development against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide has been undertaken in the table below:

Principle	Objective	Proposed
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Principle	Objective	Proposed
Context and neighbourhood character	<p><i>Responding to context involves identifying the desirable elements of an area's existing or future character.</i></p> <p><i>Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<p>The proposed development responds to the high density, missed use, urban context of the site which is envisaged for the Parramatta Road corridor. The proposed development adheres to the draft built form controls and will integrate with the form of more recent approvals within the street, which also achieve to the Key Site provisions.</p> <p>The proposed design considers the local context and is consistent with the desired future character of the area.</p>
Built form and scale	<p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<p>The development is informed by the draft Key Site controls and recent development approvals in the street to ensure the development is compatible with the desired future streetscape.</p> <p>The street is currently in a state of transition from low density residential to high density residential in response to the Key Site controls of the SLEP 2012. Several of the key sites within the street have been granted development approval and generally adhere to the Key Site provisions. In this regard, the proposed development will achieve a cohesive built form with the existing approvals in the street and future development of Loftus Crescent and Bridge Road.</p> <p>The private and public domain is well defined through the use of deep soil landscaped frontages to soften the visual presentation of the development.</p>
Density	<p><i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i></p> <p><i>Appropriate densities are consistent with the area's existing or projected population.</i></p> <p><i>Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities</i></p>	<p>The proposal complies with the density requirements of the ARHSEPP. The proposal is located within close proximity to public transport and employment opportunities along Parramatta Road, which will support the proposed residential density and unit mix.</p>

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Principle	Objective	Proposed
	<i>and the environment.</i>	
Sustainability	<p><i>Good design combines positive environmental, social and economic outcomes.</i></p> <p><i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i></p>	<p>The proposal complies with BASIX and provides good solar access and natural ventilation to heat and cool the building alongside building products which provide high insulation properties.</p>
Landscape	<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</i></p>	<p>The subject application is accompanied by a landscape plan that is considered suitable for the scale of development.</p> <p>The design includes suitably shaded spaces and will provide functional open spaces for the enjoyment of future residents.</p>
Amenity	<p><i>Good design positively influences internal and external amenity for residents and neighbours.</i></p> <p><i>Achieving good amenity contributes to positive living environments and resident wellbeing.</i></p>	<p>The proposal has been designed to achieve a high level of internal residential amenity through compliant ceiling heights and adequate access to natural light and ventilation</p> <p>The proposal has been designed to</p>

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Principle	Objective	Proposed
	<p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</i></p>	<p>minimise overlooking to adjoining developments and subject to conditions, is considered to result in minimal privacy impacts.</p> <p>The unit layouts are efficient and comply with the new minimum unit sizes required by the ADG.</p>
Safety	<p><i>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	<p>The proposed building has a secure and readily identifiable entry. Balconies are orientated to overlook the public domain and ground level private open space to optimise safety and security within the development.</p>
Housing diversity and social interaction	<p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i></p> <p><i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</i></p>	<p>The proposal provides an acceptable mixture of unit types including (19) x 1 bedroom, (45) x 2 bedroom and (6) x 3 bedroom units.</p> <p>The proposal is provided with accessible and well-considered areas of communal open space on the central ground floor portion of the site and level 6. These spaces are provided with suitable facilities to support social interaction.</p>
Aesthetics	<p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well</i></p>	<p>The building is well articulated and avoids large expanses of unbroken wall with balconies orientated to the street to both Loftus Crescent and Bridge Road.</p> <p>The proposal incorporates a mixture of exposed brick and metal cladding with a limited extent of render to improve the longevity of the external finishes.</p>

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Principle	Objective	Proposed
	<i>designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i>	The schedule of external finishes is understated and will integrate well with to colours and finishes of more recently approved development in the immediate vicinity of the site.

Apartment Design Guide Quality Design of Residential flat buildings

Design Criteria	Required	Proposed	Compliance
2E - Building Depth	12m – 18m	Maximum 19m	Acceptable on merit as the minimum solar access and ventilation rule of thumb is met.
3B – Orientation	Responsive to streetscape and site Designed to optimise solar access and minimise overlooking Retain 2 hours solar access to neighboring properties	The proposal is responsive to the streetscape and is designed to optimise solar access whilst minimising the potential for overlooking. The shadow cast by the proposal falls predominantly upon the adjoining road way and rail line. As such, a minimum 2 hours solar access is retained to all neighboring properties.	Yes.
3C – Public Domain Interface	Direct street entry to ground floor apartments Balconies/windows orientated to overlook the public domain Front fence design is permeable Opportunities for concealment minimised Services concealed Access ramps minimised	Separate entry is provided to ground floor apartments fronting Loftus Crescent and Bridge Road. Balconies and windows are orientated to overlook the public domain and rear area of private open space. The front fence is visually permeable and provides opportunities for passive surveillance. Services and access ramp concealed and access ramps minimised.	Yes. Yes. Yes. Yes.
3D – Communal Open Space	Min. 25% (554m ²) Min 2h to 50% communal open space at mid-winter Consolidated area Min dimension of 3m	607m ² or 27.35% of the site is dedicated as communal open space.	Yes.

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	<p>Equitable access</p> <p>Where developments are unable to achieve the design criteria, such as on small lots they should;</p> <ul style="list-style-type: none"> - Provide communal open space elsewhere such as a landscape rooftop terrace; - Provide larger balconies or increased private open space' - Demonstrate good proximity to public open space and facilities. <p>i)</p>	<p>Two (2) areas of communal open space are provided upon the ground level and level six (6). Both areas of communal open space is consolidated, well landscaped and accessible.</p> <p>The proposed areas of communal open space is capable of receiving a minimum of 2hrs of solar access to at least 50% of open space during mid-winter.</p> <p>The landscape plan is supported with several canopy trees to provide shade.</p>	
3E – Deep Soil Zones	<p>Min. 7% (205.31m²) Greater than 1,500m² 6m min. dimension</p>	<p>The proposal provides 162m² or 7.3% of consolidated deep soil landscaping.</p>	<p>Yes.</p>
3F – Visual Privacy	<p>Up to 4 storeys: 0-12m</p> <ul style="list-style-type: none"> • 6m between habitable rooms/balconies and the boundary • 3m between habitable and non-habitable rooms and the boundary. <p>Up to 25m (5-8 storeys)</p> <ul style="list-style-type: none"> • 9m between habitable rooms/balconies; and • 4.5m between habitable and non-habitable rooms and the boundary. 	<p>A nil side setback to the site's northern and eastern boundary consistent with Council's draft key site footprints.</p> <p><u>Up to 4 storeys:</u></p> <p>Minimum 12m internal separation.</p> <hr/> <p><u>5-8 storeys:</u></p> <p>Minimum 12m separation, however screening and obscure glazing provided to minimise potential for overlooking.</p>	<p>Yes.</p> <p>Acceptable on merit.</p>
3G – Pedestrian Access and Entries	<p>Entry addresses public domain Clearly identifiable Steps and ramps integrated into building design</p>	<p>The entries addresses the public domain and are clearly identifiable.</p> <p>Both the vehicle and pedestrian ramps are integrated into the building.</p>	<p>Yes.</p>

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3H – Vehicle Access	Integrated into façade Visual impact minimised Entry behind the building line or from secondary frontage Clear sight lines Garbage collection screened Pedestrian and vehicle access separated	Vehicle access is integrated into building design. Garbage collection is provided within the basement. Pedestrian and vehicle access is separated.	Yes.
3J – Bicycle and Car Parking	Within 800m of a railway station: Min RMS Rate Applies: <u>20 or more units:</u> 1 bedroom: 0.6 spaces (19 x 0.6 = 11.4 spaces) 2 bedroom: 0.9 spaces (45 x 0.9 = 40.5 spaces) 3 bedroom: 1.4 spaces (6 x 1.4 = 7 spaces) Visitor 1 per 5 units (70 / 5 = 14 Spaces) Total requirement = (59) resident spaces and (14) visitor spaces Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.	(71) resident spaces and (14) visitor spaces Bicycle parking provided within basement.	Yes Yes
4A – Solar and Daylight Access	Min. 70% (56 units) receive 2 hours solar access. Max. 15% units have no solar access Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited Design incorporates shading and glare control.	A minimum of 84% (59 units) of units receive a minimum 2 hours solar access daily. 16%(11 units) of units receive no solar access	Yes. Acceptable on merit given minor noncompliance.
4B – Natural Ventilation	Min. 60% units are cross ventilated Light wells are not the primary source of ventilation for habitable rooms Single aspect units have limited depth to maximise ventilation.	A minimum of 69% (48 units) of units are cross ventilated.	Yes.
4C – Ceiling Heights	Habitable: 2.7m Non-habitable: 2.4m 2 storey apartments: 2.7m	Minimum 2.7m ceiling height to habitable rooms.	Yes.

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	main living area, 2.4m mezzanine Mixed Use: 3.3m ground floor.		
4D – Apartment Size and Layout	1 bed: 50m ² 2 bed: 70m ² 3 bed: 90m ² Additional bathrooms +5m ² Each habitable room must have a window > 10% floor area of the room. If open plan layout =max 8m from a window Master bed: min 10m ² Other bedroom: min 9m ² Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m	The proposal provides for compliant unit sizes as follows: 1 bedroom: minimum 50m ² 2 bedroom: minimum 75m ² 3 bedroom: minimum 95m ² All units with additional bathrooms are provided with an additional 5m ² All kitchens are within 8m from a door or window.	Yes.
4E – Private Open Space and Balconies	Studio: 4m ² 1 bed: 8m ² , min depth 2m 2 bed: 10m ² , min depth 2m 3 bed: 12m ² , min depth 2.4m	All units are provided with an area of private open space with a minimum dimension of 2m which meets the minimum area requirements.	Yes
4F – Common Circulation and Spaces	Max 8 apartments off a single core	No more than eight (8) apartments are accessed off a single core.	Yes.
4G – Storage	Studio: 4m ³ 1 bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³ At least 50% within the basement	Whilst some storage space is provided within the basement area, a condition of consent is required to ensure adequate storage space is provided according to the unit sizes.	Yes - Condition of consent recommended.
4H – Acoustic Privacy	Orientate building away from noise sources Party walls limited or insulated, like rooms together Noise sources (e.g. garage doors, driveways) located at least 3m from bedrooms	The subject site is within close proximity to Parramatta Road and railway infrastructure which are potential noise sources. An Acoustic Report prepared by Acoustic Noise & Vibration Solutions Pty Ltd accompanied the application. The Acoustic report provides recommendations on the acoustic treatment of the building which have been included as conditions of consent.	Yes, refer to conditions.
4J – Noise and Pollution	Site building to maximise noise insulation	The building will be constructed in	Yes.

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	Noise attenuation utilised where necessary	accordance with the relevant Australian Standards.	
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building.	The proposal provides the following housing mix; (19) x 1 bedroom, (45) x 2 bedroom (6) x 3 bedroom	Yes.
4M – Facades	Composition of building elements. Defined base, middle and top Building services integrated into the façade	The composition of the building façade has a defined base and top which has integrated a mixture of external finishes to provide interest to the appearance of the building and allow it to positively contribute toward the presentation of development in the streetscape. The front façade of the development is well articulated and is comprised of several modules through articulation and material treatment to break up the composition of the development.	Yes.
4N – Roof Design	Roof design integrated into the building Incorporates sustainability features May include common open space	A flat roof design is proposed which includes a roof top common open space area and is suitable for the scale of development.	Yes.
4O – Landscape Design	Responsive to streetscape Viable and sustainable	The landscape scheme is responsive to the streetscape and incorporates a mixture of lower level shrubs and larger canopy trees.	Yes.
4Q – Universal Design	Variety of adaptable apartments	The proposal provides 16% (11 unit) of units as adaptable. These units are dispersed throughout the development.	Yes.
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation Shading on northern and western elevations	The proposal achieves compliant cross ventilation and solar access and appropriate shading structures.	Yes.
4V – Water	Efficient fixtures/fittings	Refer to BASIX Certificate	Yes.

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Management and Conservation	WSUD integrated Rainwater storage and reuse	commitments.	
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	<p>The proposal provides a waste storage room in the basement level 1 for the storage of waste. The proposal also allows for the underground collection of waste to ensure that there is no disruption to Bridge Road during collection.</p> <p>The underground collection of waste will maintain the amenity of the streetscape.</p>	Yes.
4X – Building Maintenance	Material selection reduces ongoing maintenance costs.	<p>The proposed schedule of external finishes incorporates a number of high quality materials and integrates well with contemporary developments within the streetscape.</p> <p>The proposed schedule of external finishes will include a mixture of exposed brick and metal cladding with a limited extent of render.</p> <p>The selected materials are suitable for the scale of the development and are relatively durable to reduce the ongoing maintenance costs of the building.</p>	Yes.

State Environmental Planning Policy (Infrastructure) 2007

The proposed development was referred to Sydney Trains (formerly Rail Corp) in accordance with the requirements of Clause 86(1) of the Infrastructure SEPP as the subject site is within 25m of a Railway Corridor and the development includes excavation for two (2) levels of basement car parking.

Concurrence was received by Sydney Trains in correspondence dated 26 July 2017, subject to a number of deferred commencement matters and standard conditions. These have been included in the recommended conditions below.

Clause 87 of the Infrastructure SEPP also requires Council to assess the impact of rail noise on the amenity of the proposed residential flat building. The application has been accompanied by an Acoustic Report prepared by Acoustic Noise & Vibration Solutions Pty Ltd which undertakes an assessment of the proposed development against the internal noise parameters of the SEPP and

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provides a recommended construction methodology. Compliance with the recommendations of the Acoustic Report will be enforced by way of special conditions of consent.

Therefore, the proposal has been assessed against the relevant provisions of the Infrastructure SEPP and is satisfactory.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2)	Aims	Complies
(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: The proposed development is of a high quality built form which will become a positive contribution to the streetscape and integrate well with existing residential flat buildings located within the immediate vicinity of the site.

Permissibility

The subject site is Zoned R4 – High Rise Residential under Strathfield Local Environmental Plan (SLEP) 2012.

Residential Flat Buildings are permissible within the R4 Zone with consent and is defined under SLEP 2012 as follows:

“residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.”

Zone Objectives

An assessment of the proposal against the objectives of the R4 Zone is included below:

Objectives	Complies
To provide for the housing needs of the community within a high density residential environment.	Yes
To provide a variety of housing types within a high density residential environment.	Yes
To enable other land uses that provide facilities or services to meet the	Yes

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day to day needs of residents

Comments: The proposed development is for the purposes of a residential flat building which will adequately provide for the needs of the community in a high density residential setting.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

Cl.	Standard	Controls	Proposed	Complies
4.1A	Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings	1,000m ²	2,219m ²	Yes

Exceptions to height of buildings (Parramatta Road Corridor)

Cl.	Standard	Controls	Proposed	Complies
4.3A	Height of building	16m (fronting Loftus Crescent & 20m (fronting Bridge Road)	19.35m (for portion within 16m height limit) 21.8m (for portion within 20m height limit)	No

Objectives

	Objectives	Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

Exceptions to floor space ratio (Parramatta Road Corridor)

Cl.	Standard	Controls	Proposed	Complies
4.4A	Floor space ratio	2.25:1 (4992.75m ²)	2.24:1 (4991.6 m ²)	Yes

Objectives

	Objectives	Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area	Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas	Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties	Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes
(e)	In relation to Strathfield Town Centre: <ul style="list-style-type: none"> i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development 	N/A
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor	Yes

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Clause 4.6 Exceptions to Development Standards

Under Clause 4.6 of the SLEP 2012, the consent authority may consider a variation, where that variation would achieve a better outcome.

As demonstrated in the table above, the proposed development fails to comply with the maximum building height permitted under Clause 4.3 of the SLEP 2012. The portion of the building within the 20m height control results in a maximum height of 21.8m which is confined to the lift overrun structure and a portion of the seventh floor addressing the corner of the site. This exceeds the maximum building height limit by 1.8m which is a variation of 9%. Furthermore, the portion of the building located within the 16m height limit control is proposed to attain a maximum height of 19.35m which exceeds the maximum height by 3.35m of 20.9%. This non-compliance is specifically in relation to a lift overrun structure and a pergola structure to the roof top area of communal open space.

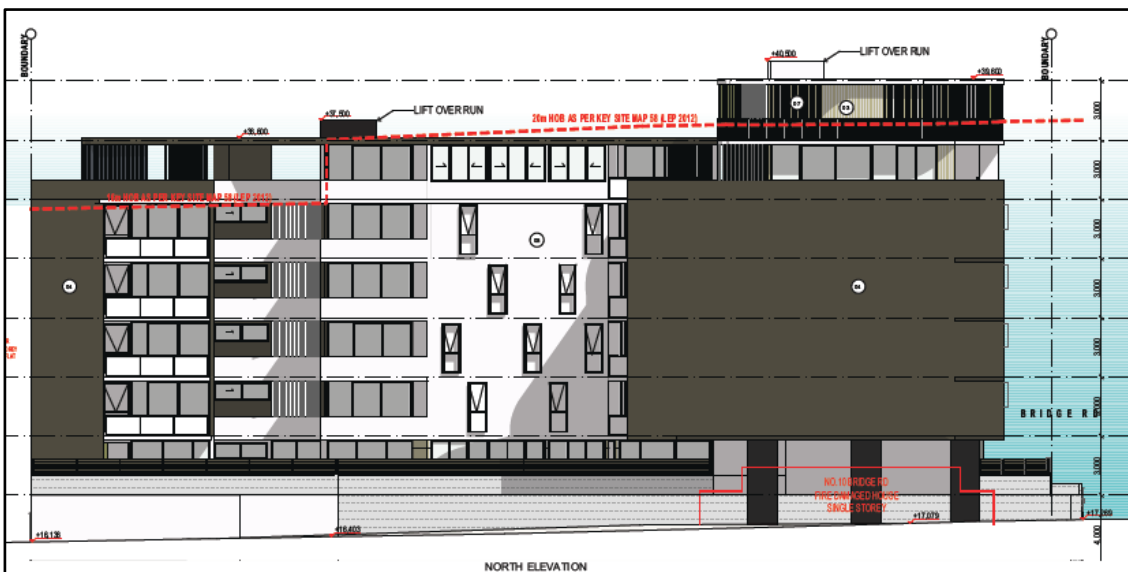


Figure 3: North elevation noting the extent of the proposed building height variation.

Clause 4.6(3) of the SLEP 2012 states the following:

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

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.”*

The applicant has provided a written request that seeks to justify the proposed contravention of the maximum building height development standard on the following grounds:

- *The proposed development is consistent with the emerging charter of development within the locality achieving a building height and streetscape presentation that is consistent with surrounding development;*
- *The proposed lift and pergola structure provide appropriate access and amenity to the roof top open space for the enjoyment of future residents;*
- *The proposed additional height result in no adverse impacts to adjoining development in the form of overlooking or solar access.*

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Clause 4.6(4) of the SLEP 2012 states the following:

“Development consent must not be granted for a development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3)

The applicant’s written request to justify the contravention of the building height standard adequately addresses the matters required to be demonstrated in subclause 4.6(3), specifically, that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The written request is considered to provide sufficient substantive information on the environmental planning grounds relating to streetscape, bulk, scale and form, amenity, views, solar access and privacy

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Development Standard Objectives

An assessment of the proposed development against the objectives of the development standard follows:

Ensure that the development is of a height that is generally compatible with or which improves the appearance of the existing area.

In giving consideration to the compatibility of the development with the surrounding area it is appropriate that weight be given to existing development within the area and the building heights as envisaged under the SLEP 2012. As previously noted, the area surrounding the subject site consists predominantly of high residential development similar to that proposed. Development immediately to the east (19 Crane Street) and west (19 Bridge) Road consists of six (6) storey residential flat buildings with respective heights of 20m and 23m. Further, key site 57 immediately to the north of the subject site features a permissible building height of 35m.

As such, giving consideration to the compatibility of the proposed part 21.8m and part 19.35m building height to permissible building heights upon the subject site and adjoining allotments and recent approvals within the locality; the proposed building height is considered to be compatible with the appearance of existing and likely future development within the area. Further, the proposed additional building height emphasises the corner element of the structure resulting in a high quality built form, while proposed material finishes are considered to suitably integrate the development with contemporary developments in the streetscape.

Encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area.

The planned residential density as established throughout the maximum permissible FSR controls of the SLEP 2012 are considered to provide a suitable reflection of the optimum sustainable capacity for the area. The proposed development resulting in a compliant FSR of 2.24:1 is considered to achieve the optimal sustainable capacity for the site. It is noted that such residential density is unlikely to be achievable within the permissible height plane without compromising residential amenity upon the site.

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Zone Objectives

The site is Zoned R4 High Density Residential under SLEP 2012. An assessment of the proposed development against the objectives of the zone follows:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development providing for additional residential tenancies within a high density residential setting without adversely impacting upon existing residential development within the locality is considered to be consistent with the objectives of the R4 High Density Residential Zone.

(b) the concurrence of the Secretary has been obtained."

Council may assume the concurrence of the Director-General under the Planning Circular PS 08-003 issued in May 2008.

In conclusion, the applicant's written request to justify the contravention of the maximum building height development standard is considered to be well founded in that the applicant has satisfactorily demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulfate soils

While the subject site is identified as having Class 5 soils and is located within 500m of Class 3 soils, the proposed development involves no works below 5m AHD. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

6.2 Earthworks

Clause 6.2 of the SLEP 2012 requires consideration be given to the impacts of the proposed ancillary earthworks may have upon drainage within the locality, the future redevelopment of the site, adjoining development and any environmentally sensitive areas. The proposed development involves no earthworks considered likely to result in any significant impacts upon drainage within the locality, any future redevelopment of the site, adjoining development or any environmentally sensitive areas. Nonetheless, conditions of consent are recommended requiring the implementation of appropriate shoring and erosion and sediment control measures throughout the proposed excavation works so as to mitigate any potential impacts.

6.4 Essential services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The proposed development is located within a well serviced area and features existing water and electricity connections, direct vehicular access and frontage to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development.

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6.9 Additional provisions for development in Parramatta Road Corridor

The subject site achieves the consolidation pattern required for Key Site 58 and accordingly, and results in a high quality residential flat building that suitably responds to the desired character of the locality.

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

Strathfield Development Control Plan No.20 – Parramatta Road Corridor

DCP – 20 is of relevance to the assessment of an application for a residential flat building within the Parramatta Road Corridor Area and as such applies to the subject application.

Clause 6A of SEPP 65 confirms that in the event of any inconsistency between the controls of the ADG and Council's Development Control Plan, the objectives, design criteria and design guidance set out in the ADG prevail.

This confirms that if a development control plan contains provisions that specify requirements, standards or controls in relation to the following matters, those provisions are of no effect:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation, and
- (h) storage.

These matters, as of relevance to the Application, have been addressed in the ADG assessment above where it has been determined that the proposal is satisfactory.

The remaining matters of relevance provided in the DCP are addressed in the table below:

Section	Development Control	Required	Proposed	Compliance
2.2	Built form/footprint	Proposal to conform to the building footprint shown in figure 9.	The proposed building footprint generally accords with the Draft Key Sites Map.	N/A
	Land Consolidation	Proposal to conform to the consolidation pattern identified in figure 12.	Conforms with consolidation pattern of SLEP 2012 (Key Site 58)	N/A
2.3	Building Height	Proposal to conform to building height identified in figure 12, which	Refer to previous discussion of building height under SLEP 2012	N/A

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Section	Development Control	Required	Proposed	Compliance
		requires max. 3 storeys.		
	Minimum Unit Sizes	Proposal to comply to the following min. unit sizes: 1 bed – 70m ² 2 bed - 85m ² 3 bed - 100m ²	The unit sizes of the ADG prevail.	N/A
2.5	Roof Form	Provide an interesting skyline and enhance views from adjoining developments.	The proposal provides an acceptable roofline that will not disrupt views from adjoining developments.	Yes
2.6	Façade Composition	Entrance should be distinguishable in the façade.	Entries are distinguishable and do not provide opportunities for concealment.	Yes
		Facades should maintain a human scale to the street by incorporating appropriate architectural features.	The proposal incorporates several atrium like pedestrian entries to Loftus Crescent and Bridge Road that clearly identify entries to the building and distinguish the public and private domain. Ground floor units are also provided with direct individual entries to provide a pedestrian scale to the development.	Yes
		Materials and finishes should blend together with min. 30% to incorporate face brickwork.	Materials and finishes comprise composite face brick, metal cladding and small areas of render.	Acceptable
		Consider the use of glass in facades on northern and western elevations in terms of glare impacts.	Complies with BASIX.	Yes
2.8	Visual and Acoustic Privacy	Visual privacy to be provided by separation or screening.	ADG prevails	N/A
		Main living areas oriented to the street or rear garden to prevent overlooking.	ADG prevails	N/A
		Acoustic privacy must be considered in relation to proposal and surrounding environment.	Acoustic report submitted. Compliance with construction methodology by way of condition of consent.	Yes, subject to condition
		Buildings designed and sited to minimize	Residential in nature and unlikely to generate unreasonable noise.	Yes

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Section	Development Control	Required	Proposed	Compliance
		transmission of noise to adjoining developments.		
		Developments adjoining major road or railway line to consider potential noise impacts.	The application was accompanied by an Acoustic Report which gives considerations to the potential noise impacts from the nearby railway line.	Yes
		Shared pedestrian entries shall be capable of being locked and serve a limited no. of dwellings	Secured entries proposed.	Yes
		Casual surveillance maintained of public streets and spaces with at least one habitable room window facing that area.	Casual surveillance encouraged through balconies orientated to overlook the public domain.	Yes
2.9	Private Open Space	Proposal to provide 35% deep soil landscape area on the site.	ADG prevails.	N/A
		Retain and protect existing significant trees.	Tree removal proposed. However this is adequately offset by numerous proposed canopy trees.	Acceptable on merit
		Each contiguous landscape area shall provide large trees.	Numerous canopy trees proposed within the central area of communal open space. Refer to the Landscape Plan.	Yes
		Trees and pergolas to shade external areas and control sunlight into buildings.	The communal open space areas incorporate pergola structures and built in communal facilities including BBQ areas for the enjoyment of the residents.	Yes
		Proposal to provide common open space to the following dimensions: 10% of site or 100m ² (whichever is greater); Min dimensions of 7m; Positioned to receive sunlight, be conveniently located for residents with good opportunities for passive surveillance and	ADG prevails	N/A

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Section	Development Control	Required	Proposed	Compliance
		contain durable children's play equipment; Located behind front setback.		
	Balconies	Dwellings without ground level open space shall have balconies to the following requirements: <ul style="list-style-type: none"> • 12m² up to 2 bed; and • 15m² for 3 or more bed; Min. dimension of 2.0m; Located off living areas and with good solar access; and Balustrades designed to provide privacy and conceal service areas whilst allowing passive surveillance.	ADG prevails	N/A
		Achieve required BASIX rating.	BASIX satisfied.	Yes
	Solar Access	Main living and 50% of POS receive min. 3 hours solar access.	ADG prevails	N/A
		Min. 3 hours solar access maintained to habitable rooms and POS of adjoining development.	ADG prevails	N/A
	Stormwater, Sewerage and Drainage	Site to be adequately serviced by stormwater, sewerage and drainage in accordance with Council's Stormwater Management Code.	Stormwater assessed as satisfactory subject to conditions.	Yes.
2.11	Disabled Access	One main entrance barrier free and	Barrier free access to and from the main entrances from Loftus	Yes.

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Section	Development Control	Required	Proposed	Compliance
		accessible.	Crescent and Bridge Road.	
2.12	Vehicle Access and Parking	Accessible parking provided.	To satisfy BCA	Yes.
		15% (10 units) of units designed to allow occupation by older people and people with disabilities.	16% (11) units proposed as adaptable.	Yes.
		Car parking to be provided on the following basis: 1 and 2 bed – 1 space 3 bed – 1.5 spaces required Visitor – 1 space per 5 units	ADG prevails	N/A
2.16		Dilapidation report for all adjoining development.	No details provided.	A Dilapidation report will be required to be prepared prior to CC. Compliance will be enforced by way of condition of consent.

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal provides for off street waste collection through the provision of a basement level bin storage room and waste collection bay.

In accordance with Part H of the SCDCP 2005, waste storage is to be provided at the following rates:

General Waste: 120L/unit/week

Recycling: 120L/unit/fortnight

Having regard to the above rates, a minimum of (13) x 660L bins are to be provided for general waste and (39) x 240L bins are to be provided for recycling waste.

The proposed development incorporate several bin storage rooms and a consolidated bin holding room capable of accommodating 13) x 660L bins are to be provided for general waste and (39) x 240L bins are to be provided for recycling waste.

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The subject application was accompanied by a Waste Management Plan outlining the proposed measures of minimising waste generation throughout the proposed demolition works, construction works and for the ongoing operation of the site in accordance with the requirements of Section 2.1 of Part H of the SCDCP 2005.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Streetscape

In recognition of the prominent positioning of the subject site as the gateway to Parramatta road from the adjoining low density residential area the proposed development has been suitably orientated to accentuate the corner element of the structure. Further, the proposed material treatments are consistent with recently completed residential flat buildings within the locality. As

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such, the proposed development is considered to suitably integrate with existing and likely future development within the streetscape.

Traffic

In recognition of the additional traffic movements likely to be generated by the proposed development the subject application was accompanied by a Traffic Assessment prepared by TTM Consulting Pty LTD giving consideration to the likely impacts of the development upon the surrounding road network. This report identifies that the proposed development as resulting in a maximum of 14 vehicle movements per hour in the morning peak period and concludes that such an increase in vehicle movements when dispersed throughout the surrounding road network is unlikely to result in any significant traffic impacts upon road network capacity or traffic related environmental effect.

79C(1)(c) the suitability of the site for the development

The subject site is relatively unconstrained residential property located within an accessible area. The proposal has been designed having regard to the orientation of the land and achieves a high quality residential flat building that is suitably integrated with existing development and likely future development within the locality.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SDCP 2005 from 16 May 2017 to 15 June 2017, with no submissions received.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
- or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

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Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$124,090.64
Provision of Major Open Space	\$564,575.27
Provision of Local Open Space	\$368,110.80
Provision Roads and traffic Management	\$34,114.58
Administration	\$10,700.03
TOTAL	\$1,101,591.33

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for a deferred commencement consent, subject to the recommended conditions of consent.

RECOMMENDATION

In consideration of the written request made by the applicant pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is satisfied that compliance with the development standard contained in Clause 4.3A of the SLEP 2012 is well founded and that there are sufficient environmental planning grounds to justify contravening the development standard.

That Development Application No. 2017/059 for demolition of existing structures and construction of a part six (6) storey and part seven (7) storey residential flat building containing (70) units over two (2) levels of basement car parking at 47-48 Loftus Crescent and 12-18 Bridge Road, Homebush be granted **DEFERRED COMMENCEMENT CONSENT**, subject to the following conditions:

DEFERRED COMMENCEMENT CONDITIONS

DEFERRED COMMENCEMENT APPROVAL

This is a Deferred Commencement Consent under Section 80(3) of the Environmental Planning and Assessment (EP&A Act, 1979. This consent does not become operative until the applicant has satisfied the conditions listed under Schedule A below. All conditions shall be satisfactorily resolved within a period of twelve (12) months from the Determination Date that is shown on this consent. Upon compliance with the conditions under SCHEDULE A and written confirmation of this from Council, the consent shall become operative from the 'Date of Endorsement' (to be included on the written notice of determination).

(Reason: A deferred commencement consent stipulates conditions that must be satisfied before the consent operates in accordance with Section 80(3) of the EP&A Act 1979)

SCHEDULE A

D1 Sydney Trains

This consent is not to operate until the Applicant satisfies the Council, within 12 months of that date of this consent, that is has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the

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Council:

The Applicant shall prepare and provide to Sydney Trains for approval/certification the following items:

- (a) Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducting on the site closest to the rail corridor.
- (b) Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
- (c) Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
- (d) Detailed Survey Plan showing the relationship of the proposed development with respect to Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

SPECIAL CONDITIONS (SC)

1. SYDNEY TRAINS (SC)

- If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. The dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.
- An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridor and Busy Roads – Interim Guidelines".
- Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
- The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of Sydney Trains. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS)

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for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

- If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phase) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and is required, that it has been endorsed.
- Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
- No rock anchors/bolts are to be installed into Sydney Trains property or easements.
- Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
- Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
- Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entitles for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
- Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to

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Lots 1 and 2 DP841916, Lots A,B,C and D DP313831 (Cont'd)**

comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

- Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.
- Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

(Reason: Integrated development)

2. OFFICE OF WATER (SC)

NSW Office of Water

- An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
- The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
- Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:
 - (a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and
 - (b) any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and
 - (c) where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
- Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
- DPI Water requires documentation (referred to as 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted to DPI Water at Parramatta Office, in a format consistent with electronic retrieval without editing

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restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation

- The following shall be included in the initial report:
 - (a) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.
 - (b) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.
 - (c) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.
 - (d) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [DPI Water prefers that monitoring be undertaken on a continuous basis using automatic loggers in boreholes.]
- The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.
- Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.
- Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
- A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability predicted by slug-testing, pump-testing or other means).
- A copy of a valid consent for the development shall be provided in the initial report.
- The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission

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from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.

- Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

- Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
- Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
- Measurement and monitoring arrangements to the satisfaction of DPI Water are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

(Reason: Integrated Development)

3. STREET TREE REMOVAL (SC)

Consent is given for the removal of the Tree 13 *Lophostemon confertus* street tree subject to the following:

- (a) A minimum of one (1) replacement *Lophostemon confertus* shall be provided within the nearby street scape in as directed by Council's tree Co-ordinator .
- (b) Trees are to conform to the *NATSPEC guide* and *Guide for assessing the quality of and purchasing of landscape trees* by Ross Clarke, 2003.
- (c) Replacement trees shall be minimum 50 litre container size. 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. Supplied trees are to have an appropriate stem taper. Roots shall generally grow in an outwards (radial) or downwards direction.
- (d) 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.
- (e) Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.
- (f) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius from the base of the tree.

(Reason: Tree removal and replacement)

4. AMENDED LANDSCAPE PLAN (SC)

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Prior to the issue of a construction certificate the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape implementation report certifying that landscaping has been provided generally in accordance with the landscape plan prepared by Discount landscape Plans (Drawing No. L/01) dated 4/3/2017 and the Landscape provisions contained within section 10.0 of Part A of the Strathfield Council Development Control Plan. The plans shall include the following:

- (a) A minimum 1.5m wide garden is to be established to the full width of the property frontage (except for vehicular crossings and pedestrian ways). The garden bed is to be planted with suitable shrubs and ground cover plants;
- (b) A detailed planting schedule for all garden areas indicating the species type, height, number and size;
- (c) Soft landscaping shall account for no less than **300m²** of the site;
- (d) Details of all hard and soft surfaces such as turf, gravel, paving, stepping stones and the like shall be shown;
- (e) Gardens should feature a mix of trees, shrubs, grasses and ground covers. A minimum of 25% of all plantings shall be locally indigenous species;
- (f) Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along side and rear boundaries to provide privacy screening; and
- (g) The plan shall demonstrate compliance with any other landscape condition of consent.

Should Council not act as the Certifying Authority a copy of the plan shall be forwarded to Council as part of the Construction Certificate.

(Reason: Ensure landscaping is appropriate for the site)

GENERAL CONDITIONS (GC)

5. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/059:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA1002_A	Site Plan	Urbanlink	B	4 May 2017
DA1003_A	Demolition Site Plan	Urbanlink	B	4 May 2017
DA2001_A	Basement Floor Plan	Urbanlink	B	4 May 2017
DA2001_A	Basement Floor Plan	Urbanlink	B	4 May 2017
DA2002_A	Ground Floor Plan	Urbanlink	B	4 May 2017
DA2004_A	First Floor Plan	Urbanlink	B	4 May 2017
DA2005_A	Floor Plan	Urbanlink	B	4 May 2017
DA2006_A	Floor Plan	Urbanlink	B	4 May 2017

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DA2007_A	Roof Floor Plan	Urbanlink	B	4 May 2017
DA3001_A	Elevations	Urbanlink	B	4 May 2017
DA3002_A	Elevations	Urbanlink	B	4 May 2017
DA4001_A	Sections	Urbanlink	B	4 May 2017
DA4002_A	Sections	Urbanlink	B	4 May 2017
DA4003_A	Sections	Urbanlink	B	4 May 2017
DA6301_A	External Finishes	Urbanlink	B	4 May 2017
DA6302_A	External Finishes	Urbanlink	B	4 May 2017
L/01	Proposed Landscape Plan – Ground Level	Discount Landscape Plans		4 May 2017
L/02	Proposed Landscape Plan – Level 5	Discount Landscape Plans		4 May 2017
L/03	Proposed Landscape Plan – Level 6	Discount Landscape Plans		4 May 2017
L/04	Landscape Details	Discount Landscape Plans		4 May 2017
L/05	Landscape Specification	Discount Landscape Plans		4 May 2017
A7079 Cover	General Notes	Alpha Engineering & Development	B	4 May 2017
A7079 SW01	Sediment and Erosion Control Plan	Alpha Engineering & Development	B	4 May 2017
A7079 SW02	Basement 2 Drainage Plan	Alpha Engineering & Development	B	4 May 2017
A7079 SW03	Basement 1 Drainage Plan	Alpha Engineering & Development	B	4 May 2017
A7079 SW04	Ground Floor Drainage Plan	Alpha Engineering & Development	B	4 May 2017
A7079 SW05	Stormwater Section Details & Filtration Chamber Sections	Alpha Engineering & Development	B	4 May 2017
A7079 SW06	Music model catchment plan	Alpha Engineering & Development	B	4 May 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No.2017/059:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Planning Ingenuity	A	4 May 2017

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Access Compliance Report	Vista Access Architects	A	4 May 2017
Acoustic Report	Acoustic Noise & Vibration Solutions	A	4 May 2017
Arborist Report	Redgum Horticultural	A	4 May 2017
BASIX Certificate		Cert No: 812715M	4 May 2017
Geotechnical & Hydrogeological Investigation	JK Geotechnics	A	4 May 2017
Traffic Assessment	TTM	A	4 May 2017
Waste Management Plan	Urban Link Pty Limites	A	4 May 2017

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail. However, the conditions of this consent shall prevail to the extent of any inconsistency.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

6. BUILDING HEIGHT - MAXIMUM RL TO BE COMPLIED WITH (GC)

The height of the building measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 40.50m AHD to the ridge of the lift overrun structure of the building.

(Reason: To ensure the approved building height is complied with.)

7. CONSTRUCTION HOURS (GC)

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

8. CONSTRUCTION WITHIN BOUNDARIES (GC)

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

(Reason: Approved works are to be contained wholly within the subject site.)

9. DEMOLITION – GENERALLY (GC)

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

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(Reason: To ensure compliance with the approved development.)

10. DEMOLITION - SITE SAFETY FENCING (GC)

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

- 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 before the commencement of work; and
- provision of a Public Risk Insurance Policy with a minimum cover of \$10 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 with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

11. FENCING - FRONT FENCE HEIGHT (GC)

Solid fencing forward of the building line (including the building line to a secondary street frontage on a corner site) shall not exceed a height of 1m above natural ground level. The fence may be topped by an additional maximum 0.8m high open timber picket, wrought iron, palisade or similar element.

Brick piers over 1m in height are permitted to support the decorative elements, provided they are equally spaced along the street, and do not exceed a height of 1.8m. Plans demonstrating compliance with this condition are to be submitted to the

(Reason: To ensure a positive contribution to the streetscape in accordance with the Strathfield Consolidated DCP 2005.)

12. LANDSCAPING - IRRIGATION OF COMMON AND PRIVATE LANDSCAPE AREAS (GC)

All common and private landscape areas including all planters of new multi-unit, commercial, mixed-use and industrial development are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and satisfy all relevant Australian Standards. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior occupation of the premises.

(Reason: To ensure appropriate landscape maintenance.)

13. LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)

The following listed trees are permitted to be removed to accommodate the proposed development however, any of the trees listed below that are located on adjoining properties must only be removed after consent from the tree's owner has been sought and obtained in writing:

<u>Tree</u>	<u>Height/</u>	<u>Location</u>
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	Spread (m)	
3) Plumeria rubra	5 x 6	Subject property
4) Mangifera indica	4 x 4	Subject property
7) Cinnamomum camphora	10 x 8	Subject property
8)Cinnamomum camphora	7 x 4	Subject property
9)Cinnamomum camphora	6 x 2	Subject property
10) Tibouchina glandulosa	4 x 3	Subject property
13) Lophostemon confertus	8 x 6	Road reserve
14) Phoenix canariensis	5 x 5	Subject property
15) Archontophoenix cunninghamiana	8 x 3	Subject property
16) Ficus benjamina	7 x 5	Adjoining property to the North
17) Tibouchina glandulosa	7 x 5	Subject property
18) Ilex sp.	6 x 5	Subject property
19) Plumeria rubra	5 x 5	Subject property

All trees permitted to be removed by this consent shall be replaced by species selected from Council's Recommended Tree List.

Replacement trees shall be a minimum 50 litre container size and shall be maintained until maturity.

(a) all tree work must be undertaken by a minimum level 2 (AQF 2) qualified Arborist who is currently a member or eligible for membership to Arboriculture Australia (AA) or the Tree Contractors Association Australia (TCAA) and in accordance with AS4373 – Pruning of amenity trees.

(b) Root pruning/root barrier installation must be undertaken by a minimum level 4 (AQF 4) qualified Arborist who is currently a member or eligible for membership to the Arboriculture Australia (AA) of Tree Contractors Association Australia (TCAA) and in accordance with AS4373 – Pruning of amenity trees.

Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. 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.

(Reason: To ensure appropriate planting back onto the site.)

14. LANDSCAPING - TREE PRESERVATION (GC)

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All street trees and trees on private property that are protected under Council's controls, shall be retained except where Council's prior written consent has been obtained. The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

All healthy trees and shrubs identified for retention on the approved drawings are to be suitably protected in accordance with Australian Standard AS4970 – Protection of Trees on Development Sites, prior to the commencement of any works (including any demolition and excavation) and maintained for the duration of the works.

(Reason: To ensure the protection of trees to be retained on the site.)

15. LIGHTING (GC)

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

(Reason: To protect the amenity of surrounding development and protect public safety.)

16. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

17. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- i) the Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- ii) the Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person; and
- iii) the sign must state that unauthorised entry to the work site is prohibited.

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

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(Reason: Statutory requirement.)

18. PRIVACY - SCREEN PLANTING TO SIDE AND REAR BOUNDARIES (GC)

Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along the side and rear boundaries to provide suitable privacy screening. Screen planting shall be maintained at all times. Details of the selected plants

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shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To maintain privacy amenity to neighbouring residences.)

19. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.

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- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

20. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

21. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

22. UTILITIES AND SERVICES - PROTECTION OF (GC)

Any footings or excavation to be located or undertaken adjacent to Council's stormwater must be designed to address the following requirements:

- i) all footings and excavation must be located wholly within the site and clear of any easement boundaries;
- ii) all footings and excavation must be located a minimum of 1000mm from the centreline of the pipeline or 500mm from the outside of the pipeline, whichever is the greater distance from the centreline; and
- iii) footings must extend to at least the depth of the invert of the pipeline unless the footings are to be placed on competent bedrock.

If permanent excavation is proposed beneath the obvert of the pipeline, suitable means to protect the excavation and proposed retaining structures from seepage or other water flow from the pipeline and surrounding subsoil, must be provided. The design must be prepared by a qualified practicing Structural/Civil Engineer.

Construction plans must be approved by the appropriate utility's office (e.g. council, Sydney Water Corporation) to demonstrate that the development complies with the utility's requirements.

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The applicant must provide written evidence (e.g. compliance certificate, formal advice) of compliance with the requirements of all relevant utility providers (e.g. Water, Energy, Telecommunications, Gas).

(Reason: To ensure protection of Council assets.)

23. WASTE – TRACKABLE (GC)

Removal of trackable waste (as defined by the NSW Environment Protection Authority) from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (CC)

24. ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES (CC)

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

25. BASIX COMMITMENTS (CC)

The approved BASIX Certificate shall be submitted to the Principal Certifying Authority with the application for a Construction Certificate.

Where a change or changes are proposed in the BASIX commitments, the applicant must submit a new BASIX Certificate to the Principal Certifying Authority and Council. If any proposed change in the BASIX commitments is inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 96 of the Environmental Planning and Assessment Act 1979.

All commitments in the BASIX Certificate must be shown on the plans accompanying the Construction Certificate.

(Reason: Statutory compliance.)

26. BICYCLE STORAGE PROVISION (CC)

On-site provision for bicycle storage facilities shall be in accordance with the Strathfield Consolidated Development Control Plan 2005. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction

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Certificate.

(Reason: Compliance with SCDP 2005 and to encourage sustainable transport options.)

27. BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)

All architectural drawings, specifications and related documentation shall comply with the Building Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by the consent commences.

Details demonstrating compliance with this condition are to be submitted to the Principle Certifying Authority, prior to issue of the Construction Certificate.

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

28. CAR PARKING - REQUIREMENTS FOR MULTIPLE USE BUILDINGS (CC)

The following car parking and service vehicle requirements apply:-

- i) (76) car spaces shall be provided on the development site. This shall consist of:
 - (52) residential spaces;
 - (14) visitor spaces;
- ii) All car spaces shall be allocated and marked according to this requirement.
- iii) If the development is to be strata subdivided, the car park layout must reflect the above allocation and thereafter be regarded as part of the entitlement of that strata lot.
- iv) Under no circumstances shall parking spaces be sold, let or otherwise disposed of for use other than in accordance with this condition.
- v) Each car parking space shall have minimum dimensions in accordance with the relevant Australian Standard and be provided on-site in accordance with the approved plans.
- vi) The parking bays shall be delineated by line marking.
- vii) Visitor spaces shall be clearly line marked and/or signposted and shall only be used by persons visiting residents of the property or commercial/business/retail premises located within the development. Visitor spaces shall not be allocated as permanent residential parking spaces. Access to visitor parking spaces shall not be restricted without development approval and a sign shall be erected at the vehicular entrance indicating the availability of visitor parking.
- viii) The following traffic control measures shall be implemented on site:-
 - Signage indicating 'Entry Only' shall be prominently displayed at the entrance to the development.
 - Signage indicating 'Exit Only' shall be prominently displayed at the exit to the development.
 - One-Way directional arrows shall be painted on the driveway pavement to indicate the required vehicular directional movement through the car parking area.

Details demonstrating compliance with this condition shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

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(Reason: To ensure car parking provision in accordance with this consent.)

29. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

30. COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Principal Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

31. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;

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- measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until

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works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

32. **COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)**

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement)

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33. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

An Erosion and Sediment Control Plan is to be prepared where construction or excavation activity requires the disturbance of the soil surface and existing vegetation. Details including drawings and specifications must provide adequate measures for erosion and sediment control to ensure:

- i) Compliance with the approved Soil and Water Management Plan.
- ii) 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).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

34. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

- i) protect and support the adjoining premises from possible damage from the excavation, and
- ii) where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to in subclause (i) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

35. EXCAVATION – SHORING (CC)

Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings and specifications certifying the

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shoring will be adequate for their intended purpose and must be submitted to the Council/Principal Certifying Authority for approval with the Construction Certificate. The documentation prepared and certified by an appropriately qualified and practicing structural engineer is to show all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements. A copy of this documentation must be provided to the Council for record purposes at the time of Construction Certificate application.

(Reason: To ensure the protection of existing public infrastructure and adjoining properties.)

36. FIRE SAFETY SCHEDULE (CC)

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) which should be implemented in the building premises must be submitted with the Construction Certificate application, in accordance with Part 9 of Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

(Reason: Compliance with the Environmental Planning and Assessment Act 1979.)

37. LANDSCAPING - MAINTENANCE STRATEGY (CC)

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival.)

38. LANDSCAPING ON SLAB (CC)

To ensure the site landscaping thrives, the on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees; and 300mm for grass and ground covers. Adequate drainage provision and a permanent, automatic irrigation system conforming to Sydney Water requirements shall be included. Details demonstrating compliance shall be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: Ensure landscape survival.)

39. NOISE AND VIBRATION MANAGEMENT PLAN (CC)

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council or the Principal Certifying Authority.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliance with the relevant legislation and Australian Standards. The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

- i) identification of activities carried out and associated noise sources;

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- ii) identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment;
- iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;
- iv) noise and vibration monitoring, reporting and response procedures;
- v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
- viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

(Reason: To protect acoustic amenity of surrounding properties and the public.)

40. PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

41. REMEDIAL WORKS - PRE-COMMENCEMENT ENVIRONMENTAL MANAGEMENT PLAN (CC)

A Construction Environmental Management Plan (CEMP) shall be prepared for the proposed remedial works in accordance with the requirements of the approved Remedial Action Plan.

The CEMP must be prepared by an appropriately qualified and experienced environmental consultant.

The CEMP for Remediation must include, but is not be limited to, the following:

- i) asbestos management plan;
- ii) project contact information;
- iii) site security details;
- iv) timing and sequencing information;
- v) site soil and water management plan;
- vi) noise and vibration control plan;
- vii) dust control plan;
- viii) air monitoring;
- ix) odour control plan;
- x) health and safety plan;
- xi) waste management plan;
- xii) incident management contingency; and
- xiii) unexpected finds protocol.

The CEMP must be prepared and implemented to the satisfaction of the supervising environmental consultant. The environmental site management measures must remain in

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place and be maintained throughout the period of the remediation works, until completion of site remediation and the site has been validated.

Note: An appropriately qualified and experienced environmental consultant certified under the Certified Environmental Practitioner" (CEnvP) Scheme or equivalent.

(Reason: To ensure compliance with statutory requirements.)

42. REMEDIAL WORKS - POST WORKS ENVIRONMENTAL MANAGEMENT PLAN (CC)

On completion of remedial works, an Environmental Management Plan (EMP) shall be prepared by an appropriately qualified and experienced environmental consultant. The EMP must be prepared in accordance with relevant NSW EPA Guidelines.

This Long-term EMP shall describe the nature and location of the contamination and prescribe how the contaminants will be managed and the responsible parties for this management in the long-term.

The Long-term EMP shall be submitted for review by a NSW EPA accredited site auditor prior to the commencement of construction and the issue of a construction certificate.

Any future intrusive ground works carried out that have the potential to conflict with any residual contamination remaining onsite must only be carried out in accordance with the Environmental Management Plan as referenced by the Site Auditor on the final Site Audit Statement and approved by the Council.

Note: A Long-term Environmental Management Plan (EMP) is also known as a Long-term Site Management Plan (SMP).

(Reason: Environmental protection and safety.)

43. REMEDIATION - SITE AUDIT STATEMENT AND VALIDATION REPORT (CC)

Prior to the issue of a Construction Certificate:

All remediation work is to be carried out in accordance with State Environmental Planning Policy No. 55 – Remediation of Land, any contaminated land planning guidelines issued under Section 145C of the Act, any guidelines in force under the Contaminated Land Management Act 1997, and the remediation plan approved under this consent.

- i) A Site Audit Statement (SAS) is to be obtained from a NSW EPA Accredited Site Auditor and submitted to Council. The SAS must confirm that the site has been remediated in accordance with the approved Remediation Action Plan and clearly state that the site is suitable for the proposed use. Where the SAS is subject to conditions that require ongoing review by the Auditor or Council these should be reviewed and approved by Council before the SAS is issued. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, a Section 96 application pursuant to the Environmental Planning & Assessment Act 1979 shall be submitted to ensure that they form part of the consent conditions.
- ii) A Site Validation Report is to be forwarded to Council for approval on completion of the remedial works. The validation report is to be prepared by a NSW EPA accredited site auditor. The report is to satisfactorily document the following:
 - the extent of validation sampling and the results of the validation testing;
 - that the remediation and validation of the site has been undertaken in accordance with Remedial Action Plan, prepared by <insert>, dated <insert>, with reference <insert>; and

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- that the site is suitable for the proposed use.

The applicant must engage an appropriately qualified and experienced supervising environmental consultant to supervise all aspects of site remediation and validation.

(Reason: To ensure compliance with statutory requirements in relation to site remediation works.)

44. SECTION 94 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$124,090.64
Provision of Major Open Space	\$564,575.27
Provision of Local Open Space	\$368,110.80
Provision Roads and traffic Management	\$34,114.58
Administration	\$10,700.03
TOTAL	\$1,101,591.33

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Direct Development Contributions Plan may be downloaded from Council's website.

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

45. SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)

A security (damage deposit) of **\$33,000.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property 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. All building work must be carried out in accordance with the Building Code of Australia.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

Any costs associated with works necessary to be carried out to rectify any damages caused

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by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

46. STORMWATER - RAINWATER RE-USE (CC)

A rainwater re-use system shall be provided in accordance with either the BASIX minimum requirements, any relevant Council Rainwater Policy and/or specification of the management of stormwater, whichever is applicable. A detailed stormwater plan showing the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

47. STORMWATER DRAINAGE (CC)

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

(Reason: To ensure the site is drained appropriately and does not interfere with the natural flow of flood waters.)

48. STORMWATER - SILT ARRESTORS AND GROSS POLLUTANT TRAPS (CC)

Silt and gross pollutant traps shall be fitted in all new stormwater pits and designed in accordance with Council's specification for the management of stormwater. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Environmental protection.)

49. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

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- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

50. TREE BONDS (CC)

A tree bond of **\$46,200.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

47-48 Loftus Crescent and 12-18 Bridge Road Homebush
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(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

51. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY CONNECTION (CC)

Provision must be made for connection to future underground distributions mains. This must be achieved by installing:

- i) an underground service line to a suitable existing street pole; or
- ii) sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Note: A limit of one (1) pole per site will apply.

Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

Details are to be submitted to the Principal Certifying Authority with the Construction Certificate Application.

(Reason: Environmental amenity.)

52. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY SUBSTATION (CC)

Any required electricity substation must be located within the boundaries of the site. Documentary evidence of compliance with the energy authority's requirements, including correspondence from the energy authority is to be provided to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Where an electricity substation is required but no provision has been made to place it within the approved building or its site and no details are provided on the approved development consent plans, a section 96 application is required to be submitted to Council for approval of an appropriate location for the required electricity substation.

(Reason: Access to utility.)

53. UTILITIES AND TELECOMMUNICATIONS - TELECOMMUNICATIONS ASSETS (CC)

Provision must be made for relocation of telecommunications network assets including underground placement of any existing aerial cables and infrastructure. Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

Details are to be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: To ensure suitable relocation of telecommunications infrastructure if required.)

54. VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the

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Lots 1 and 2 DP841916, Lots A,B,C and D DP313831 (Cont'd)**

appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

55. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

Details demonstrating compliance with the above are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the mechanical ventilation system complies with the relevant requirements/standards.)

56. WASTE - GARBAGE ROOMS OR GREASE ARRESTOR ROOMS (CC)

Garbage rooms or grease arrester rooms must be constructed of solid material: cement rendered and steel trowelled to a smooth even surface. The door to the garbage room is to be designed and constructed to ensure the room is vermin proof and can be opened from the inside at all times. The garbage room is to be ventilated to the external air by natural ventilation or an approved air handling exhaust system.

(Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.)

57. WASTEWATER CONTROL (CC)

The applicant shall contact Sydney Water, to determine the requirements for the disposal of wastewater and liquid trade waste (including grease traps or grease arrestors). The applicant must provide a copy of the Authority to connect to the sewer system prior to the issue of a Construction Certificate.

There is to be no discharge of wastewater to the stormwater system.

(Reason: To ensure suitable disposal of waste water.)

58. WATER SUSTAINABILITY - WATER SENSITIVE URBAN DESIGN (CC)

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 SCDCP 2005, and be prepared by a suitably qualified professional engineer.

(Reason: To promote Water Sensitive Urban Design.)

59. WATER SUSTAINABILITY – GENERALLY (CC)

**47-48 Loftus Crescent and 12-18 Bridge Road Homebush
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Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:

- i) toilet flushing;
- ii) clothes washing;
- iii) garden irrigation;
- iv) car washing and similar outdoor uses;
- v) filling swimming pools, spa pools and ornamental ponds; and
- vi) fire fighting.

(Reason: To promote sustainable water management practice.)

60. WATER HEATING SYSTEMS - LOCATION OF (CC)

Water heating systems shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To maintain streetscape character.)

61. WORKS WITHIN THE ROAD RESERVE (CC)

Detailed drawings including long and short sections and specifications of all works within existing roads (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) shall be submitted to and approved by Council under Section 138 of the Roads Act 1993 and all fees and charges paid, prior to the issue of a Construction Certificate.

Detailed drawings and specifications are to be prepared and certified by an appropriately qualified Civil Engineer.

Upon completion of the works, the Applicant is to provide to Council with electronic copies of 'Work as Executed Plans'. The plans are to show relevant dimensions and finished levels and are to be certified by a surveyor.

The Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works.

All civil engineering works adjacent/near/outside <insert address> are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works.)

62. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEEM (CC)

An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition).

The suitability of the proposed length and duration of the Works Zone is to be demonstrated

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in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (CW)

63. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)

No work shall commence in connection with this Development Consent until:

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirement.)

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Lots 1 and 2 DP841916, Lots A,B,C and D DP313831 (Cont'd)

64. NOTICE OF COMMENCEMENT (CW)

No work shall commence until the following details are submitted to Council:

- i) a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- ii) details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- iii) details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)

65. CONTAMINATED LAND UNEXPECTED FINDS (DW)

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

66. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

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

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

67. OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

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68. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

69. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

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- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

70. SURVEY REPORT OF APPROVED LEVELS DURING AND POST CONSTRUCTION (DW)

A Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete form work, or the laying of roofing materials.
- iii) At the completion of the development.

Progress certificates in response to points (1) through to (3) shall be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed until such survey information is submitted to and approved by the Principal Certifying Authority.

(Reason: To ensure compliance with the approved plans.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (OC)

71. ACUPUNCTURE - REGISTRATION WITH CHINESE MEDICINE BOARD OF AUSTRALIA (OC)

The premises must be registered with the Chinese Medicine Board of Australia. A copy of the registration shall be provided to Council prior to commencement of the use.

(Reason: Business registration.)

72. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

All surplus vehicular crossings and/or kerb laybacks must be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council. The nature strip is to be restored and the footpath area reinstated. All of the above are to be restored to the satisfaction of Council's Engineer and at full cost to the applicant, prior to the issue of any Occupation Certificate.

(Reason: Maintenance of public infrastructure.)

73. CAR PARKING - VISITOR CAR PARKING SIGNAGE (OC)

A sign shall be erected in a suitable location on the property near the driveway entrance indicating where visitor parking is available on the site. Signage shall also be erected above the visitor parking itself. Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

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Lots 1 and 2 DP841916, Lots A,B,C and D DP313831 (Cont'd)**

(Reason: Adequate access and egress.)

74. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

- i) the stormwater drainage system; and/or
- ii) the car parking arrangement and area; and/or
- iii) any related footpath crossing works; and/or
- iv) the proposed basement pump and well system; and/or
- v) the proposed driveway and layback; and/or
- vi) any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of any Occupation Certificate.

(Reason: Asset management.)

75. FIRE SAFETY CERTIFICATION (OC)

A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

An fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- i) has been assessed by a properly qualified person; and
- ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the Environmental Planning & Assessment Regulation 2000.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the Environmental Planning & Assessment Regulation 2000.

A copy of the fire safety certificate and fire safety schedule shall be:

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and

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- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

76. LANDSCAPING - ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED (OC)

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, prior to the issue of an Occupation Certificate. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority, which documents the following:

- i) methods of excavation or construction used to carry out the works;
- ii) any damage sustained by the tree/s as a result of the works;
- iii) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- iv) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: To ensure the survival of trees to be retained.)

77. LANDSCAPING - STREET TREE REMOVAL AND REPLACEMENT TREE COST (OC)

No existing street trees can be removed without Council approval. Where such approval is granted, the applicant shall meet the full cost to remove the tree and plant a replacement tree of 200 litre container size at the time of planning and selected from Council's Recommended Tree List. Specimens must be in accordance with NATSPEC specifications and guidelines and maintained for a twelve (12) month establishment phase. If the specimen fails to thrive or is otherwise damaged it shall be replaced at full cost to the applicant and maintained for a further twelve (12) months.

The replacement tree is to be planted within one (1) week of Council's street tree being removed and undertaken prior to the issue of any Occupation Certificate.

(Reason: Tree preservation and environmental amenity.)

78. STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)

The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

(Reason: Adequate stormwater management.)

79. STORMWATER - COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS (OC)

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, 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

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an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 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.

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

80. SUBDIVISION - EVIDENCE OF CONSOLIDATION (OC)

The existing allotments shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered as a deposited plan with the Land and Property Information Office must be submitted to Council, prior to occupation of the site.

(Reason: Proper management of land.)

81. SEPARATE APPLICATION FOR STRATA SUBDIVISION (SC)

This consent does not imply approval to create a separate title, by subdivision or otherwise. Should it be intended to subdivide the approved development into strata title allotments, Council will require the lodgement of a separate development application for consideration.

(Reason: To ensure compliance with the consent.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)

82. NOISE - COMPLIANCE WITH ACOUSTIC ASSESSMENT REPORT (OU)

All recommendations contained in the approved Acoustic Assessment Report prepared by Acoustic Noise and Vibration Solutions Pty Ltd shall be adopted, implemented, and adhered to.

The Principal Certifying Authority (PCA) shall obtain a statement from an appropriately qualified acoustic consultant, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied prior to the issue of any Occupation Certificate.

Any changes made to the proposal that would alter the acoustic assessment will require a further acoustic assessment and a copy of this further report shall be provided to Council for approval prior to the commencement of works and any recommendations adopted, implemented, and adhered to.

(Reason: Noise control and amenity.)

83. POLLUTION - COMPLIANCE WITH PEOA 1997 GENERALLY (OU)

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection.)

84. WASTE AND RECYCLING COLLECTION HOURS (OU)

The collection of waste and recycling must only occur between 6.00am and 8.00pm

**47-48 Loftus Crescent and 12-18 Bridge Road Homebush
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weekdays and 9.00am and 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

Garbage and recycling must not be placed on the kerbside for collection more than one hour before the scheduled collection time. Bins and containers are to be removed from the kerbside within one (1) hour of collection and returned to the designated garbage storage area(s).

The garbage and recyclable storage area and bins must be adequate to contain the volume and type of garbage and recyclable matter of the food premises.

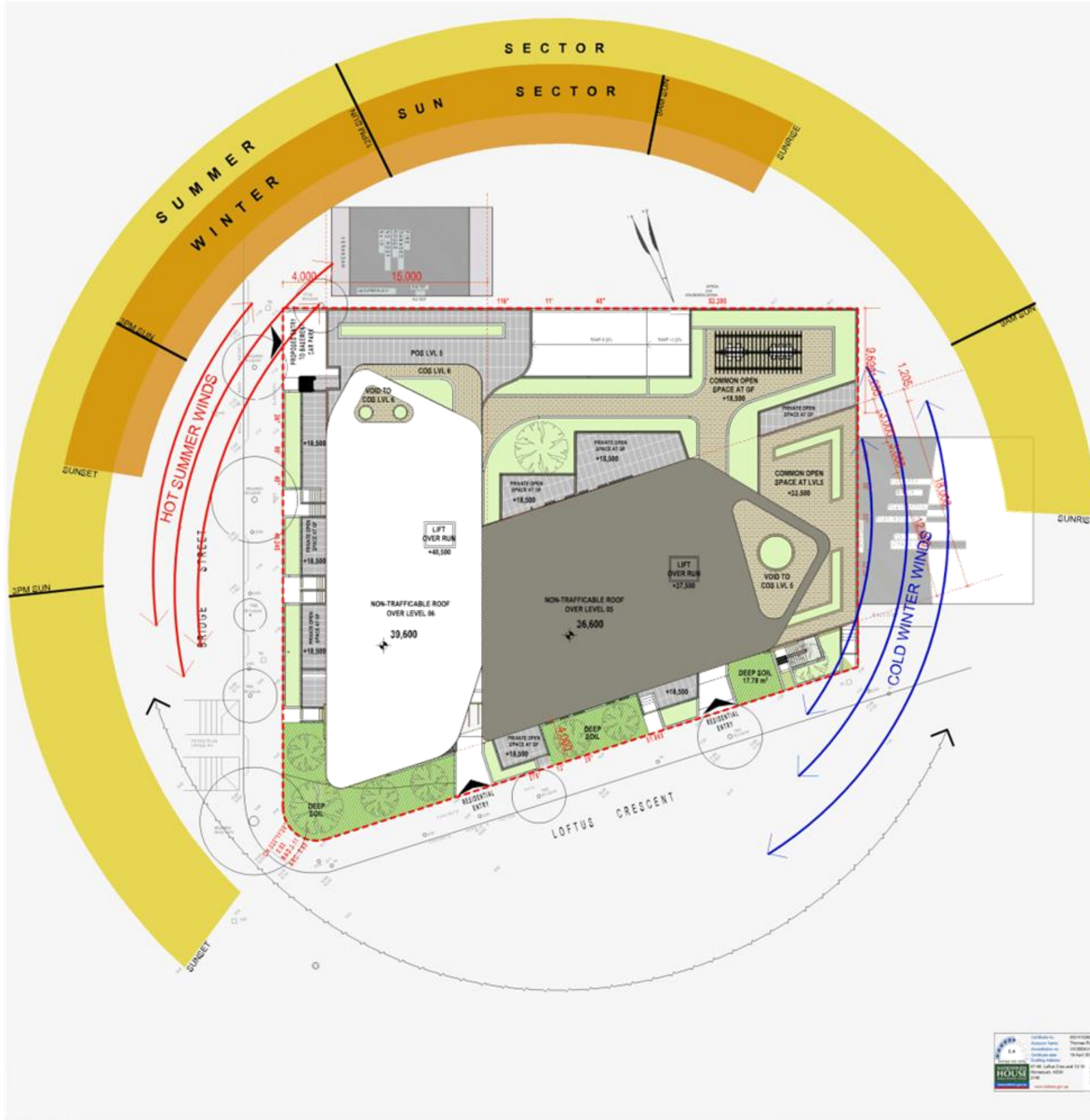
All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.

(Reason: To regulate noise and garbage collection arrangements.)

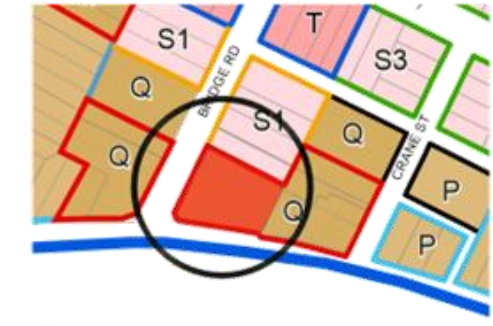
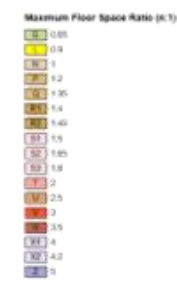
ATTACHMENTS

1. [↓](#) Architecturals
2. [↓](#) Map

Note: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWING.



Floor Space Ratio Map - Sheet FSR_004



KEY SITE 58
12-18 Bridge Road, 47-48 Loftus Crescent, Homebush
Lots A-D DP 313831; Lots 1-2 DP 841916

Built Form Development Controls	
Zoning	R4 High Density Residential
Heritage	N/A
Floor Space Ratio (FSR)	1.2:1
Building Height	Part 20 metres, Part 16 metres (refer to S1 EP 2012)
Street Setback	4 metres to Smallwood Avenue, 4 metres to Loftus Crescent
Street Wall Height	5 storeys to Smallwood Avenue, 6 storeys to Loftus Crescent
Use	Live/Work Residential
Main Street Ground Level	Residential
Street Wall Podium	Residential
Articulation to Rear	+3 metres beyond the maximum for 40% of the facade length



LEGEND

- KEY SITE BOUNDARY
- NO BUILDING ZONE
- STREET WALL, RESIDENTIAL (MAXIMUM 12m - 10m max for 40% of facade length)
- STREET WALL, RESIDENTIAL (MAXIMUM 15m - 10m max for 40% of facade length)
- STREET WALL, COMMERCIAL (MAXIMUM 12m - 10m max for 40% of facade length)
- STREET WALL, COMMERCIAL (MAXIMUM 15m - 10m max for 40% of facade length)
- LANDING AREA
- TOWER COMPONENT (MAXIMUM 12m - 10m max for 40% of facade length)
- TOWER COMPONENT (MAXIMUM 15m - 10m max for 40% of facade length)
- EXISTING BUILT AREA
- MARKING FIRM
- PROPOSED OPEN SPACE
- PROPOSED UNPAVED AREA

12-18 BRIDGE ROAD, 47-48 LOFTUS CRESCENT, HOMEBSH NSW 1588
 Project Description: 16-107 DA1001_A
 Date: 18/04/2017
 Checked: CH
 Approved: ZB

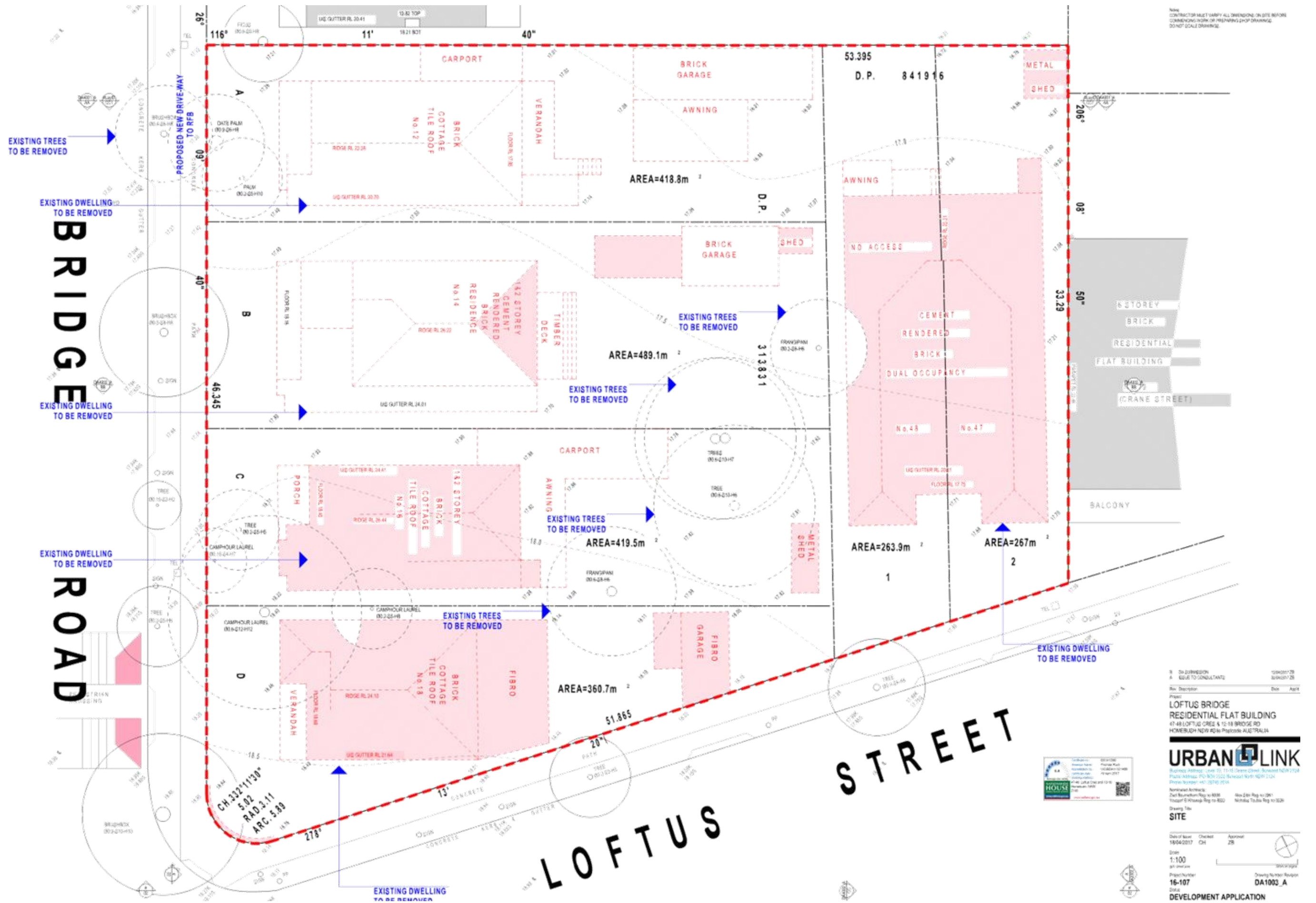
URBAN LINK
 Business Address: Level 10, 11-13 Green Street, Sydney NSW 1514
 Postal Address: PO Box 1222, Newtown NSW 1514
 Phone Number: +61 2942 2014
 National Australia Bank Business Reg 44836
 YouGov Research Reg 44836
 Minkus Tallas Reg 44836

SITE
 Date of Issue: 18/04/2017
 Scale: 1:100
 Project Number: 16-107
 Drawing Number: DA1001_A
 Title: DEVELOPMENT APPLICATION

SITE ANALYSIS SCALE 1:200



1: DA SUBMISSION
 A: ISSUE TO CONSULTANTS
 Date: 18/04/2017
 Project: LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING
 47-48 LOFTUS CRESC & 10-18 BRIDGE RD
 HOMERIDGE NSW 4346 Australia AUSTRALIA
URBANLINK
 Business Address: Unit 10, 11-13 Green Street, Strathfield NSW 2134
 Postal Address: PO Box 1022 Strathfield NSW 2134
 Phone Number: +61 29749 2014
 National Australia Bank: 240 Bourke Rd, NSW 2000
 YouGov: 51 Kingsway, NSW 1585
 New 24hr Reg: 40/501
 MyGov: 136 787 622
 Drawing Title: **SITE**
 Date of Issue: 18/04/2017
 Checked: CH
 Approved: ZB
 Scale: 1:100
 Project Number: 16-107
 Drawing Number: DA1002_A
 Date: DEVELOPMENT APPLICATION



Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

16 DA SUBMISSION
A - ISSUE TO CONSULTANTS

18/04/2017

Project:
**LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING**
47-48 LOFTUS CRESC & 15-18 BRIDGE RD
HOMEBUSH NSW 1516 Australia

URBANLINK
Business Address: Unit 10, 11-15 Crane Street, Homebush NSW 1514
Postal Address: PO BOX 2122, Homebush NSW 1514
Phone Number: +61 2 9740 9214

Nominated Architects:
Zaki Muneer Reg 41836
Yousaf El Khawaja Reg 41852

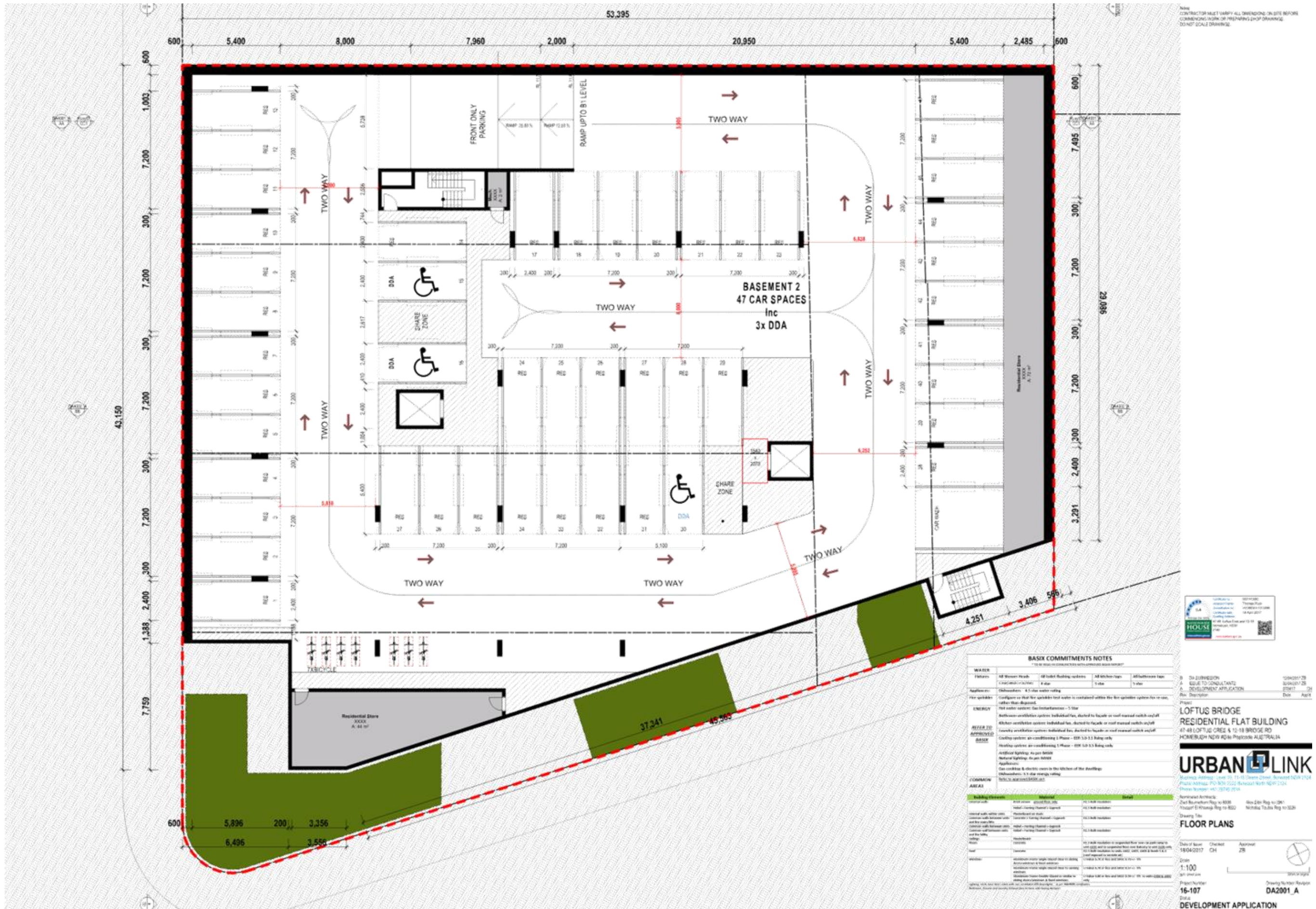
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Date of Issue: 18/04/2017
Checked: CH
Approved: ZB

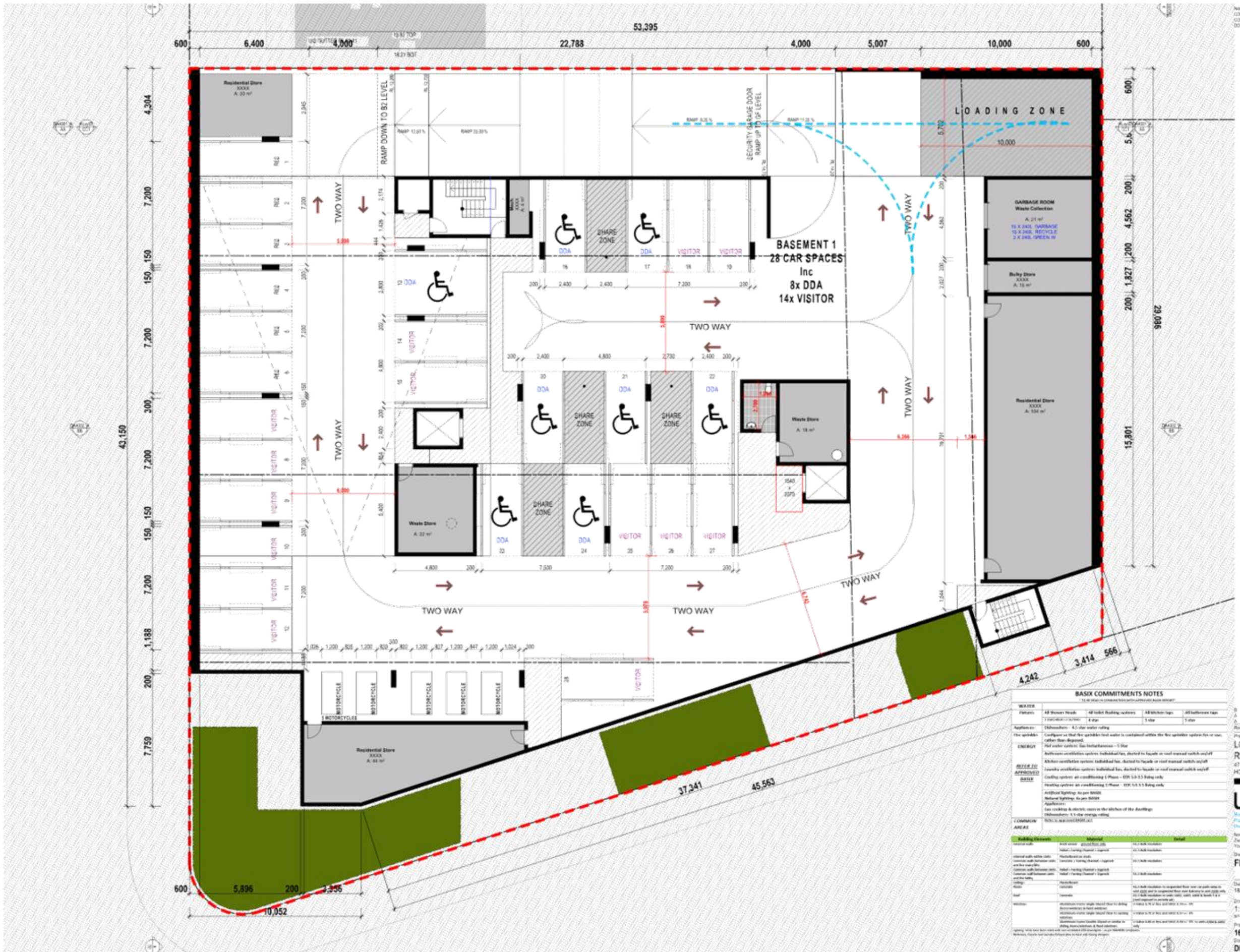
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Project Number:
16-107

Drawing Number:
DA1003_A

Date:
DEVELOPMENT APPLICATION





Note: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK. IF PREPARING SHOP DRAWINGS, DO NOT SCALE DRAWING.



BASIC COMMITMENTS NOTES

FOR ALL DEVELOPMENT APPLICATIONS FOR RESIDENTIAL BUILDINGS

WATER	PLUMBING	MECHANICAL	ELECTRICAL
Hot Water Heats	Hot Water Heating Systems	Air Conditioning	All Switching
100000L/2400000	4 Star	5 Star	5 Star
Appliances	Disposals	4.0 Star Water Rating	
Energy	Configure so that fire sprinkler test water is contained within the fire sprinkler system for no less than 10 minutes.	Hot water systems are Gas Ventilation - 1 Star	
REFRIGERATION	Kitchen ventilation systems individual fan, ducted to facade or roof manual switch on/off	Exhaust systems individual fan, ducted to facade or roof manual switch on/off	
Exhaust Systems	Exhaust systems individual fan, ducted to facade or roof manual switch on/off	Exhaust systems individual fan, ducted to facade or roof manual switch on/off	
COOKING	Heating systems air conditioning 1 Phase - 5 Star 1.0-1.3 Rating only	Heating systems air conditioning 1 Phase - 5 Star 1.0-1.3 Rating only	
MECHANICAL	Artificial Lighting: As per NCC67	Artificial Lighting: As per NCC67	
MECHANICAL	Artificial Lighting: As per NCC67	Artificial Lighting: As per NCC67	

Building Element	Requirement	Detail
Caravan sites	As per NCC67	As per NCC67
Walls	As per NCC67	As per NCC67
Roof	As per NCC67	As per NCC67

18/04/2017
 PROJECT: LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING
 47-49 LOFTUS CRESC & 15-18 BRODIE RD
 HOMERIDGE NSW 4306
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]

URBAN LINK
 16-107 DEVELOPMENT APPLICATION



ADDED AMENITIES SUCH AS SEATING AND BARBECUE AS PER COUNCIL COMMENT

PAVEMENT AREA REDUCED ADDED TURFED AREA AS PER COUNCIL COMMENT

REFER TO ATTACHED LANDSCAPE PLANS

A - AMENDMENTS TO COUNCIL 27/06/2017

Rev Description Doc April

LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING
47-48 LOFTUS CRESCENT & 15-18 BRIDGE ROAD
HOMEBUSH NSW 1514 Australia

URBANLINK
Business Address: Level 10, 11-15 Green Street, Sydney NSW 2014
Postal Address: PO Box 2222, Strathfield NSW 1514
Phone Number: +61 (0)2 943 2014

Principal Architect:
Zaki Muneerham Reg 44836
Yousaf El Khawaja Reg 44 850

Drawing Title:
**FLOOR PLANS
GROUND FLOOR**

Date of Issue: 27/06/2017
Date of Revision: []
Checked: []
Approved: []

Scale:
1:100

Project Number:
16-107

Date:
PRELIMINARY

Drawing Number/Revision:
DA2002_A



Note: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWING.

BASIC COMMITMENTS NOTES

WATER: All fixtures must be installed in accordance with the relevant standards. All fixtures must be installed in accordance with the relevant standards.

ENERGY: All buildings must be designed to meet the requirements of the Energy Rating Scheme (ERS) for buildings.

COMMON AREAS: All common areas must be designed to meet the requirements of the relevant standards.

Building Element	Material	Detail
External walls	Brick veneer	As per standard
Internal walls	Plasterboard	As per standard
Floors	Concrete	As per standard
Roofs	Asph/Flt	As per standard

URBAN LINK

16-107 DEVELOPMENT APPLICATION

LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING

47-48 LOFTUS CREW & 15-18 BRIDGE RD
HOMEBUSH NSW 4534

Project: 16-107
Drawing No: DA2004_A

18/04/2017



A - DIMENSIONS TO COUNCIL 27/06/2017

Rev	Description	By	Date
1			

Project: **LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING**
 47-48 LOFTUS CREK & 15-18 BRIDGE RD
 HOMEBUSH NSW 1516 Australia

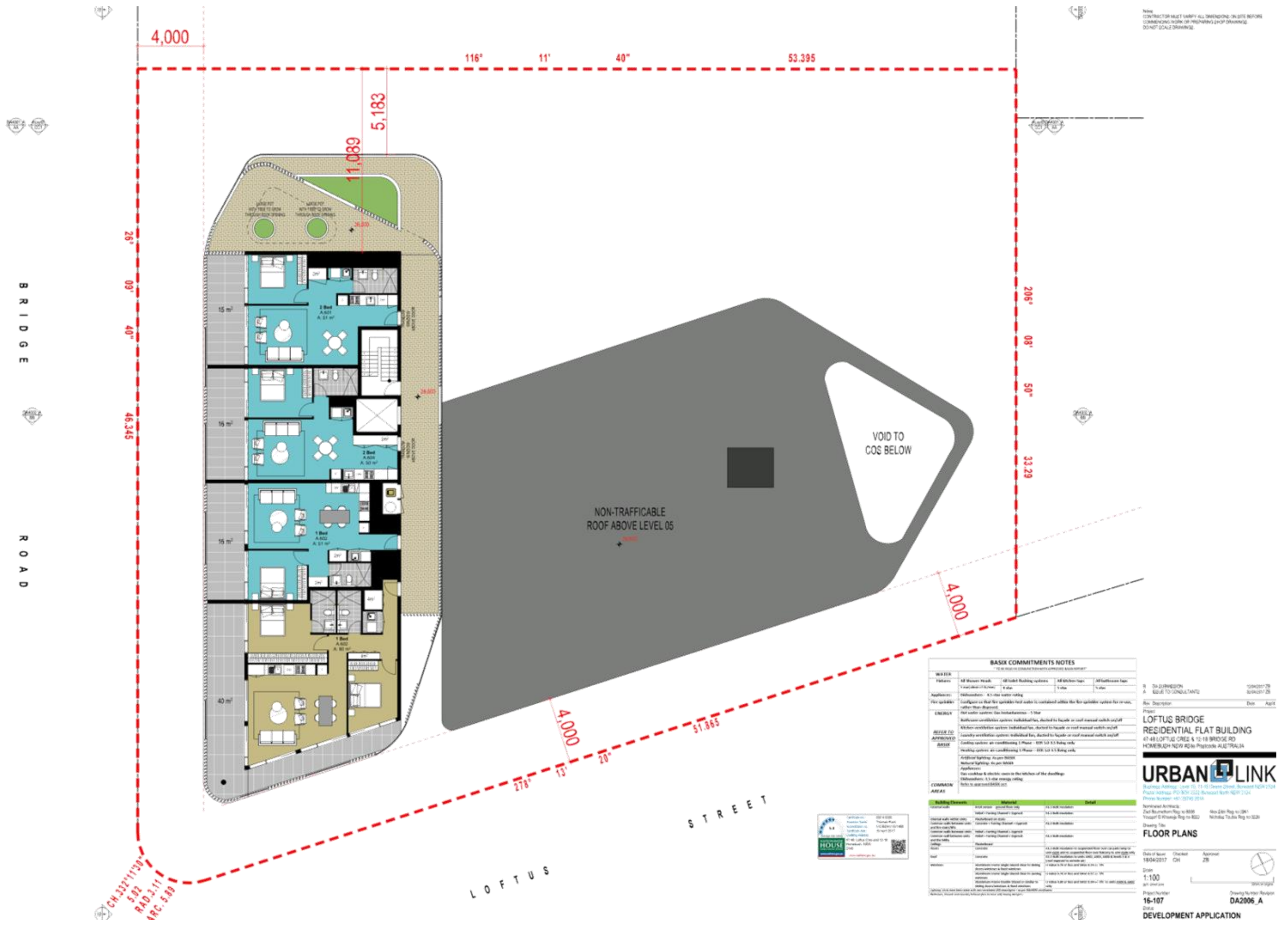
URBANLINK
 Business Address: Level 10, 11-15 Green Street, Sydney NSW 2014
 Postal Address: PO BOX 2222 Newtown NSW 1560
 Phone Number: +61 29746 2014

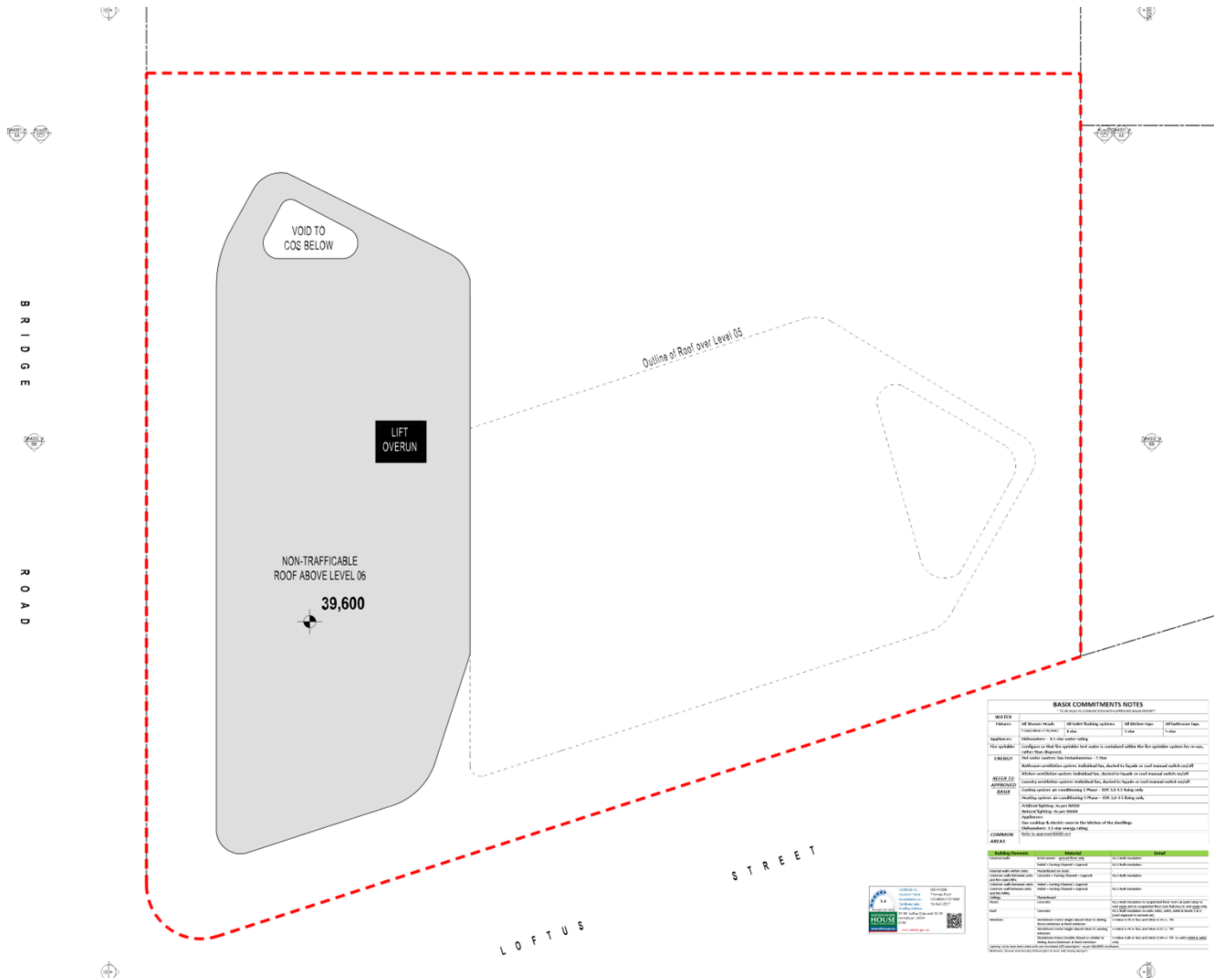
Principal Architect: Zaid Barmakian Reg 44836
 Yousef El Khawaja Reg 44850

Drawing Title: **FLOOR PLANS LEVEL 05**

Date of Issue	Checked	Approved
27/06/2017		

Scale: 1:100
 Drawing Number: 16-107
 Date: PRELIMINARY
 Drawing Number Revisions: DA2005_A





Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

BASIC COMMITMENTS NOTES			
* TO BE READ IN CONJUNCTION WITH OVERSEAS REQUIREMENTS			
WATER	All fixtures	All sealed flushing systems	All bathroom taps
APPLIANCES	Refrigerators	4.3 star energy rating	
ENERGY	Refrigerators	4.3 star energy rating	
HEATING	Refrigerators	4.3 star energy rating	
COOLING	Refrigerators	4.3 star energy rating	
COMMON AREAS	Refrigerators	4.3 star energy rating	

10/04/2017
16/10/2017
18/04/2017

LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING
47-48 LOFTUS CREK & 10-18 BRODIE RD
HOMEBUSH NSW 1516 Australia

URBAN LINK
Business Address: Level 10, 11-15 Deane Street, Sydney NSW 2014
Postal Address: PO Box 3222 Rowland NSW 1514
Phone Number: +61 2 9740 2014

FLOOR PLANS

16-107
DA2007_A
DEVELOPMENT APPLICATION



Notes:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWING.

MATERIAL SCHEDULE

01	ASTRAL BLUE OR SIMILAR
02	VITRABOND RIDDLE GREY OR SIMILAR
03	TAUBMANE DUEY TRAIL OR SIMILAR
04	TAUBMANE KNIGHT GREY OR SIMILAR
05	TAUBMANE CHINA DOLL OR SIMILAR
06	ALUMINIUM POWDERCOAT DULUX BRONZE PEARL OR SIMILAR
07	ALUMINIUM POWDERCOAT DULUX GOLD PEARL OR SIMILAR

Gold Pearl
VLS Steel

LEGEND

01	External Wall	010	Window Sill
02	Internal Wall	011	Window Head
03	Roofing Wall	012	Window Frame
04	Roofing Wall	013	Window Frame
05	Roofing Wall	014	Window Frame
06	Roofing Wall	015	Window Frame
07	Roofing Wall	016	Window Frame
08	Roofing Wall	017	Window Frame
09	Roofing Wall	018	Window Frame
10	Roofing Wall	019	Window Frame
11	Roofing Wall	020	Window Frame
12	Roofing Wall	021	Window Frame
13	Roofing Wall	022	Window Frame
14	Roofing Wall	023	Window Frame
15	Roofing Wall	024	Window Frame
16	Roofing Wall	025	Window Frame
17	Roofing Wall	026	Window Frame
18	Roofing Wall	027	Window Frame
19	Roofing Wall	028	Window Frame
20	Roofing Wall	029	Window Frame
21	Roofing Wall	030	Window Frame



16 DA SUBMISSION
A EQU TO CONSULTANTS

16/04/2017

16-107

DA3001_A

DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

MATERIAL SCHEDULE

01	ASTRAL BLUE OR SIMILAR
02	VITRABOND RIDDLE GREY OR SIMILAR
03	TAUBMANS DUSTY TRAIL OR SIMILAR
04	TAUBMANS KNIGHT GREY OR SIMILAR
05	TAUBMANS CHINA DOLL OR SIMILAR
06	ALUMINIUM POWDERCOAT DULUX BRONZE PEARL OR SIMILAR
07	ALUMINIUM POWDERCOAT DULUX GOLD PEARL OR SIMILAR

Gold Pearl 473 888K Sun

LEGEND

SYMBOL	DESCRIPTION
(1)	Gate to Site
(2)	Roof to Site
(3)	Cladding to Site
(4)	Cladding to Site
(5)	Cladding to Site
(6)	Cladding to Site
(7)	Cladding to Site
(8)	Cladding to Site
(9)	Cladding to Site
(10)	Cladding to Site
(11)	Cladding to Site
(12)	Cladding to Site
(13)	Cladding to Site
(14)	Cladding to Site
(15)	Cladding to Site
(16)	Cladding to Site
(17)	Cladding to Site
(18)	Cladding to Site
(19)	Cladding to Site
(20)	Cladding to Site
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(22)	Cladding to Site
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(29)	Cladding to Site
(30)	Cladding to Site
(31)	Cladding to Site
(32)	Cladding to Site
(33)	Cladding to Site
(34)	Cladding to Site
(35)	Cladding to Site
(36)	Cladding to Site
(37)	Cladding to Site
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(41)	Cladding to Site
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(45)	Cladding to Site
(46)	Cladding to Site
(47)	Cladding to Site
(48)	Cladding to Site
(49)	Cladding to Site
(50)	Cladding to Site



180123820
A 180123820

Rev. Description Date

LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING
47-48 LOFTUS CRESCENT & 12-18 BRIDGE ROAD
HOMEBUSH NSW 1514

URBAN LINK
Business Address: 144-151/152 Green Street, Sydney NSW 2014
Phone Number: (02) 9221 5555
Fax Number: (02) 9221 5555

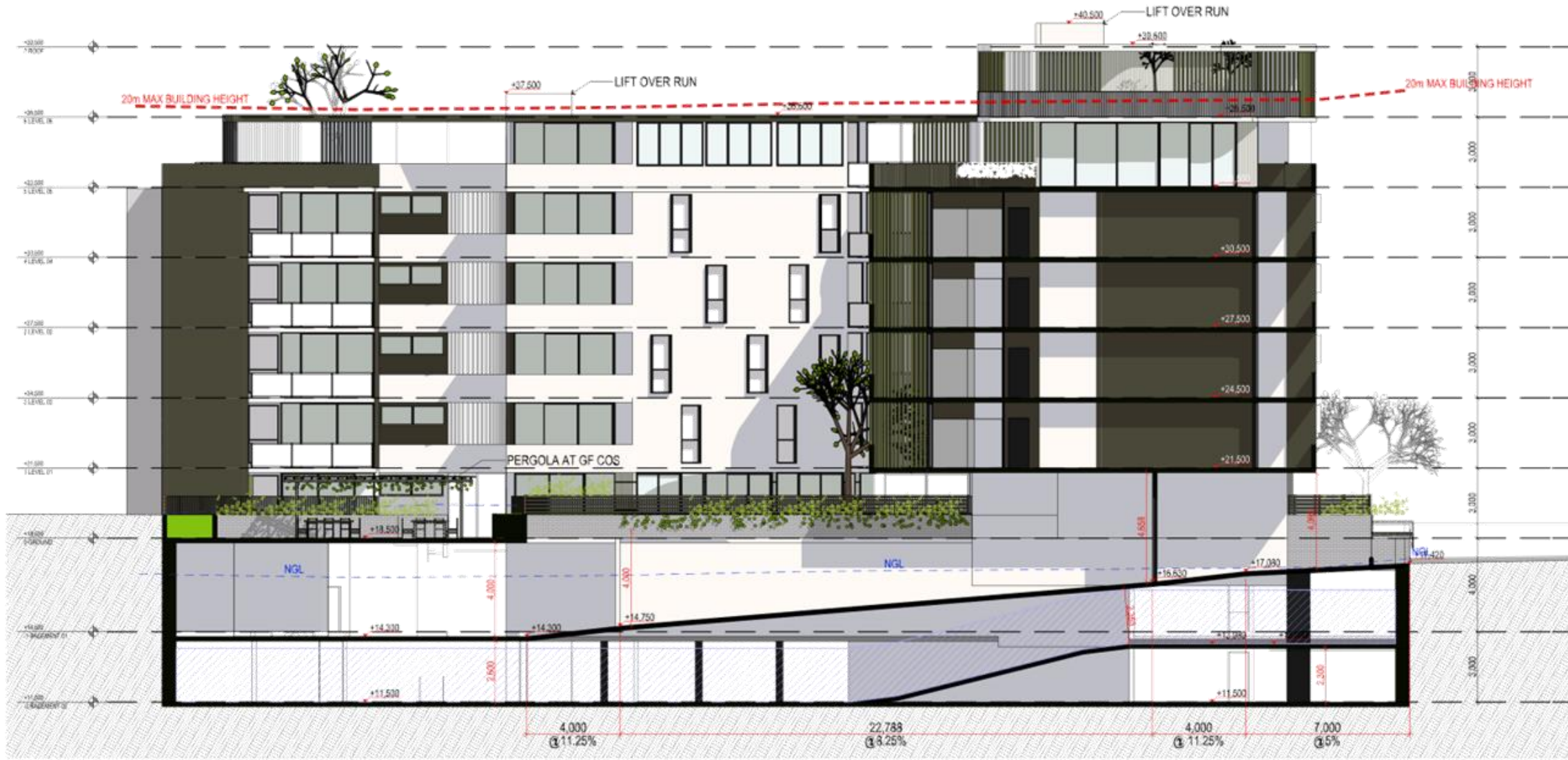
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Date of Issue: 18/04/2017
Checked: CH
Approved: ZB

Scale: 1:100
Drawing Number: 16-107
Drawing Number Replaces: DA2002_A

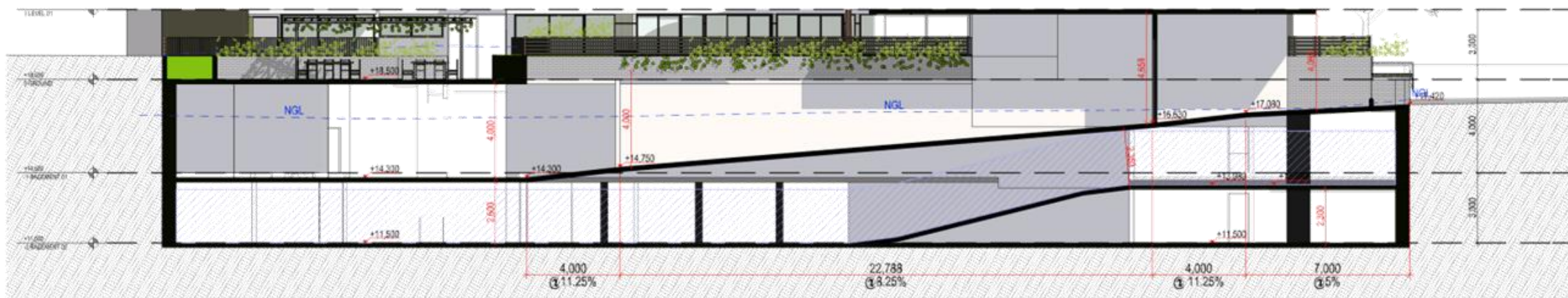
Draftsman: [Signature]
Development Application

Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.



SECTION A

1:100



SECTION A

1:100



1: DA SUBMISSION
A: EQL TO CONSULTANTS
Rev Description Date
Project
**LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING**
47-48 LOFTUS CRESC & 10-18 BRODIE RD
HOMEBUSH NSW 1516 Australia AUSTRALIA

URBAN LINK
Building Services
2nd Floor, 100-110 Street (2nd Floor, Street) NSW 1514
Phone: 02 9511 2222
Fax: 02 9511 2214
Mobile: 041 25745 2014

Drawn By: [Name]
Checked By: [Name]
Approved By: [Name]

SECTION A

Date of Issue: 18/04/2017
Checked: CH
Approved: ZB

Scale: 1:100
Project Number: 16-107
Drawing Number: DA4001_A

DEVELOPMENT APPLICATION

Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
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SECTION B

1:100



Rev. Description Date
 01 DA SUBMISSION 18/04/17
 02 REVISED TO CONSULTANTS 20/04/17
 Project: LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING
 47-48 LOFTUS CRESC & 10-18 BRODIE RD
 HOMERLEIGH NSW 4316 Australia

URBAN LINK
 Business Address: Level 10, 11-15 Green Street, Sydney NSW 2014
 Postal Address: PO BOX 3222, Burwood NSW 1514
 Phone Number: +61 29540 2014
 National Architects: Zaid Baathman Reg 44838, Zaid Baathman Reg 44838, Zaid Baathman Reg 44838
 NSW Reg 44838, NSW Reg 44838, NSW Reg 44838
 NSW Reg 44838, NSW Reg 44838, NSW Reg 44838

Drawing Title: SECTIONS
 Date of Issue: 18/04/2017
 Checked: CH
 Approved: ZB
 Scale: 1:100
 Project Number: 16-107
 Drawing Number: DA4002_A
 Status: DEVELOPMENT APPLICATION

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
DO NOT SCALE DRAWING



SECTION CC

1:100



16 DA SUBMISSION
A EQU TO CONSULTANTS
16/04/2017
16/04/2017

Project
**LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING**
47-48 LOFTUS CRES & 10-18 BRODGE RD
HOMEBUSH NSW 1516 Australia AUSTRALIA



Drawn by: Zaki Basmah Reg 41836
Checked by: Zaki Basmah Reg 41836
Approved by: Zaki Basmah Reg 41836

Drawing Title
SECTIONS

Date of Issue: 16/04/2017
Checked: ZB
Approved: ZB

Scale: 1:100
Drawing Number: 16-107
Drawing Number Revisions: DA4003_A

Date:
DEVELOPMENT APPLICATION

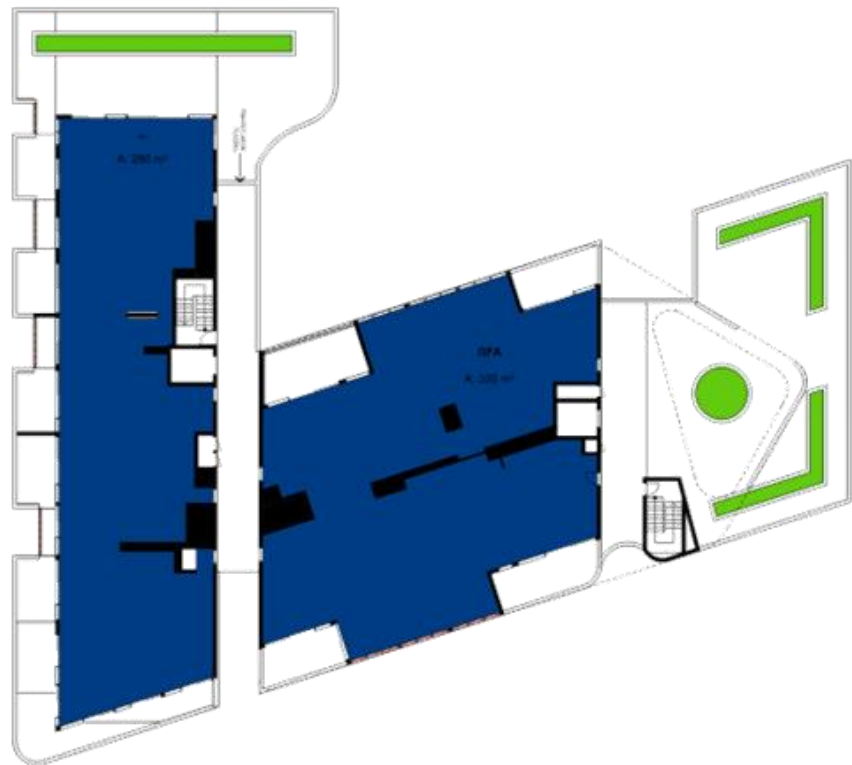
NOTE
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
DO NOT SCALE DRAWING



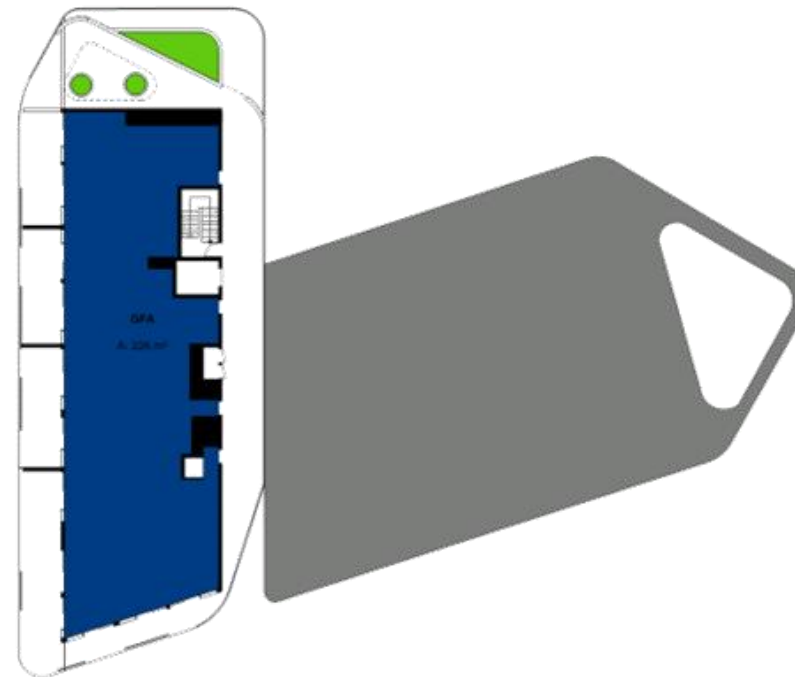
GROUND



LEVEL 1 - 4



LEVEL 5



LEVEL 5-6

Rev	Description	By	Date
1	ISSUE FOR SUBMISSION	ZB	18/04/17
2	ISSUE TO CONSULTANTS	ZB	18/04/17

LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING
 47-48 LOFTUS CRESC & 10-18 BRIDGE RD
 HOMERIDGE NSW 4346 Postcode AUSTRALIA

URBAN LINK
 Business Address: Level 10, 11-15 Green Street, Sydney NSW 2014
 Postal Address: PO BOX 2122, Rozelle NSW 2058
 Phone Number: +61 2943 0214

Nominated Architects:
 Zaki Bannister Reg 41836 Alex Zaki Reg 41281
 Yousef El Khawaja Reg 41850 Nicholas Taha Reg 41328

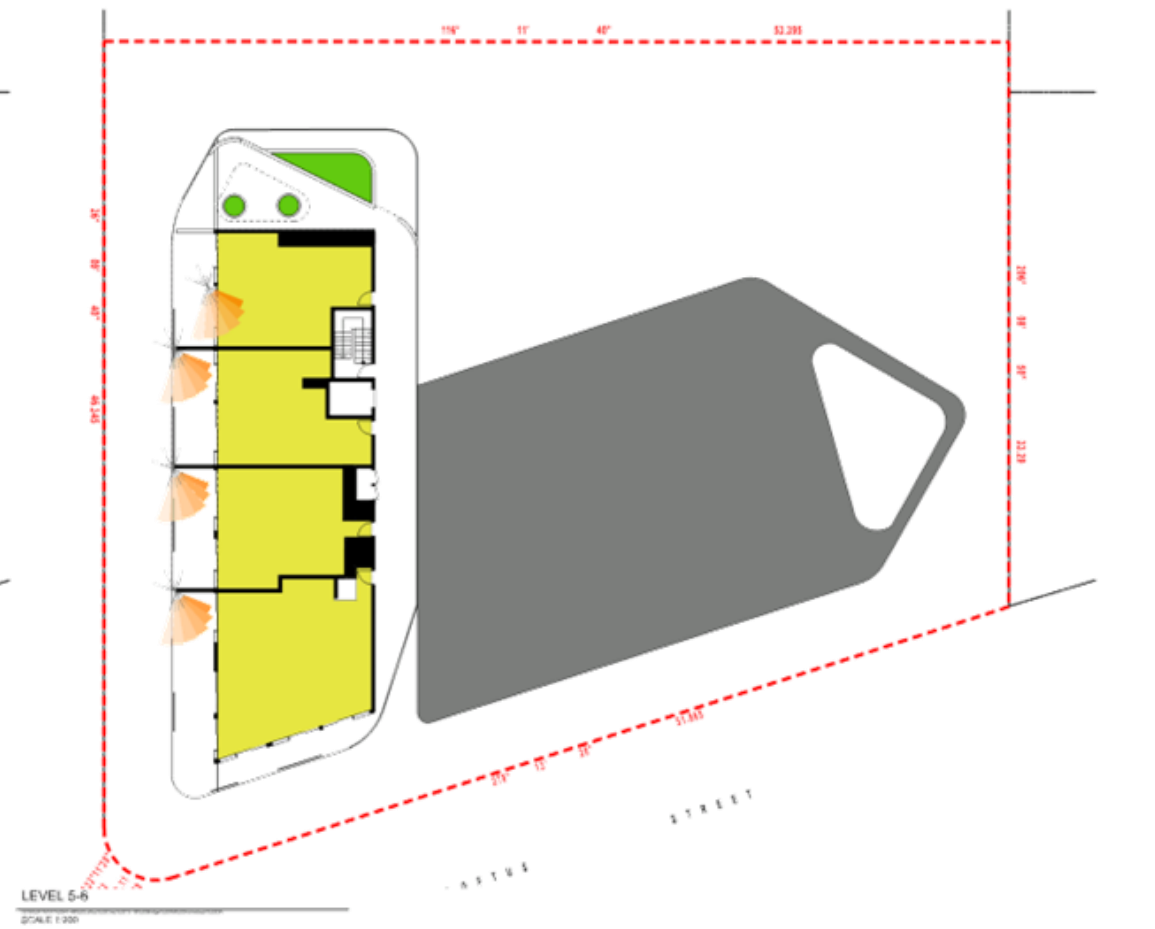
Drawing Title:
COMPLIANCE & DIAGRAMS

Date of Issue	Checked	Approved
18/04/2017	ZB	ZB

Scale:
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 40m max scale

Drawing Number: **16-107**
 Drawing Number Reviser: **DA5001_A**

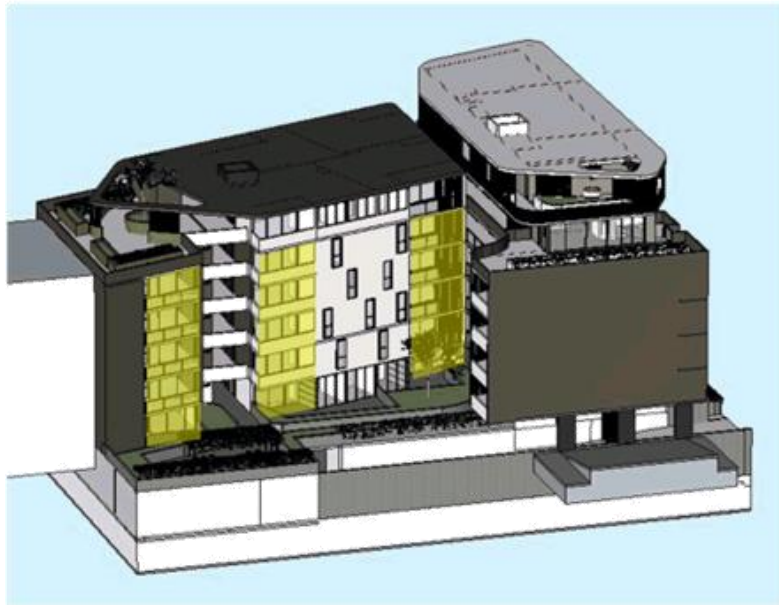
Date:
DEVELOPMENT APPLICATION



B DA SUBMISSION 18/04/2017
 A ECU TO CONSULTANTS 18/04/2017
 Rev Description Date April
 Project
**LOFTUS BRIDGE
 RESIDENTIAL FLAT BUILDING**
 47-48 LOFTUS CREK & 10-18 BRODIE RD
 HOMERLEIGH NSW 4316 Postcode AUSTRALIA

URBANLINK
 Business Address: Level 10, 11-13 Green Street, Sydney NSW 2014
 Postal Address: PO BOX 1222 Bankstown NSW 2201
 Phone Number: +61 (0)2 9540 2014
 National Australia Bank Business Reg 44838 NSW Reg 44291
 YouGov E-Knowledge Reg 44838 NSW Reg 44291
 Drawing Title
COMPLIANCE & DIAGRAMS

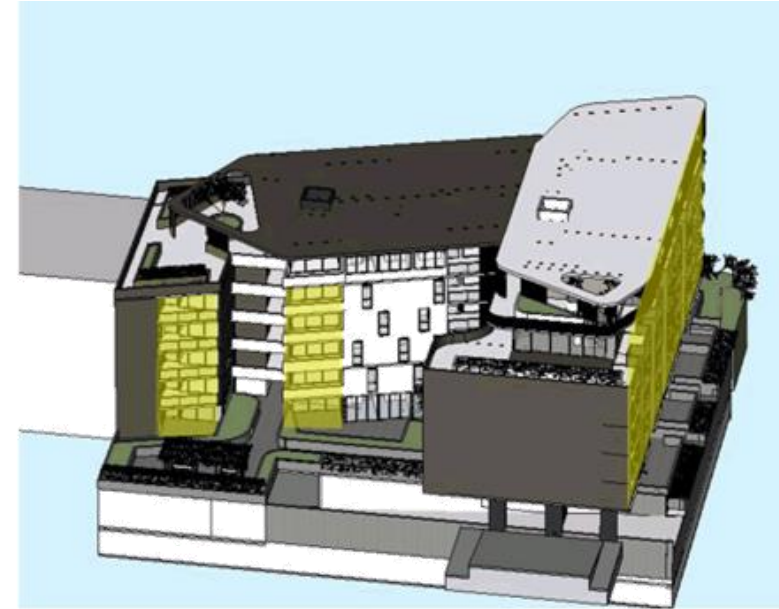
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 Checked: CH
 Approved: ZB
 Drawn: 1:100
 Project Number: 16-107
 Drawing Number: DA5002_A
 Title: DEVELOPMENT APPLICATION



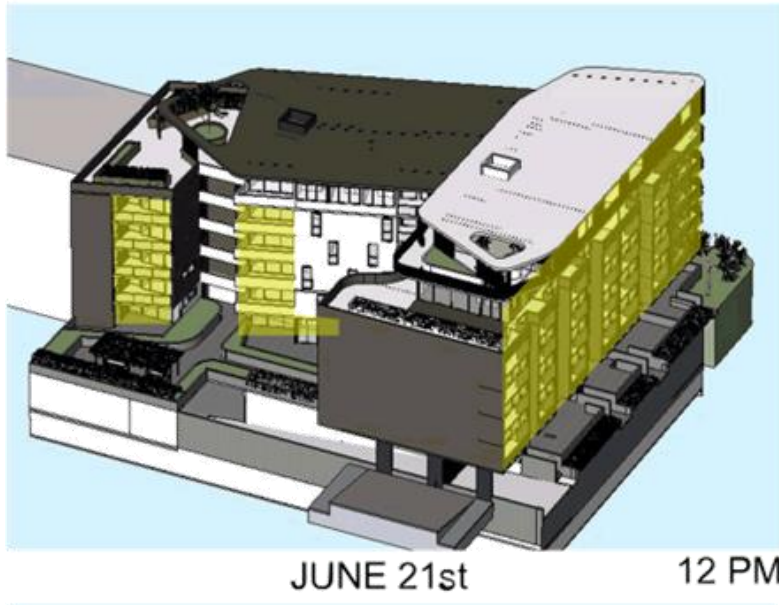
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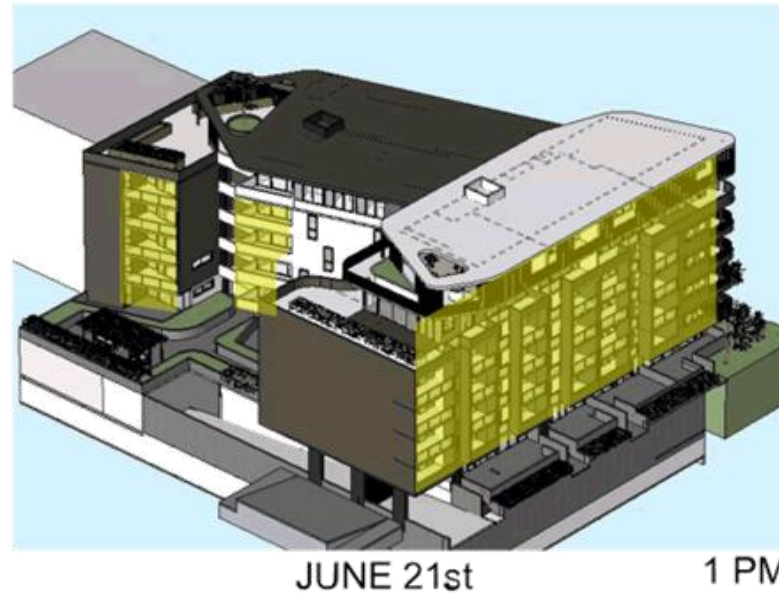
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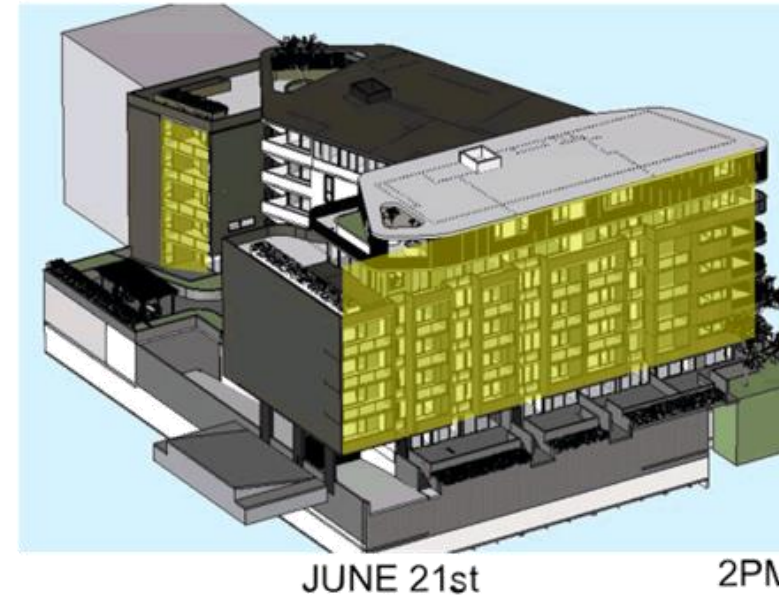
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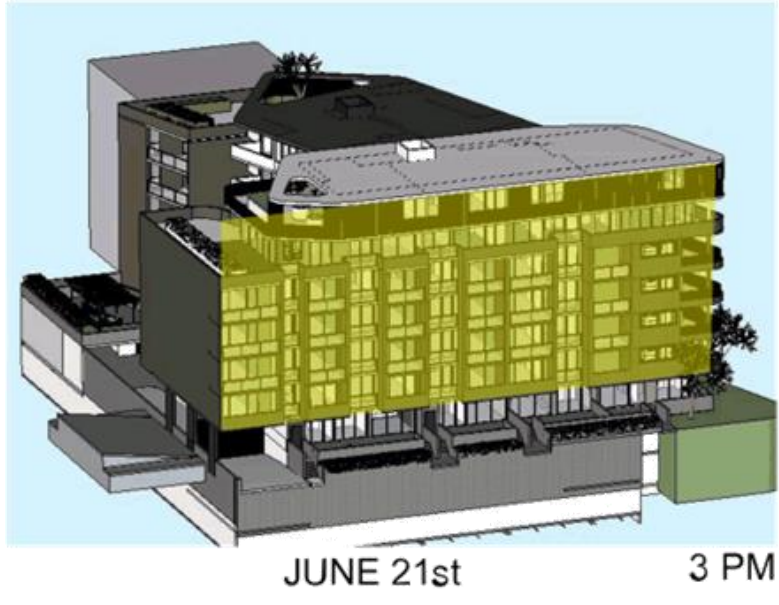
JUNE 21st 12 PM



JUNE 21st 1 PM



JUNE 21st 2 PM



JUNE 21st 3 PM

Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
DO NOT SCALE DRAWINGS

By: DA SUBMISSION	Drawn: ZB
A: ISSUE TO CONSULTANTS	Checked: ZB
By: Description	Doc: April
Project:	
LOFTUS BRIDGE	
RESIDENTIAL FLAT BUILDING	
47-48 LOFTUS CRESC & 10-18 BRODIE RD	
HOMEBUSH NSW 1534 Australia AUSTRALIA	

URBAN LINK

Business Address: Level 10, 11-15 Green Street, Sydney NSW 2014
 Postal Address: PO BOX 1000, Homebush NSW 1534
 Phone Number: +61 29749 9124

Residential Architects:
 Zaki Barmakian Reg 41836
 Youqun El Khawaja Reg 41850
 Nicholas Taha Reg 41826

Res 200 Reg 41861
 Nicholas Taha Reg 41826

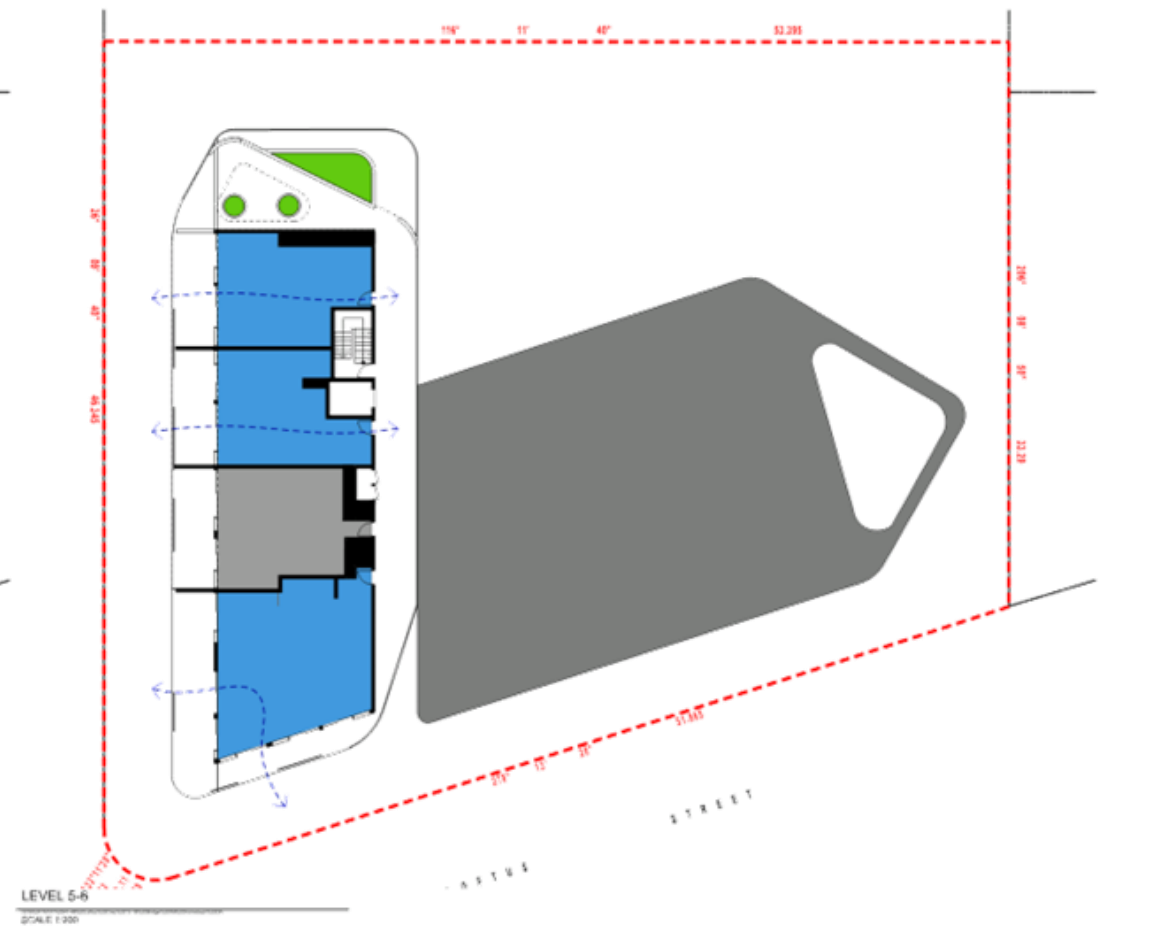
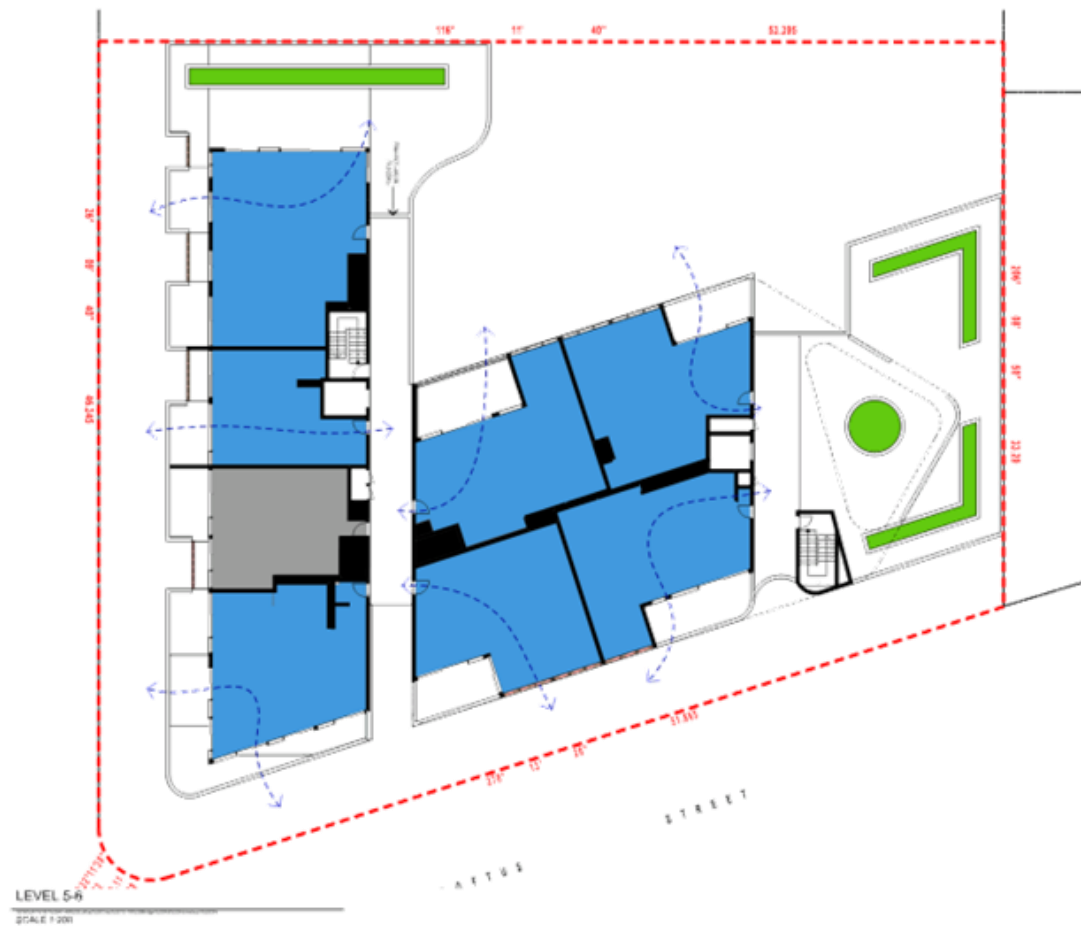
Drawing Title:
COMPLIANCE & DIAGRAMS

Date of Issue:	Checked:	Approved:
18/04/2017	CH	ZB

Scale:
 1:100

Project Number: 16-107
 Drawing Number: DA5003_A

Date:
 DEVELOPMENT APPLICATION

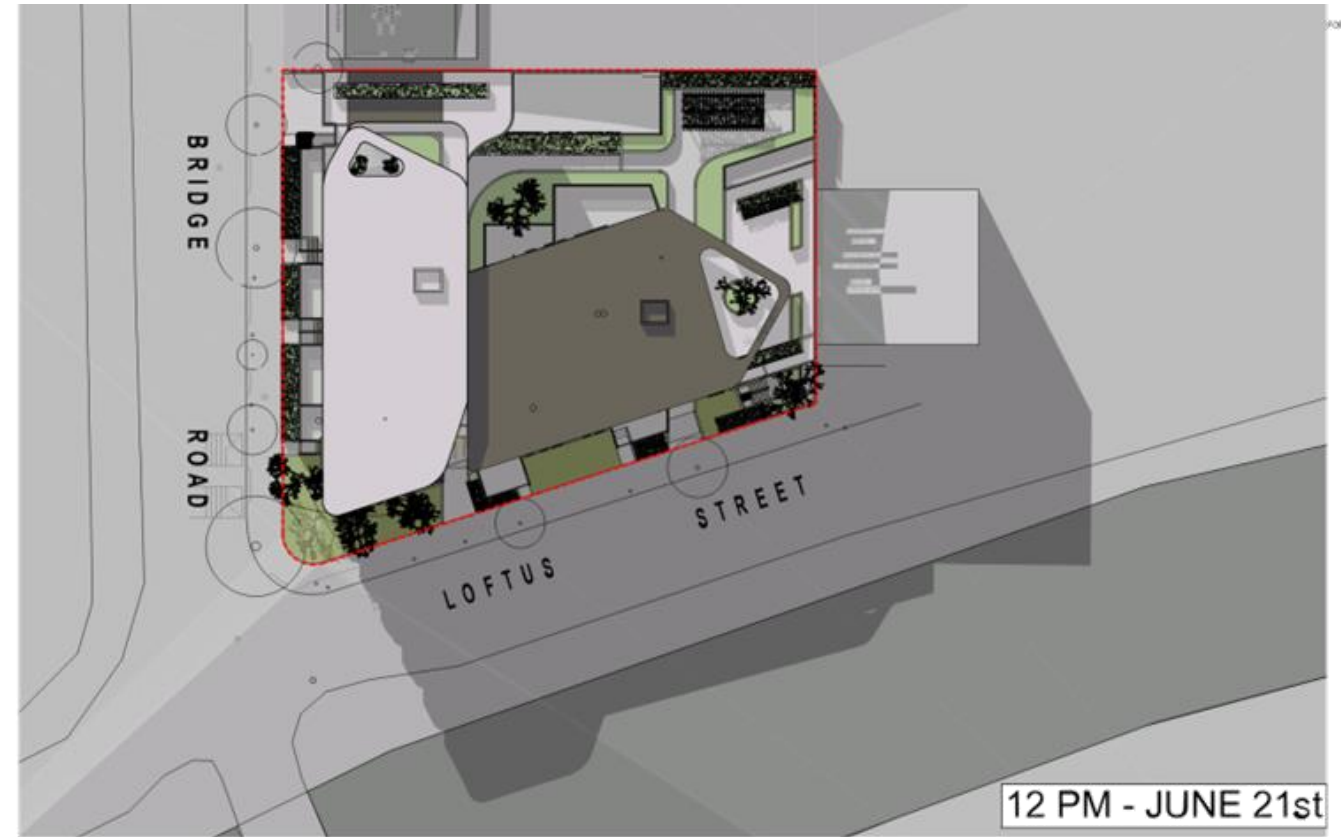


B DA SUBMISSION 10/08/17 ZS
 A EQU TO CONSULTANTS 10/08/17 ZS
 Rev Description Date April
 Project
LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING
 47-48 LOFTUS CREK & 10-18 BRODIE RD
 HOMERLEIGH NSW 4316 Postcode AUSTRALIA

URBANLINK
 Business Address: Level 10, 11-15 Deane Street, Strathfield NSW 2154
 Postal Address: PO BOX 1222 Strathfield NSW 2154
 Phone Number: +61 (0)2 942 2014
 National Australia Bank: 2nd Floor, Reg 44-858 NSW 2nd Reg 44/2011
 YouGov: 5th Floor, Reg 44-852 NSW 5th Reg 44/2011
 Drawing Title:

COMPLIANCE & DIAGRAMS

Date of Issue: 18/04/2017 Checked: CH Approved: ZS
 Scale: 1:100
 Project Number: 16-107 Drawing Number: DA5004_A
 Date: DEVELOPMENT APPLICATION



18/04/2017
16-107
DA5005_A
ZB

URBAN LINK
Business Address: Level 10, 11-13 Green Street, Brisbane QLD 4000
Postal Address: PO BOX 1222, Brisbane NSW 4000
Phone Number: +61 7 3740 2014

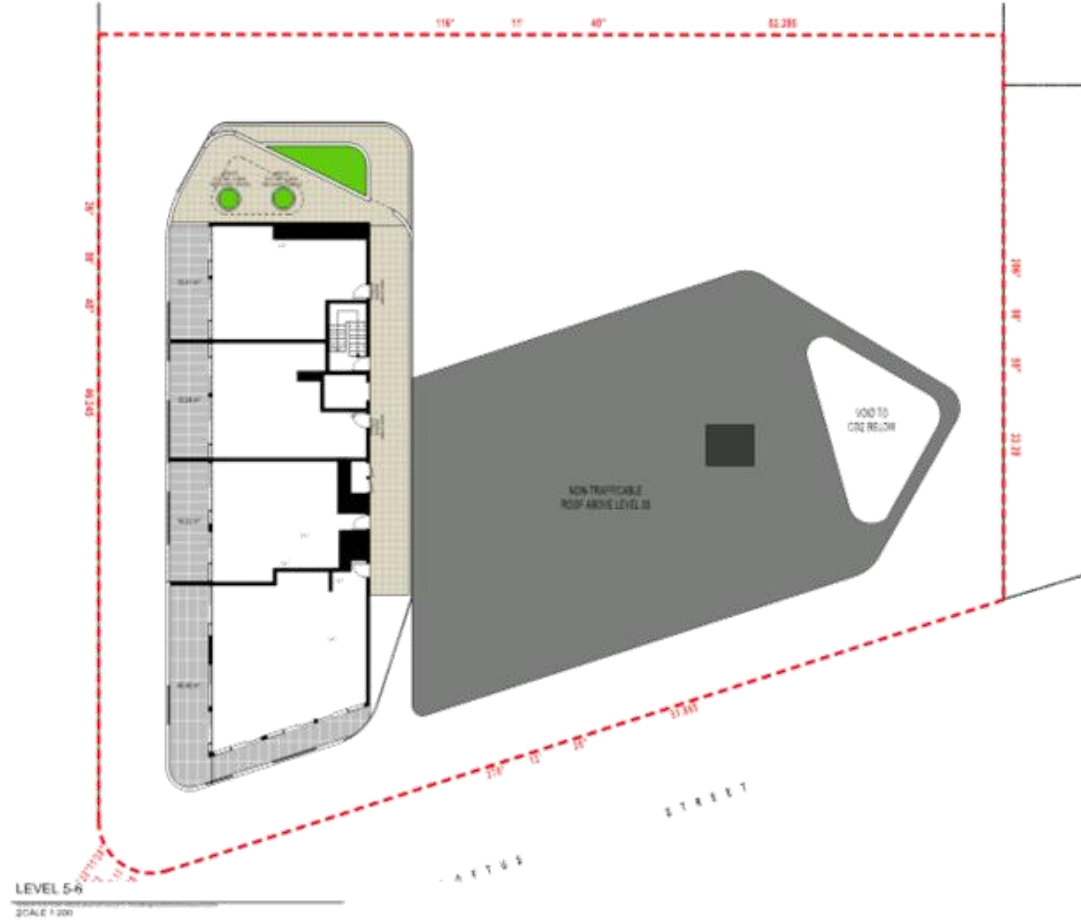
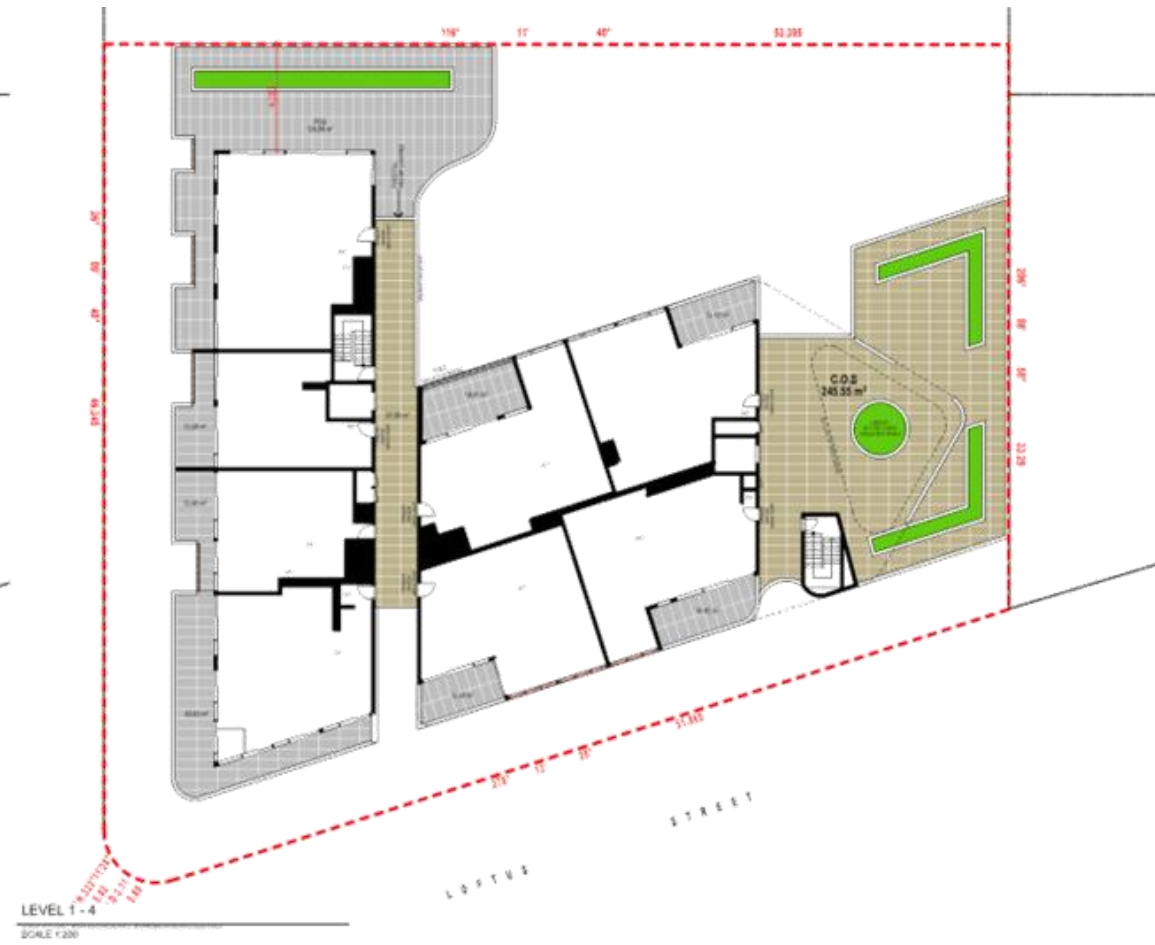
Principal Architect:
Zachary Bunnell Reg 40838
Yusef El Khayari Reg 41850
Nehal Taha Reg 40328

COMPLIANCE & DIAGRAMS

Date of Issue	Checked	Approved
18/04/2017	CH	ZB

Scale: 1:100
Drawing Number: DA5005_A

Project Number: 16-107
Drawing Number: DA5005_A
Title: DEVELOPMENT APPLICATION



LEGEND

- DEEP SOIL TOTAL AREA 200m²
- COMMON OPEN SPACE
- FLATROOF AREA LANDSCAPE VEGETATION DETAILS

U R B A N L I N K

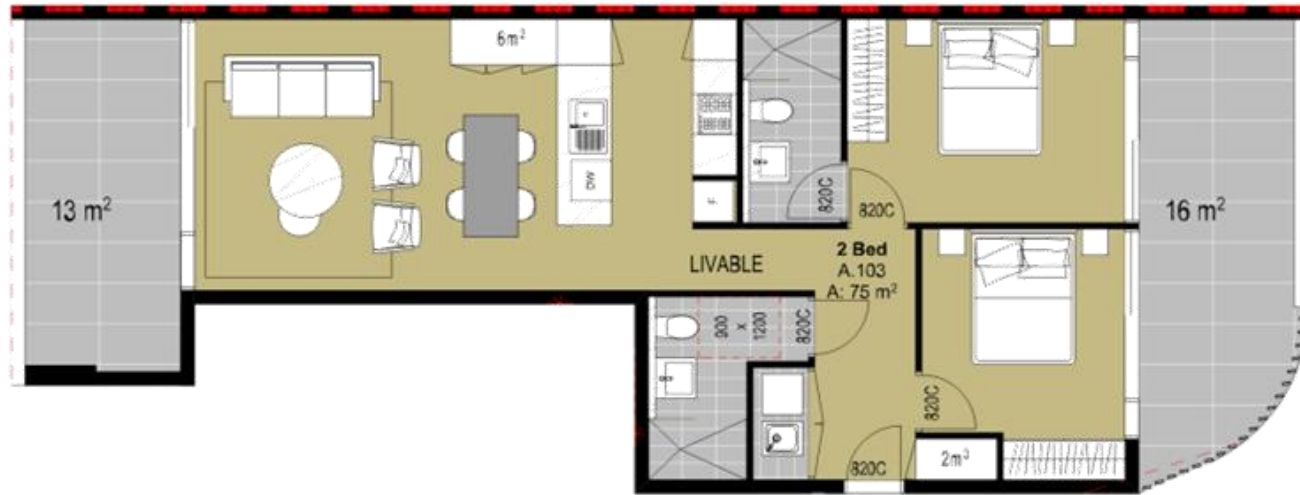
16-107 DA SUBMISSION
A EQU TO CONSULTANTS

LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING
47-48 LOFTUS CRESC & 15-18 BRIDGE RD
HOMEBUSH NSW 1516 Australia

COMPLIANCE & DIAGRAMS

16-107 DA5006_A
DEVELOPMENT APPLICATION

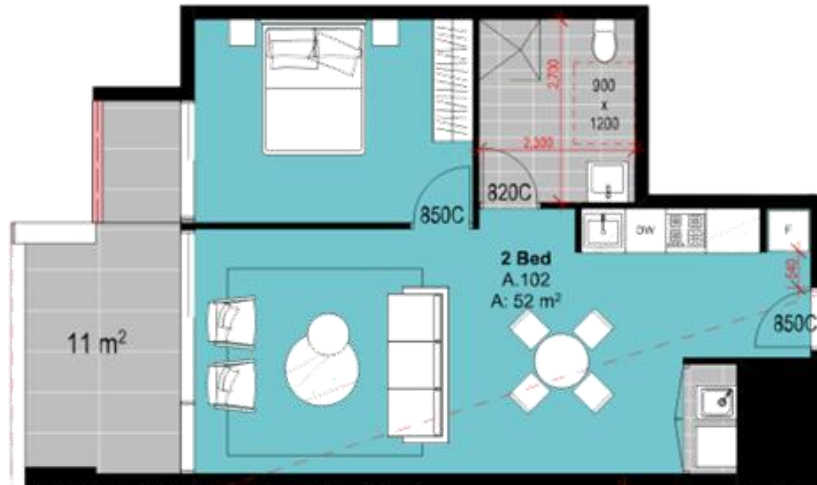
Note
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DO NOT SCALE DRAWING.



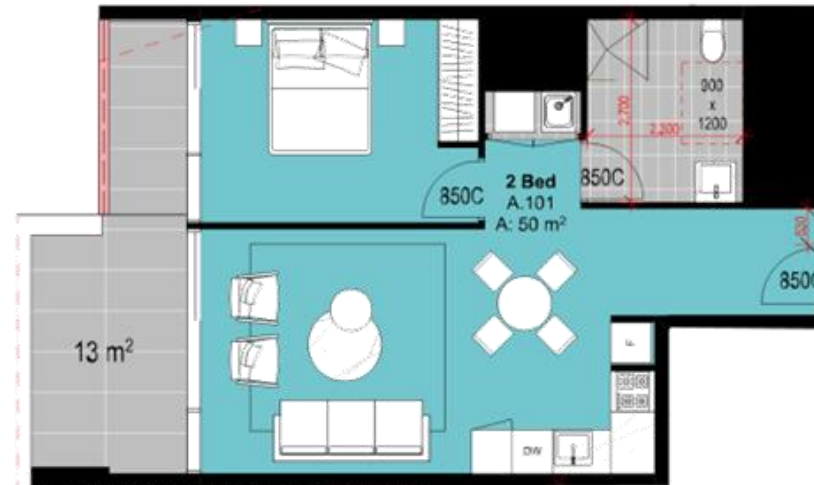
PRE-ADAPTABLE AND LIVABLE UNITS
A103 - A203 - A303



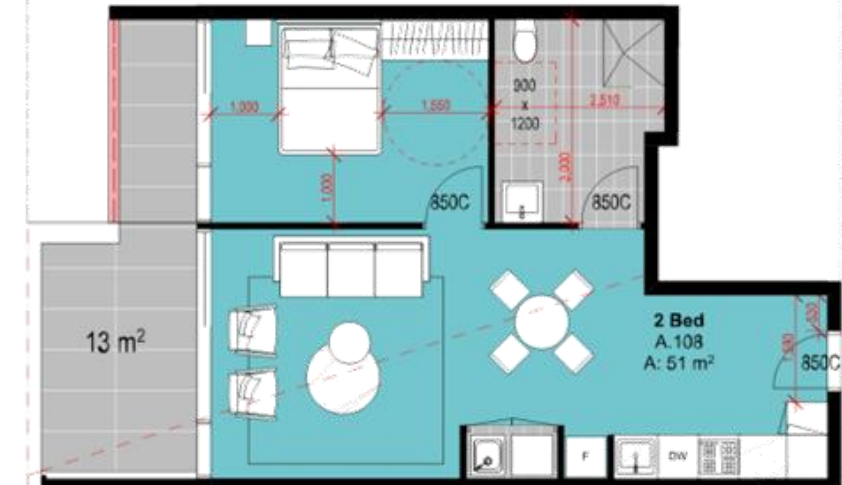
PRE-ADAPTABLE AND LIVABLE UNITS
A108 - A208 - A308



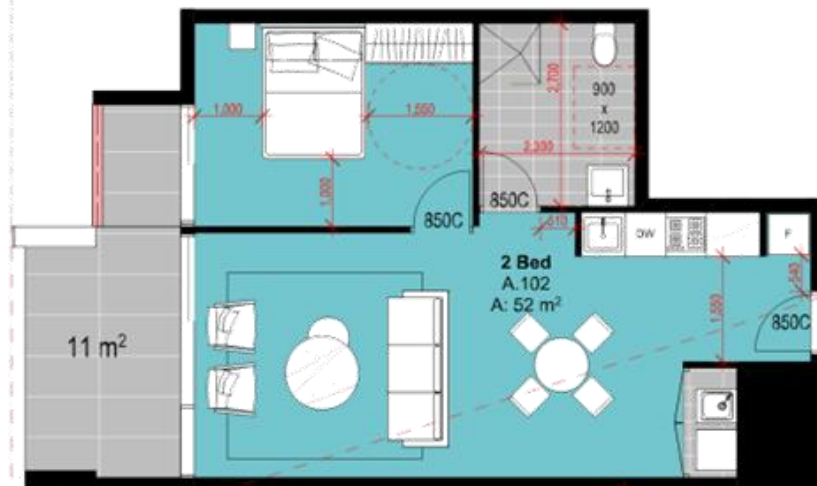
PRE-ADAPTABLE AND LIVABLE UNITS
A102 - A202 - A302 - A402



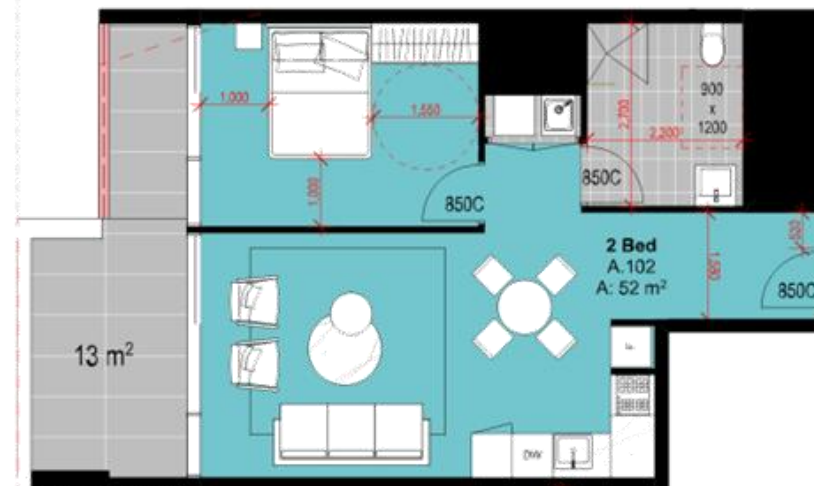
PRE-ADAPTABLE AND LIVABLE UNITS
A101 - A201 - A301 - A401



POST-ADAPTABLE
A108 - A208 - A308



POST-ADAPTABLE
A102 - A202 - A302 - A402



POST-ADAPTABLE
A101 - A201 - A301 - A401

PRE-ADAPTABLE + LIVABLE POST-ADAPTABLE

- | | |
|---------|---------|
| 1.A102 | 1.A102 |
| 2.A202 | 2.A202 |
| 3.A302 | 3.A302 |
| 4.A403 | 4.A403 |
| 5.A101 | 5.A101 |
| 6.A201 | 6.A201 |
| 7.A301 | 7.A301 |
| 8.A401 | 8.A401 |
| 9.A108 | 9.A108 |
| 10.A208 | 10.A208 |
| 11.A308 | 11.A308 |
| 12.A103 | |
| 13.A203 | |
| 14.A303 | |

By DA SUBMISSION
A 16/10/2017
By Description
Project
LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING
47-48 LOFTUS CREK & 10-18 BRIDGE RD
HOMEBUSH NSW 1516 Australia

URBAN LINK
Building Address: 1447 St. 11-13 Green Street, Sydney NSW 2014
Postal Address: PO BOX 1222 Rozelle NSW 1585
Phone Number: +61 2 9749 2014

Notional Architects:
Zoe Burrows Reg 41838
Yusef El Khayat Reg 41850
New 2017 Reg 41841
Nehal Talwar Reg 41828

Drawing Title
COMPLIANCE & DIAGRAMS

Date of Issue: 18/04/2017
Checked: CH
Approved: ZB

Scale: 1:100
Project Number: 16-107
Drawing Number: DA5007_A

Date: DEVELOPMENT APPLICATION



Note
 CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
 COMMENCING WORK OR PREPARING SHOP DRAWINGS
 DO NOT SCALE DRAWING



16-107 SUBMISSION	16/04/2017	
A - EQUIL TO CONSULTANTS	16/04/2017	
Rev: Description	Date: April	
Project		
LOFTUS BRIDGE		
RESIDENTIAL FLAT BUILDING		
47-48 LOFTUS CRESC & 10-18 BRODIE RD		
HOMEBUSH NSW 1534 Australia AUSTRALIA		
URBAN LINK		
Building Address: 1447 St. Vincent Street, Brisbane QLD 4004 Postal Address: PO BOX 2022, Brisbane QLD 4001 Phone Number: +61 7 3746 2014		
National Architects: Zaki Saadouni Reg 41836 Rex Zaki Reg 41361 Youqin El Khawaja Reg 41850 Nicholas Taha Reg 41328		
Drawing Title		
PERSPECTIVES		
Date of Issue	Checked	Approved
16/04/2017	CH	ZB
Scale		
1:100		
Project Number	Drawing Number/Revision	
16-107	DA6001_A	
Date:		
DEVELOPMENT APPLICATION		

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By DA SUBMISSION 15/04/2017
 A 822 TO CONSULTANTS 15/04/2017
 Rev Description Date April
 Project
LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING
 47-48 LOFTUS CRESC & 10-18 BRODGE RD
 HOMEBUSH NSW 1516 Australia AUSTRALIA

URBAN LINK
 Building Services Unit 11-13 Green Street Sydney NSW 1514
 Phone: (02) 9550 1234
 Fax: (02) 9550 1234
 Email: info@urbanlink.com.au

Drawn By: Zaid Saadun Reg 41836
 Checked By: Zaid Saadun Reg 41836
 Approved By: Zaid Saadun Reg 41836
 Date: 15/04/2017

Drawing Title
PERSPECTIVES

Date of Issue: 15/04/2017
 Checked: CH
 Approved: ZB

Scale: 1:100
 Drawing Number: 16-107
 Drawing Number: DA6002_A

Date: 15/04/2017
 Drawing Title: DEVELOPMENT APPLICATION

NOTE
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DO NOT SCALE DRAWINGS



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A 82/16 TO CONSULTANTS	10/08/17 ZB	
Rev Description	Doc April	
Project		
LOFTUS BRIDGE		
RESIDENTIAL FLAT BUILDING		
47-48 LOFTUS CRESC & 10-18 BRODIE RD		
HOMEBUSH NSW 1516 Australia AUSTRALIA		
URBAN LINK		
Building Address: 1447 St. Vincent Street, Brisbane QLD 4004 Postal Address: PO BOX 2222, Brisbane QLD 4001 Phone Number: +61 7 3246 2114		
National Architects: Zaki Samirhan Reg 41836 Lisa Zaki Reg 41361 Yousef El Khawaja Reg 41850 Nicholas Taha Reg 41328		
Drawing Title		
PERSPECTIVES		
Date of Issue	Checked	Approved
18/04/2017	CH	ZB
Scale		
1:100		
Project Number	Drawing Number/Revision	
16-107	DA6003_A	
Date		
DEVELOPMENT APPLICATION		

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
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B DA SUBMISSION 15/04/2017
 A EQL TO CONSULTANTS 16/04/2017 ZB
 Rev Description Date April
 Project
LOFTUS BRIDGE
RESIDENTIAL FLAT BUILDING
 47-48 LOFTUS CRESC & 12-18 BRIDGE RD
 HOMERLEIGH NSW 4556 Postcode AUSTRALIA

URBANLINK
 Business Address: Level 10, 11-12 Green Street, Sydney NSW 2014
 Postal Address: PO Box 1222, Rydalmount NSW 1587, NSW
 Phone Number: +61 (0)2 9430 2014
 National Architects:
 Zaki Samirhan Reg no 4836 NSW Reg no 3961
 Yousoof El Khawaz Reg no 850 NSW Reg no 3526

PERSPECTIVES

Date of Issue: 18/04/2017
 Checked: CH
 Approved: ZB

Scale: 1:100
 Project Number: 16-107
 Drawing Number: DA6004_A
 Date: DEVELOPMENT APPLICATION



Note: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWING.

MATERIAL SCHEDULE

	01 ASTRAL BLUE OR SIMILAR
	02 VITRABOND RIDDLE GREY OR SIMILAR
	03 TAUBMANG DUETY TRAIL OR SIMILAR
	04 TAUBMANG KNIGHT GREY OR SIMILAR
	05 TAUBMANG CHINA DOLL OR SIMILAR
	06 ALUMINIUM POWDERCOAT DULUX BRONZE PEARL OR SIMILAR
	07 ALUMINIUM POWDERCOAT DULUX GOLD PEARL OR SIMILAR

Gold Pearl
011-1000-1000

LEGEND

01	Concrete Wall	010	Window Sill
02	Concrete Wall	011	Window Sill
03	Concrete Wall	012	Window Sill
04	Concrete Wall	013	Window Sill
05	Concrete Wall	014	Window Sill
06	Concrete Wall	015	Window Sill
07	Concrete Wall	016	Window Sill
08	Concrete Wall	017	Window Sill
09	Concrete Wall	018	Window Sill
10	Concrete Wall	019	Window Sill
11	Concrete Wall	020	Window Sill

01 02 03 04 05 06 07 08 09 10 11

01 02 03 04 05 06 07 08 09 10 11

REVISIONS

1	04/08/2017	01/08/2017
2	04/08/2017	01/08/2017

LOFTUS BRIDGE RESIDENTIAL FLAT BUILDING
47-48 LOFTUS CRESC & 12-18 BRODIE RD
HOMEBUSH NSW 1514 Australia

URBAN LINK
Business Address: 1-44 Toowoomba Street, Brisbane QLD 4000
Postal Address: PO BOX 1222, Strathfield NSW 1514
Phone Number: +61 2 9540 2014

Notified Architects:
Zachary Architects Pty Ltd
Youatt Stirling Architects Pty Ltd

Notified Engineers:
Roe & Partners Pty Ltd
Nicholas Tully Pty Ltd

EXTERNAL FINISHES

Date of Issue:	18/04/2017	Checked:	CH	Approved:	ZB
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Scale: 1:100

Project Number: 16-107

Drawing Number: DA6301_A

DEVELOPMENT APPLICATION



Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

MATERIAL SCHEDULE

01	ASTRAL BLUE OR SIMILAR
02	VITRABOND RIDDLE GREY OR SIMILAR
03	TAUBMANG DUEY TRAIL OR SIMILAR
04	TAUBMANG KNIGHT GREY OR SIMILAR
05	TAUBMANG CHINA DOLL OR SIMILAR
06	ALUMINIUM POWDERCOAT DULL BRONZE PEARL OR SIMILAR
07	ALUMINIUM POWDERCOAT DULL GOLD PEARL OR SIMILAR

Gold Pearl
071 RAL 9016

LEGEND

01	CONCRETE	02	GLASS
02	PAVING	03	WOOD
03	ROOFING	04	IRON
04	WALLS	05	STEEL
05	FLOORING	06	ALUMINIUM
06	GLAZING	07	GLASS
07	ROOFING	08	WOOD
08	WALLS	09	IRON
09	FLOORING	10	STEEL
10	GLAZING	11	ALUMINIUM
11	GLASS		

01 CONCRETE
02 PAVING
03 ROOFING
04 WALLS
05 FLOORING
06 GLAZING
07 ROOFING
08 WALLS
09 FLOORING
10 GLAZING
11 ALUMINIUM

02 GLASS
03 WOOD
04 IRON
05 STEEL
06 ALUMINIUM
07 GLASS
08 WOOD
09 IRON
10 STEEL
11 ALUMINIUM

01 CONCRETE
02 PAVING
03 ROOFING
04 WALLS
05 FLOORING
06 GLAZING
07 ROOFING
08 WALLS
09 FLOORING
10 GLAZING
11 ALUMINIUM

01	CONCRETE	02	GLASS
02	PAVING	03	WOOD
03	ROOFING	04	IRON
04	WALLS	05	STEEL
05	FLOORING	06	ALUMINIUM
06	GLAZING	07	GLASS
07	ROOFING	08	WOOD
08	WALLS	09	IRON
09	FLOORING	10	STEEL
10	GLAZING	11	ALUMINIUM
11	GLASS		

01 CONCRETE
02 PAVING
03 ROOFING
04 WALLS
05 FLOORING
06 GLAZING
07 ROOFING
08 WALLS
09 FLOORING
10 GLAZING
11 ALUMINIUM

URBAN LINK

Business Address: Unit 10, 11-13 Green Street, Strathfield NSW 2159
Postal Address: PO Box 1222 Strathfield NSW 2159
Phone Number: +61 29749 2014

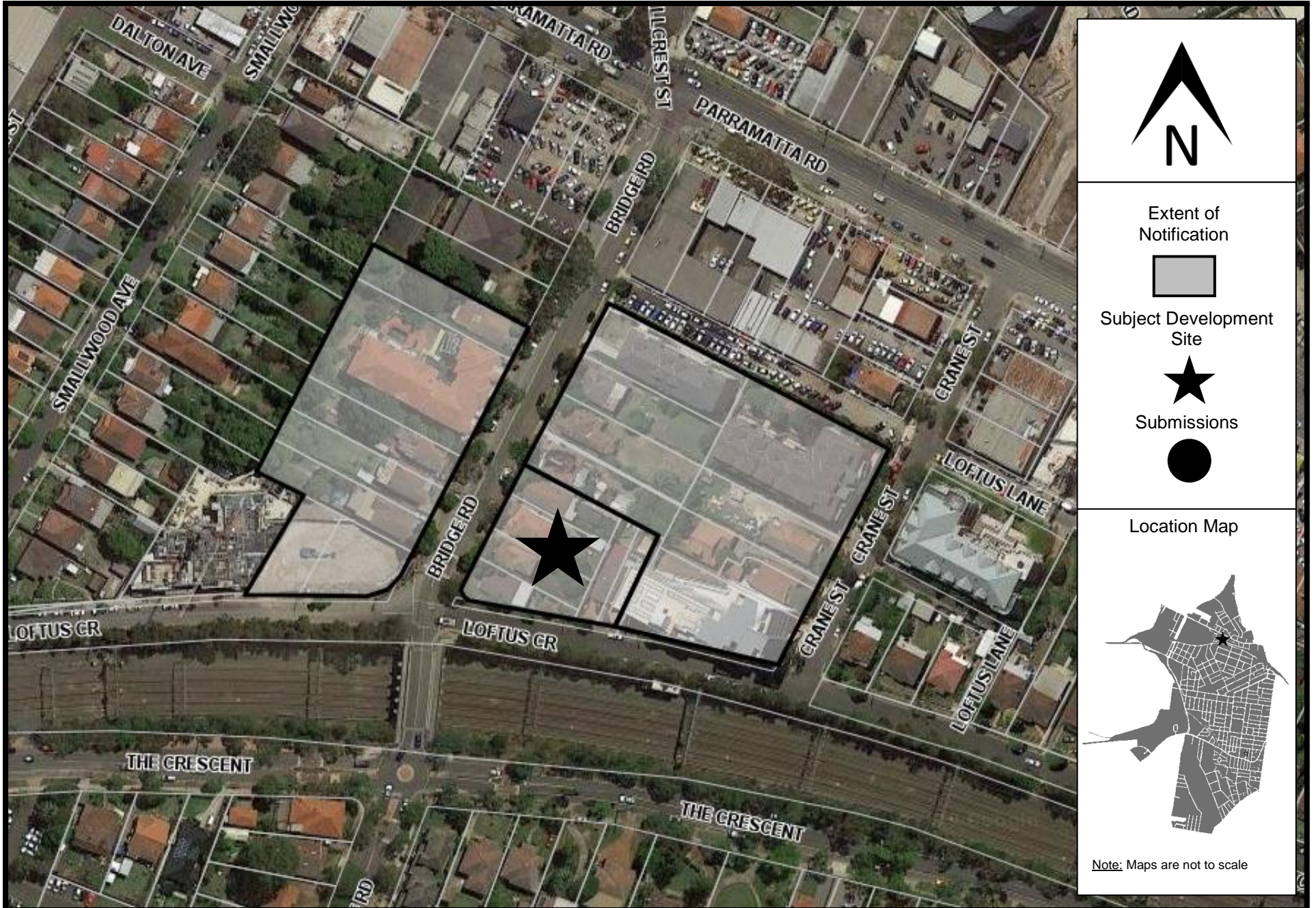
Registered Architects:
Zari Ramezani Reg. 41836
Yusef El Khawaja Reg. 41850

Reg. 246 Reg. 41361
Nicholas Tabbag Reg. 41326

EXTERNAL FINISHES

Date of Issue	18/04/2017	Checked	CH	Approved	ZB
Scale	1:100				
Project Number	16-107	Drawing Number	DA6302_A		

DEVELOPMENT APPLICATION



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 3 August 2017

REPORT: SIHAP – Report No. 2

SUBJECT: 15 HOMEBUSH ROAD, STRATHFIELD
LOT 5 DP31394

DA NO. 2017/061

SUMMARY

Proposal: Affordable Rental Housing

Applicant: Bechara Chan & Associates Pty Ltd

Owner: Minhkhoilan Pty Ltd

Date of lodgement: 9 May 2017

Notification period: 16 May 2017 to 1 June 2017

Submissions received: One (1)

Assessment officer: LP

Estimated cost of works: \$3,042,941.00

Zoning: R3 Medium Density Residential - SLEP 2012

Heritage: Adjoining Abbotsford Road Conservation Area

Flood affected: No

Is a Clause 4.6 variation proposed? Yes – Building Height

Extent of the variation supported? 19.4% (2.14m)

Peer review of Clause 4.6 variation: A peer review of the Clause 4.6 variation has been undertaken and the assessment officer's recommendation is supported.

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The subject application proposes the demolition of existing structures and construction of a four (4) storey residential flat building comprised of (15) units over a single level of basement car parking. Throughout the assessment of the subject application the proposal was amended to contain (14) units.
- 2.0 The subject application was lodged under the “infill affordable housing” provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) as four (4) units or 23.3% (223.95m²) of the gross floor area is provided as affordable housing.
- 3.0 The subject application was notified from 16 May 2017 to 1 June 2017 in accordance with the requirements of Part L “Public Notification of Development Applications” of the Strathfield Consolidated Development Control Plan 2005. One (1) written submission was received raising concerns over visual privacy, streetscape, heritage conservation, building height and overshadowing.
- 4.0 Whilst the development generally complies with the design requirements of the Affordable Rental Housing SEPP, SEPP 65 and the Apartment Design Guide, the proposed

**15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)**

development does not comply with the building height plane requirements of the Strathfield Local Environmental Plan 2012. A Clause 4.6 variation request to vary the maximum permitted height of 11m by 2.14m or 19.4% was submitted as part of the application and has been further analysed in this assessment. The proposed height variation is considered to be acceptable as the additional building height predominately consists of the lift overrun structure and a portion of the fourth storey. The additional building height is consistent with existing and likely future developments within the streetscape and allows the development to achieve the residential density available under the Infill affordable rental housing provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009.

- 5.0 Overall, the development is considered a good outcome for the redevelopment of the site in recognition of its R3 Medium Density Residential zoning and is recommended for approval.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 5 of DP31394 and is commonly known as 15 Homebush Road, Strathfield. The site is located on the western side of Homebush Road and has an area of 809.4m².

The site is irregular in shape with a splayed frontage to Homebush Road and has a frontage of 18.35m to the east, a rear boundary of 17.9m to the west, a side boundary length of 43.8m to the north, and side boundary length of 46.9m to the south.

The site slopes from south-west to north east and has a cross-fall of 1.57m.

Existing development on the site comprises of a single storey face brick dwelling and detached outbuilding to the rear (Refer Figure 2).

Development to the north and east of the subject site consists predominantly of similar residential flat buildings ranging from two (2) to five (5) storeys in height. The allotments to the south of the subject site are zoned R2 Medium Density Residential and consists predominately of single and two (2) storey dwelling houses. However, immediately to the south of the subject site is a two (2) storey attached dual occupancy development. Further, the allotments to the south of the subject site fronting Abbotsford Road form part of the Abbotsford Road Conservation area. The statement of significance for the conservation area identifies it as consisting of late nineteenth and early twentieth century housing in a high quality streetscape.

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

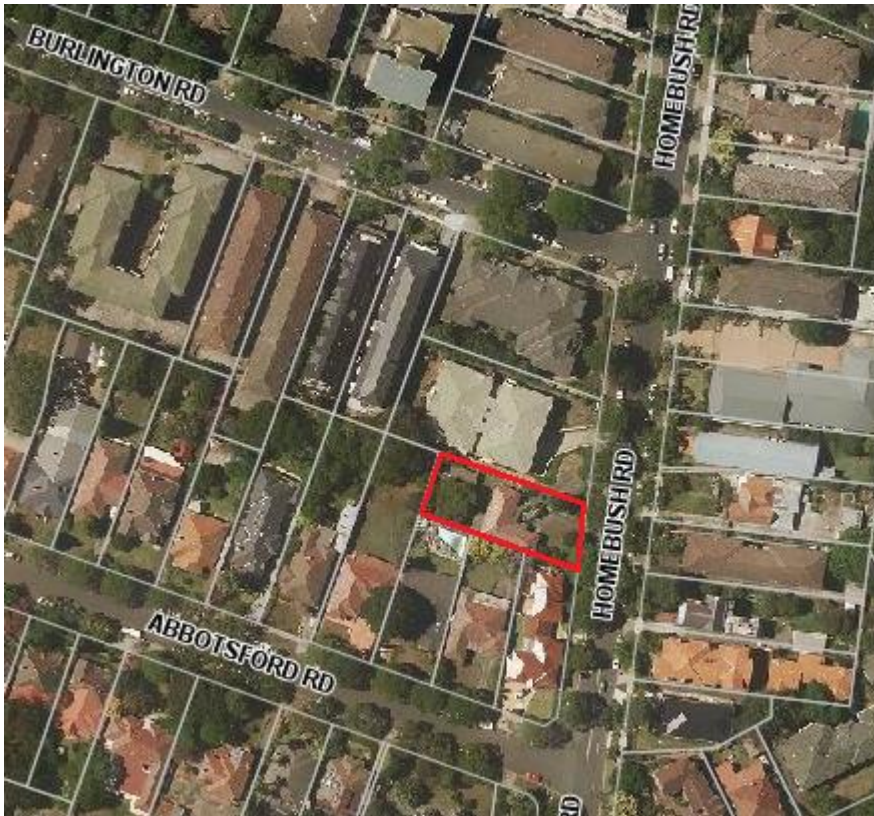


Figure 1: Locality plan



Figure 2: Existing dwelling

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

The application seeks Council approval for the demolition of existing structures and construction of an 'Infill Affordable Housing' development under the Affordable Rental Housing SEPP comprising a four (4) storey residential flat building over a single level of basement parking.

The elements of the proposal are:

- Demolition of the existing site structures;
- Construction of a four (4) storey residential flat building containing a total of (14) units comprising five (5) x 1 bedroom and nine (9) x 2 bedroom units above one (1) level of basement car parking; and
- Associated stormwater drainage and landscaping works.

Note: Four (4) units or 23.3% (223.95m²) of the gross floor area is proposed to be provided as affordable housing.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Waste Comments

Council's Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Landscaping Comments

Council's Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Heritage Comments

Council's Heritage Advisor has commented on the proposal as follows:

"While initial concerns were raised in relation to the compatibility of the proposal with the adjoining heritage conservation area, the application was subsequently amended to reduce the visual impact of the upper storey, incorporate sympathetic material finishes, integrate the front fence design with surrounding low level brick fencing and soften the appearance of the structure through landscaping treatments. With the implementation of such measures no objection was raised to the proposed development."

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

- (i) any environmental planning instrument**

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state or following the completion of remediation works for the purpose for which development consent is being sought. The site is not located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield local government area.

The subject site is currently utilised for residential purposes and has no known historical uses likely to have affected the suitability of the site for the purposes of the proposed development. As such, the subject site is considered to be suitable in its current state for the purposes of the proposed development.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

State Environmental Planning Policy (Affordable Rental Housing) 2009

The proposed development has been lodged under Part 2, Division 1 of the ARH SEPP which relates to the provision of 'in-fill affordable housing'. The State Environmental Planning Policy (Affordable Rental Housing) 2009 aims to provide a consistent planning regime for the provision of affordable rental housing.

An assessment of the development against the development standards for in-fill affordable housing under the ARH SEPP is presented in the table below.

It is relevant to note that the ARH SEPP states that Council is unable to refuse an application where it complies with the minimum standards provided by Clause 14.

Clause	Development Control	Required	Proposal	Compliance
10	Permissibility	Permissible under SLEP 2012	The site is zoned R3 – Medium Density Residential under the SLEP in which residential flat buildings are permissible with Council consent.	Yes.
	Location and access to facilities	Located within an accessible area being land that is within: 800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates.	The proposed development is located within 800m of Homebush Railway Station.	Yes.
13	Affordable housing	Minimum 20% (191.9m ²) Bonus FSR is 0.23:1	23.3% (223.95m ²) of the gross floor area proposed to be provided as affordable housing.	Yes.

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Clause	Development Control	Required	Proposal	Compliance
		(186.162m ²) Max permissible FSR: 1.43:1 (1157.4m ²)	Proposed: 1.18:1 (959.98m ²)	Yes.
14 Note: Unable to refuse based on these provisio ns	Site area	Min 450m ²	Site area is 809.4m ²	Yes.
	Landscaping	Min 30%	39.05% (316.09m ²) landscaping provided throughout the site.	Yes.
	Deep Soil	Min 15% with minimum dimension of 3m Preferably to the rear of the site	9.8% (79.83m ²) of the site is provided as deep soil landscaping.	No, however complies with ADG requirements.
	Solar Access	70% Living rooms and private open spaces receive min 3 hours direct sunlight	85% (12 units) of units receive a minimum of 3hr solar access.	Yes.
	Parking	1 bed – 0.5 spaces Required: 2.5 spaces (3) 2 bed – 1 space Required: 9 spaces TOTAL: 12 spaces.	A total of (15) off-street resident parking spaces are proposed within the basement including three (3) accessible spaces and three (3) visitor space.	Yes.
	Dwelling size	Studio 35m ² 1 bed 50m ² 2 bed 70m ²	The proposal provides for compliant unit sizes as follows: 1 bedroom: minimum 51.01m ² 2 bedroom: minimum 70.87m ²	Yes.
15	Design requirements	SEPP 65 compliant	An assessment against the relevant ADG requirements is provided further in the report.	Yes.
16	Character	Compatible with character of local area	The proposal is located within an area zoned for medium density development and is one of the few remaining sites which are yet to be developed as multi-dwelling housing. The proposed development has been designed giving appropriate consideration to the compatibility of the development with the adjoining heritage conservation area through material treatments and landscaping. Accordingly, the proposed development is considered compatible with the medium density character of the area.	Yes.
17	Affordable housing	Must be used as affordable housing for 10 years from the issue of OC Must be managed by a registered community housing provider	Noted.	Condition recommended

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Clause	Development Control	Required	Proposal	Compliance
18	Subdivision	88E instrument May be subdivided with consent.	No subdivision proposed.	Yes.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

Strathfield Council does not have a design review panel referred to under Clause 28 however an assessment of the design quality of the development against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide has been undertaken in the table below:

Principle	Objective	Proposed
Context and neighbourhood character	<p><i>Responding to context involves identifying the desirable elements of an area's existing or future character.</i></p> <p><i>Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<p>Existing development within the immediate streetscape predominantly consists of older residential flat buildings of varying heights; however a contemporary style five (5) storey residential flat building was recently completed opposite the subject site (20 Homebush Road).</p> <p>The proposed design incorporating face brick elements and dark tones is considered to be sympathetic to the adjoining heritage conservation area, while being consistent with the existing development in the streetscape and the emerging character of the streetscape in recognition of its R3 Medium Density Residential zoning.</p>
Built form and scale	<p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type,</i></p>	<p>The proposed development reduces the perceived bulk of the structure by stepping the upper storey. The proposed built form and material finishes provide a contemporary design while complementing existing development in the streetscape.</p> <p>The proposed development</p>

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Principle	Objective	Proposed
	<p><i>articulation and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	has been well designed having regard to building orientation as to ensure every apartment receives a high level of internal amenity.
Density	<p><i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i></p> <p><i>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i></p>	The proposal achieves a high level of residential amenity to each unit in terms of solar access (85% of units receive a minimum of 3hr solar access) and cross ventilation (71% of units are cross ventilated), and the provision of sufficient private and communal open space.
Sustainability	<p><i>Good design combines positive environmental, social and economic outcomes.</i></p> <p><i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i></p>	<p>The proposed development employs the use of natural cross ventilation to reduce the dependency of the building on mechanical ventilation.</p> <p>Further, the building provides compliance with the minimum solar access requirements to reduce the building's dependency on artificial lighting.</p>
Landscape	<i>Good design recognises that together landscape and buildings operate as an</i>	The proposed development provides opportunities for canopy tree plantings in the

15 Homebush Road, Strathfield
 Lot 5 DP31394 (Cont'd)

Principle	Objective	Proposed
	<p><i>integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</i></p>	<p>front and rear setbacks and raised planter beds including screen plantings along both side boundaries. A condition of consent is recommended requiring that more substantial canopy trees be incorporated within the front setback.</p> <p>A large turfed area and communal facilities are provided to the rear of the site for the enjoyment of residents.</p>
Amenity	<p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</i></p>	<p>The proposal achieves a high level of residential amenity to each unit in terms of solar access (85% of units receive a minimum of 2hr solar access) and cross ventilation (71% of units are cross ventilated), and the provision of sufficient private and communal open space.</p>
Safety	<i>Good design optimises safety</i>	The proposal has been well

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Principle	Objective	Proposed
	<p><i>and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose.</i></p> <p><i>Opportunities to maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	<p>designed to minimise opportunities for concealment whilst clearly defining the private and public domain.</p> <p>All secure access points are clearly defined.</p>
<p>Housing diversity and social interaction</p>	<p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i></p> <p><i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</i></p>	<p>The proposal provides the following housing mix:</p> <p>(5) x 1 bedroom; (9) x 2 bedroom units</p> <p>The proposed housing mix is considered acceptable and provides for a variety of housing types and unit configurations.</p> <p>The proposed ground level communal open space area provides for a consolidated area of communal open space that incorporates suitable facilities for the enjoyment of future residents of the site.</p>
<p>Aesthetics</p>	<p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure.</i></p> <p><i>Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well designed apartment</i></p>	<p>The proposal incorporates face brick elements, and dark tones and is considered to be sympathetic to the existing development in the streetscape including the heritage conservation area to the south of the site.</p>

15 Homebush Road, Strathfield
 Lot 5 DP31394 (Cont'd)

Principle	Objective	Proposed
	<i>development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i>	

Apartment Design Guide

Design Criteria	Required	Proposed	Compliance
2E - Building Depth	12m – 18m	<p>Maximum building depth of 32m.</p> <p>Notwithstanding, the proposal achieves complaint solar access and cross ventilation and is therefore considered acceptable.</p>	Acceptable on merit.
3B – Orientation	<p>Responsive to streetscape and site</p> <p>Designed to optimise solar access and minimise overlooking 2 hours solar access retained to neighbouring buildings or does not further reduce solar access by more than 20%</p>	<p>The proposal is orientated to Homebush Road and is responsive to desired future character of the area by providing a reduced footprint to the fourth storey.</p> <p>The proposal is designed to optimise solar access and provides 85% (12 units) of units with 2 hours of solar access during mid-winter.</p> <p>The proposal results in a degree of unavoidable overshadowing to the south of the site. Nonetheless, the proposed development retains two (2) hours solar access to more than 50% of the private open space and living areas of all adjoining properties. A proposed covered walk way within the front setback create unnecessary additional overshadowing to the northern elevation of the adjoining dual occupancy development. As such, a condition of consent is</p>	Yes.

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Design Criteria	Required	Proposed	Compliance
		recommended to delete the walkway structure.	
3C – Public Domain Interface	Direct street entry to ground floor apartments Balconies/windows orientated to overlook the public domain Front fence design is permeable Opportunities for concealment minimised	No separate entry is provided to ground floor units so as to minimise the need for additional hard stand areas within the front setback.	Acceptable on merit.
3D – Communal Open Space	Min. 25% (148.75m ²) Min 2h to 50% communal open space at mid-winter Consolidated area Min dimension of 3m Equitable access	27.05% (218.95m ²) The communal open space receives a minimum of two (2) hours solar access during mid-winter.	Yes.
3E – Deep Soil Zones	Min. 7% (56.6m ²)	9.8% (79.83m ²)	Yes.
3F – Visual Privacy	<u>Up to 4 storeys:</u> <ul style="list-style-type: none"> 6m between habitable rooms/balconies 3m between habitable and non-habitable rooms 	<u>Up to 4 Storeys:</u> Between habitable rooms/ balconies North:4m East: 6.5m South: 3m West: 6.3m Additional 3m required at zone interface.	No – refer discussion
3G – Pedestrian Access and Entries	Entry addresses public domain Clearly identifiable Steps and ramps integrated into building design	The entry addresses the public domain and defines public and private spaces through the material treatment. The front entry is clearly identifiable by the provision of a defined entry path.	Yes.
3H – Vehicle Access	Integrated into façade Visual impact minimised Entry behind the building line or from secondary frontage Clear sight lines Garbage collection screened Pedestrian and vehicle access separated	The vehicle ramp is integrated into the façade. Clear sightlines are provided within the basement with the design following a logical double aisle format. The proposed development makes provision for storage of waste within a basement level bin room prior to at-grade	Yes. Yes. Yes.

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Design Criteria	Required	Proposed	Compliance
		onsite collection	
3J – Bicycle and Car Parking	<p>Within 800m Railway station:</p> <p>Min. RMS Rate Applies: <u>Less than 20 units:</u> 1 and 2 bedroom: 1 space (14 spaces) Visitor 1 per 5 units or part there of (3 spaces) Total requirement = (17)</p> <p>Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.</p>	ARHSEPP prevails	NA
4A – Solar and Daylight Access	<p>Min. 70% (10 units) receive 2 hours solar access</p> <p>Max. 15% units have no solar access</p> <p>Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited.</p> <p>Design incorporates shading and glare control</p>	<p>85% (12) of units receive 2 hours solar access.</p> <p>No units receive no solar access.</p> <p>The proposal does not rely on light wells or the like for direct solar access.</p> <p>The design incorporates shading and glare control through the provision of balconies which cast shadow onto windows and doors.</p>	Yes.
4B – Natural Ventilation	<p>Min. 60% (8 units) are cross ventilated</p> <p>Cross-over/Cross-through Max 18m depth</p> <p>Light wells are not the primary source of ventilation for habitable rooms Single aspect units have limited depth to maximise ventilation</p>	71% (11 unit) of units are cross ventilated.	Yes.
4C – Ceiling Heights	<p>Habitable: 2.7m Non-habitable: 2.4m 2 storey apartments: 2.7m main living area, 2.4m mezzanine Mixed Use: 3.3m ground floor</p>	2.7m ceiling heights are provided to all rooms.	Yes.
4D – Apartment Size and Layout	<p>Studio: 35m² 1 bed: 50m² 2 bed: 70m² 3 bed: 90m²</p> <p>Additional bathrooms +5m²</p>	<p>The proposal provides for compliant unit sizes as follows: 1 bedroom: minimum 51.01m² 2 bedroom: minimum</p>	Yes.

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Design Criteria	Required	Proposed	Compliance
	Each habitable room must have a window > 10% floor area of the room. Habitable room depths =max 2.5 x ceiling height <u>Or</u> if open plan layout =max 8m from a window Master bed: min 10m ² Other bedroom: min 9m ² Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m	70.87m ² An additional 5m ² has been provided for units that contain a second bathroom. All kitchens are within 8m from a door or window.	
4E – Private Open Space and Balconies	Studio: 4m ² 1 bed: 8m ² , min depth 2m 2 bed: 10m ² , min depth 2m 3 bed: 12m ² , min depth 2.4m	The proposal provides compliant balcony sizes as follows: 1 bedroom: 8.17m ² 2 bedroom: 10.07m ²	Yes.
4F – Common Circulation and Spaces	max 8 apartments off a single core > 10 storeys: max 40 units/lift	Maximum four (4) apartments off a single core.	Yes.
4G – Storage	Studio: 4m ³ 1 bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³ At least 50% within the basement	The proposal provides a mixture of storage within both the unit itself and within the basement.	Yes
4H – Acoustic Privacy	Orientate building away from noise sources Party walls limited or insulated, like rooms together Noise sources (e.g. garage doors, driveways) located at least 3m from bedrooms.	The proposed internal layout locates like rooms adjacent to like rooms to minimise potential acoustic impacts.	Yes.
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building	The proposal provides the following housing mix: (5) x 1 bedroom; and (9) x 2 bedroom units The proposed housing mix is considered acceptable and provides for a variety of housing types.	Yes.
4M – Facades	Composition of building elements Defined base, middle and top Building services integrated into the façade	The proposal has a defined top, middle and base that is generally expressed through different material treatments.	Yes.
4Q – Universal Design	Variety of adaptable apartments	21% (3) units are	Yes.

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Lot 5 DP31394 (Cont'd)

Design Criteria	Required	Proposed	Compliance
		proposed to be provided as adaptable units.	
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation Screened areas for clothes drying Shading on northern and western elevations	Adequate access to natural light and ventilation is provided to habitable areas of all units.	Yes.
4V – Water Management and Conservation	Efficient fixtures/fittings WSUD integrated Rainwater storage and reuse	A BASIX Certificate accompanied the subject application	Yes.
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	The proposal makes provision for the onsite collection of waste through the provision of a basement level bin room and at-grade waste collection bay.	Yes.
4X – Building Maintenance	Material selection reduces ongoing maintenance costs	The proposal incorporates a mix of face brick, stained timber and small elements of painted render. The proposed material selection is considered appropriate and will reduce the ongoing maintenance costs of the building.	Yes.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2) Aims	Complies
(a) <i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b) <i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c) <i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d) <i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e) <i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f) <i>To identify and protect environmental and cultural heritage</i>	Yes
(g) <i>To promote opportunities for social, cultural and community activities</i>	Yes
(h) <i>To minimise risk to the community by identifying land subject to flooding</i>	Yes

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Lot 5 DP31394 (Cont'd)

and restricting incompatible development

Comments: The proposed development providing for the redevelopment of the site in line with its R3 Medium Density zoning, while minimising impacts upon the adjoining heritage conservation area is considered to be consistent with the aims of the Strathfield Local Environmental Plan 2012.

Permissibility

The subject site is Zoned R3 Medium Density Residential under the Strathfield Local Environmental Plan (SLEP) 2012.

Residential flat buildings are permissible within the R3 Medium Density Residential Zone with consent and are defined under SLEP 2012 as follows:

“Residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.”

Zone Objectives

An assessment of the proposal against the objectives of the R3 Medium Density Zone is included below:

Objectives	Complies
➤ To provide for the housing needs of the community within a medium density residential environment.	Yes
➤ To provide a variety of housing types within a medium density residential environment.	Yes
➤ To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes

Comments: The proposed development provides for additional residential accommodation within a medium density setting and is considered to be consistent with the objectives of the R3 Medium Density Residential Zone.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

Cl.	Standard	Controls	Proposed	Complies
4.1A	<i>Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings</i>	1000m ²	809.4m ²	N/A ARHSEPP prevails

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	<i>Height of building</i>	11m	13.14m	No

	Objectives	Complies
(a)	<i>To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area</i>	Yes
(b)	<i>To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area</i>	Yes
(c)	<i>To achieve a diversity of small and large development options.</i>	Yes

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 Lot 5 DP31394 (Cont'd)

Comments: Refer clause 4.6 discussion

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	1.2:1 (971.29m ²)	1.19:1 (959.98m ²)	Yes

	Objectives	Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area	Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas	Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties	Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes
(e)	In relation to Strathfield Town Centre: i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development	N/A
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor	N/A

Clause 4.6 Exceptions to Development Standards

Under Clause 4.6 of the SLEP 2012, the consent authority may consider a variation, where that variation would achieve a better outcome.

As demonstrated in the table above, the proposed development fails to comply with the maximum building height development standard permitted under Clause 4.3 of the SLEP 2012. The area of non-compliance relates to the lift over run structure and a portion of the fourth storey (Refer Figure 4) resulting in departure from the maximum permissible building height of 11m resulting in a departure of 19.4%. The proposed fourth storey features a reduced footprint stepping the additional bulk of the structure to the rear of the site allowing the development to achieve the additional density available under the controls of State Environmental Planning Policy (Affordable Rental Housing) 2009 with minimal streetscape or amenity impacts. The proposed four (4) storey structure is consistent with existing development and recent development approvals within the streetscape which consists of two (2) to five (5) storey structures (Refer Figures 5 and 6).



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Figure 4: North elevation noting the extent of the proposed building height variation.



Figure 5: Existing five (5) storey residential flat building at 20 Homebush Road

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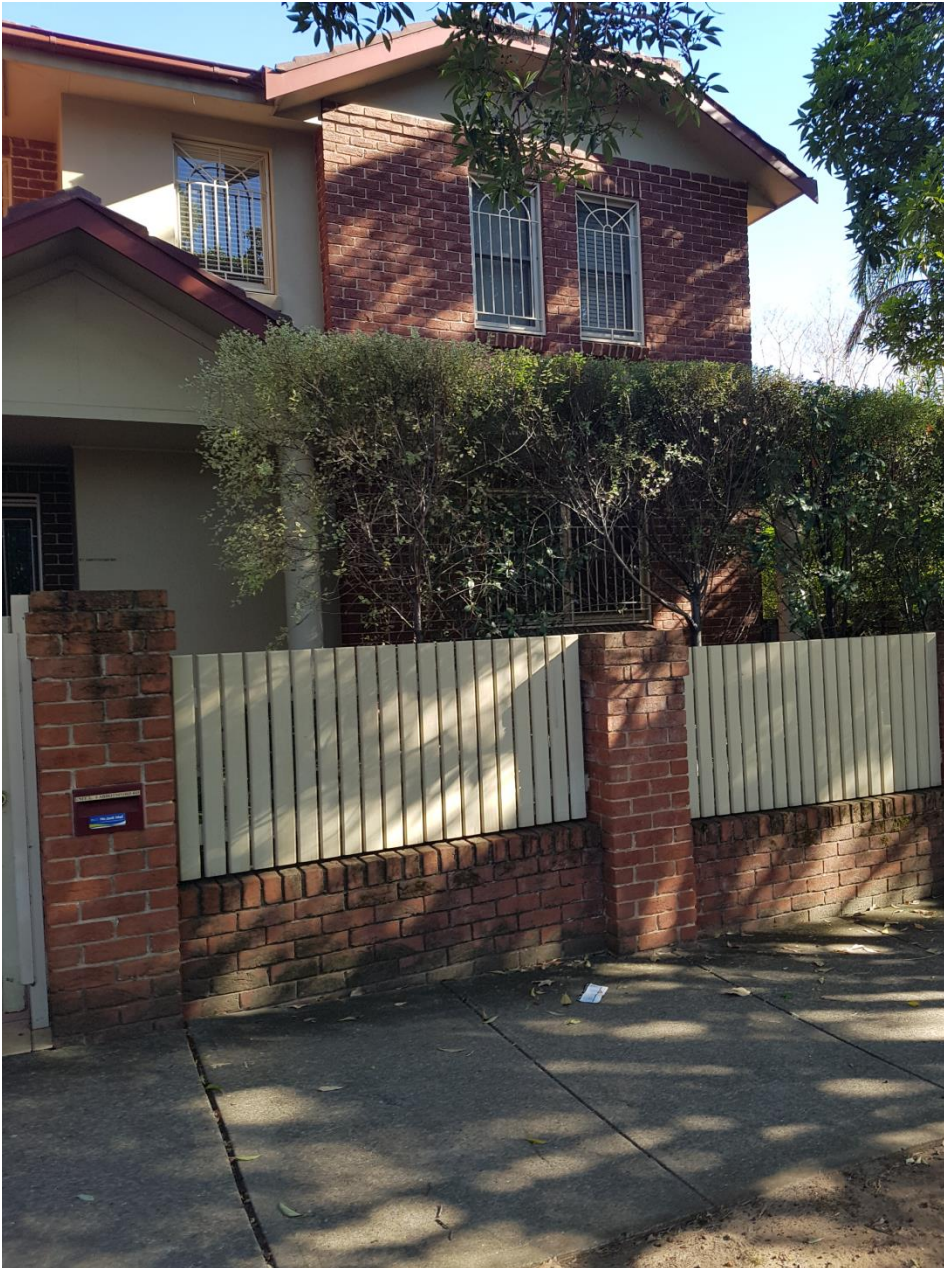


Figure 6: Existing two (2) storey attached dual occupancy at 1 Abbotsford Road

Clause 4.6(3) of the SLEP 2012 states the following:

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

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

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

The applicant has provided a written request that seeks to justify the proposed contravention of the maximum building height development standard on the following grounds:

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- The proposed additional building height is necessary to accommodate for the additional FSR permitted under the State Environmental Planning Policy (Affordable Rental Housing) 2009;
- Despite the height exceedance the proposal will not result in unacceptable impacts to the amenity of adjoining properties by way of overlooking, noise or overshadowing;
- The proposed development provides an appropriate transition from post-war style brick dominated development to contemporary developments within the streetscape; and
- The proposed height is compatible with surrounding building forms which range from two (2) to five (5) storeys.

Clause 4.6(4) of the SLEP 2012 states the following:

- *“Development consent must not be granted for a development that contravenes a development standard unless:*
 - (a) the consent authority is satisfied that:*
 - (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3)*

The applicant’s written request to justify the contravention of the building height standard adequately addresses the matters required to be demonstrated in subclause 4.6(3), specifically, that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The written request is considered to provide sufficient substantive information on environmental planning grounds relating to streetscape, bulk, scale and form, amenity, and solar access.

- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

Development Standard Objectives

An assessment of the proposed development against the objectives of the development standard follows:

Ensure that the development is of a height that is generally compatible with or which improves the appearance of the existing area.

As previously noted, the area surrounding the subject site consists predominantly of medium density residential development including dual occupancy development, residential flat buildings and boarding houses. As such, giving consideration to the compatibility of the development with the surrounding area it is appropriate to give weight to existing development within the area and the building heights as envisaged under the SLEP 2012.

The SLEP 2012 envisages a predominant maximum building height of 11m to the properties to the north fronting Homebush Road and 14m to the properties on the eastern side of Homebush Road. The adjoining development to the north and south of the subject site fronting Homebush Road is two (2) stories in height with a pitched roof structure. Development immediately to the south of the subject site fronting Abbotsford Road consists of single and two (2) storey height structures. The recently completed development to the east of the subject site (20 Homebush Road) features a maximum building height of 14m, while consent was recently granted by the NSW Land and Environment Court for the construction of a four (4) storey boarding house with a maximum height of 13.8m at 24 Homebush Road.

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As such, giving consideration to the compatibility of the proposed 13.14m building height to permissible building heights upon the subject site and adjoining allotments and recent approvals within the locality which range from two (2) storeys to five (5) storeys in height; the proposed building height is considered to be compatible with the appearance of existing and likely future development within the area. Further the proposed material finishes are considered to suitably integrate the development with remaining original housing stock within the surrounding locality including the Abbotsford Road Heritage Conservation area.

Encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area.

The planned residential density as established throughout the maximum permissible FSR controls of the SLEP 2012 and State Environmental Planning Policy (Affordable Rental Housing) 2009 are considered to provide a suitable reflection of the optimum sustainable capacity for the area. In recognition of the nature of the use of the site for the purposes of affordable rental housing and the bonus FSR that is available to such an application the building envelope is required to be expanded to accommodate for the additional residential density beyond the scope of the Strathfield Local Environmental Plan 2012. As the proposed additional building height brings the proposal into line with the maximum permissible floor space ratio, not allowing for an expansion of the building envelope to accommodate for the additional floor space ratio would result in a suboptimal capacity.

Justice O'Neil in *Abdul-Rahman v Ashfield Council [2015] NSWLEC 112 (28 April 2015)* established that the principle of an expanded building envelope to facilitate for the delivery of new affordable rental housing is a relevant matter in considering the contravention of a development standard. However, Justice O'Neil also noted that any such increase in height must remain compatible with the local area being the future character of development within the visual catchment. In applying this test to the proposed development the additional building height is a direct consequence of the affordable rental housing component of the development and as previously discussed results in a development that is consistent with existing developments within the locality.

Zone Objectives

The site is Zoned R3 Medium Density Residential under SLEP 2012. An assessment of the proposed development against the objectives of the zone follows:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development provides for additional residential tenancies within a medium density residential setting without adversely impacting upon existing residential development within the locality is considered to be consistent with the objectives of the R3 Medium Density Residential Zone.

(b) the concurrence of the Secretary has been obtained."

Council may assume the concurrence of the Director-General under the Planning Circular PS 08-003 issued in May 2008.

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Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the SLEP 2012 are addressed below as part of this assessment:

5.10 Heritage Conservation

Clause 5.10(5) of the SLEP 2012 requires consideration be given to the potential impacts of the development upon heritage conservation areas within the vicinity of the site. The properties immediately to the south form part of the Abbotsford Road conservation area being a group of late nineteenth and early twentieth century housing in a high quality streetscape. However, it is noted that the adjoining dwellings immediately to the south of the subject site are later infill development that are supportive of the conservation area rather than directly contributive. Nonetheless, the proposed development was referred to Council's Heritage Advisor for comment. While initial concerns were raised over the compatibility of the development with remaining original housing stock, the proposal was subsequently amended through changes in material finishes, additional landscaping treatments and the provisions of an increased front setback to the upper storey. With the implementation of such changes Council's heritage advisor raised no objection to the proposed development. As such, the proposed development is considered not to result in any impacts upon the heritage significance of the adjoining conservaiton area.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

6.2 Earthworks

Clause 6.2 of the SLEP 2012 requires consideration be given to the impacts of the proposed ancillary earthworks may have upon drainage within the locality, the future redevelopment of the site, adjoining development and any environmentally sensitive areas. The proposed development involves no earthworks considered likely to result in any significant impacts upon drainage within the locality, any future redevelopment of the site, adjoining development or any environmentally sensitive areas. Nonetheless, conditions of consent are recommended requiring the implementation of appropriate shoring and erosion and sediment control measures throughout the proposed excavation works so as to mitigate any potential impacts.

6.4 Essential services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The proposed development is located within a well serviced area and features existing water and electricity connections, direct vehicular access and frontage to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development.

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

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STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

Heritage and Conservation

Cl. 1.11	Aims	Complies
A	To preserve and enhance the visual and environmental amenity of heritage items and heritage conservation areas within the municipality of Strathfield	Yes
B	Ensure all new development affecting heritage items and conservation areas is designed to be compatible in setting, scale, setbacks, form, materials and character with the building and surrounding area	Yes
C	Ensure that development in the vicinity of a heritage item or conservation area does not have any adverse impact on the heritage significance or setting and that development is compatible in setting, scale, setbacks, form, materials and character with the item or conservation area	Yes
D	Conserve archaeological sites and places of Aboriginal significance	Yes

Comments: The proposed development suitably responds to the adjoining heritage conservation area through the use of sympathetic material finishes and incorporating a physical break in the southern elevation of the structure to reduce the perceived bulk as viewed from the conservation area. As such, the proposed development is considered unlikely to result in any adverse impacts upon the heritage significance of the conservation area.

Part C – 'Multiple-Unit Housing' of the Strathfield Consolidated Development Control Plan (DCP) 2005

Clause 6A of SEPP 65 confirms that in the event of any inconsistency between the controls of the ADG and Council's Development Control Plan, the objectives, design criteria and design guidance set out in the ADG prevail.

This confirms that if a development control plan contains provisions that specify requirements, standards or controls in relation to the following matters, those provisions are of no effect:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation, and
- (h) storage.

These matters, as of relevance to the Application, have been addressed in the ADG assessment above where it has been determined that the proposal is satisfactory.

The remaining matters of relevance provided in the DCP are addressed in the table below:

Section	Development Control	Required	Proposed	Compliance
2.2	Site Requirements	Minimum site area of 1000m ² and a minimum street frontage of 30m.	809.4m ² and 18.32m frontage.	ARHSEPP prevails
	Building Street Setback	9m or predominant	Existing development upon the western side of	Yes.

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Section	Development Control	Required	Proposed	Compliance
			Homebush Road includes varied setbacks ranging from 3m to 12m. The proposed development provides a 6.5m front setback which is considered to be consistent with the predominant building line in the streetscape, while allowing for an appropriate rear setback in recognition of the adjoining heritage conservation area.	
2.3	Dwelling Unit and Building Design	15% of the development is required to be designed as adaptable housing for older people or people with disabilities.	21% (3) units are proposed to be provided as adaptable units.	Yes.
	Dwelling Unit and Building Design for residential flat buildings	At least one main convenient entry is to have barrier free access to ground floor units (for people with disabilities)	Barrier free access provided to ground floor units.	Yes.
	Dwelling Unit and Building Design	No single building should have a continuous wall length of more than 30m without separation.	The building is well articulated.	Yes
	Dwelling Unit and Building Design	Walls greater than 10m in length to be broken down or staggered.	As above.	Yes.
	Dwelling Unit and Building Design	Access to common areas without unnecessary barriers.	Barrier free access provided to ground level communal open space.	Yes.
	Dwelling Unit and Building Design	Parking for people with disabilities.	three (3) accessible parking spaces provided within the basement.	Yes.
	Dwelling Unit and Building Design	Building materials and finishes are to be sympathetic to with the adjoining buildings and the streetscape.	Material selection comprises face brick, stained timber and small areas of render in neutral colours.	Yes.
	Unit Sizes and Lot Layout	1 bed = 70m ² 2 bed = 85m ² 3 bed = 100m ² more than 3 bed = 110m ² 2 bed townhouse = 100m ² 3 bed townhouse =	Unit sizes in the ADG prevail.	N/A

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Section	Development Control	Required	Proposed	Compliance
		110m ² < than 3 bed t/house = 120m ²		
2.4	Energy Efficiency	Application is required to provide a NatHERS certificate. Each dwelling must achieve 3.5 star NatHERS rating.	BASIX certificate provided. Refer to BASIX SEPP discussion.	Yes.
2.4.2.2	Solar Access	50% of the principle private open space achieves a minimum of 3 hours sunlight during the winter solstice.	Solar access in ADG prevails.	N/A
	Solar Access	Solar access to habitable rooms and private open space of adjoining properties be provided for a minimum of 3 hours during the winter solstice.	Solar access in ADG prevails.	N/A
2.4.3	Natural Space Heating and Cooling	Reduce the need to artificially heat and cool dwellings.	The proposal receives adequate access to natural light and ventilation, reducing the need for artificial lighting and mechanical ventilation.	Yes.
2.4.4	Natural Lighting	Reduce reliance on artificial lighting	85% (12) units receive at least 2 hours of solar access during mid winter.	Yes.
2.4.6	Water Management	Mandatory water storage 10 dwell= 500lt / dwell each dwell thereafter = 250 lt/ dwell	BASIX commitments prevail.	Yes.
	Water Management	Tanks to be located underground or at least behind the front building line. Located 900mm from front boundary.	Below ground OSD	Yes.
2.5	Streetscape orientation	Compatible with the existing character and address the street frontage.	The proposed development incorporating face brick elements, and earthy tones is generally sympathetic to existing development in the streetscape. However, a condition is recommended that the glass balustrade to fourth floor balcony fronting Homebush Road be	Yes.

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Section	Development Control	Required	Proposed	Compliance
			setback to minimise visual impacts.	
2.5	Front Fences	Sympathetic to street. Height of fence is to be less than 900mm of solid material.	Low line brick and infill panel fence proposed. However, a condition of consent is recommended that the infill panel be deleted to achieve greater consistency with existing fencing within the streetscape.	Yes.
	Side and rear fences	1.8m maximum height.	No side fencing proposed.	Yes.
2.7	Open space and landscaping	RFBs – Landscaped area does not include any area for driveways, parking, side setback less than 1.2m in width, pools, outbuildings. At least 60% of the landscaped area must remain as unpaved 'soft' landscaping.	ADG prevails.	N/A
		35% of the landscaped area is to be provide as deep soil landscaping this excludes basement underneath areas.	ADG prevails.	N/A.
		10% (80.94m ²) of the site area is to be provided as communal open space, with a minimum dimension of 7m.	27.05% (218.95m ²) communal open space	Yes
2.8	Privacy and Security	Windows are not to be located less than 9m apart from other dwellings.	ADG prevails.	N/A
		Windows to be offset from adjoining dwelling by 0.5m; Have a sill height of 1.7m or have obscure glazing to a height of 1.7m.	ADG prevails.	N/A.
		Bedrooms not to adjoin living rooms/ garages of adjoining dwellings.	ADG prevails.	N/A.
		A balcony on the second storey of a townhouse must not overlook and adjoining property.	ADG prevails.	N/A.
		Locked Shared pedestrian entries.	ADG prevails.	N/A.
		Casual surveillance of street and public areas.	ADG Prevails.	N/A.
2.9	Car Parking	Car parking is required to	ARHSEPP Prevails	N/A

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Lot 5 DP31394 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
		be provided as follows: 1 bed = 1 space 2 bed = 1.5 spaces 3 + bed = 2 spaces		
		Dimensions of garage car spaces to comply with Australian standard.	Condition could be imposed in the event of approval of the subject application	Yes.
	Ramp Driveway Gradient/design	Minimum lane width: 3.6m Maximum transition zone: 10% Maximum ramp gradient: 20%	Complies with AS2890.1:2004	Yes.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal provides for off street waste collection through the provision of a basement level bin storage room and at grade loading bay.

In accordance with Part H of the SCDCP 2005, waste storage is to be provided at the following rates:

General Waste: 120L/unit/week

Recycling: 120L/unit/fortnight

Having regard to the above rates, a minimum of (7) x 240L bins are to be provided for general waste and (7) x 240L bins are to be provided for recycling waste.

The waste storage room provides sufficient space for eight (8) recycling bins and eight (8) waste bins.

The subject application was accompanied by a Waste Management Plan outlining the proposed measures of minimising waste generation throughout the proposed demolition works, construction works and for the ongoing operation of the site.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601-1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does involve the demolition of a building for the purposes of AS 2601 - 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

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Lot 5 DP31394 (Cont'd)

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Streetscape

As previously discussed the proposed development is generally consistent with contemporary residential flat buildings within the locality and appropriate material treatments are incorporated in to the design to achieve compatibility with remnant original housing stock. Nonetheless, the proposed infill panel fencing is contemporary in style and is inconsistent with existing fencing within the streetscape which consists of low line brick fencing. A condition of consent is recommended deleting the infill panels. Further, a condition of consent is recommended requiring the glass balustrade to the fourth storey unit 3.03 be setback 1m from the north and east as to minimise the visual impacts of the upper storey. With the implementation of such conditions the proposed development is considered to suitably integrate within the existing streetscape.

Separation/ Visual privacy

Section 3F of the Apartment Design Guide requires a minimum 6m separation be provided between habitable rooms and lot boundaries and an additional 3m separation be provided at zone boundaries. The proposed northern and southern boundaries providing setbacks of 4m and 3m respectively fail to comply with this requirement. It should be noted that to the south the existing dual occupancy at 1 Abbotsford Road presents a blank wall to the subject site, while the dwellings at 1a and 1b Abbotsford Road are setback more than 12m from the subject site's southern boundary. As such, opportunities for direct overlooking are limited.

As a result of the site's narrow width of 18.3m compliance with this control is unreasonable; nonetheless consideration should be given to the performance of the development against the objectives of the control. Section 3F of the ADG seeks to achieve reasonable levels of external and internal visual privacy between adjoining sites.

In recognition of the reduced separation proposed the applicant has incorporated light weight screening to the breezeway on the structures southern elevation and all windows upon the structures southern elevation are proposed as obscure glazing. Further, balconies on the structures northern elevation are fitted with privacy screening and windows horizontally or vertically offset from those of the adjoining residential flat building at 11-13 Homebush Road. However, the balconies to units 1.01, 2.01 and 3.01 conflict with existing balconies upon the adjoining

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Lot 5 DP31394 (Cont'd)

development. As such, a condition of consent is recommended that the balconies be reconfigured to face the site's western boundary. With the use of such measures the proposed development is considered to retain an acceptable level of visual privacy and achieve the objectives of Section 3F of the ADG. As such, the proposed separation is considered to be acceptable.

79C(1)(c) *the suitability of the site for the development*

The subject site is an undersized allotment with limited consolidation potential. In recognition of the constrained nature of the site, the proposal has been designed having regard to the orientation of the land and heritage nature of the adjoining properties to the south and achieves a well-articulated structure that is suitably integrated with existing development and likely future development within the locality.

79C(1)(d) *any submissions made in accordance with this Act or the regulations*

The application was notified in accordance with Part L of the SCDGP 2005 from 16 May 2017 to 1 June 2017, with one (1) submission received, raising the following concerns:

1. Privacy

Concern was raised over the potential loss of privacy as a result of the proposed development to the existing residences to the south of the subject site.

Assessing officer's comments: As previously discussed, openings upon the southern elevation of the proposed development have been treated with screening or obscure glazing so as to ensure there is no potential for overlooking to the existing residences to the south of the site.

2. Heritage

Concern was raised over the impacts of the development upon the adjoining Abbotsford Road Heritage Conservation Area.

Assessing officer's comments: This matter has been discussed in detail previously throughout this report.

3. Overshadowing

Concern was raised over impacts of overshadowing generated by the proposed development upon the existing residences to the south of the site.

Assessing officer's comments: Throughout the assessment of the subject application the applicant has provided additional shadow diagrams including elevational shadow diagrams identifying the proposed development as retaining a minimum 2 hours solar access to the living areas of the adjoining dwelling and at least 50% of the private open space during the winter solstice. As such, the proposed development is considered to retain a suitable level of solar access to the adjoining properties.

79C(1)(e) *the public interest*

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

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Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
- or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$23,637.76
Provision of Major Open Space	\$117,203.08
Provision of Local Open Space	\$36,857.92
Provision Roads and traffic Management	\$6,321.60
Administration	\$2,038.23
TOTAL	\$186,058.59

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

In consideration of the written request made by the applicant pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is satisfied that compliance with the development standard contained in Clause 4.3 Height of buildings of the SLEP 2012 is well founded and that there are sufficient environmental planning grounds to justify contravening the development standard.

That Development Application No. DA2017/061 for demolition of existing structures and construction of a four (4) storey residential flat building comprised of (14) units over a single level of basement car parking at 15 Homebush Road, Strathfield be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. FRONT FENCE (SC)

The metal infill component of the front fence is to be deleted to provide a low lying brick fence. Amended plans including such changes are to be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

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Lot 5 DP31394 (Cont'd)

(Reason: Streetscape)

2. COVERED WALKWAY (SC)

The covered walkway structure from the front boundary to the main entry door is to be deleted. Amended plans including such changes are to be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: Streetscape and overshadowing)

3. UNIT 3.03 BALCONY (SC)

The northern and western portions of the glass balustrade to the balcony of unit 3.03 is to be setback an additional 1m from the position shown upon Roof & Site Plan Level 3 Floor Plan, Dwg No. DA.04, received by Council 23 June 2017. Amended plans including such changes are to be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: Streetscape)

4. UNIT 1.01, 2.01 AND 3.01 BALCONIES (SC)

The internal configuration of units 1.01, 2.01 and 3.01 is to be amended to orientate the balconies to the sites western boundary. Amended plans including such changes are to be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: Visual privacy)

GENERAL CONDITIONS (GC)

5. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No.2017/061:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
D.01	Demolition Plan	Bechara Chan & Associates	B	9 May 2017
DA.02	Ground Floor Plan	Bechara Chan & Associates	C	23 June 2017
DA.03	Level 1 & 2 Floor Plan	Bechara Chan & Associates	C	23 June 2017
DA.04	Roof & Site Plan Level 3 Floor Plan	Bechara Chan & Associates	C	23 June 2017
DA.05	Elevations	Bechara Chan & Associates	C	23 June 2017
DA.06	Sections	Bechara Chan & Associates	C	23 June 2017

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L-01	Landscape Plan	Sussan Zindo Landscape Architect	A	9 May 2017
D00	Cover Sheet Legend and Drawing Schedule	Loka Consulting Engineers	A	9 May 2017
D01	Basement Stormwater Drainage Plan and Details	Loka Consulting Engineers	A	9 May 2017
D02	Ground Floor/ Site Stormwater Drainage Plan	Loka Consulting Engineers	A	9 May 2017
D03	Site Stormwater Drainage Details	Loka Consulting Engineers	A	9 May 2017
D04	Erosion and Sediment Control Plan and Details	Loka Consulting Engineers	A	9 May 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/061:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Creative Planning Solutions	May 2017	9 May 2017
BASIX Certificate	Building Sustainability Assessments	808334M	9 May 2017
Traffic Management Plan	Loka Consulting Engineers	16NL243-T2	9 May 2017
Waste Management Plan	Gihad Bechara	23 March 2017	9 May 2017
Arboricultural Impact Assessment and Tree Management Plan	Horticultural Management Services	6 March 2017	9 May 2017

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail. However, the conditions of this consent shall prevail to the extent of any inconsistency.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

6. **BUILDING HEIGHT - MAXIMUM RL TO BE COMPLIED WITH (GC)**

The height of the building measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 32.15AHD to the top of the lift over run structure of the building.

(Reason: To ensure the approved building height is complied with.)

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7. CONSTRUCTION HOURS (GC)

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

8. CONSTRUCTION WITHIN BOUNDARIES (GC)

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

(Reason: Approved works are to be contained wholly within the subject site.)

9. DEMOLITION – GENERALLY (GC)

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

(Reason: To ensure compliance with the approved development.)

10. DEMOLITION - SITE SAFETY FENCING (GC)

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

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 before the commencement of work; and

provision of a Public Risk Insurance Policy with a minimum cover of \$10 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 with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

11. LANDSCAPING - CANOPY TREES IN FRONT SETBACK (GC)

New development shall provide at least two (2) canopy trees within the front setback adjacent the front boundary. New canopy trees shall be at least three (3) metres high at the time of planting and capable of reaching a mature height of 10m.

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Species shall be selected from Council's Recommended Tree List (Available from Council's website or from the Customer Service Centre). Compliance with this condition is to be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the landscape character of the locality is maintained.)

12. **LANDSCAPING - IRRIGATION OF COMMON AND PRIVATE LANDSCAPE AREAS (GC)**

All common and private landscape areas including all planters are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and satisfy all relevant Australian Standards. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior occupation of the premises.

(Reason: To ensure appropriate landscape maintenance.)

13. **LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)**

The following listed trees are permitted to be removed to accommodate the proposed development:

Tree	Height/ Spread (m)	Location
2) Lagerstroemia indica	5 x 3	Front setback, subject property
4) Nerium oleander	2.5 x 2	Front setback, subject property
5) Plumeria rubra var Acutifolia	3 x 3	Front setback, subject property
6) Liquidambar styraciflua	9 x 6	Front setback, subject property
7) Ligustrum lucidum	8 x 5	Rear yard, subject property
8) Morus nigra	5 x 5	Rear yard, subject property

All trees permitted to be removed by this consent shall be replaced by species selected from Council's Recommended Tree List.

Replacement trees shall be a minimum 50 litre container size. Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. 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

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Lot 5 DP31394 (Cont'd)

base of the tree.

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

(Reason: To ensure appropriate planting back onto the site.)

14. LANDSCAPING - TREE PRESERVATION (GC)

The trees listed below shall be retained at all times:

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>	<u>Protection Zone (m)</u>	<u>Structural Root Zone (m)</u>
1) Lophostemon confertus	9 x 5	Road reserve	5.75	2.47
3) Lophostemon confertus	9 x 5	Road reserve	6.0	2.55
9) Callistomon viminalis	5 x 4	Adjoining, West	2.5	1.65
10) Chamaecyparis obtusa 'Gracilis'	7 x 4	Adjoining, South	3.35	2.0
11) Chamaecyparis obtusa 'Gracilis'	7 x 4	Adjoining, South	3.35	2.0

and protected by the establishment of a **protection zone** (in accordance with Australian Standard AS4970-*Protection of trees on development sites*) before any site works begin (including any demolition/excavation). The protection zone shall be maintained for the duration of works and implemented as follows:

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- (b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS4970-2009: *Protection of Trees on Development Sites*.
- (c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- (d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- (e) The tree protection zone shall be regularly watered.
- (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- (g) **No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- (h) Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

(Reason: To ensure the protection of trees to be retained on the site.)

15. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

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All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

16. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- i) the Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- ii) the Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person; and
- iii) the sign must state that unauthorised entry to the work site is prohibited.

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

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(Reason: Statutory requirement.)

17. PRIVACY - SCREEN PLANTING TO SIDE AND REAR BOUNDARIES (GC)

Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along the side and rear boundaries to provide suitable privacy screening. Screen planting shall be maintained at all times. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To maintain privacy amenity to neighbouring residences.)

18. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.

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- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.
- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

19. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

20. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

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Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

21. UTILITIES AND SERVICES - PROTECTION OF (GC)

Any footings or excavation to be located or undertaken adjacent to Council's stormwater must be designed to address the following requirements:

- i) all footings and excavation must be located wholly within the site and clear of any easement boundaries;
- ii) all footings and excavation must be located a minimum of 1000mm from the centreline of the pipeline or 500mm from the outside of the pipeline, whichever is the greater distance from the centreline; and
- iii) footings must extend to at least the depth of the invert of the pipeline unless the footings are to be placed on competent bedrock.

If permanent excavation is proposed beneath the obvert of the pipeline, suitable means to protect the excavation and proposed retaining structures from seepage or other water flow from the pipeline and surrounding subsoil, must be provided. The design must be prepared by a qualified practicing Structural/Civil Engineer.

Construction plans must be approved by the appropriate utility's office (e.g. council, Sydney Water Corporation) to demonstrate that the development complies with the utility's requirements.

The applicant must provide written evidence (e.g. compliance certificate, formal advice) of compliance with the requirements of all relevant utility providers (e.g. Water, Energy, Telecommunications, Gas).

(Reason: To ensure protection of Council assets.)

22. WASTE – TRACKABLE (GC)

Removal of trackable waste (as defined by the NSW Environment Protection Authority) from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (CC)

23. ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES (CC)

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction

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Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

24. **BASIX COMMITMENTS (CC)**

The approved BASIX Certificate shall be submitted to the Principal Certifying Authority with the application for a Construction Certificate.

Where a change or changes are proposed in the BASIX commitments, the applicant must submit a new BASIX Certificate to the Principal Certifying Authority and Council. If any proposed change in the BASIX commitments is inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 96 of the Environmental Planning and Assessment Act 1979.

All commitments in the BASIX Certificate must be shown on the plans accompanying the Construction Certificate.

(Reason: Statutory compliance.)

25. **BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)**

All architectural drawings, specifications and related documentation shall comply with the Building Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by the consent commences.

Details demonstrating compliance with this condition are to be submitted to the Principle Certifying Authority, prior to issue of the Construction Certificate.

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

26. **CAR PARKING - REQUIREMENTS FOR MULTIPLE USE BUILDINGS (CC)**

The following car parking and service vehicle requirements apply:-

- i) (15) car spaces shall be provided on the development site. This shall consist of:
 - (9) resident spaces;
 - (3) visitor spaces; and
 - (3) car parking spaces for people with mobility impairment, in accordance with AS 2890.1.
- ii) All car spaces shall be allocated and marked according to this requirement.
- iii) If the development is to be strata subdivided, the car park layout must reflect the above allocation and thereafter be regarded as part of the entitlement of that strata lot.

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- iv) Under no circumstances shall parking spaces be sold, let or otherwise disposed of for use other than in accordance with this condition.
- v) Each car parking space shall have minimum dimensions in accordance with the relevant Australian Standard and be provided on-site in accordance with the approved plans.
- vi) The parking bays shall be delineated by line marking.
- vii) Visitor spaces shall be clearly line marked and/or signposted and shall only be used by persons visiting residents of the property or commercial/business/retail premises located within the development. Visitor spaces shall not be allocated as permanent residential parking spaces. Access to visitor parking spaces shall not be restricted without development approval and a sign shall be erected at the vehicular entrance indicating the availability of visitor parking.

Details demonstrating compliance with this condition shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure car parking provision in accordance with this consent.)

27. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

28. COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Principal Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

29. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the

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- requirements of Council's guidelines for managing stormwater, including:
- the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
- details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
- measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to

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the commencement of asbestos removal works. Notification is to include, at a minimum:

- the date and time when asbestos removal works will commence;
- the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
- the full name and license number of the asbestos removalist/s; and
- the telephone number of WorkCover's Hotline 13 10 50
- warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
- appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

30. COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s). A Hoarding Permit Application Form

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is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement)

31. **DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)**

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

(Reason: To ensure no damage to adjoining properties occurs.)

32. **EROSION AND SEDIMENTATION CONTROL PLAN (CC)**

An Erosion and Sediment Control Plan is to be prepared where construction or excavation activity requires the disturbance of the soil surface and existing vegetation. Details including drawings and specifications must provide adequate measures for erosion and sediment control to ensure:

- i) Compliance with the approved Soil and Water Management Plan.
- ii) 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).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.

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- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

33. **EXCAVATION - AFFECTING ADJOINING LAND (CC)**

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

- i) protect and support the adjoining premises from possible damage from the excavation, and
- ii) where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to in subclause (i) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

34. **EXCAVATION – DEWATERING (CC)**

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- i) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Council for compliance with ANZECC Water Quality Guidelines.
- ii) If tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- iii) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- iv) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings

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must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

(Reason: To ensure compliance with legislation and to protect the surrounding natural environment.)

35. **EXCAVATION – SHORING (CC)**

Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings and specifications certifying the shoring will be adequate for their intended purpose and must be submitted to the Council/Principal Certifying Authority for approval with the Construction Certificate. The documentation prepared and certified by an appropriately qualified and practicing structural engineer is to show all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements. A copy of this documentation must be provided to the Council for record purposes at the time of Construction Certificate application.

(Reason: To ensure the protection of existing public infrastructure and adjoining properties.)

36. **LANDSCAPING - MAINTENANCE STRATEGY (CC)**

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival.)

37. **LANDSCAPING ON SLAB (CC)**

To ensure the site landscaping thrives, the on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees; and 300mm for grass and ground covers. Adequate drainage provision and a permanent, automatic irrigation system conforming to Sydney Water requirements shall be included. Details demonstrating compliance shall be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: Ensure landscape survival.)

38. **NOISE AND VIBRATION MANAGEMENT PLAN (CC)**

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council or the Principal Certifying Authority.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliance with the relevant legislation and Australian Standards. The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

- i) identification of activities carried out and associated noise sources;
- ii) identification of potentially affected sensitive receivers, including residences,

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- churches, commercial premises, schools and properties containing noise sensitive equipment;
- iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;
 - iv) noise and vibration monitoring, reporting and response procedures;
 - v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
 - vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
 - vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
 - viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
 - ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

(Reason: To protect acoustic amenity of surrounding properties and the public.)

39. **PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)**

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

40. **SECTION 94 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)**

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$23,637.76
Provision of Major Open Space	\$117,203.08
Provision of Local Open Space	\$36,857.92
Provision Roads and traffic Management	\$6,321.60
Administration	\$2,038.23
TOTAL	\$186,058.59

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Direct Development Contributions Plan may be downloaded from Council's website.

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

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41. **SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)**

A security (damage deposit) of **\$21,000.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property 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. All building work must be carried out in accordance with the Building Code of Australia.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

42. **STORMWATER DRAINAGE (CC)**

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

(Reason: To ensure the site is drained appropriately and does not interfere with the natural flow of flood waters.)

43. **STORMWATER - SILT ARRESTORS AND GROSS POLLUTANT TRAPS (CC)**

Silt and gross pollutant traps shall be fitted in all new stormwater pits and designed in accordance with Council's specification for the management of stormwater. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Environmental protection.)

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44. **TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)**

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

45. **TREE BONDS (CC)**

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A tree bond of **\$13,200.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

46. VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

47. WASTE MANAGEMENT PLAN (CC)

A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

The WMP must identify the types of waste that will be generated and all proposals to re-use, recycle or dispose of the waste. The WMP is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate.

(Reason: To ensure appropriate management of waste.)

48. WATER SUSTAINABILITY – GENERALLY (CC)

Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:

- i) toilet flushing;
- ii) clothes washing;
- iii) garden irrigation;
- iv) car washing and similar outdoor uses;
- v) filling swimming pools, spa pools and ornamental ponds; and
- vi) fire fighting.

(Reason: To promote sustainable water management practice.)

49. WORKS WITHIN THE ROAD RESERVE (CC)

Detailed drawings including long and short sections and specifications of all works within existing roads (including but not limited to structures, road works, driveway crossings,

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footpaths and stormwater drainage) shall be submitted to and approved by Council under Section 138 of the Roads Act 1993 and all fees and charges paid, prior to the issue of a Construction Certificate.

Detailed drawings and specifications are to be prepared and certified by an appropriately qualified Civil Engineer.

Upon completion of the works, the Applicant is to provide to Council with electronic copies of 'Work as Executed Plans'. The plans are to show relevant dimensions and finished levels and are to be certified by a surveyor.

The Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works.

All civil engineering works adjacent/near/outside 15 Homebush Road are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (CW)

50. **APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)**

No work shall commence in connection with this Development Consent until:

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirement.)

51. NOTICE OF COMMENCEMENT (CW)

No work shall commence until the following details are submitted to Council:

- i) a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- ii) details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- iii) details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)

52. CONTAMINATED LAND UNEXPECTED FINDS (DW)

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

53. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

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

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

54. **OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

55. **PUBLIC INFRASTRUCTURE AND SERVICES (DW)**

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

56. **SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION**

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

- dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
 - xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
 - xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

57. SURVEY REPORT OF APPROVED LEVELS DURING AND POST CONSTRUCTION (DW)

A Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete form work, or the laying of roofing materials.
- iii) At the completion of the development.

Progress certificates in response to points (1) through to (3) shall be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed until such survey information is submitted to and approved by the Principal Certifying Authority.

(Reason: To ensure compliance with the approved plans.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (OC)

58. CAR PARKING - VISITOR CAR PARKING SIGNAGE (OC)

A sign shall be erected in a suitable location on the property near the driveway entrance indicating where visitor parking is available on the site. Signage shall also be erected above the visitor parking itself. Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: Adequate access and egress.)

59. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers

**15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)**

Register (NPER) under the appropriate professional category, demonstrating that:

- i) the stormwater drainage system; and/or
- ii) the car parking arrangement and area; and/or
- iii) any related footpath crossing works; and/or
- iv) the proposed basement pump and well system; and/or
- v) the proposed driveway and layback; and/or
- vi) any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of any Occupation Certificate.

(Reason: Asset management.)

60. FIRE SAFETY CERTIFICATION (OC)

A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

An fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- i) has been assessed by a properly qualified person; and
- ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the Environmental Planning & Assessment Regulation 2000.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the Environmental Planning & Assessment Regulation 2000.

A copy of the fire safety certificate and fire safety schedule shall be:

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

61. LANDSCAPING - ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED (OC)

As part of the on-going assessment of the tree/s to be retained, the consulting arborist

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, prior to the issue of an Occupation Certificate. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority, which documents the following:

- i) methods of excavation or construction used to carry out the works;
- ii) any damage sustained by the tree/s as a result of the works;
- iii) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- iv) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: To ensure the survival of trees to be retained.)

62. OCCUPATION OF BUILDING (OC)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- i) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

63. STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)

The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

(Reason: Adequate stormwater management.)

64. STORMWATER - COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS (OC)

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, 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 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

15 Homebush Road, Strathfield
Lot 5 DP31394 (Cont'd)

be obtained from Council's Specification for the Management of Stormwater document.

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

65. **VENTILATION SYSTEMS – NATURAL (OC)**

The natural ventilation system shall be designed, constructed and installed in accordance with the provisions of:

- i) The Building Code of Australia; and
- ii) Protection of the Environment Operations Act 1997.

Details demonstrating compliance with this condition shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate.

(Reason: To ensure any natural ventilation systems comply with the relevant regulations/standards.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)

66. **FIRE SAFETY ANNUAL STATEMENT (OU)**

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

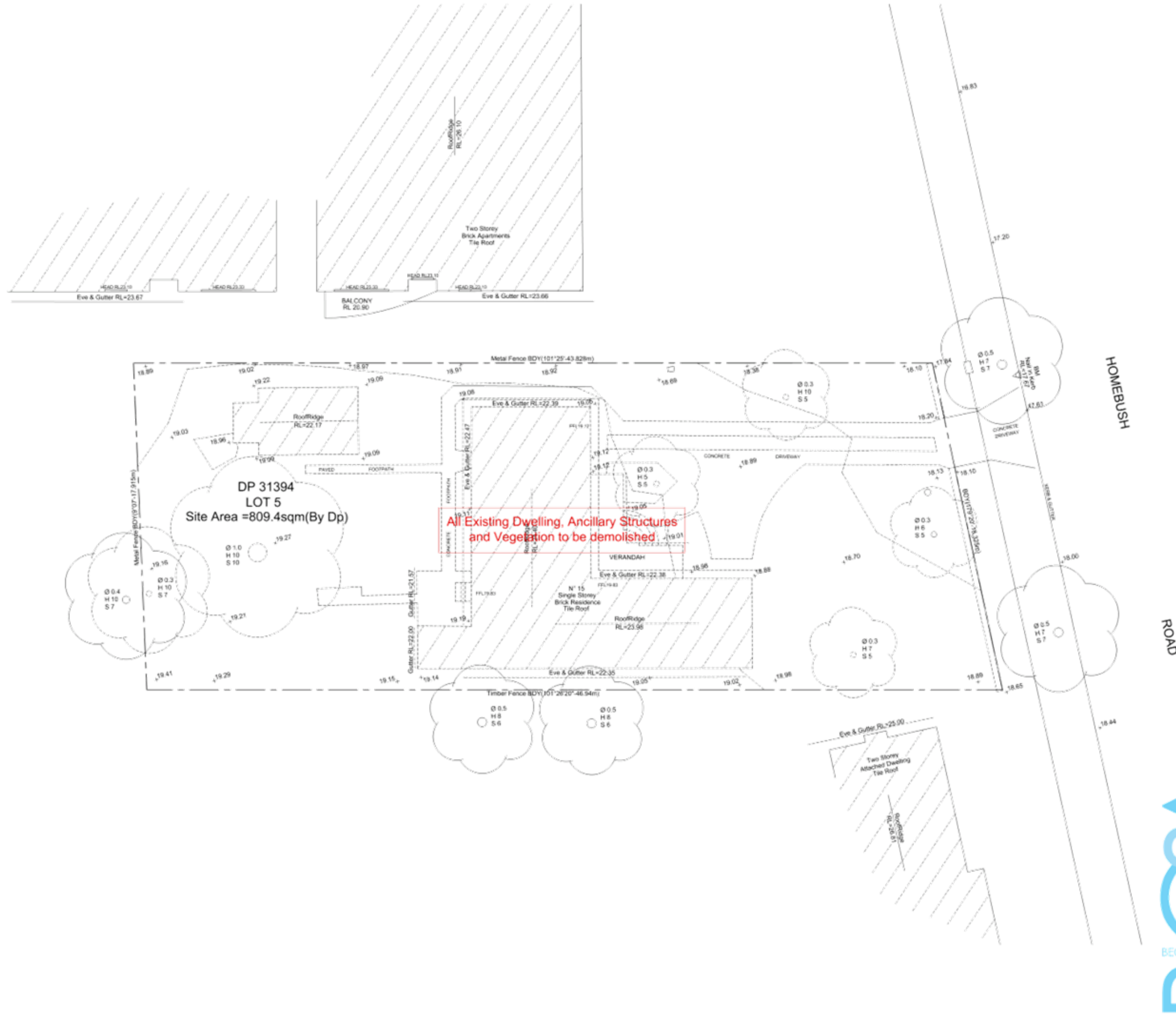
A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- i) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- ii) Prominently displayed in the building.

(Reason: Fire safety)

ATTACHMENTS

1. [↓](#) Architecturals
2. [↓](#) Map

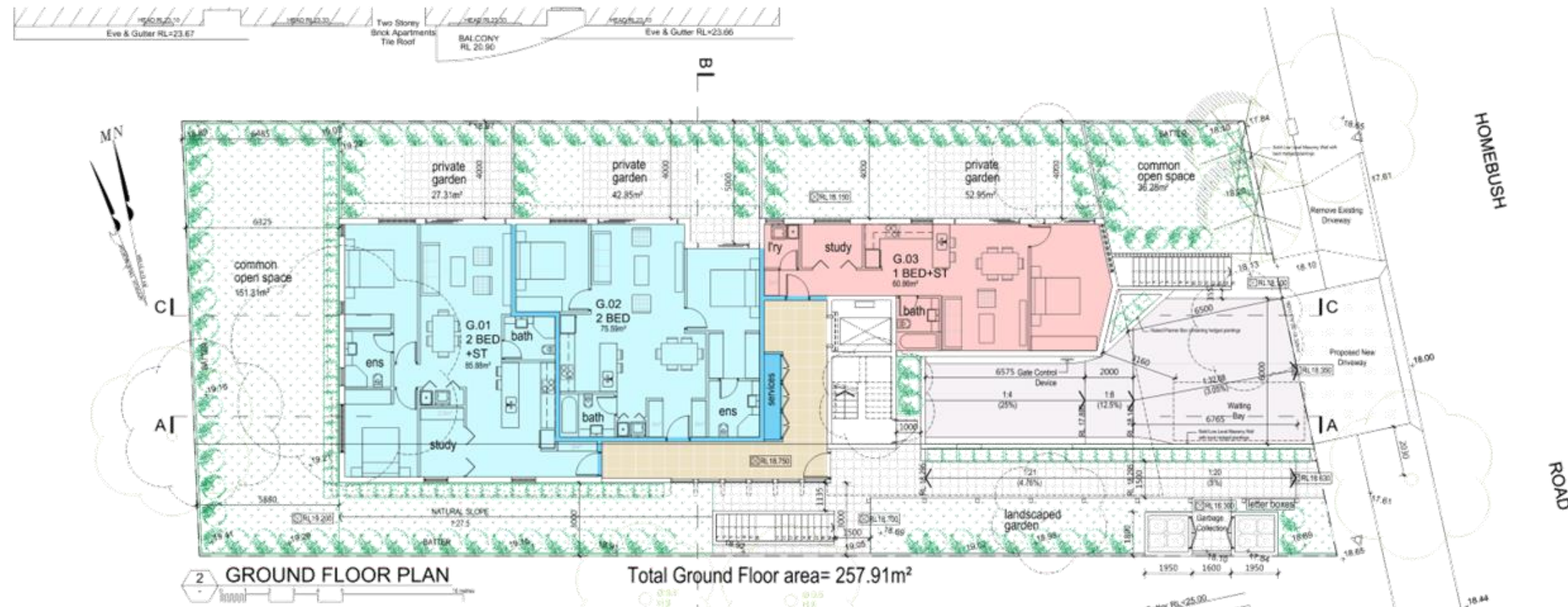


PROJECT: PROPOSED AFFORDABLE RFB
 15-HOMEBUSH RD, STRATHFIELD 2115
 DRAWN: 4/15/16
 SCALE: 1:100 (P.A.), 1:200 (P.A.D.)
 CHECKED: 08
 DATE: AUGUST 2016
 DEMOLITION PLAN
 D.01
 8

BC&A
 BECHARA CHAN & ASSOCIATES
 BECHARA CHAN & ASSOCIATES Pty Ltd
 15/15 HOMEBUSH ROAD, STRATHFIELD NSW 2115
 P: +61 2 9716 1955
 F: +61 2 9716 1955
 NOMINATED ARCHITECT: ALEX BIRBA
 LICENSE NUMBER: 2961

REVISION: A - ISSUED FOR PRELIMINARY APPROVAL 28/10/2016
 B - ISSUED FOR DA 05/03/2017
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March 2017	811 Reference 11701
Building Sustainability Assessment	NSW 2017 490 1238
www.bsa.com.au	www.bsa.com.au
The Building Sustainability Assessment (BSA) is a voluntary scheme that provides a standardised way of measuring and comparing the sustainability performance of buildings. It is based on the Green Star Building Assessment Method (BSAM) and is designed to encourage better building practices and reduce the environmental impact of buildings.	
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Project: PROPOSED AFFORDABLE RFB
15 HOME BUSH RD, STRATHFIELD NSW 2115

DA.02

GROUND FLOOR PLAN
LEVEL 1 FLOOR PLAN

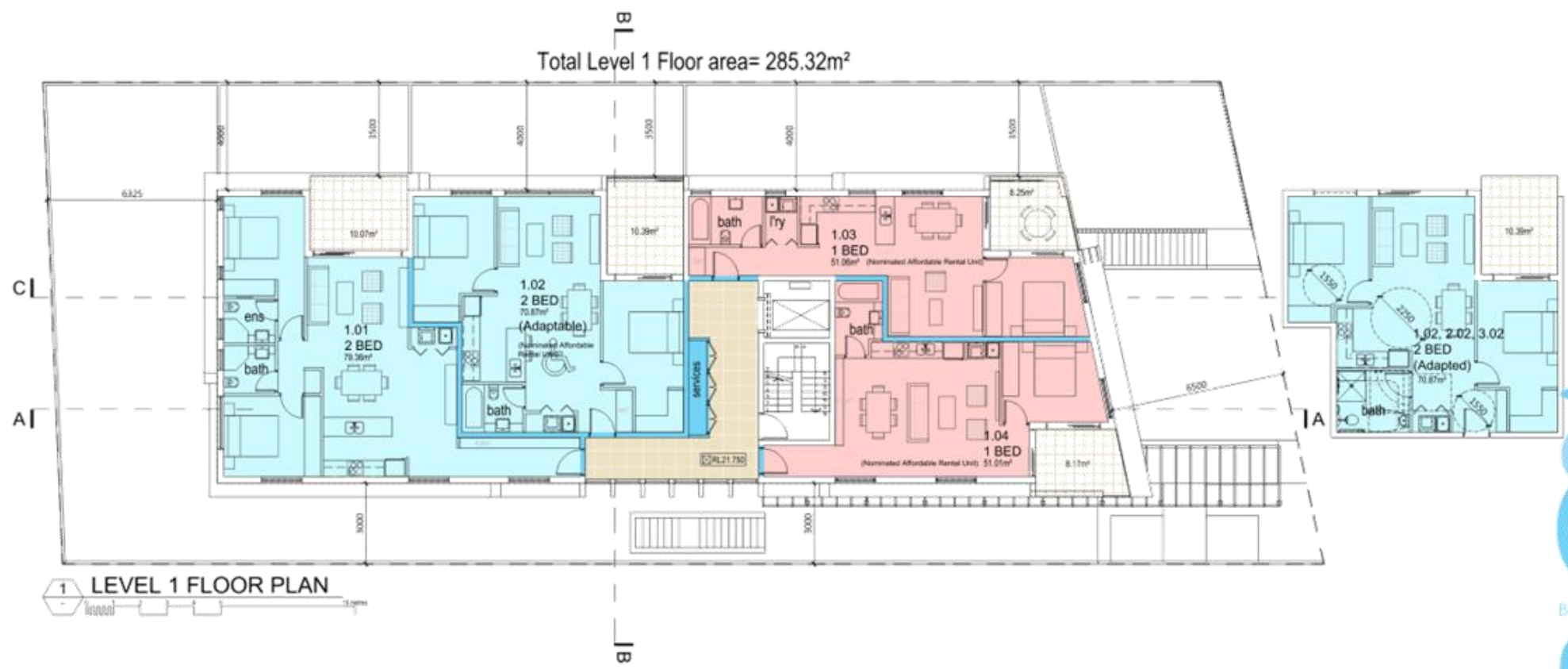
BC&A
Bechara Chan & Associates Pty Ltd
NOMINATED ARCHITECT: ALEX BIRBA
LICENSE NUMBER: 2961

Revision:
A: ISSUED FOR PRELIMINARY
B: ISSUED FOR DA
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Client:
28/10/2016
05/03/2017
03/08/2017

Drawn by: 40' x 40'
Checked by: GB
Scale: 1:100 (P.A.), 1:200 (P.A.)
Date: AUGUST 2016

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BC&A
BECHARA CHAN & ASSOCIATES
ARCHITECTS

NOAMATEC ARCHITECT ALEX BBA
LICENSE NUMBER 2861

Project: PROPOSED AFFORDABLE RFB
15 HOWELLS RD, STRATHFIELD, NSW

DA.03
C

LE. EL. 1 & 2 FLOOR PLAN

Revision:

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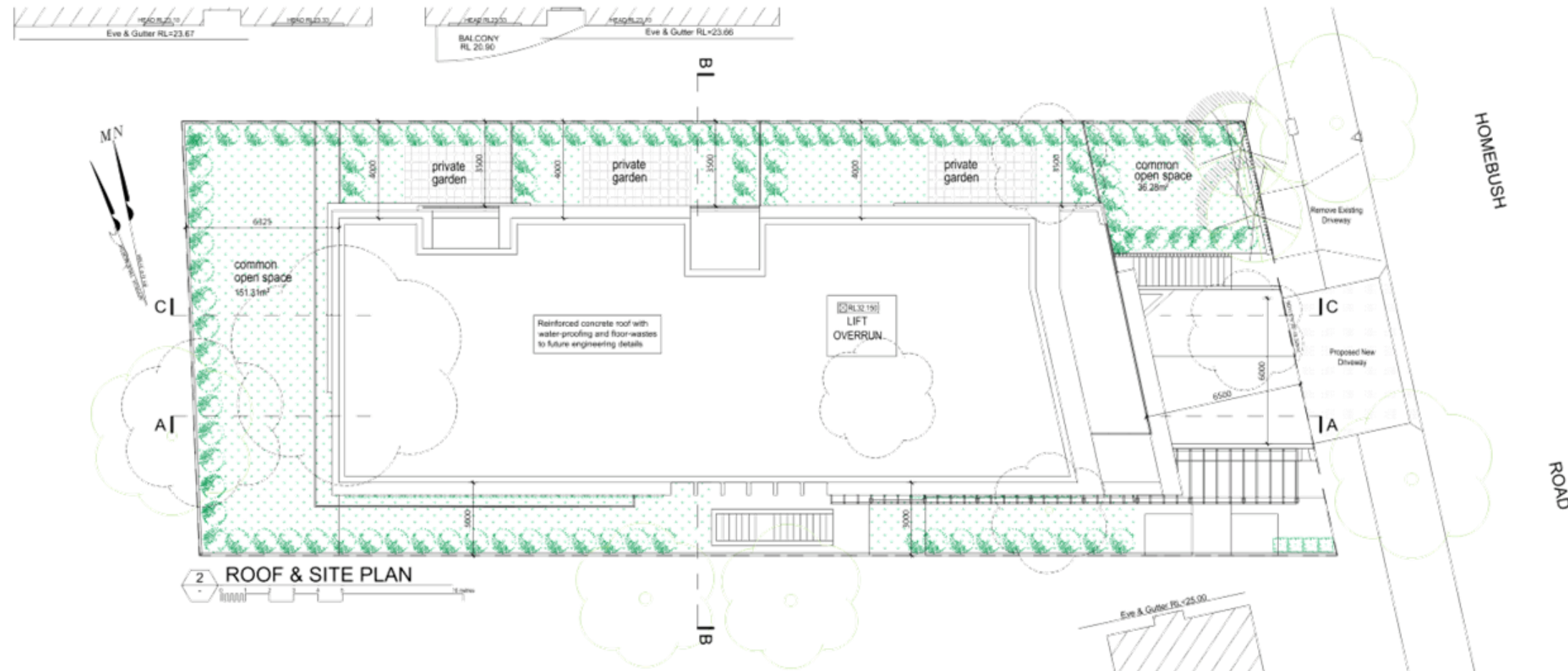
Client: NOMATEC ARCHITECT ALEX BBA

Design by: BC&A

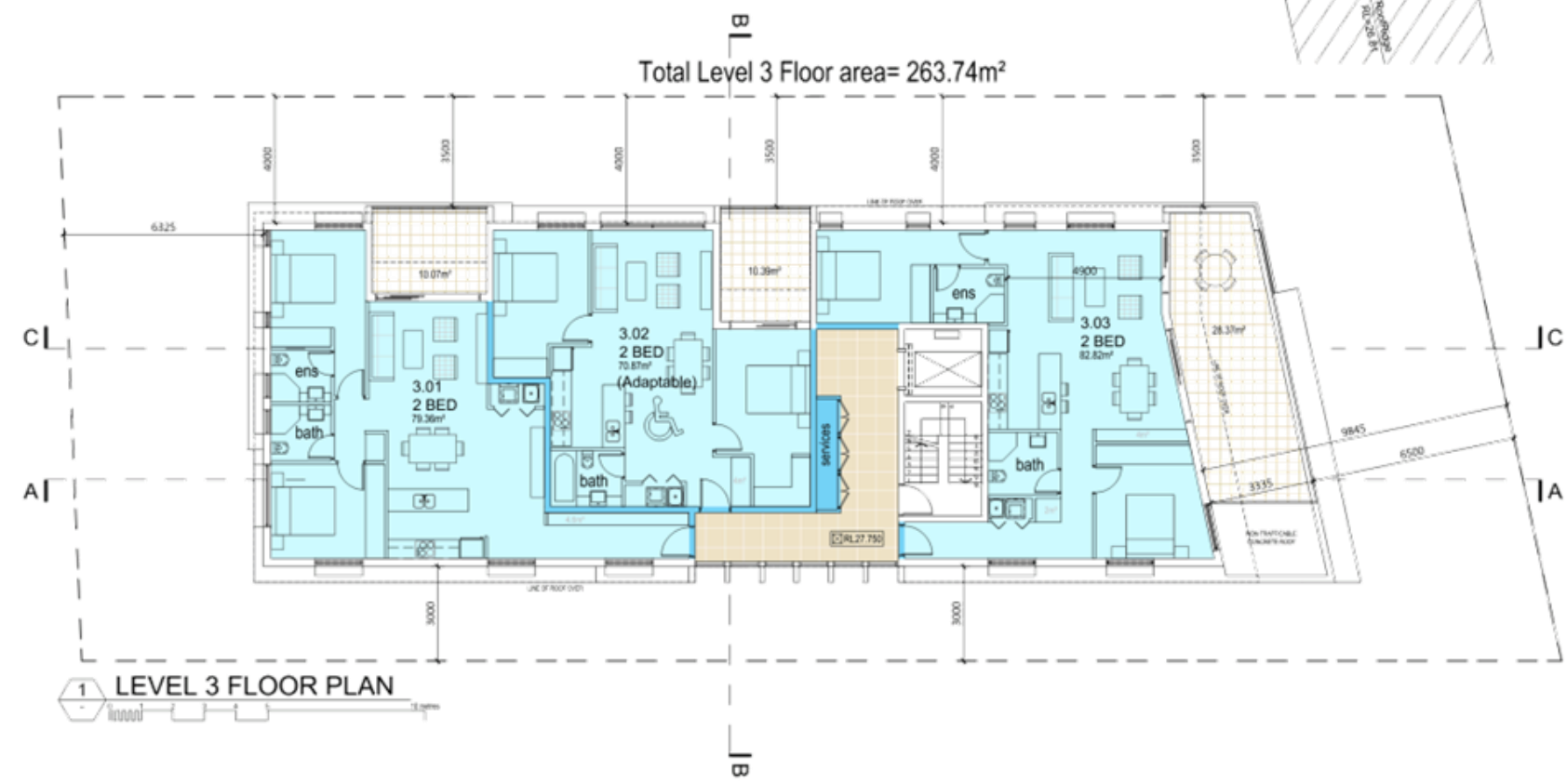
Drawn: DRW: JC
CHECKED: GB
DATE: AUGUST 2016

Scale: 1:100 (P.A.)
1:100 (P.A.)

Project: PROPOSED AFFORDABLE RFB
15 HOWELLS RD, STRATHFIELD, NSW



2 ROOF & SITE PLAN



1 LEVEL 3 FLOOR PLAN

BC&A
BECHARA CHAN & ASSOCIATES

Bechara Chan & Associates Pty Ltd
Architects & Planners
15 Homebush Rd, Strathfield NSW 2155
P: +61 2 9746 1995

NOAMATE ARCHITECT ALEX BBA
LICENSE NUMBER 2961

Project: PROPOSED AFFORDABLE RFB
15-HOMEBUSH RD, STRATHFIELD 2155

Drawn: 4/8/16
Checked: 08/8/16
Date: AUGUST 2016

Scale: 1:100 (P.A.), 1:200 (P.A.)

DA.04
C

ROOF & SITE PLAN
LEVEL 3 FLOOR PLAN

Remove Existing Driveway
Proposed New Driveway

Revision:
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28/10/2016
05/03/2017
13/08/2017

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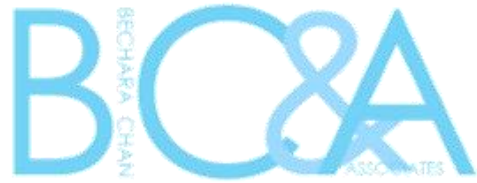




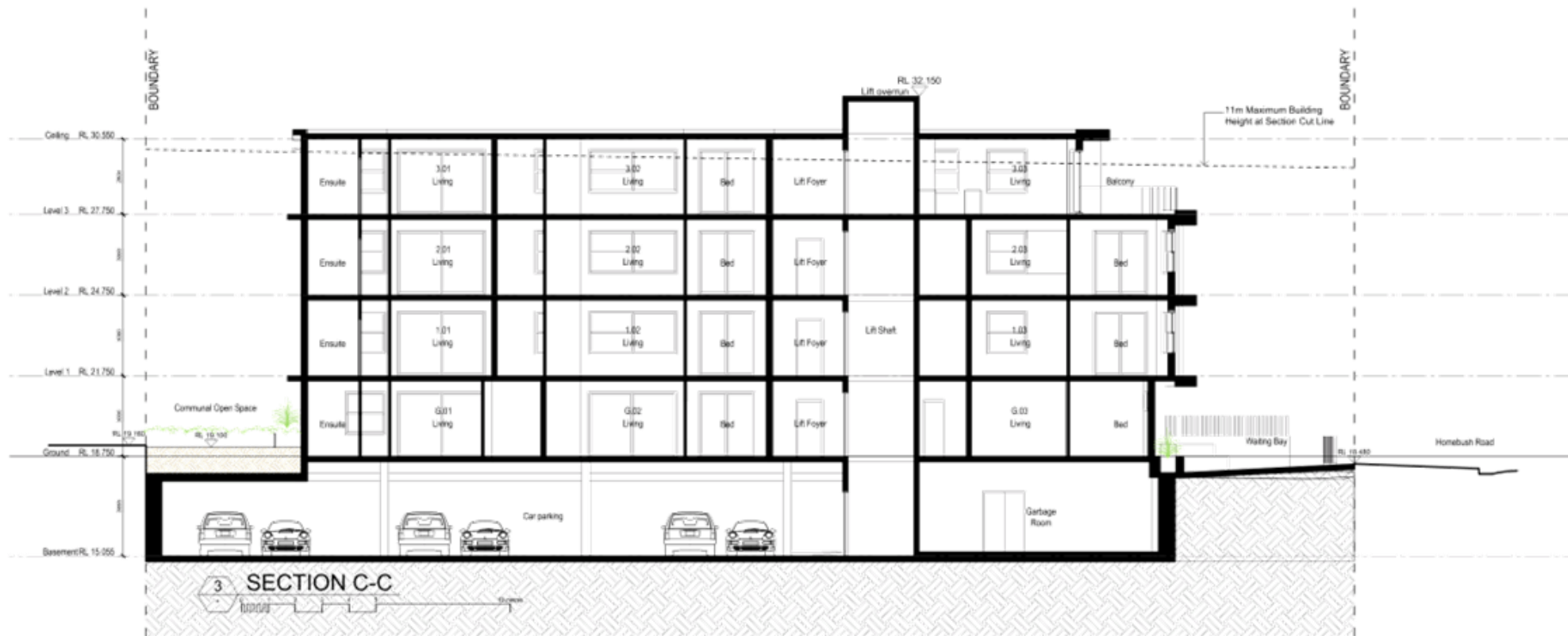
FINISHES SCHEDULE

- A Walls Balcony rendered & painted with Dulux Peppercorn Quarter R28 or Similar
- B Walls rendered & painted with Dulux Domino G810 or Similar
- C Walls rendered & painted with Dulux Roku G11 or Similar
- D Face Bricks - Simmetal Silver
- E Aluminium Window Frames powdercoated with Dulux Colorbond Night Sky C25 or Similar
- F Featured Aluminium Elements powdercoated with Dulux Colorbond Sulfurist C1 or Similar
- G Wall Cladding & Features - Powder coated Timber-look Metal or Similar

Note: All painted finishes to be embedded into 1.3mm medium texture finish "Rockote" acrylic based polymer render for improved longevity & product durability



Revision	Client	Design No.	Drawing	Project
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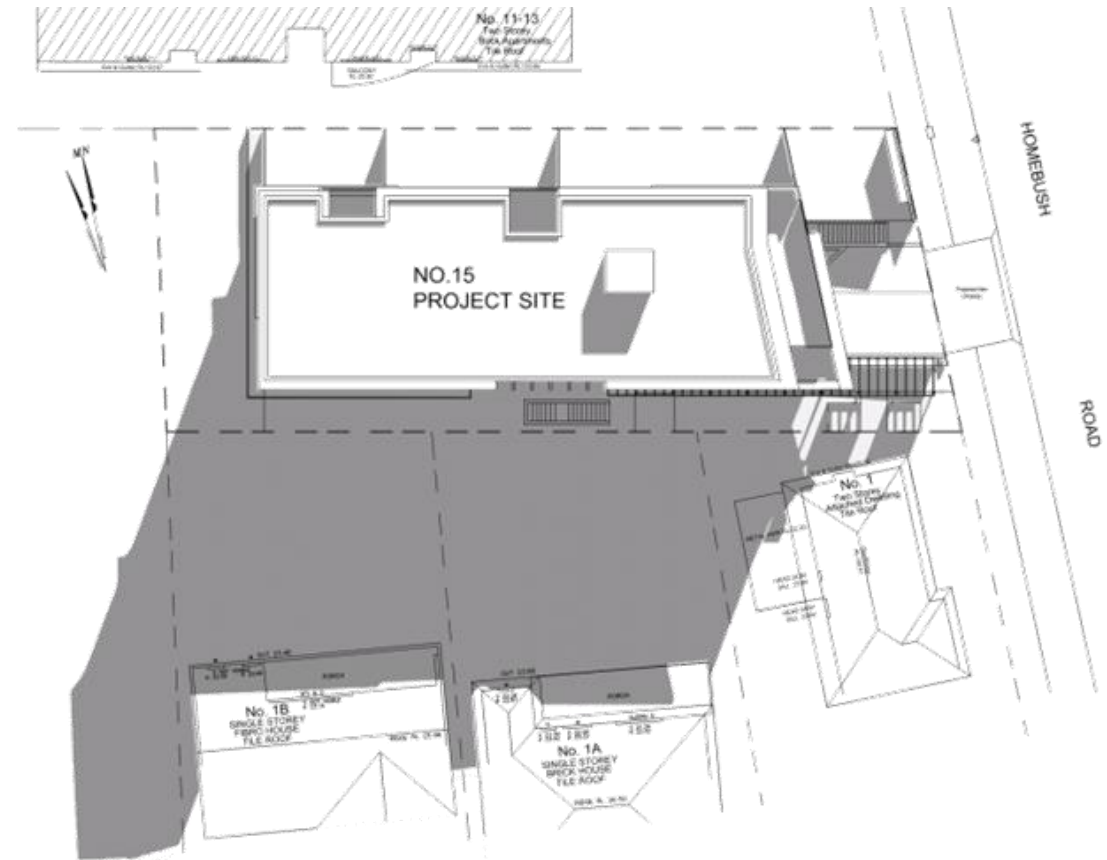
March 2017	BC&A Reference: 01453
Building Sustainability Assessment: NABERS BEEB 5.0	
<p>Important Note: The drawings and specifications are prepared on the basis of information submitted to the architect by the client and others. The architect does not warrant that the information is true or correct. The architect does not warrant that the information is complete or that the information is not subject to change.</p> <p>Special Permissions/Qualifications: (None are applicable)</p>	
General Construction	Refer to clauses 1.1 to 1.10
Structural Steel Construction	Refer to clause 1.11
Structural Concrete Construction	Refer to clause 1.12
Roof Construction	Refer to clause 1.13
Cladding Construction	Refer to clause 1.14
Interior Wall Construction	Refer to clause 1.15
Interior Floor Construction	Refer to clause 1.16
Interior Ceiling Construction	Refer to clause 1.17
Interior Door Construction	Refer to clause 1.18
Interior Window Construction	Refer to clause 1.19
Interior Staircase Construction	Refer to clause 1.20
Interior Lift Construction	Refer to clause 1.21
Interior Ramp Construction	Refer to clause 1.22
Interior Staircase and Lift Construction	Refer to clause 1.23
Interior Ramp and Lift Construction	Refer to clause 1.24
Interior Staircase and Lift Construction	Refer to clause 1.25
Interior Staircase and Lift Construction	Refer to clause 1.26
Interior Staircase and Lift Construction	Refer to clause 1.27



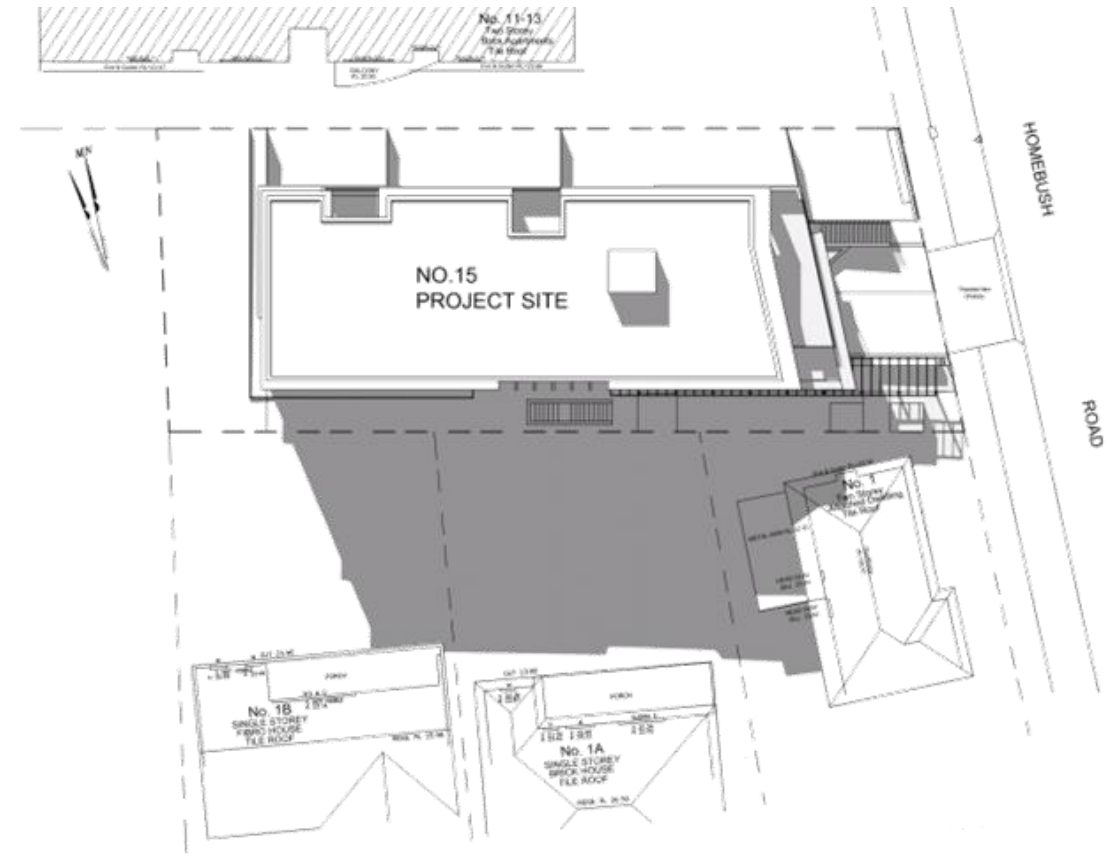
Revision	Client	Design No.	Drawing	Project
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B	ISSUED FOR DA	09/03/2017	CHECKED: PC	15 HOMEBUSH RD, STRATHFIELD NSW 2135
C	ISSUED FOR DA	13/06/2017		



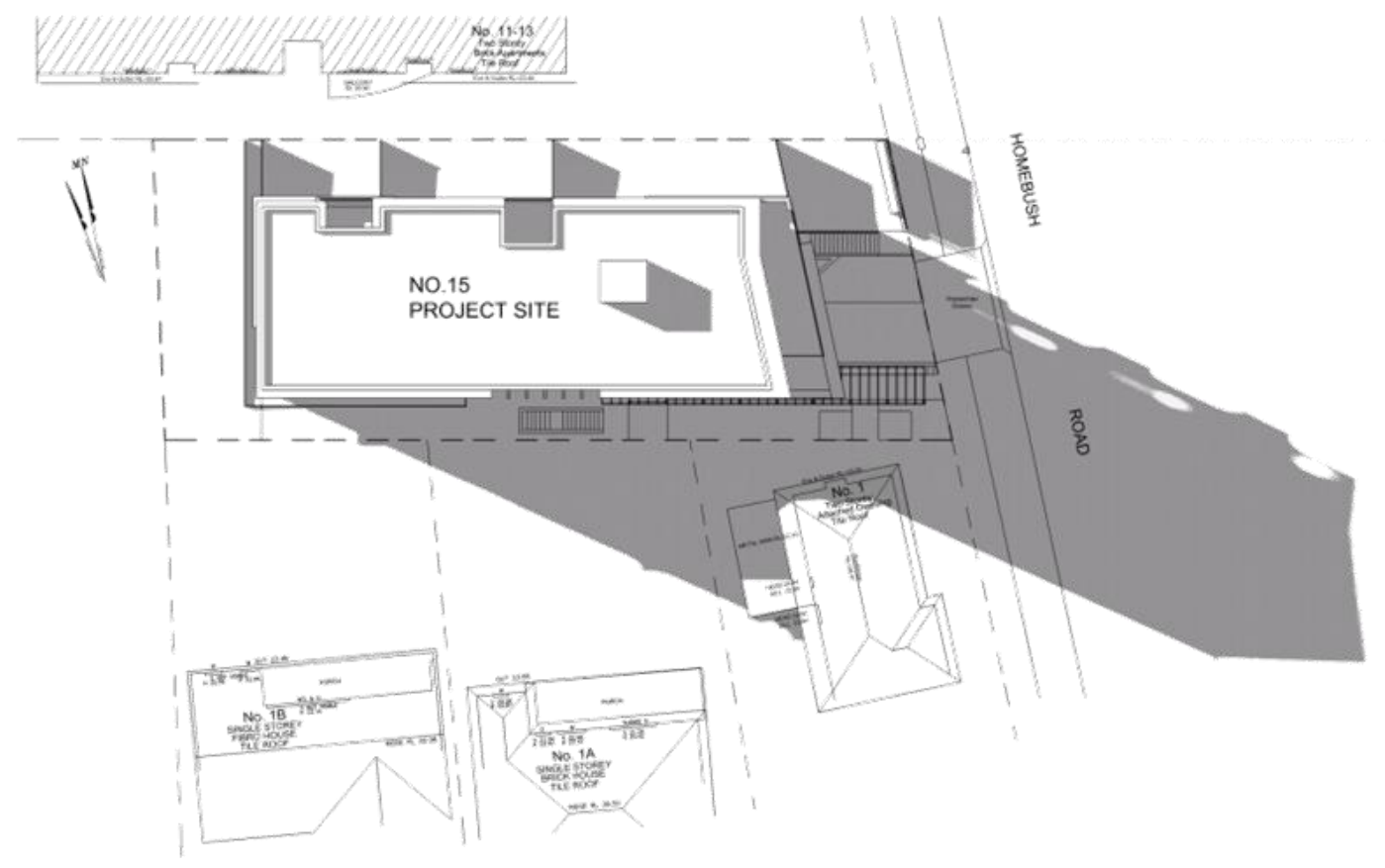
SECTIONS	DATE: AUGUST 2016	SCALE: 1:100 on A1, 1:200 on A3
DA.06		



1 SHADOW 21th June - 9am



2 SHADOW 21th June - 12noon



3 SHADOW 21th June - 3pm

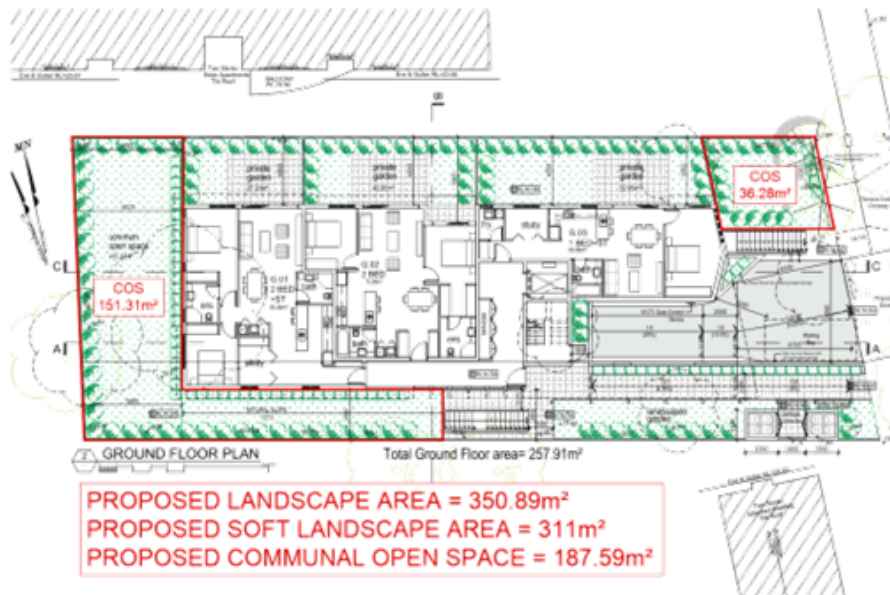
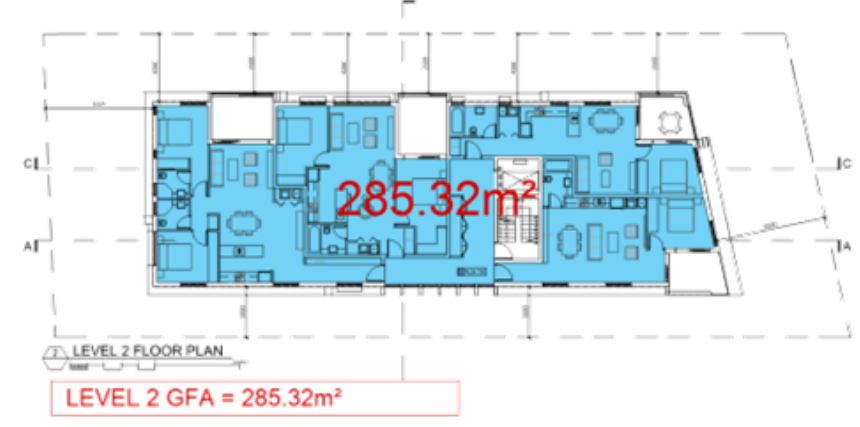
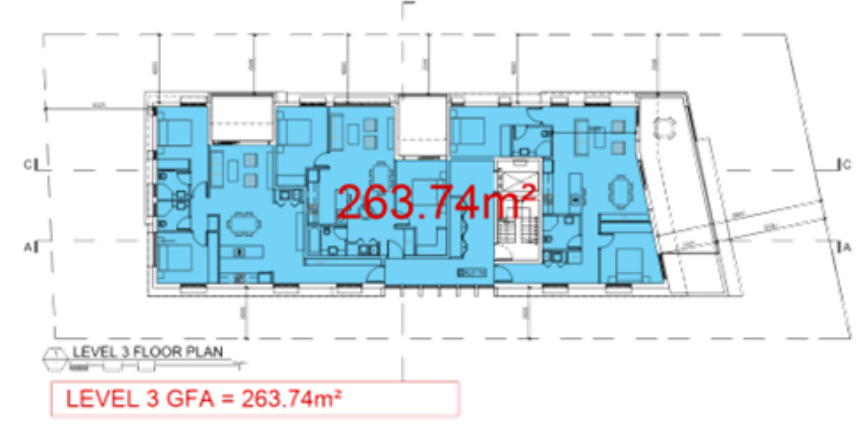


4 SHADOW 21th June - 9am
ELEVATION (NO. 1A&1B)



5 SHADOW 21th June - 3pm
ELEVATION (NO. 1)

<p>Drawn: 20/06/16 Checked: 08</p> <p>Project: PROPOSED AFFORDABLE RFB 15 HONEBUSH RD, STRATHFIELD 2115</p>	 <p>DA.08 C</p>
<p>BC&A Bechara Chan & Associates Pty Ltd 20/12/2016</p> <p>NO.15 ARCHITECT: ALEX BHR LICENSE NUMBER: 2361</p>	<p>SHADOW DIAGRAM Scale: 1:100 (for building) Scale: 1:500 (for site)</p>
<p>Revision:</p> <ul style="list-style-type: none"> A - ISSUED FOR PRELIM B - ISSUED FOR DA C - ISSUED FOR DA 	<p>DATE:</p> <ul style="list-style-type: none"> 20/10/2016 05/03/2017 13/08/2017
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Site Area= 809.40m²
FSR 1.2:1 = 971.28m²
Required 30% Landscape Area of Site Area (ARHSEPP2009) = 242.82m²
Required 7% Deep-Soil Area of Site Area (SEPP65) = 56.65m²
Required 60% Unpaved or "Soft" Landscape Area (DCP) = 145.69m²
Required 10% Communal Open Space of Site Area (DCP) = 80.94m²

Proposed Total GFA= 1092.29m²
Proposed FSR= 1.35 : 1
Proposed Landscape Area = 350.89m²
Proposed Deep-Soil Area = 79.83m²
Proposed Communal Open Space= 187.59m²
Proposed Unpaved or Soft landscape= 311.00m²

Project: PROPOSED AFFORDABLE RFB 15 HOWELL SH RD, STRATHFIELD NSW 2115

DA.10

AREA CALCULATION

BC&A BECHARA CHAN & ASSOCIATES

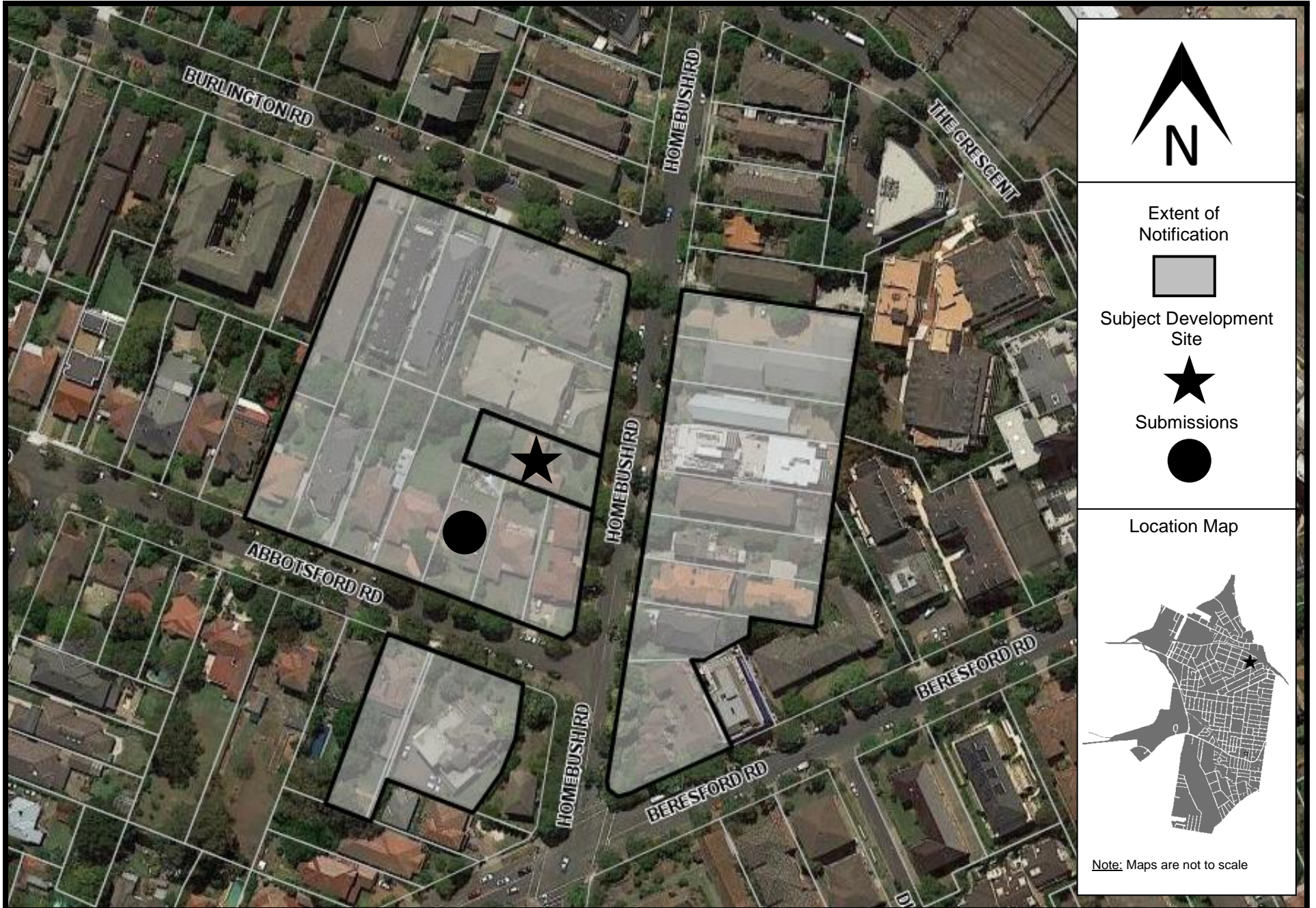
Bechara Chan & Associates Pty Ltd
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P.O. Box 1000, Sydney NSW 1585
P: +61 2 9716 1995

NO. 10267-ARCHITECT ALEX (NSW)
LICENSE NUMBER 2961

Revision: A - ISSUED FOR PRELIMINARY CONSULTATION 28/10/2016
B - ISSUED FOR DA 05/03/2017
C - ISSUED FOR DA 13/08/2017

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Checked: 08/08/2016
Scale: 1:100 (P.A.)
Date: AUGUST 2016

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TO: Strathfield Independent Hearing and Assessment Panel Meeting - 3 August 2017

REPORT: SIHAP – Report No. 3

SUBJECT: 88-92A PARRAMATTA ROAD, HOMEBUSH
LOT A DP 419617, LOT 1,2 AND 3 OF DP 201120

DA NO. DA2017/066

SUMMARY

Proposal: Demolition of existing structures

Applicant: Statewide Planning Pty Ltd

Owner: Homebush Linx Pty Ltd

Date of lodgement: 16 May 2017

Notification period: 22 May 2017 to 6 June 2017

Submissions received: 13

Assessment officer: KL

Estimated cost of works: \$10,000.00

Zoning: B4 Mixed Use and SP2 Infrastructure - SLEP 2012

Heritage: N/A

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The subject application proposes the demolition of existing structures being a mixture of single and two (2) storey retail and commercial buildings.
- 2.0 The subject application was notified from 22 May 2017 to 6 June 2017 in accordance with the requirements of Part L “Public Notification of Development Applications” of the Strathfield Consolidated Development Control Plan 2005. (13) submissions were received raising concerns over the potential use of the site and associated impacts to the neighbouring buildings including the loss of the right of carriage way to the rear of the site.
- 3.0 The proposed development is for demolition of existing structures only with no development on site proposed.
- 4.0 Overall, the proposal has demonstrated compliance with the relevant statutory controls applicable to the development. Accordingly, the proposal is recommended for approval, subject to the recommended conditions of consent.

BACKGROUND

22 December 2015 A proposal for mixed use development on 88-92A Parramatta road and 2 Subway lane, Homebush was rejected pursuant to Clause 51 of the Environmental Planning and Assessment Regulation 2000, as BASIX, Geotechnical Report, Contamination Report, Description of the proposed development was not provided.

88-92A Parramatta Road, Homebush
Lot A DP 419617, Lot 1,2 and 3 of DP 201120 (Cont'd)

DESCRIPTION OF THE SITE AND LOCALITY

The subject sites are legally described as Lots 1, 2 and 3 in DP 201120 and Lot A in DP 419617 and is commonly known as 88-92A Parramatta Road, Homebush. The site is located on the southern side of Parramatta Road and has an area of 850.6m².



Figure 1: Locality plan

Existing development on the site comprises of single and two storey commercial/retail buildings that are currently vacant. Vehicular access is provided to the site via an existing driveway from Knight Street.

The current streetscape is characterised by various commercial and retail buildings fronting Parramatta Road. The surrounding area is characterised by residential dwellings to the rear comprised of a mixture of single storey dwellings and units. The site is also in close proximity to Homebush Station. A number of dwellings to the rear of the site have recently been demolished under Complying Development Certificate.

PROPERTY BURDENS AND CONSTRAINTS

Lot A DP 419617, commonly known as 88 Parramatta Road, Homebush is zoned B4 Mixed Use and SP2 Infrastructure Zone under SLEP 2012. The southern portion of the lot and the access handle to Knight Street is zoned SP2 for the provision of a local road. As such, any future developments are constrained by the land reserved for a public purpose by an environmental planning instrument. Further the laneway is currently the subject of a right of carriageway. However, the proposed development being for the purposes of demolition of existing structures only has no impact upon to the existing right of carriage way.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

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The application seeks Council approval for demolition of existing structures.

REFERRALS

No internal or external referrals were required with this Development Application.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

State Environmental Planning Policy 55 – Remediation of land requires that the consent authority consider whether the site is contaminated and whether the site has been suitably remediated.

The subject site is presently occupied by a commercial building and the demolition works will involve the removal of the building and clearing of the site with no new use proposed. Further consideration will be required of the suitability of the site for the intended future are through the consideration of a future application.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2)	Aims	Complies
(a)	To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield	Yes
(b)	To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development	Yes
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	Yes
(d)	To provide opportunities for economic growth that will enhance the local community	Yes
(e)	To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use	Yes
(f)	To identify and protect environmental and cultural heritage	Yes
(g)	To promote opportunities for social, cultural and community activities	Yes
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	Yes

Comments: The proposed development is for the demolition of the existing structures only. However, the vacant site will provide potential for economic growth that will enhance the local community in the future.

Permissibility

The subject site is Zoned B4 Mixed use and SP2 Infrastructure under Strathfield Local Environmental Plan (SLEP) 2012. Development for the purposes of demolition is permissible with consent under Clause 2.7 of the SLEP 2012.

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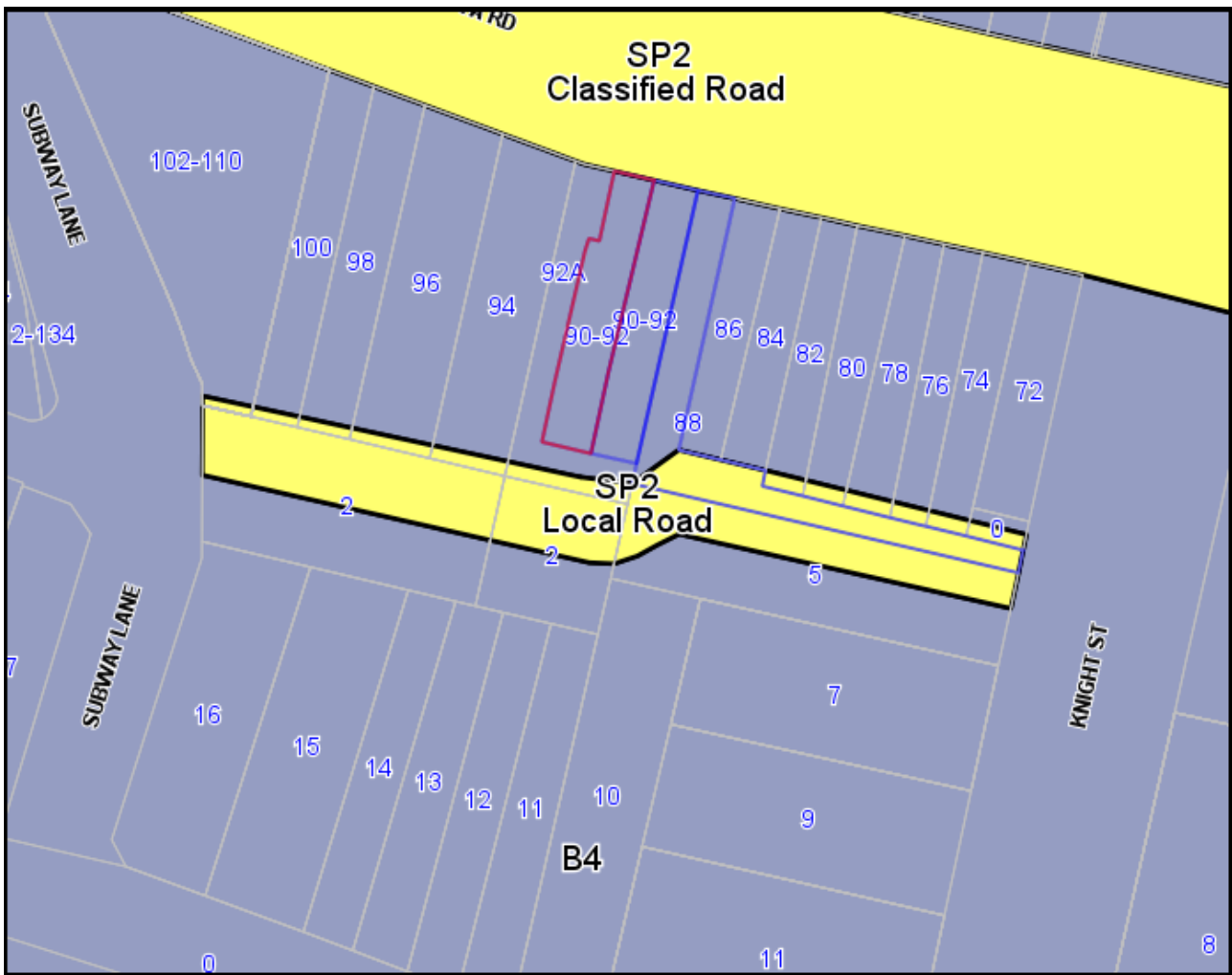


Figure 2: Zoning of the subject site

Zone Objectives

An assessment of the proposal against the objectives of the B4 Mixed use Zone is included below:

Objectives	Complies
➤ To provide a mixture of compatible land uses.	Yes
➤ To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximize public transport patronage and encourage walking and cycling.	Yes
➤ To facilitate mixed use urban growth around railway stations and transport nodes and corridors, commercial centres and open space.	Yes
➤ To provide local and regional employment and live and work opportunities	Yes

Comments: The proposed demolition of existing structures will provide potential for a mixture of compatible land uses in the future.

An assessment of the proposal against the objectives of the SP2 Infrastructure Zone is included below:

Objectives	Complies
➤ To provide for infrastructure and related uses	Yes
➤ To prevent development that is not compatible with or that may detract from the provision of infrastructure.	Yes
➤ To ensure that development does not have an adverse effect on adjoining	Yes

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land.

Comments: The proposed development being for the purposes of demolition only involves no actions restricting the ability of the site to achieve the objectives of the SP2 zone throughout the future redevelopment of the site.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, any proposed development on the site in the future will be required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

6.9 Additional provisions for development in Parramatta Road Corridor

The Development Application seeks approval for demolition of existing structures and as such, no development on site is proposed. Nevertheless, the subject site is within 'Key Site 77' (see figure 3) in its entirety and any future development proposed on site is to meet the relevant objectives for development in the Parramatta Road Corridor.

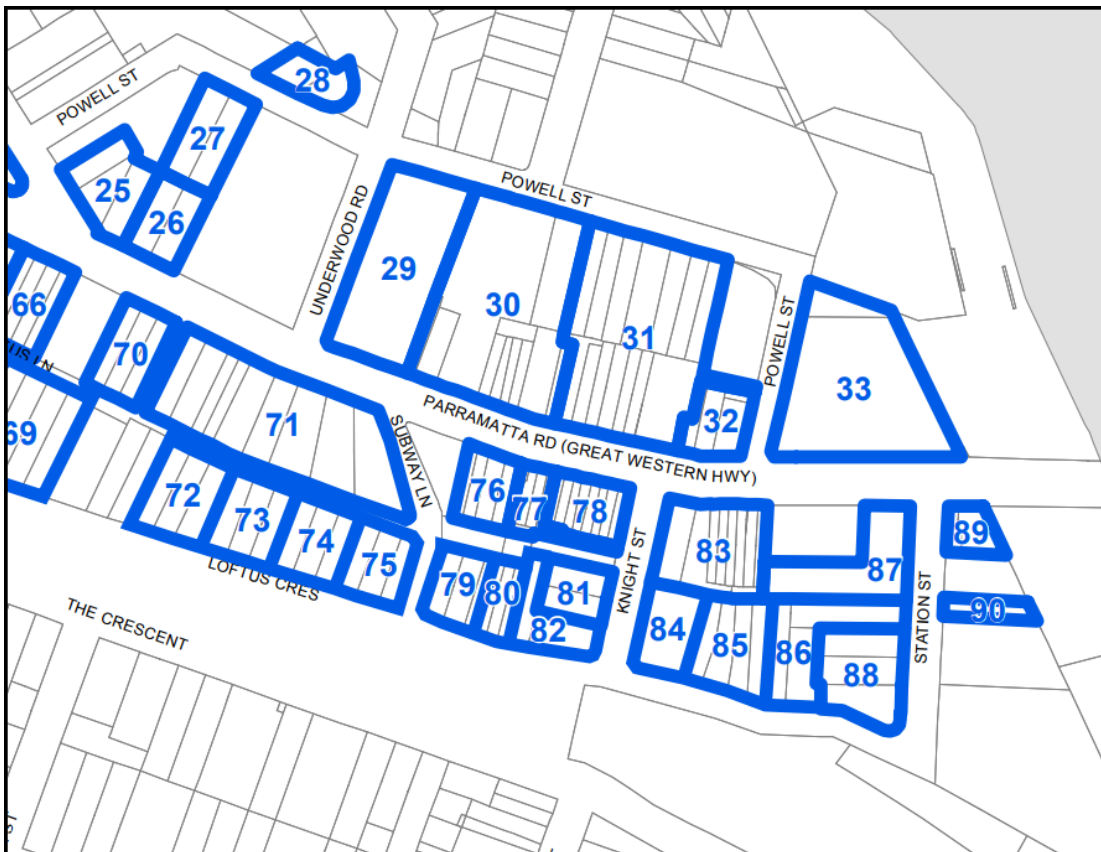


Figure 3: Key Site Map SLEP2012

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

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79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal was accompanied by a Waste Management Plan prepared in accordance with Part H of the SCDCP 2005. Compliance with the waste minimisation strategies of the submitted waste management plan shall be enforced via conditions of consent.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard *AS2601-1991: The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of *AS 2601 - 1991: The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommendation to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Traffic

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It is proposed that heavy vehicles will enter and exit the subject site using existing major regional and local roads avoiding residential and areas where possible. All trucks will enter and exit site from Knight Street laneway adjoining 5 Knight Street and 2 Subway Lane. As the proposed work is for demolition only, it is considered that no adverse impact would result on Parramatta Road or the surrounding streets.

79C(1)(c) the suitability of the site for the development

The proposed development is considered to be suitable to the site in that the proposed development application is for the demolition of existing structures. In addition, this will enable the site to be accessed to undertake relevant testing and the preparation of any necessary reports.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDCP 2005 from **22 May 2017** to **6 June 2017**, with **thirteen (13)** submissions received, raising the following concerns:

1. *Comments have been made that statements made in the Pedestrian & Traffic Management Plan accompanying the Development Application is false. It is claimed that "approval from the neighbours for access has been granted" for the existing driveway to the rear of the properties which is stated as being untrue..*

Assessing officer's comments: The proposed works are for demolition of existing structures only. As the existing laneway adjoining 5 Knight Street and 2 Subway Lane is a common driveway, vehicles relating to demolition works are permitted to use the driveway to access the site.

2. *Concerns were raised in regards to the right of way at the rear of the properties from 72 to 86 Parramatta Road. Owners of the properties from 72 to 86 Parramatta Road "demand to continue our access to rear of our properties 24/7 with no obstruction at all."*

Assessing officer's comments: As vehicles relating to demolition are permitted to use the driveway to access the site, obstruction of the driveway is inevitable. Nonetheless, a condition requiring the submission of a Traffic Management Plan is recommended to be imposed to ensure minimal obstruction along the driveway.

3. *"Council should demand the laneway that has been in the plans for DECADES to be built and widened, be done prior to any construction site activity."*

Assessing officer's comments: Given the proposed works are for demolition of existing structures only, the provision of a new laneway is not applicable to this development application.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

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- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:
- (a) the dedication of land free of cost, or
 - (b) the payment of a monetary contribution, or both.
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”

STRATHFIELD INDIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are not applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030.

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. DA2017/066 for the demolition of existing structures at 88 – 92A Parramatta Road, Homebush be **APPROVED**, subject to the following conditions:

GENERAL CONDITIONS (GC)

1. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2017/066:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
01/01	Demolition Plan	Linx Construction Pty Ltd	May 2017	16 May 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2017/066:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Traffic Management	Linx Construction Pty Ltd	12/05/2017	16 May 2017
Demolition and Construction Management Plan	Linx Construction Pty Ltd	12/05/2017	16 May 2017
Waste Management Plan	Linx Construction Pty Ltd	12/05/2017	16 May 2017
Soil and Water Management	Linx Construction Pty Ltd	12/05/2017	16 May 2017

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail. However, the conditions of this consent shall prevail to the extent of any inconsistency.

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(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

2. **CONSTRUCTION HOURS (GC)**

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

3. **DEMOLITION – GENERALLY (GC)**

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

(Reason: To ensure compliance with the approved development.)

4. **DEMOLITION (GC)**

Alterations to, and demolition of, the existing building shall be limited to that documented on the approved plans (by way of notation) or conditioned in this consent. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

Should any portion of the existing building which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of this damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.

(Reason: Heritage conservation.)

5. **DEMOLITION - SITE SAFETY FENCING (GC)**

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

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 before the commencement of work;
and
provision of a Public Risk Insurance Policy with a minimum cover of \$10 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 with a copy provided to Council.

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(Reasons: Statutory requirement and health and safety.)

6. LIGHTING (GC)

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

(Reason: To protect the amenity of surrounding development and protect public safety.)

7. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips

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- may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - xviii) Any work must not prohibit or divert any natural overland flow of water.
 - xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
 - xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

8. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

9. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

10. UTILITIES AND SERVICES - PROTECTION OF (GC)

Any footings or excavation to be located or undertaken adjacent to Council's stormwater must be designed to address the following requirements:

- i) all footings and excavation must be located wholly within the site and clear of any easement boundaries;
- ii) all footings and excavation must be located a minimum of 1000mm from the centreline of the pipeline or 500mm from the outside of the pipeline, whichever is the greater distance from the centreline; and
- iii) footings must extend to at least the depth of the invert of the pipeline unless the footings are to be placed on competent bedrock.

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If permanent excavation is proposed beneath the obvert of the pipeline, suitable means to protect the excavation and proposed retaining structures from seepage or other water flow from the pipeline and surrounding subsoil, must be provided. The design must be prepared by a qualified practicing Structural/Civil Engineer.

Construction plans must be approved by the appropriate utility's office (e.g. council, Sydney Water Corporation) to demonstrate that the development complies with the utility's requirements.

The applicant must provide written evidence (e.g. compliance certificate, formal advice) of compliance with the requirements of all relevant utility providers (e.g. Water, Energy, Telecommunications, Gas).

(Reason: To ensure protection of Council assets.)

11. WASTE – TRACKABLE (GC)

Removal of trackable waste (as defined by the NSW Environment Protection Authority) from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS

12. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CW)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to Council, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.

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- vii) A soil and water management plan, which includes:
- measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should

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- be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
- appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

13. COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CW)

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is

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Lot A DP 419617, Lot 1,2 and 3 of DP 201120 (Cont'd)

proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement)

14. **NOISE AND VIBRATION MANAGEMENT PLAN (CW)**

Prior to commencement of works, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliance with the relevant legislation and Australian Standards. The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

- i) identification of activities carried out and associated noise sources;
- ii) identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment;
- iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;
- iv) noise and vibration monitoring, reporting and response procedures;
- v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
- viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

(Reason: To protect acoustic amenity of surrounding properties and the public.)

15. **REMEDIAL WORKS - PRE-COMMENCEMENT ENVIRONMENTAL MANAGEMENT PLAN (CW)**

A Construction Environmental Management Plan (CEMP) shall be prepared for the proposed remedial works in accordance with the requirements of the approved Remedial Action Plan.

The CEMP must be prepared by an appropriately qualified and experienced environmental consultant.

The CEMP for Remediation must include, but is not be limited to, the following:

- i) asbestos management plan;
- ii) project contact information;
- iii) site security details;
- iv) timing and sequencing information;
- v) site soil and water management plan;
- vi) noise and vibration control plan;

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- vii) dust control plan;
- viii) air monitoring;
- ix) odour control plan;
- x) health and safety plan;
- xi) waste management plan;
- xii) incident management contingency; and
- xiii) unexpected finds protocol.

The CEMP must be prepared and implemented to the satisfaction of the supervising environmental consultant. The environmental site management measures must remain in place and be maintained throughout the period of the remediation works, until completion of site remediation and the site has been validated.

Note: An appropriately qualified and experienced environmental consultant certified under the Certified Environmental Practitioner" (CEnvP) Scheme or equivalent.

(Reason: To ensure compliance with statutory requirements.)

16. **REMEDIAL WORKS - POST WORKS ENVIRONMENTAL MANAGEMENT PLAN (CW)**

On completion of remedial works, an Environmental Management Plan (EMP) shall be prepared by an appropriately qualified and experienced environmental consultant. The EMP must be prepared in accordance with relevant NSW EPA Guidelines.

This Long-term EMP shall describe the nature and location of the contamination and prescribe how the contaminants will be managed and the responsible parties for this management in the long-term.

The Long-term EMP shall be submitted for review by a NSW EPA accredited site auditor prior to the commencement of construction and the issue of a construction certificate.

Any future intrusive ground works carried out that have the potential to conflict with any residual contamination remaining onsite must only be carried out in accordance with the Environmental Management Plan as referenced by the Site Auditor on the final Site Audit Statement and approved by the Council.

Note: A Long-term Environmental Management Plan (EMP) is also known as a Long-term Site Management Plan (SMP).

(Reason: Environmental protection and safety.)

17. **TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CW)**

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;

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- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

18. WASTE MANAGEMENT PLAN (CW)

A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

The WMP must identify the types of waste that will be generated and all proposals to re-use, recycle or dispose of the waste. The WMP is to be submitted to the Principal Certifying Authority, prior to commencement of works.

(Reason: To ensure appropriate management of waste.)

19. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEEM (CW)

An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition).

The suitability of the proposed length and duration of the Works Zone is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be

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submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)

20. CONTAMINATED LAND UNEXPECTED FINDS (DW)

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

21. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

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

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

22. HERITAGE - HISTORIC RELICS FOUND DURING WORKS (DW)

Should any potentially historic relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage should be informed in accordance with Section 146 of the Heritage Act 1977. 'Relics' are any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises New South Wales, not

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being Aboriginal settlement, and are of State or local heritage significance.

Should any potentially significant Aboriginal material be discovered on the site, all excavation or disturbance of the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage is to be informed in accordance with Section 91 of the National Parks and Wildlife Act 1974.

(Reason: To ensure the proper management and preservation of potentially significant archaeological material.)

23. OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

24. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

25. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in

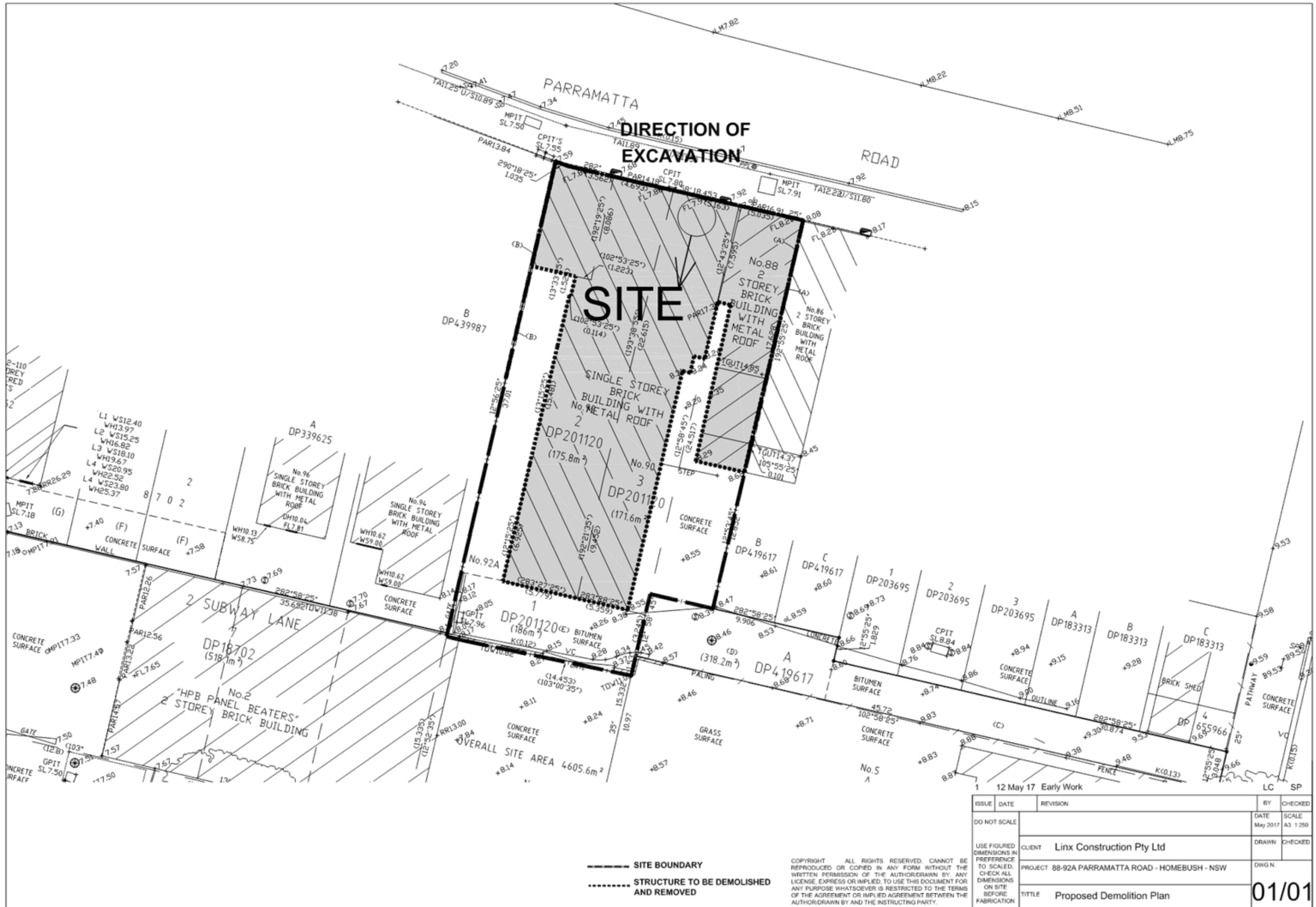
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- accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
 - xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
 - xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
 - xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
 - xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

ATTACHMENTS

1. [↓](#) Demolition Plan



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 3 August 2017

REPORT: SIHAP – Report No. 4

SUBJECT: 2 SUBWAY LANE, HOMEBUSH
LOT 7 DP 18702 AND LOT B DP403083

DA NO. DA2017/067

SUMMARY

Proposal: Demolition of existing structures.

Applicant: Statewide Planning Pty Ltd

Owner: Homebush Linx Pty Ltd

Date of lodgement: 16 May 2017

Notification period: 22 May 2017 to 6 June 2017

Submissions received: 13

Assessment officer: KL

Estimated cost of works: \$10,000.00

Zoning: B4 Mixed Use and SP2 Infrastructure - SLEP 2012

Heritage: N/A

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The subject application proposes the demolition of existing structures being a mixture of single and two storey retail and commercial buildings.
- 2.0 The subject application was notified from 22 May 2017 to 6 June 2017 in accordance with the requirements of Part L “Public Notification of Development Applications” of the Strathfield Consolidated Development Control Plan 2005. (13) submissions were received raising concerns over the potential use of the site and associated impacts to the neighbouring buildings including the loss of the right of carriage way to the rear of the site.
- 3.0 The proposed development is for demolition of existing structures only with no development on site proposed.
- 4.0 Overall, the proposal has demonstrated compliance with the relevant statutory controls applicable to the development. Accordingly, the proposal is recommended for approval, subject to the recommended conditions of consent.

DESCRIPTION OF THE SITE AND LOCALITY

The subject sites are legally described as Lot 7 DP 18702 and Lot B DP 403083 and is commonly known as 2 Subway Lane, Homebush. The site is located on the eastern side of Subway Lane and has an area of 739.4m².

Existing development on the site comprises of a two storey retail building with two single garages attached that are currently vacant. Vehicular access is provided to the site via Subway Lane.

**2 Subway Lane, Homebush
Lot 7 DP 18702 and Lot B DP403083 (Cont'd)**

The current streetscape is characterised by various commercial and retail buildings. The surrounding area is characterised by residential dwellings to the rear comprised of a mixture of single storey dwellings and units with substantial number of these residential dwellings recently demolished under Complying Development Certificate.

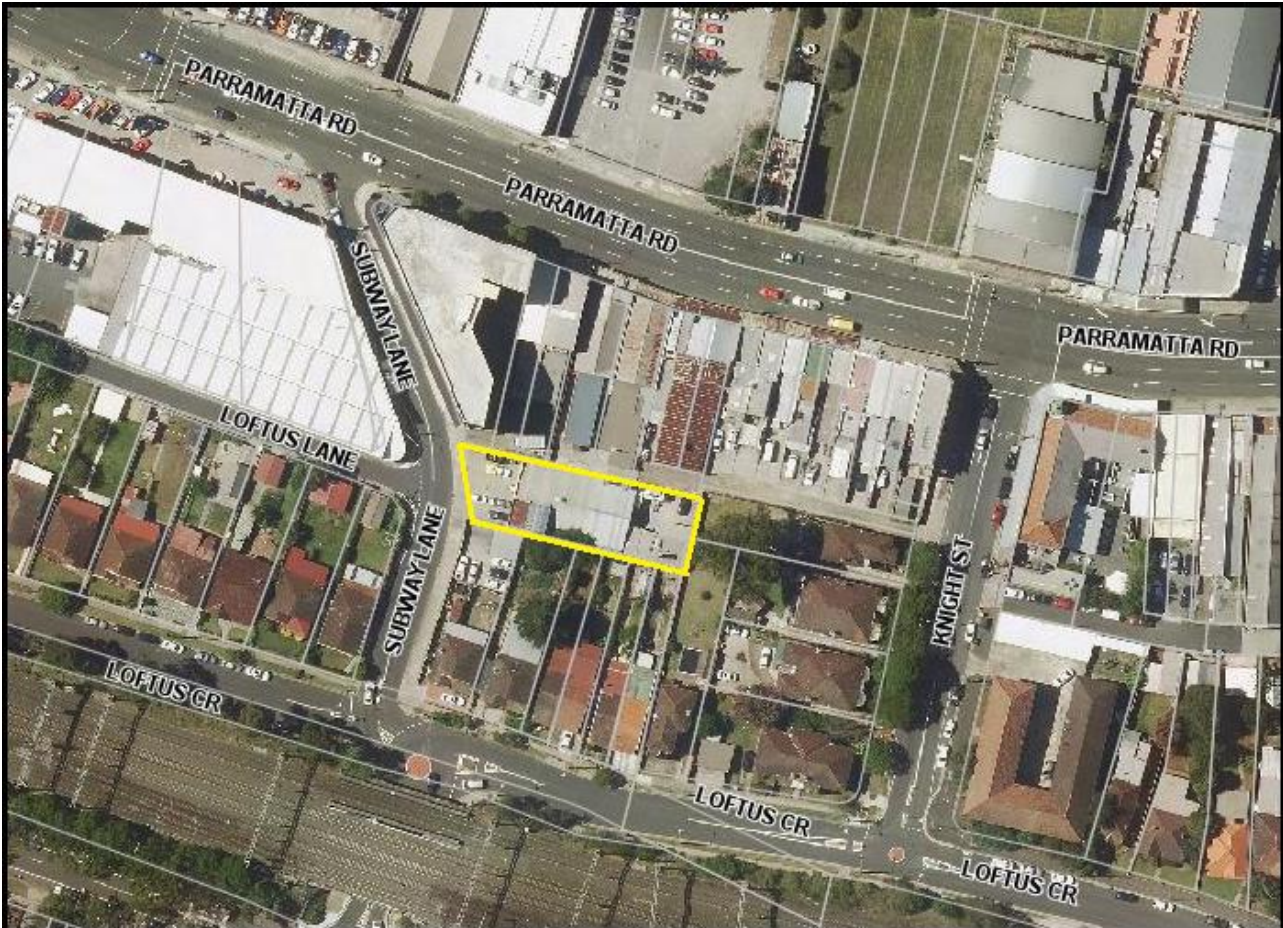


Figure 1: Locality plan

PROPERTY BURDENS AND CONSTRAINTS

The Lot 7 DP 18702 and Lot B DP 403083, commonly known as 2 Subway Land, Homebush is zoned B4 Mixed Use and SP2 Infrastructure Zone under SLEP 2012. The northern portion of the lot is zoned for Local Road. As such, any future developments are constrained by the land reserved for a public purpose by an environmental planning instrument.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for demolition of existing structures.

REFERRALS

INTERNAL REFERRALS

No internal or external referrals were required with this Development Application.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

2 Subway Lane, Homebush
Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

State Environmental Planning Policy 55 – Remediation of land requires that the consent authority consider whether the site is contaminated and whether the site has been suitably remediated.

The subject site is presently occupied by a commercial building and the demolition works will involve the removal of the building and clearing of the site with no new use proposed. Further consideration will be required of the suitability of the site for the intended future use through the consideration of a future application.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2)	Aims	Complies
(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: *The proposed development is for the demolition of the existing structures only. However, the vacant site will provide potential for economic growth that will enhance the local community in the future.*

Permissibility

The subject site is Zoned B4 Mixed use and SP2 Infrastructure under Strathfield Local Environmental Plan (SLEP) 2012. Development for the purposes of demolition is permissible with consent under Clause 2.7 of the SLEP 2012.

Zone Objectives

An assessment of the proposal against the objectives of the B4 Mixed use Zone is included below:

Objectives	Complies
➤ <i>To provide a mixture of compatible land uses.</i>	Yes
➤ <i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximize public transport patronage and encourage walking and cycling.</i>	Yes
➤ <i>To facilitate mixed use urban growth around railway stations and transport nodes an corridors, commercial centres and open space.</i>	Yes
➤ <i>To provide local and regional employment and live and work opportunities</i>	Yes

2 Subway Lane, Homebush
 Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

Comments: The proposed demolition of existing structures will provide potential for a mixture of compatible land uses in the future.

An assessment of the proposal against the objectives of the SP2 Infrastructure Zone is included below:

Objectives	Complies
➤ To provide for infrastructure and related uses	Yes
➤ To prevent development that is not compatible with or that may detract from the provision of infrastructure.	Yes
➤ To ensure that development does not have an adverse effect on adjoining land.	Yes

Comments: The proposed development being for the purposes of demolition only involves no actions restricting the ability of the site to achieve the objectives of the SP2 zone throughout the future redevelopment of the site.

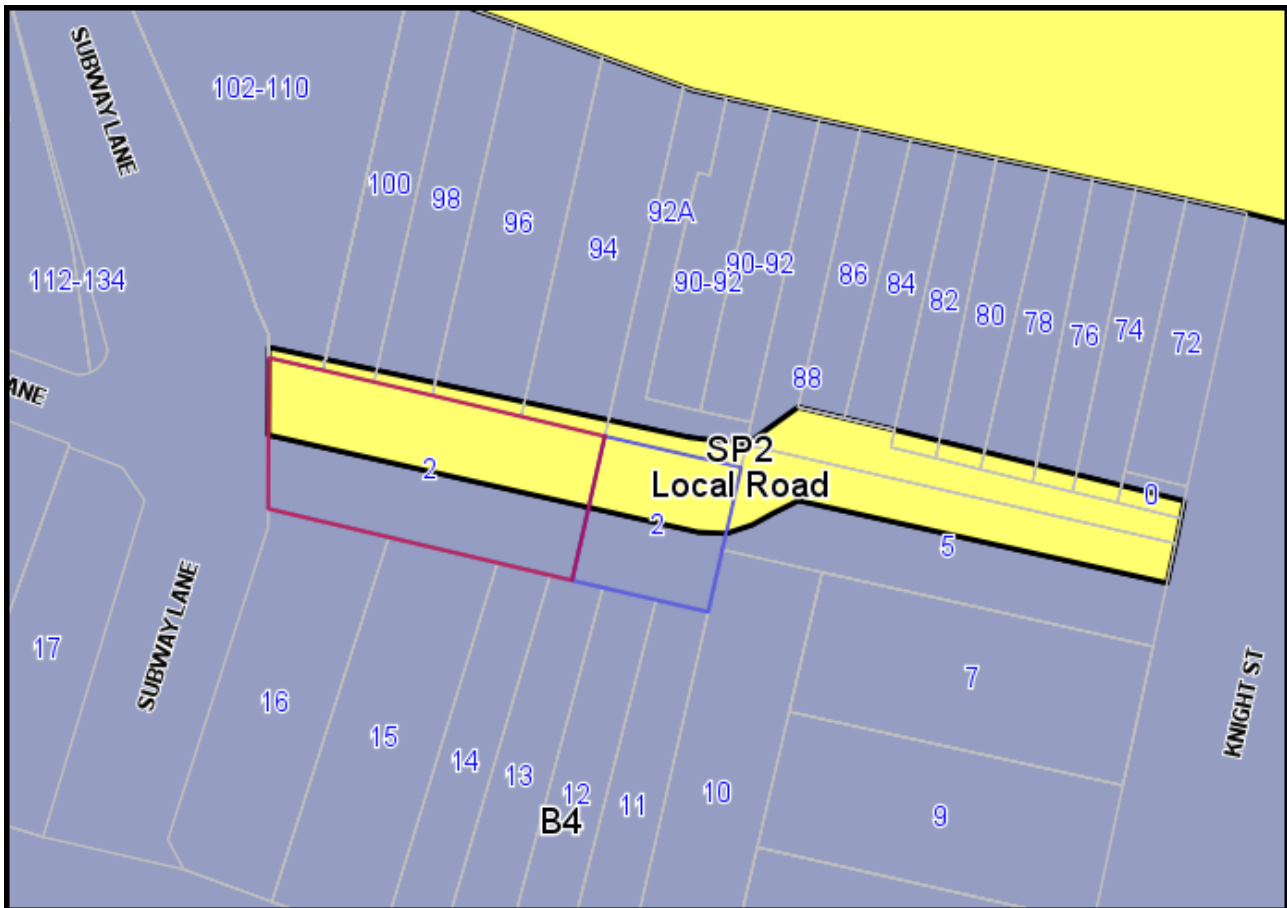


Figure 2: Zoning of the subject site

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, any proposed development on the site in the future will be required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

2 Subway Lane, Homebush
Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

6.9 Additional provisions for development in Parramatta Road Corridor

The Development Application seeks approval for demolition and as such, no development on site is proposed. Nevertheless, the subject site is between 'Key Site 76 and 77' (see figure 3) and zoned B4 Mixed Used and SP2 Local Road zoning. As such, any development on the subject site is to consider the additional provisions for development along the Parramatta Road Corridor.



Figure 3: Key Site Map SLEP2012

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal was accompanied by a Waste Management Plan prepared in accordance with Part H of the SCDCP 2005. Compliance with the waste minimisation strategies of the submitted waste management plan shall be enforced via conditions of consent.

2 Subway Lane, Homebush
Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommendation to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Traffic

It is proposed that heavy vehicles will enter and exit the subject site using the existing major regional and local roads avoiding residential and areas where possible. All trucks will enter and exit the site from the Knight Street laneway adjoining 5 Knight Street and 2 Subway Lane. As the proposed work is for demolition only, it is considered that there will be a minimal impact on Parramatta Road and the surrounding streets.

79C(1)(c) the suitability of the site for the development

The proposed development is considered to be suitable to the site in that the proposed development application is for a demolition of existing structures. In addition, this will enable the site to be accessed to undertake relevant testing and reports.

79C(1)(d) any submissions made in accordance with this Act or the regulations

2 Subway Lane, Homebush
Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

The application was notified in accordance with Part L of the SCDCP 2005 from **22 May 2017** to **6 June 2017**, with **thirteen (13)** submissions received, raising the following concerns:

1. *Comments have been made that statements made in the Pedestrian & Traffic Management Plan that accompanied the Development Application is false. It is claimed that "approval from the neighbours for access has been granted" for the existing driveway to the rear of the properties which is said to be untrue.*

Assessing officer's comments: The proposed works are for demolition of existing structures only. As the existing laneway adjoining 5 Knight Street and 2 Subway Lane is a common driveway, vehicles relating to demolition works are permitted to use the driveway to access the site.

2. *Concerns were raised in regards to the right of way at the rear of the properties from 72 to 86 Parramatta Road. Owners of the properties from 72 to 86 Parramatta Road "demand to continue our access to rear of our properties 24/7 with no obstruction at all."*

Assessing officer's comments: As vehicles relating to demolition are permitted to use the driveway to access the site, and obstructions to the driveway is inevitable. Nonetheless, a condition of consent is to be imposed to ensure minimal obstruction along the driveway.

3. *"Council should demand the laneway that has been in the plans for DECADES to be built and widened, be done prior to any construction site activity."*

Assessing officer's comments: The proposed works are for demolition of existing structures only. And such, the creation of a laneway is not applicable to this development application.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- "(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:
 - (a) the dedication of land free of cost, or
 - (b) the payment of a monetary contribution, or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned."*

STRATHFIELD INDIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are not applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030.

CONCLUSION

2 Subway Lane, Homebush
Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. DA2017/067 for the demolition of existing structures at 2 Subway Lane, Homebush be **APPROVED**, subject to the following conditions:

GENERAL CONDITIONS (GC)

1. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2017/067:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
01/01	Demolition Plan	Linx Construction Pty Ltd	May 2017	16 May 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2017/067:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Traffic Management	Linx Construction Pty Ltd	12/05/2017	16 May 2017
Demolition and Construction Management Plan	Linx Construction Pty Ltd	12/05/2017	16 May 2017
Waste Management Plan	Linx Construction Pty Ltd	12/05/2017	16 May 2017
Soil and Water Management	Linx Construction Pty Ltd	12/05/2017	16 May 2017

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail. However, the conditions of this consent shall prevail to the extent of any inconsistency.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

2. CONSTRUCTION HOURS (GC)

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

2 Subway Lane, Homebush
Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

(Reason: To maintain amenity to adjoining land owners.)

3. **DEMOLITION – GENERALLY (GC)**

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

(Reason: To ensure compliance with the approved development.)

4. **DEMOLITION (GC)**

Alterations to, and demolition of, the existing building shall be limited to that documented on the approved plans (by way of notation) or conditioned in this consent. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

Should any portion of the existing building which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of this damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.

(Reason: Heritage conservation.)

5. **DEMOLITION - SITE SAFETY FENCING (GC)**

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

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 before the commencement of work; and

provision of a Public Risk Insurance Policy with a minimum cover of \$10 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 with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

6. **LIGHTING (GC)**

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

(Reason: To protect the amenity of surrounding development and protect public safety.)

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Lot 7 DP 18702 and Lot B DP403083 (Cont'd)

7. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.
- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive

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to the local area.)

8. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

9. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

10. UTILITIES AND SERVICES - PROTECTION OF (GC)

Any footings or excavation to be located or undertaken adjacent to Council's stormwater must be designed to address the following requirements:

- i) all footings and excavation must be located wholly within the site and clear of any easement boundaries;
- ii) all footings and excavation must be located a minimum of 1000mm from the centreline of the pipeline or 500mm from the outside of the pipeline, whichever is the greater distance from the centreline; and
- iii) footings must extend to at least the depth of the invert of the pipeline unless the footings are to be placed on competent bedrock.

If permanent excavation is proposed beneath the obvert of the pipeline, suitable means to protect the excavation and proposed retaining structures from seepage or other water flow from the pipeline and surrounding subsoil, must be provided. The design must be prepared by a qualified practicing Structural/Civil Engineer.

Construction plans must be approved by the appropriate utility's office (e.g. council, Sydney Water Corporation) to demonstrate that the development complies with the utility's requirements.

The applicant must provide written evidence (e.g. compliance certificate, formal advice) of compliance with the requirements of all relevant utility providers (e.g. Water, Energy, Telecommunications, Gas).

(Reason: To ensure protection of Council assets.)

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11. WASTE – TRACKABLE (GC)

Removal of trackable waste (as defined by the NSW Environment Protection Authority) from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORK

12. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CW)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to Council, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and

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- details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
 - Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

13. **COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CW)**

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

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A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement)

14. NOISE AND VIBRATION MANAGEMENT PLAN (CW)

Prior to commencement of work, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliance with the relevant legislation and Australian Standards. The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

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- i) identification of activities carried out and associated noise sources;
- ii) identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment;
- iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;
- iv) noise and vibration monitoring, reporting and response procedures;
- v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
- viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

(Reason: To protect acoustic amenity of surrounding properties and the public.)

15. **REMEDIAL WORKS - PRE-COMMENCEMENT ENVIRONMENTAL MANAGEMENT PLAN (CW)**

A Construction Environmental Management Plan (CEMP) shall be prepared for the proposed remedial works in accordance with the requirements of the approved Remedial Action Plan.

The CEMP must be prepared by an appropriately qualified and experienced environmental consultant.

The CEMP for Remediation must include, but is not be limited to, the following:

- i) asbestos management plan;
- ii) project contact information;
- iii) site security details;
- iv) timing and sequencing information;
- v) site soil and water management plan;
- vi) noise and vibration control plan;
- vii) dust control plan;
- viii) air monitoring;
- ix) odour control plan;
- x) health and safety plan;
- xi) waste management plan;
- xii) incident management contingency; and
- xiii) unexpected finds protocol.

The CEMP must be prepared and implemented to the satisfaction of the supervising environmental consultant. The environmental site management measures must remain in place and be maintained throughout the period of the remediation works, until completion of site remediation and the site has been validated.

Note: An appropriately qualified and experienced environmental consultant certified under the Certified Environmental Practitioner" (CEnvP) Scheme or equivalent.

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(Reason: To ensure compliance with statutory requirements.)

16. REMEDIAL WORKS - POST WORKS ENVIRONMENTAL MANAGEMENT PLAN (CW)

On completion of remedial works, an Environmental Management Plan (EMP) shall be prepared by an appropriately qualified and experienced environmental consultant. The EMP must be prepared in accordance with relevant NSW EPA Guidelines.

This Long-term EMP shall describe the nature and location of the contamination and prescribe how the contaminants will be managed and the responsible parties for this management in the long-term.

The Long-term EMP shall be submitted for review by a NSW EPA accredited site auditor prior to the commencement of construction and the issue of a construction certificate.

Any future intrusive ground works carried out that have the potential to conflict with any residual contamination remaining onsite must only be carried out in accordance with the Environmental Management Plan as referenced by the Site Auditor on the final Site Audit Statement and approved by the Council.

Note: A Long-term Environmental Management Plan (EMP) is also known as a Long-term Site Management Plan (SMP).

(Reason: Environmental protection and safety.)

17. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CW)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;

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- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

18. WASTE MANAGEMENT PLAN (CW)

A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

The WMP must identify the types of waste that will be generated and all proposals to re-use, recycle or dispose of the waste. The WMP is to be submitted to the Principal Certifying Authority, prior to commencement of work.

(Reason: To ensure appropriate management of waste.)

19. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEEM (CW)

An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition).

The suitability of the proposed length and duration of the Works Zone is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)

20. CONTAMINATED LAND UNEXPECTED FINDS (DW)

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In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

21. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

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

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

22. HERITAGE - HISTORIC RELICS FOUND DURING WORKS (DW)

Should any potentially historic relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage should be informed in accordance with Section 146 of the Heritage Act 1977. 'Relics' are any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and are of State or local heritage significance.

Should any potentially significant Aboriginal material be discovered on the site, all excavation or disturbance of the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage is to be informed in accordance with Section 91 of the National Parks and Wildlife Act 1974.

(Reason: To ensure the proper management and preservation of potentially significant archaeological material.)

23. OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

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24. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

25. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

2 Subway Lane, Homebush**Lot 7 DP 18702 and Lot B DP403083 (Cont'd)**

- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

ATTACHMENTS

1. [↓](#) Demolition Plan

