

Agenda

Strathfield Local Planning Panel Meeting

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

Thursday, 7 June 2018

Commencing at 10:00am 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 Local Planning Panel Meeting - 7 June 2018
REPORT: SLPP – Report No. 1
SUBJECT: DA2015/120/02 - 2-4 MINTARO AVENUE, STRATHFIELD
LOT 1 IN DP 954705 & LOT 1 IN DP 105600

DA NO. DA2015/120/02

SUMMARY

Proposal: Section 4.55 (1A) modification application to amend the location and sizes of the balconies of units 1.02 and 2.02.

Applicant: Urban Link Pty Ltd

Owner: BJ Four Investments

Date of lodgement: 22 February 2018

Notification period: N/A

Assessment officer: ND

Estimated cost of works: \$NIL

Zoning: B2 Local Centre and R3 Medium Density Residential - SLEP 2012

Heritage: No

Flood affected: No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 On 6 April 2017 Council's Independent Hearing and Assessment Panel approved Development Application No.2015/120 for the demolition of existing structures and construction of a part five (5) storey, part (3) storey residential flat building consisting of (18) units over two (2) levels of basement car parking.
- 2.0 The subject application seeks to correct a numerical error in Special Condition No. 5 regarding the minimum balcony depth of Unit 2.02.
- 3.0 The application also seeks amendments to the location of the balconies of Units 1.02 and 2.02 so as to achieve compliance with the correct Special Condition No. 5 minimum balcony depth requirements whilst maintaining building separation.
- 4.0 The application was lodged under Section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979* and is of minimal environmental impact. Specifically, the amendments to the location and size of the balconies will provide the future residents with adequate private open space whilst maintaining visual privacy to the adjoining property.
- 5.0 Overall the modification application is recommended for Approval.

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 Lot 1 in DP 954705 & Lot 1 in DP 105600
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DESCRIPTION OF THE PROPOSED MODIFICATION (S)

The proposed modification application seeks Council approval to amend the location and sizes of the balconies of Units 1.02 and 2.02.

The specific elements of the modification (s) sought include:

- To correct a numerical error in Special Condition No. 5 regarding the minimum balcony depth of Unit 2.02 as follows:

Existing Special Condition No 5:

"Prior to the issue of a Construction Certificate, amended plans shall be prepared and approved by the Principal Certifying Authority relocating the balcony to Unit 2.02 toward the front boundary to provide a minimum 6m setback to the western boundary. The balcony to unit 2.02 shall be 8m in depth and 10m². The balcony shall be provided with a glass balustrade to the west and northern elevations so that it is open-form in appearance."

Modified Special Condition No. 5:

*"Prior to the issue of a Construction Certificate, amended plans shall be prepared and approved by the Principal Certifying Authority relocating the balcony to Unit 2.02 toward the front boundary to provide a minimum 6m setback to the western boundary. The balcony to unit 2.02 shall be **2m** in depth and 10m². The balcony shall be provided with a glass balustrade to the west and northern elevations so that it is open-form in appearance."*

- Amend the locations and dimensions of the balconies of Units 1.02 and 2.02 so as to orientate towards Mintaro Avenue with a depth of 2m.

BACKGROUND

6 April 2017: Consent was granted at Council's Independent Hearing and Assessment Panel for the demolition of existing site structures and the construction of a part five (5) storey, part three (3) storey Residential Flat Building comprised of (16) units above two (2) levels of basement parking.

18 May 2017: An application (DA2015/120/01) to modify the development description of the approved development to reflect the development as shown upon the approved plans was approved under delegated authority. Accordingly the description of the development is, Demolition of existing structures and construction of a part five (5) storey, part three (3) storey Residential Flat Building comprising of (18) units above two (2) levels of basement parking.

SECTION 4.55(1A) OF THE EP&A ACT 1979

Section 4.55(1A) of the Environmental Planning and Assessment states as follows:

"4.55 Modifications of consents - generally

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

Comment: It is considered that the modifications sought as part of this application include amendments to the location and size of the balconies of Units 1.02 and 2.02 of the development.

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The modifications are considered to be of minimal environmental impact. The proposed amendment is considered to improve the visual privacy between the development and the immediately adjoining property.

- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

Comment: Council is satisfied that the development to which the consent as modified is substantially the same development for which consent was originally granted.

In answering this threshold question, a comparative analysis of the approved development as modified has been undertaken. In this regard, the proposed use does not change; the external building appearance in terms of bulk and scale as viewed from the adjoining properties and public domain is not altered in a significant or readily discernible manner. The proposed amendments to the size and location of the balconies of Units 1.02 and 2.02 will maintain the amenity impacts to neighbouring development in terms of privacy, views, solar access and overshadowing as approved under the originally approved development.

Accordingly, the development as modified is considered to satisfy the 'substantially the same' test in that it will result in essentially and materially the same development as that which was originally approved.

- (c) it has notified the application in accordance with:*
- (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comment: In accordance with Part L of the Strathfield Consolidated DCP 2005 the application was not required to be notified as the application corrects a Council a numerical error and the proposed balcony amendments seek to achieve compliance with the correct condition description.

REFERRALS

The proposed modifications did not require additional internal and external referrals.

SECTION 4.15 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 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

- (i) any environmental planning instrument*

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STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

The proposed modifications will not result in any modifications to BASIX requirements and therefore an amended BASIX Certificate was not required.

STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration. The proposed modification was confined to Units 1.02 and 2.02. Accordingly no further site investigations were required.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT (SEPP 65)

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) aims to improve the design quality of residential apartment 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 modifications against the relevant design criteria of the Apartment Design Guide has been undertaken in the table below:

Design Criteria	Required	Proposal	Compliance
3F – Visual Privacy	Up to 4 storeys: 0-12m <ul style="list-style-type: none"> 6m between habitable rooms/balconies and the boundary 3m between habitable and non-habitable rooms and the boundary. Offset windows, vertical fins or privacy screens between balconies.	The proposed modifications to balconies in Units 1.02 and 2.02 results in a 6m setback from the western side boundary; 2m greater than originally approved.	Yes.
4A Solar access and daylight access	Min. 70% (12.6 units) receive 2 hours solar access. Max. 15% units have no solar access	Whilst the orientations of the balconies have been altered, all 18 units (100%) will be provided with at least 2 hours solar access.	Yes.
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.	All 18 units (100%) of the units are cross-ventilated.	Yes.
4E – Private open space and balconies	2 bed: 10m ² , min depth 2m	Unit 1.02 – 2 bed: 13.6m ² Unit 2.02 – 2 bed: 13.6m ²	Yes.

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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 re-positioning of the Unit 1.02 and 2.02 balconies increases the building separation between the development and the western adjoining property by 2m, maintaining visual privacy whilst providing private open space for the future residents.

Permissibility

The site is zoned B2 Local Centre and R3 Medium Density Residential. Pursuant to *SLEP 2012*, residential flat buildings are permissible with consent. No change is proposed to the approved use of the site for the purpose of a residential flat building.

Zone Objectives

The proposed modifications to the balconies located in Units 1.02 and 2.02 are consistent with the objectives of the B2 Local Centre and R3 Medium Density Residential Zone.

Part 4: Principal development standards

The proposed modifications have been considered in accordance with the development standards contained in Part 4 of the *SLEP 2012* and are considered to satisfy the provisions of the Part.

Part 5: Miscellaneous Provisions

The proposed modifications have been considered in accordance with the development standards contained in Part 5 of the *SLEP 2012* and are considered to satisfy the provisions of the Part.

Part 6: Local Provisions

The proposed modifications have been considered in accordance with the development standards contained in Part 6 of the *SLEP 2012* and are considered to satisfy the provisions of the Part.

4.15 (1)(a)(ii) any draft environmental planning instruments

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There are no relevant draft Environmental Planning Instruments.

4.151)(a)(iii) *any development control plan*

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The application has been assessed in accordance with the relevant provisions of SCDCP 2005. The following provides an assessment of compliance.

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

Part C of the SCDCP 2005 aims to ensure that new medium density development is appropriate and sympathetic to the surrounding natural and built environment.

Clause 6A of the SEPP 65 confirms that in the instance 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.

Section	Development Standard	Required	Proposal	Compliance
2.2	Building Street Setback	Front setback 9m. Exception where the predominant setback in the street is less than 9m.	The proposal will not encroach on the approved front setback of the development.	Yes.
2.2	Side setback	4m.	The re-positioning of the two (2) balconies will increase the side setback of the corresponding units from 4m to 6m.	Yes.
2.4.2	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.	Yes.
2.4.2	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.	Yes.
2.4.3	Natural Space Heating and Cooling	Reduce the need to artificially heat and cool dwellings.	The modifications will not reduce the solar access or cross ventilation of the development as originally approved.	Yes.
2.8	Privacy and Security	Where the windows are less than 9m apart from an adjoining dwelling the windows in the proposed dwelling are to be: <ul style="list-style-type: none"> • Offset by at 	An aluminum louvre has been provided to the western elevation of the balcony to maintain visual privacy.	Yes

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		least 0.5m. <ul style="list-style-type: none"> • Highlight window • Obscure glazing Suitable screening when direct overlooking into the private open space/balconies of adjacent dwellings.		
2.8	Privacy and Security	Acoustic privacy: Dwellings close to noise sources are to locate habitable rooms and private open space away from noise sources.	The glass balustrades, louvres and setbacks dampen potential noise sources to an acceptable level of acoustic privacy.	Yes.

4.15 (1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 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.

Appropriate conditions are included on the original consent 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*.

4.15(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

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Special Condition No. 5

The proposed modification corrects a numerical error regarding Special Condition No. 5 of the original consent. The intent of the imposed condition was to ensure the balcony of Unit 2.02 satisfied the minimum separation distances and minimum balcony size requirements as per Objective 3F-1 and 4E-1 of the ADG. Whilst the condition identified Unit 2.02, the applicant raised that the location including separation distance is duplicated on the Unit 1.02 balcony directly below.

Relocation of Balconies in Units 1.02 and 2.02

The modification application proposes to re-locate the balconies of Units 1.02 and 2.02 to orientate towards Mintaro Avenue. The modification will provide the development with a minimum side setback of 6m from the western boundary, a compliant front setback to Mintaro Avenue as well as compliance with the area and depth requirements for 2 bedroom balconies (illustrated in Figures 1 and 2 below).

Condition No. 77

During the assessment of the application it was noted that Condition No. 77 of the original consent did not make reference to Council’s Fees and Charges in regards to hoarding. Accordingly, it is recommended that the condition be amended to correctly reflect Council’s polices.

Consideration of the proposed modifications subsequent to the assessment of the original Development Application demonstrates that, subject to conditions, the proposal will have minimal impact on the locality.

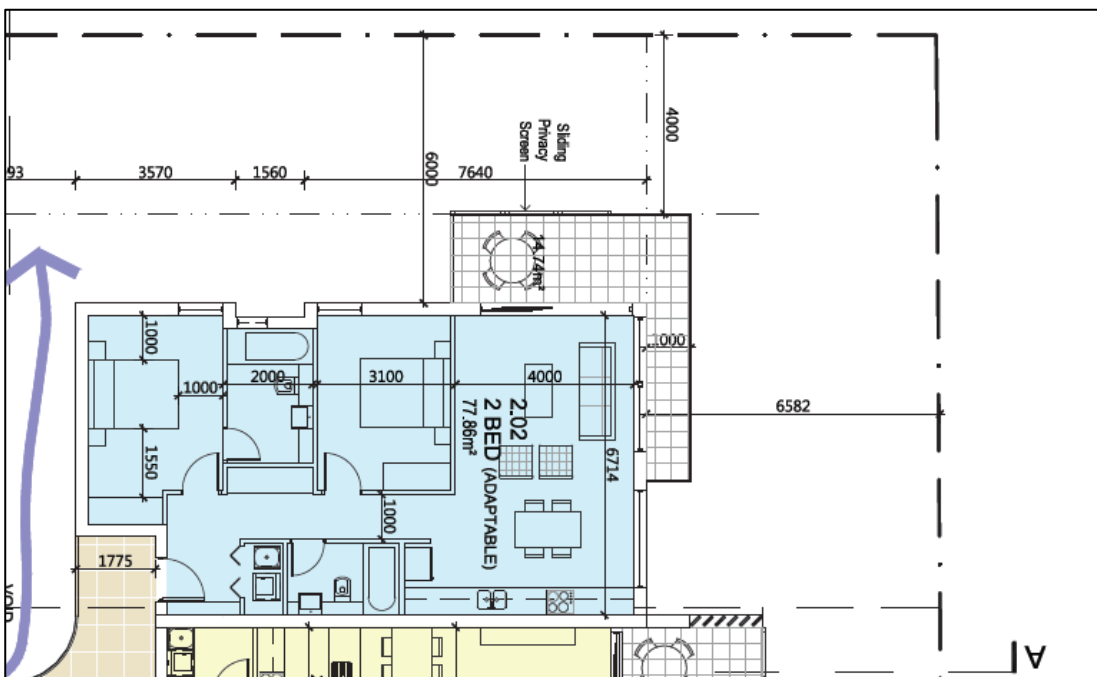


Figure 1: Layout of the balcony of Unit 2.02 as approved under the original consent.

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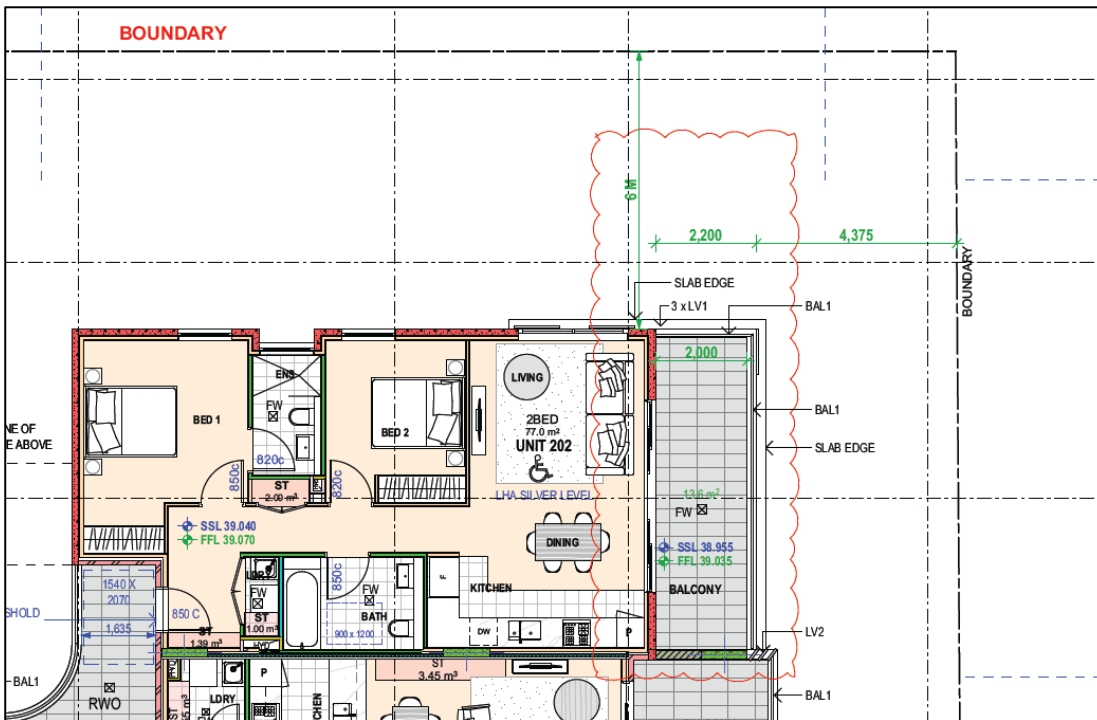


Figure 2: Proposed amendment to the balcony of Unit 2.02.

4.15 (1)(c) the suitability of the site for the development

The site is considered to accommodate the development as modified. The modifications involve minimal environmental impact and will result in substantially the same development for which consent was originally granted.

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

The application was not required to be notified in accordance with Part L of the SCDCP 2005.

4.15 (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 contrary to the public interest.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure.

The proposed Section 4.55(1A) application does not trigger any changes to the original condition of consent requiring payment of a Section 7.11 contribution in accordance with Council’s Section 7.11 Contributions Plan. However, the contributions have been indexed in accordance with Councils Contributions Plan and the following contributions are payable:

Provision of Community Facilities	\$ 32,655.64
Provision of Major Open Space	\$148,573.38
Provision of Local Open Space	\$ 32,694.75

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Provision of Roads and Traffic Management	\$ 4,328.70
Administration	\$ 2,815.81
TOTAL	\$221,068.28

Condition No. 11 has been modified to reflect the adjusted rate.

CONCLUSION

The application has been assessed having regard to Section 4.15 of the *Environmental Planning and Assessment Act 1979*, *State Environmental Planning Policy No. 65*, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval.

RECOMMENDATION

Pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, the proposed modifications to Development Consent No. 2015/120 to modify the dimensions of the balconies of units 1.02 and 2.02 at 2-4 Mintaro Avenue, Strathfield be **APPROVED**, subject to:

1. The original conditions of consent of Development Application No. 2015/120 as approved by IHAP on 6 April 2017 for the demolition of existing site structures and the construction of a part five (5), part three (3) storey residential flat building comprising of (16) units above two (2) levels of basement parking.
2. As modified by the Section 96(1) application (DA2015/120/01) as approved under delegated authority on 18 May 2017 to correct a misdescription on the Notice of Determination of the approved development.
3. As modified by the Section 4.55(1A) application (DA2015/120/02) to modify the dimensions of the balconies of units 1.02 and 2.02 involving:
 - Modification of Special Condition No. 5;
 - Modification of Condition No. 11; and
 - Amendment of Condition No. 77.

Accordingly, Development Consent No. 2015/120 is approved as following:

Development Description:

Demolition of existing site structures and the construction of a part five (5), part three (3) storey residential flat building comprising of (18) units above two (2) levels of basement parking.

Plans

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied, and subject to any amendments "in red" and any variation as required by conditions of this consent:

Ground Floor Plans Level 1, Drawing CC-104, Issue E, prepared by Urban Link, received by Council 22 May 2018.

General Floor Plans Level 2, Drawing CC-105, issue E, prepared by Urban Link, received by Council 22 May 2018.

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Level 2-3 Floor Plan, Drawing DA.04, Issue K, prepared by BC & Associates Pty Ltd, received by Council 29 August 2016.

Level 4 Floor Plan, Roof and Site Plan, Drawing DA.05, Issue K, prepared by BC & Associates Pty Ltd, received by Council 29 August 2016.

Elevations North (Mintaro Avenue) & East, Drawing CC-201, Issue B, prepared by Urban Link, 22 February 2018.

Elevations South & West, Drawing CC-202, Issue B, prepared by Urban Link, received by Council 22 February 2018.

Section AA, Section BB, Front Fence Elevation, Drawing DA.09, Issue K, prepared by BC & Associates Pty Ltd, received by Council 29 August 2016.

Driveway Section, Drawing DA.10, Issue K, prepared by BC & Associates Pty Ltd, received by Council 29 August 2016.

BASIX Certificate No. 642025M_03, issued 25 October 2016, received by Council 26 October 2016.

Cover Sheet, Legend and Drawing Schedule, DWG D00, Rev A, prepared by Australian Consulting Engineers Pty Ltd, received by Council 26 October 2016.

Basement 2 and Basement 1 Stormwater Drainage Plan, DWG D01, Rev D, prepared by Australian Consulting Engineers Pty Ltd, received by Council 26 October 2016.

Ground Floor Stormwater Drainage Plan, DWG D02, Rev D, prepared by Australian Consulting Engineers Pty Ltd, received by Council 26 October 2016.

Site Stormwater Drainage Details 1, DWG D05, Rev A, prepared by Australian Consulting Engineers Pty Ltd, received by Council 26 October 2016.

Site Stormwater Drainage Details 2, DWG D06, Rev C, prepared by Australian Consulting Engineers Pty Ltd, received by Council 26 October 2016.

Erosion and Sediment Control Plan and Details, DWG E10, Rev A, prepared by Australian Consulting Engineers Pty Ltd, received by Council 26 October 2016.

Noise Assessment, February 2016, prepared by GHD, received by Council 03 February 2016.

Detailed Site Investigation, Report E22638 AB, Rev 0, prepared by Environmental Investigations Australia, received by Council 3 February 2016.

2. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
4. A copy of the endorsed stamped plans and specifications, together with a copy of the

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Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

5. **Prior to the issue of a Construction Certificate**, amended plans shall be prepared and approved by the Principal Certifying Authority relocating the balcony of Unit 2.02 towards the front boundary to provide a minimum 6m setback to the western boundary. The balcony in Unit 2.02 shall be 2m in depth and 10m². The balcony shall be provided with a glass balustrade to the west and northern elevations so that it is open-form in appearance.
- 5A. A new Landscape Plan prepared by qualified landscape architect or landscape consultant to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent is to be submitted to the satisfaction to the Principal Certifying Authority, **prior to the issue of a Construction Certificate**.
- The plan must include the following information:
- Details demonstrating compliance with Part C of SCDCP 2005 in relation to landscaping.
 - Details of how the communal space areas integrate together to achieve functional and useable communal open space areas.
 - Location of all existing and proposed landscape features including materials to be used.
 - All trees to be retained, removed or transplanted.
 - Existing and proposed finished ground levels.
 - Top and bottom wall levels for both existing and proposed retaining and free standing.
 - A detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantity of each species, pot sizes and the estimated size at maturity.
 - The deletion of the roof garden pergola.
- 5B A new sample board of external materials, colours and finishes shall be submitted to Council's Planning Unit for approval, prior to the issue of a Construction Certificate.
Reason: To ensure the development is more sympathetic with the streetscape.

General

6. The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
7. For residential flat developments which are subject to State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Development and required to be accompanied by a design verification from a qualified designer under Clause 50(1A) of the Environmental Planning and Assessment Act Regulation 2000, a certifying authority must not issue:
- a **Construction Certificate** unless the certifying authority has received a design verification statement from a qualified designer that verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 143A of the Regulations;

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and

- (b) an **Occupation Certificate** to authorise a person to commence occupation or use of the residential flat building unless the certifying authority has received a design verification statement from a qualified designer that verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 154A of the Regulations.

- 8. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit must be retained on site at all times.
- 9. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
- 10. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

- 11. 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	\$ 32,655.64
Provision of Major Open Space	\$148,573.38
Provision of Local Open Space	\$ 32,694.75
Provision of Roads and Traffic Management	\$ 4,328.70
Administration	\$ 2,815.81
TOTAL	\$221,068.28

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

The required contribution shall be paid **prior to the issue of a Construction Certificate.**

Parking/Traffic Matters

- 12. A total of (34) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Residents (including (2) disabled)	30
<u>Visitors</u>	<u>4</u>

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TOTAL **34**

These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

Residential parking spaces shall be designated at a rate of at least one (1) space per 1 and 2 bedroom unit and two (2) spaces per 3 bedroom unit and commercial spaces at a rate of 1 per 40m² of floor area.

13. The entry point to the basement carpark area shall be fitted with security gates/shutter to control the entry and exit of vehicles to and from the basement. Any security gates/shutter shall be designed in order to ensure it is able to be opened remotely by occupants of the building.
14. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.
15. All car washing shall be conducted in the wash bay which is drained in accordance with the requirements of Sydney Water.
16. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.
17. Purpose built storage compartment(s) shall be provided to and within each of the resident car parking bays and/or associated dwellings at the following rates:
 - 6m³ for each one (1) bedroom unit
 - 8m³ for each two (2) bedroom unit, and
 - 10m³ for each unit with three (3) bedrooms or more.

In order to deter theft, the security compartments shall be designed in a manner to conceal from view and secure their contents i.e. through the use of dense, solid material and a shroud covered padlock (or similar).

Amended plans showing the location and configuration of each of storage compartment(s) shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of the Construction Certificate.**

18. The vehicle spaces must not be enclosed with walls or meshed security screens without the prior approval of Council.
19. 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

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provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

20. A detailed Construction Site Traffic Management Plan (CTMP) must be submitted to and approved by Council, **prior to commencement of any site work (including demolition).**

The CTMP must be prepared by a suitably qualified person and must include the following details, to the satisfaction of Council:

- a) A description of the demolition, excavation and construction works
 - b) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
 - c) Any proposed road and/or footpath closures
 - d) Proposed site access locations for personnel, deliveries and materials
 - e) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
 - f) Provision for loading and unloading of goods and materials
 - g) 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
 - h) Impacts of the work and vehicular movements on the road network, traffic and pedestrians
 - i) Proposed hours of construction related activities and vehicular movements to and from the site
 - j) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)
 - k) Any activities proposed to be located or impact upon Council's road, footways or any public place
 - l) Measures to maintain public safety and convenience
 - m) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc)
21. Vehicles entering the development shall not obstruct the footpath area while waiting for any security gates to open.
22. All construction activity shall take place on-site and the use of any public street be subject to the approval of Strathfield Council.
23. All vehicles associated with the development shall enter and exit the site in a forward direction.

Drainage/Stormwater

24. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to a new kerb inlet pit located within **Mintaro Avenue**. The onsite stormwater detention tank will connect into this new kerb inlet pit. The internal drainage system has been designed generally satisfactory and is depicted on the CONCEPT drainage plans prepared by **Australian Consulting Engineers sheets no. D00 – D06 job no.150443 received by Council 26 October 2016.**
25. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans **AND** the requirements of Council's Stormwater Management Code.

In this project the above engineering plans are satisfactory as Concept plans. The assessment authority, (either (a) Council, or (b) a Private Certifier), is to satisfy themselves

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of the adequacy of the above plans for the purposes of Construction. They are to independently determine what details, if any, are to be added to the Construction Certificate plans, in order for the issue of the Construction Certificate.

Where a Private Certifier issues the Construction Certificate a copy must be provided to Council, **prior to the issue of a Construction Certificate.**

26. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system. The storage system shall be designed in accordance with the endorsed concept stormwater plans **AND/OR** Council's Stormwater Management Code. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

27. The rainwater tank proposed shall have only roof area connected into it with a first flush mechanism. All design components of the rainwater tank are to comply with the relevant Australian Standards. Details of the Rainwater tank system shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

28. **Prior to the issue of an Occupation Certificate/use of the building**, written verification from a suitably qualified professional civil engineer shall be obtained, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans.

In addition, detailed works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.

29. Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

30. For drainage works within public land or connecting to Council's stormwater drainage system the following inspections will be required:-

- (a) After the excavation of pipeline trenches.
- (b) After the laying of all pipes prior to backfilling.
- (c) After the completion of all pits and connection points.

A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Engineering Works and Services section on 9748-9999 during office hours. Work is not to proceed until the works are inspected and approved by Council.

31. All pits shall be constructed in accordance with Australian Standard AS3500.3.

32. All subsoil drainage must be designed to meet the requirements of AS3500;

33. Access to the basement car park, head room for basement entry, driveway ramp and

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turning circles shall be designed in accordance with AS 2890.1-2004.

34. The proposed basement pump out system is to be strictly in accordance with the requirements set out in Strathfield Council's Stormwater Management Code 2007. The rising main shall be connected to the OSD tank/basin. Final details of this system are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate**.
35. All surface inlet drains upstream of the on-site detention basin must be designed so that there is no overflow before the storage is full.
36. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
37. 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.
38. 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.
39. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:

(a) **On-site stormwater detention system**

incorporated in the development. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority **prior to the issue of an Occupation Certificate/use of the building**.

The positive covenant is required to prevent future modification or alteration without the written consent of the consent authority, and to ensure suitable maintenance is carried out.

40. The connection of stormwater runoff from the development site to Council's street drainage system shall consist of a pipe line across to the street kerb with the pipeline then continuing under the kerb and gutter to Council's drainage pipe on the southern side of Mintaro Avenue.
41. The pipe shall be 375mm in diameter, reinforced concrete spigot and socked with rubber ring joints. A pit shall be constructed at the property boundary, and at the kerb line. Class of the pipe shall comply with the manufacturer's specification and Council's standard requirements.
42. A plan and long section of the proposed drainage line within the road reserve shall be submitted for approval of Council's Engineering Works & Services. The utility services within the area of effect of the proposed drainage works (i.e. gas, water, sewer, electricity, telephone, etc) shall be shown on the long section of the proposed drainage line in Mintaro Avenue.

Public Authority Matters

43. **Prior to the issue of any Occupation Certificate** all existing overhead electricity and

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telecommunication cabling adjacent to the development site shall be consolidated into a single Aerial Bundle Cable (ABC) at the applicants' expense in accordance with the specifications of AusGrid and the telecommunications supplier.

Landscaping/Tree Matters

44. 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>
2 x <i>Lophostemon confertus</i>	5/8	Council verge	4.2	2.3

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.

45. A minimum of one (1) x 400 litre size tree which has a minimum mature height of 6 metres shall be planted in the deep soil area between the front of the building and the front property boundary. Trees are to be selected from Strathfield Councils Tree List and shall comply with the following requirements:

- (a) Plants shall be vigorous and well established, free from disease and pests, of good form, consistent with species or variety, hardened off, not soft or forced, with large healthy root systems with no evidence of root curl, restriction or damage. Trees are to have a single leader and clear straight trunk.
- (b) 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.
- (c) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius

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from the base of the tree.

46. A minimum of three (3) x 200 litre size trees which have a minimum mature height of 6 metres shall be planted in the deep soil area between the front of the building and the front property boundary. Trees are to be selected from Strathfield Councils Tree List and comply with the following requirements:
 - (a) Plants shall be vigorous and well established, free from disease and pests, of good form, consistent with species or variety, hardened off, not soft or forced, with large healthy root systems with no evidence of root curl, restriction or damage. Trees are to have a single leader and clear straight trunk.
 - (b) 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.
 - (c) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius from the base of the tree.
47. A minimum 600mm deep root deflection barrier shall be provided on both sides of the proposed driveway crossing(s) and footpaths.
48. All noxious weeds on the site shall be removed and destroyed as per their classification under the *Noxious Weeds Act 1993*.
49. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works.

Construction Matters

50. **Prior to the commencement of any construction or demolition work**, the Applicant or principal contractor must, subject to obtaining permission from the respective property owners, provide dilapidation reports prepared by a suitably qualified person (such as a structural engineer), on the buildings located on any lot adjacent to the subject site, inclusive of ancillary structures. A copy of the respective report must be provided to the Principal Certifying Authority and neighbouring property owners that are the subject of that report.
51. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**.
52. Footings shall be designed in accordance with the soil classification of H, or Highly Reactive (unless determined to the contrary by a suitably qualified person).
53. If the soil conditions require it retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and adequate provision must be made for drainage.
54. The existing ground levels shall not be altered except in accordance with the levels shown on the approved plans as part of this consent. Finished ground surface levels shall match the existing levels at the property boundary. Any survey plan shall also show the extension of these levels in relation to adjoining properties.
55. All construction, demolition and excavation work shall be restricted to 7am and 5pm

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(Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.

56. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.
57. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- Must preserve and protect the building from damage; and
 - If necessary, must underpin and support the building in an approved manner, and
 - Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
58. There are built structures which may be in the zone of influence of the proposed works and excavations on the site. A qualified practicing geotechnical engineer must prepare a Construction Methodology Report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure.

The report must be submitted with the application for a Construction Certificate and must include an investigation to determine the design parameters appropriate to the specific development and site. This would typically include:

- the location and level of nearby foundations and footings (site and neighbouring);
- proposed method of excavation;
- Permanent and temporary support measures for excavation;
- Potential settlements affecting footings and foundations;
- Ground water levels (if any);
- Batter slopes;
- Potential vibration cause by method of excavation; and
- De-watering including seepage and offsite disposal rate (if any).

Excavation, retention, underpinning and construction must be undertaken onsite by an excavation contractor with specialist excavation experience. A suitably qualified geotechnical engineer, specialising in excavation must supervise the excavation procedure.

59. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
60. The common access pathways, letterboxes and entry doorways to the building shall be provided with suitable low level artificial lighting systems to ensure safe and convenient access at night. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
61. To maintain pedestrian safety in common areas suitable lighting is to be provided on the development site adjoining each street frontage and near pedestrian main entrances to the site. Details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.

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Building Matters

62. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street.

If it is proposed to strata subdivide the building, the lot numbers and unit numbers shall be the same as those nominated on the approved plans and be in accordance with Council's requirements. For strata subdivision, parking spaces shall have the same lot number as the residential portion and shall not be numbered separately.

Sustainability

63. Water collected in the rainwater tank must be roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:
- (a) Toilet flushing;
 - (b) Clothes washing;
 - (c) Garden irrigation;
 - (d) Car washing and similar outdoor uses;
 - (e) Filling swimming pools, spa pools and ornamental ponds; and
 - (f) Fire fighting.
64. Water heating systems to multi-unit residential developments 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.**

Demolition

65. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
66. The demolition of the building shall be carried out by a licensed demolition contractor. A copy of the licence shall be submitted to Council and the Principal Certifying Authority **prior to any work commencing on site.**
67. Details demonstrating that excavated and demolished materials including asbestos-based materials will be disposed of at an approved site shall be submitted to the Principal Certifying Authority **prior to any work commencing on site.**
68. The cleared ground surface of the site shall be suitably stabilised to prevent the generation of dust and the erosion of soil on the site.

Fire Safety Measures

69. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the building and specified in the fire safety schedule. The final fire safety certificate shall be provided **prior to the issue of an Occupation Certificate.**
70. Each 12 months after the installation of essential fire or other safety measures, the owner of a building must submit an Annual Fire Safety Statement for the building to Council. In addition a copy of the statement must be given to the NSW Fire Commissioner and a copy

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displayed prominently in the building.

Hoardings

71. The site to which this approval relates must be adequately fenced or other suitable measures employed that are acceptable to the principal certifying authority to restrict public access to the site and building works. Such fencing or other measures must be in place before the approved activity commences.
72. If 'A' type hoarding is to be erected about the building site, it is to comply with NSW Workcover's requirements; shall have a minimum height of 1.8 m and comply with AS1725-2003 (Galvanized Rail-Less Chain-Wire Security Fences and Gates) or AS 4687-2007 (Temporary Fencing and Hoardings). Inverted trench mesh is not an acceptable 'A' type hoarding and as such does not satisfy AS1725-2003 and as such shall not be installed to the building site.
73. An overhead 'B' type hoarding shall be constructed where buildings over 7.5 m in height above the footpath level and within 3.6 m of the street alignment are being erected or demolished or where the outer part of such a building adjoining a public way is being altered. Where the height of the building or the position of the site is such that danger is likely to occur from falling objects, additional safety hoarding shall be provided to the satisfaction of the principal certifying authority and Workcover NSW.
74. An overhead 'B' type hoarding shall be constructed where material is being hoisted over or across a public way.
75. The following additional requirements apply to the erection of a 'B' type hoarding:
 - (a) No advertisement of any kind shall be affixed to hoarding with the exception of a board not exceeding 2400 –mm by 1800-mm on which may be shown the architects, builders and principal certifying authority company name / contact details or any particulars regarding the subject building, and notices regarding the existing or future occupancies in the building.
 - (b) A sign reading 'Billposters will be Prosecuted' shall be attached or printed upon the front of the hoarding
 - (c) A hydrant or other footpath box shall not be covered in any way or access to it impeded
 - (d) Cranes shall not be placed upon the public way unless a permit has been obtained under section 68 Local Government Act, 1993.
 - (e) The hoarding must be so constructed that it will not obstruct the view of traffic lights of motorists or pedestrians.
 - (f) The use of the roadway for the storage of building materials is not permitted.
 - (g) Where materials are being hoisted over a public way a sign shall be attached or printed upon the front of the hoarding at the decking level with the lettering 'Lifting Operation Above'. The lettering shall not be less than 300-mm in height.
 - (h) Persons undertaking the work in accordance with this Approval must hold this Approval/Permit on-site for inspection.
 - (i) Approval for a temporary protective structure does not permit use of the roadway for general loading and unloading from construction vehicles. This requires a separate Construction Zone Application.
 - (j) An appropriate qualified practising structural engineer shall certify the structural stability / adequacy of the erected 'B' type hoarding. A copy of the certificate shall be forward to the principal certifying authority and to Council, where Council is not the principal certifying authority.

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76. The builder shall erect and maintain all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary and must be in place before the approved activity commences.
77. Permits are required to erect Class 'A' or 'B' type hoardings. If any type hoarding is to occupy a section of Council's property, that section will require a permit for the occupation of Council's property. The applicant, owner, builder or site supervisor must apply for specific permits and pay for the use of the public footpath in accordance with Council's adopted fees and charges. The application form is available from Council's Customer Service Department.

Disabled Access

78. Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia, the relevant standards and the requirements of the Disability (Access to Premises – Buildings) Standards 2010. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
79. **Prior to the issue of a Construction Certificate,** certification shall be submitted to the Principal Certifying Authority demonstrating that at least 20% of the residential units meet the silver level Universal Design Guide requirements of the Livable Housing Design. In order to meet the requirements, the following must be achieved:
 - iii)
 - (a) A safe continuous and step free path of travel from the street entrance and/or parking area to a dwelling entrance that is level.
 - (b) Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.
 - (c) A toilet on the ground (or entry) level that provides easy access.
 - (d) A bathroom that contains a hobless (step-free) shower recess.
 - (e) Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date
 - (f) A continuous handrail on one side of any stairway where there is a rise of more than one metre.
 - (g) Stairways are designed to reduce the likelihood of injury and also enable future adaptation.

Waste Management

80. Full compliance must be given to the endorsed Waste Management Plan submitted for the proposed development. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.
81. The waste storage room shall be designed to comply with the relevant standards and details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of any Construction Certificate.**
82. Fixed educational signage is to be provided within the waste storage room to inform residents of Council's general waste and recycling requirements and shall be installed **prior to the issue of an Occupation Certificate.** Note suitable signage is available from Council's Customer Service Centre or <http://www.epa.nsw.gov.au/wastetools/signs-posters-symbols.htm>
83. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the

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title of the property as follows:

- a) Full and free right must be provided to Strathfield Council employees or its authorised contractors to:
 - i. Enter upon the land and remove any waste products using any vehicle or equipment as necessary;
- b) The owner of the lot burdened shall be solely responsible for the cost of maintaining in good and sufficient repair at all times the internal roads or access ways used by Strathfield Council for the purpose of exercising its rights as set out in clause (a) above.

The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority **prior to the issue of an Occupation Certificate.**

Land Contamination

84. **Prior to the commencement of any works, including demolition,** a hazardous materials building survey shall be completed and a hazardous materials register prepared for the Site prior to the commencement of any building alteration or demolition works. The register should be prepared in accordance with the requirements of *the Work Health and Safety Regulation 2011*.
85. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.
86. All fill imported on to the site shall be validated by an appropriately qualified person/body to ensure the imported fill is suitable, from a contamination perspective, for the proposed land use. Fill imported onto the site shall also be compatible with the existing soil characteristics for site drainage purposes.

Details of the appropriate validation of imported fill material are to be submitted with any application for future development of the site. All fill imported onto the site is to be validated during remediation works by sampling and analysis of the fill material in accordance with the applicable guidelines to ensure that the material is not contaminated.

ATTACHMENTS

1. [↓](#) DA2015.120.02 - Architecturals - 2-4 Mintaro Avenue, Strathfield

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

ABBREVIATIONS

- APFL ABOVE FLOOR FINISHED LEVEL
- APR CARUNG - ROOF ACCESS PANEL
- AE AIR SUPPLY PIPER TO MECHANICAL ENGINEER DETAIL
- BALC CLASH BALUSTRADE, TOP OF BALUSTRADE MIN. 14 APFL
- BAL2 MASONRY BALUSTRADE, TOP OF BALUSTRADE MIN. 14 APFL
- CC2 INFLU CONCRETE COLUMN
- CB LIFT CONTROL BUTTON
- CPE CAR PARK EXHAUST RIISER
- CCP CONCRETE DETAIL PLAN
- CP BANK OVER EXHAUST
- GD LINEN GRATED DRAIN TO HYDRAULIC ENGINEER DETAIL
- POD PLASTER BOY DRAINAGE OUTLET
- F FINISH BALCONY
- FE FIRE EXTINGUISHER
- FFL FLOOR FINISHED LEVEL
- FM FIRE MANNING
- FW FLOOR WAITS
- HYD HYDRAULIC RISER ZONE
- HR HORIZONTAL TOILET & W.C. RISER
- L LINEN TUB BOARD
- L11 BUILDING ALUMINUM GLASS SCREEN
- L12 FIXED ALUMINUM BATTERY BATTERY (SECTION 200 x 100 MM)
- ME MILD STEEL
- RL REDUCED JOIST
- RC REINFORCED CONCRETE
- BCSP REFLECTED CEILING PLAN
- RWD RAINWATER OUTLET
- RWT RAINWATER TANK
- ST STEEL COLUMN
- SC201 METAL FENCE-HORIZONTAL METTING
- SD SPOON/DRAIN TO CIVIL ENGINEER DETAIL
- ST2 STRUCTURAL STEEL LEVEL
- ST STORAGE
- STMP STORMWATER PIT
- TSDI TACTILE GROUND SURFACE INDICATOR
- TOE TOP OF SOIL
- TOB TOP OF BALCONY
- WEP WALL DETAIL PLAN

GENERAL LEGEND

- STORAGE
- SOFT LANDSCAPE AREA
- EXISTING RL
- PROPOSED RL
- CIRCULATION SPACE IN FRONT OF DOORWAY IN ACCORDANCE WITH AS 1428.1
- TACTILE GROUND SURFACE INDICATOR TO AS 1428.1 & 1428.4
- TSDI 1: 600MM WIDE
- TSDI 2: 200MM WIDE

SERVICES LEGEND

- MECHANICAL EXHAUST DUCT WORK
- MECHANICAL FRESH AIR DUCT WORK
- STORMWATER PIT (REFER TO STORMWATER ENGINEER DRAWINGS)
- DENOTED ZONE FOR HYDRAULIC RISER
- CARPARK EXHAUST RIISER
- FRESH AIR RIISER



MINTARO AVE

E	SB - BALCONY ADJUSTMENTS	22/05/2018
D	SB - FOR FINAL REVIEW	20/05/2018
C	SB - FOR FINAL REVIEW	20/05/2018
B	TD CONSULTANTS	17/11/17
A	PRELIMINARY S&E	18/05/17

Rev. Description Date
 Project: MINTARO RESIDENTIAL DEVELOPMENT
 2-4 MINTARO AVE
 STRATHFIELD, NSW 2126 AUSTRALIA

URBAN LINK
 Building Address: Unit 10, 11-15 Green Street, Strathfield NSW 2124
 Postal Address: PO Box 222 Strathfield NSW 2124
 Phone Number: +61 (0)294 2014
 Nonprofit Address: 2nd Strathfield Rd, NSW
 Transport & Planning Reg No: 852 Website: UrbanLink.com.au

Drawing Title: **GENERAL FLOOR PLANS**
 LEVEL 1
 Date of Issue: 22/05/2018 Drawn by: TN Checked by: ZB
 Scale: 1:100
 Project Number: 17-083 Drawing Number: CC-104 E
 Date: CONSTRUCTION CERTIFICATE

LEVEL 1
 SCALE: 1:100

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

ABBREVIATIONS

APFL	ABOVE FLOOR FINISHED LEVEL
APR	CABLING - ROOF ACCESS PANEL
AE	AIR SUPPLY INLET TO MECHANICAL ENGINEER'S DETAIL
BALC	GLASS BALUSTRADE (TOP OF BALUSTRADE MIN. 14 APFL)
BALU	MASONRY BALUSTRADE (TOP OF BALUSTRADE MIN. 14 APFL)
CC	INDU CONCRETE COLUMN
CB	LIFT CONTROL BUTTON
CPE	CAR PARK EXHAUST RIWER
CDP	CONCRETE DETAIL PLAN
DP	RAIN OVER DOWNPIPE
SD	LIQUOR GRAVITY DRAIN TO HYDRAULIC ENGINEER'S DETAIL
PDO	PLANTER BOX DRAINAGE OUTLET
F	FIXED BALCONY
FE	FIRE EXTINGUISHER
FFL	FLOOR FINISHED LEVEL
FW	FIRE HYDRANT
FW	FLOOR FINISH
HFD	HYDRAULIC RISER ZONE
HR	HORIZONTAL TOILET & W.C. RISER
L	LINEN TUB/BOARD
LVI	SLIDING ALUMINIUM GLASS SCREEN
LVS	FIXED ALUMINIUM SCREEN (SCREEN HEIGHT MIN. 200 x 100 MM)
ML	MILD STEEL
RL	REDUCED JOIST
RC	REINFORCED CONCRETE
BCSP	REFLECTED CEILING PLAN
RWD	RAINWATER OUTLET
RWT	RAINWATER TANK
ST	STAIR
STC	STEEL COLUMN
SCRT	WETLAND FENCE HISTORICAL METHOD
SD	SPONGE DRAIN TO CIVIL ENGINEER'S DETAIL
STL	STRUCTURAL SLAB LEVEL
ST	STORAGE
STW	STORMWATER PIT
TSD	TACTILE GROUND SURFACE INDICATOR
TOE	TOP OF SOIL
TOB	TOP OF BALCONY
WEP	WALL DETAIL PLAN

GENERAL LEGEND

- STORAGE
- SOFT LANDSCAPE AREA
- EXISTING RL
- PROPOSED RL
- CIRCULATION SPACE IN FRONT OF DOORWAY IN ACCORDANCE WITH AS 1428.1
- TACTILE GROUND SURFACE INDICATOR TO AS 1428.1 & 1428.4
- TGSI 1: 600MM WIDE
- TGSI 2: 200MM WIDE

SERVICES LEGEND

- MECHANICAL EXHAUST DUCT WORK
- MECHANICAL FRESH AIR DUCT WORK
- STORMWATER PIT (REFER TO STORMWATER ENGINEER'S DRAWINGS)
- DENOTED ZONE FOR HYDRAULIC RISER
- CARPARK EXHAUST RIWER
- FRESH AIR RIWER



MINTARO AVE

E	SB - BALCONY ADJUSTMENTS	22/05/2018
D	ISSUE FOR FINAL REVIEW	16/05/2018
C	ISSUE FOR FINAL REVIEW	22/05/2018
B	ISSUE FOR CONSULTANTS	17/05/17
A	PRELIMINARY ISSUE	18/05/17

Rev. Description Date
Project: MINTARO RESIDENTIAL DEVELOPMENT
2-4 MINTARO AVE
STRATHFIELD NSW 2126 AUSTRALIA

URBAN LINK
 Building Address: Level 10, 11-15 Green Street, Strathfield NSW 2124
 Postal Address: PO Box 2122 Strathfield NSW 2124
 Phone Number: +61 2 9740 2014
 Fax Number: +61 2 9740 2014
 Website: www.urbanlink.com.au
 Sydney Office: 2nd Floor, 100 Pitt Street, Sydney NSW 2000
 Contact: +61 2 9740 2014
 Website: www.urbanlink.com.au

Drawing Title: **GENERAL FLOOR PLANS LEVEL 2**
 Date of Issue: 22/05/2018
 Drawn by: TN
 Checked by: ZB
 Scale: 1:100
 Paper Number: 17-083
 Drawing Number: CC-105 E
 Drawing Title: CONSTRUCTION CERTIFICATE

LEVEL 2
SCALE: 1:100

STRATHFIELD COUNCIL
RECEIVED
DA2015/120/02
22 February 2018

Note:
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1
NORTH ELEVATION (MINTARO AVENUE)
SCALE: 1:100

ABBREVIATIONS

APFL	ABOVE FLOOR FINISHED LEVEL
AP	CEILING - ROOF ACCESS PANEL
AE	AIR SUPPLY INLET TO MECHANICAL ENGINEERS DETAIL
BAL	GLASS BALUSTRADE (TOP OF BALUSTRADE MIN. 70 APFL)
BL	MAZONRY BALUSTRADE (TOP OF BALUSTRADE MIN. 70 APFL)
CC	INDU CONCRETE COLUMN
CE	CAR PARK EXHAUST RISER
CEP	CONCRETE DETOUR PLAN
DF	RAIN WATER DOWNPIPE
DE	LINEAR DRAIN TO CIVIL ENGINEERS' DETAILS
ED	SPONGE DRAIN TO CIVIL ENGINEERS' DETAILS
POD	PLANTER BOX DRAINAGE OUTLET
F	SWAY BALCONY
FE	FIRE EXTRUSION/SHIELD
FL	FLOOR FINISHED LEVEL
FR	FIRE RISERWAY
FW	FLOOR FINISH
HYD	HYDRAULIC RISER ZONE
HS	HORIZONTAL TO SCIA & AG 148.1
LV1	SLIDING ALUMINIUM LOUVER SYSTEM
LST	FIXED ALUMINIUM BATTEN (BATTEN DOES NOT 200-10-10)
MS	MASONRY
RL	REDUCED LEVEL
RC	REINFORCED CONCRETE
RCF	REFLECTED CEILING PLAN
RWD	RAINWATER OUTLET
RWT	RAINWATER TRAP
SC	STEEL COLUMN
SCRF	METAL FENCE - VERTICAL BATTEN
SSL	STRUCTURAL SLAB LEVEL
SWP	STORMWATER PIT
TSD	TACTILE GROUND SURFACE INDICATOR
TSE	TOP OF SOIL
TOW	TOP OF WALL
WEP	WALL DETOUR PLAN

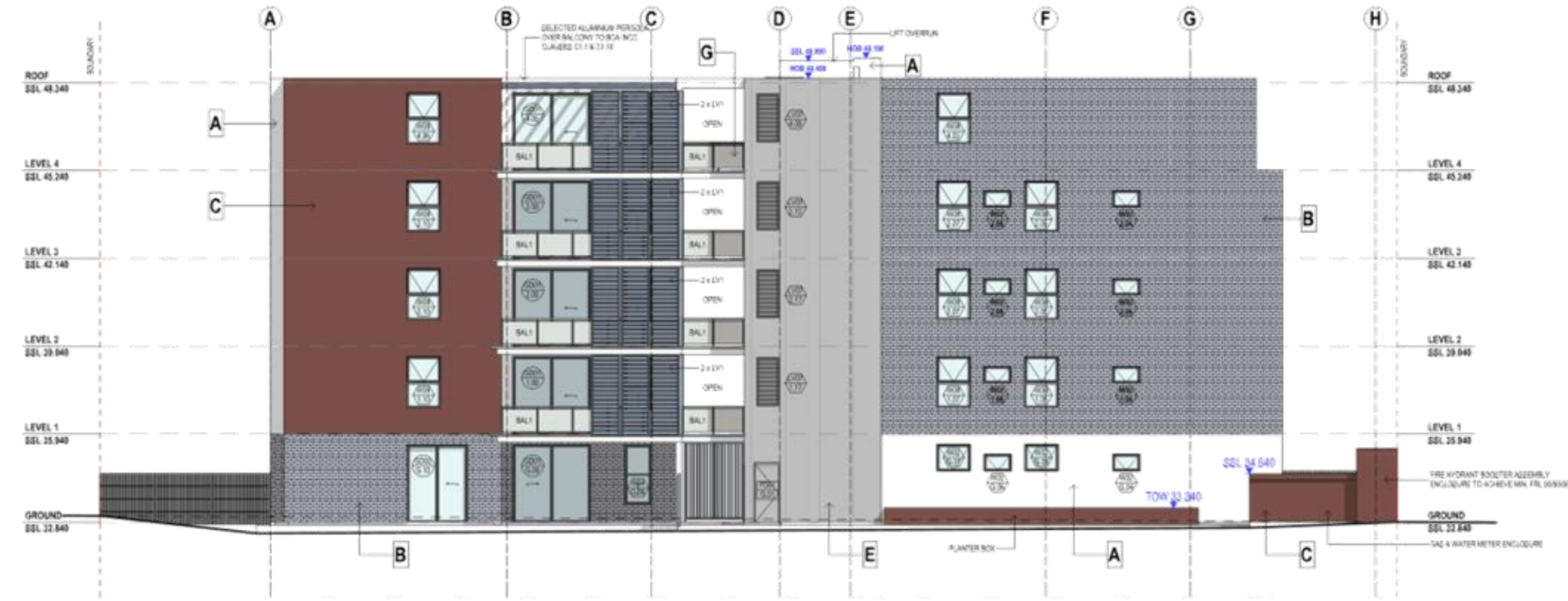
DOOR / WINDOW LEGEND

	UNGLAZED DOOR SYMBOL
	GLAZED DOOR SYMBOL
	GLAZED WINDOW / ALUMINIUM LOUVER SYMBOL
	DOOR / WINDOW TYPE
	DOOR / WINDOW ID
	APARTMENT NUMBER OR FLOOR LEVEL
	IF IN A PUBLIC AREA

NOTES:
- READ IN CONJUNCTION WITH OTHER CONSULTANT'S DOCUMENTATION & REPORTS
- REFER TO DRAWING CC-400 SERIES FOR WALL TYPES & WALL DETOUR PLANS
- REFER TO DRAWING CC-800 SERIES FOR DOOR & WINDOW SCHEDULES

SCHEDULE OF MATERIALS & FINISHES

	A - WALLS: PRIVACY SCREEN PAINTED WITH DULUX LEXICON QUARTER OR SIMILAR
	B - FACEBRICK WALLS ALTRAL BRICK (S/METAL BLUE OR SIMILAR)
	C - FEATURE WALLS - EXPOSED GLAB EDGES PAINTED WITH DULUX 'BLAKER'
	D - WINDOW / DOOR FRAMES - FEATURE ANNING - PRIVACY SCREEN POWDERCOAT FINISH IN COLORBOND 'NIGHT SKY'
	E - WALLS: OFF FORM CONCRETE
	G TRANSLUCENT GLASS BALUSTRADE TOP RAIL & POSTS: BLACK POWDER COATED FINISH
	LV1 SLIDING ALUMINIUM LOUVER
	ALUMINIUM LOUVER ANNING
	POWDERCOAT FINISH IN COLORBOND 'NIGHT SKY'

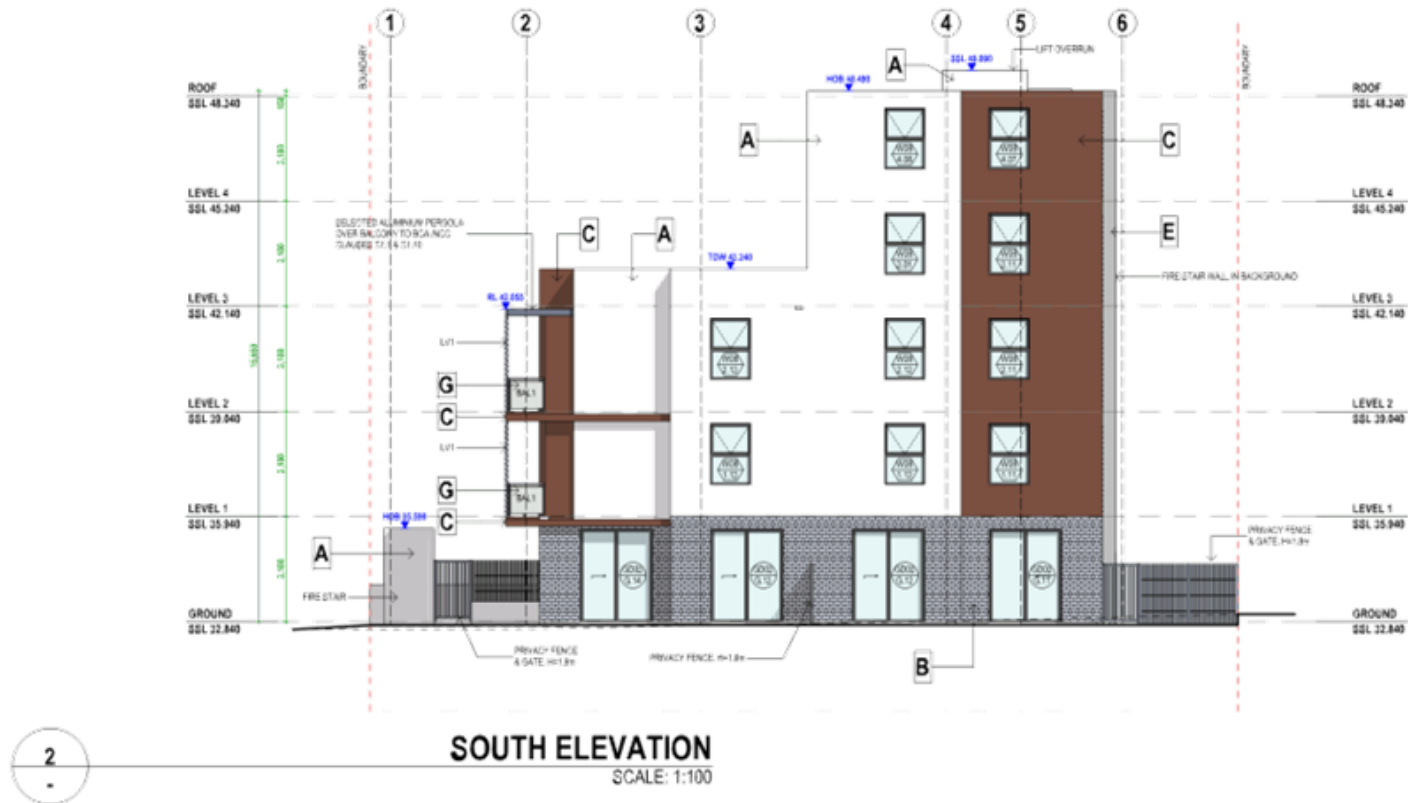


2
EAST ELEVATION
SCALE: 1:100

B: EQU FOR FINAL REVIEW 01/03/2018
 A: EQU FOR FINAL REVIEW 20/11/2018
 Rev Description Date
 Project
MINTARO RESIDENTIAL DEVELOPMENT
 2-4 MINTARO AVE
 STRATHFIELD NSW 2126 AUSTRALIA

 Building Address: Level 10, 11-15 Street Street, Strathfield NSW 2126
 Postal Address: PO BOX 1222 Strathfield NSW 2126
 Phone Number: +61 (0)2 9542 2014
 Fax Number: +61 (0)2 9542 2014
 Website Address: www.urbanlink.com.au
 URA1 Licence Reg No: 8338
 URA2 Licence Reg No: 8328
 Drawing Title
ELEVATIONS NORTH (MINTARO AVE) & EAST
 Date of Issue: 20/02/2018
 Drawn by: TN
 Checked by: ZB
 Scale: 1:100
 Project Number: 17-083
 Drawing Number: CC-201 B
CONSTRUCTION CERTIFICATE

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



ABBREVIATIONS

APFL	ARCHIVE FLOOR FINISHED LEVEL
AP	CEILING - ROOF ACCESS PANEL
AE	AIR SUPPLY RISER TO MECHANICAL ENGINEER'S DETAIL
BAL1	GLASS BALUSTRADE (TOP OF BALUSTRADE MIN. 1% APFL)
BAL2	MASONRY BALUSTRADE (TOP OF BALUSTRADE MIN. 1% APFL)
CC	INDU CONCRETE COLUMN
CHE	CAR PARK EXHAUST RISER
CCP	CONCRETE DETAIL PLAN
DP	RAIN WATER DOWNPIPE
SD	LINEAR DRAIN TO CIVIL ENGINEER'S DETAIL
SD	SPONGE DRAIN TO CIVIL ENGINEER'S DETAIL
POD	PLANTER BOX DRAINAGE OUTLET
F	FINISH BALCONY
FE	FIRE EXTINGUISHER
FFL	FLOOR FINISHED LEVEL
FR	FIRE RISER
FW	FLOOR WASTE
HYD	HYDRAULIC RISER ZONE
HS	HORIZONTAL TOICAN 40x40x1
LV1	SLIDING ALUMINUM LOUVER SYSTEM
LX1	FIXED ALUMINUM SHUTTER (SHUTTER DOES NOT EXCEED 200x100mm)
MS	MASONRY
RL	REDUCED LEVEL
RC	REINFORCED CONCRETE
RCF	REFLECTED CEILING PLAN
RWO	RAMPAWATER OUTLET
RWT	RAMPAWATER TRAP
SC	STEEL COLUMN
STB	METAL FENCE - VERTICAL BATTEN
SSL	STRUCTURAL SLAB LEVEL
SWP	STORMWATER PIT
TDR	TACTILE GROUND SURFACE INDICATOR
TDL	TOP OF SOIL
TOW	TOP OF WALL
WSP	WALL DETAIL PLAN

DOOR / WINDOW LEGEND

(Symbol)	UNGLAZED DOOR SYMBOL
(Symbol)	GLAZED DOOR SYMBOL
(Symbol)	GLAZED WINDOW / ALUMINUM LOUVER SYMBOL
(Symbol)	DOOR / WINDOW TYPE
(Symbol)	DOOR / WINDOW ID
(Symbol)	APARTMENT NUMBER OR FLOOR LEVEL IF IN A PUBLIC AREA

NOTES:
- READ IN CONJUNCTION WITH OTHER CONSULTANT'S DOCUMENTATIONS & REPORTS
- REFER TO DRAWING CC-400 SERIES FOR WALL TYPES & WALL DETAIL PLANS
- REFER TO DRAWING CC-800 SERIES FOR DOOR & WINDOW SCHEDULES

SCHEDULE OF MATERIALS & FINISHES

(Symbol A)	- WALLS, PRIVACY SCREEN PAINTED WITH DULUX LEXICON QUARTER OR SIMILAR
(Symbol B)	- FACEBRICK WALLS ALUMINUM BRICK (SUNMETAL BLUE OR SIMILAR)
(Symbol C)	- FEATURE WALLS - EXPOSED GLASS EDGES PAINTED WITH DULUX 'BUNKER'
(Symbol D)	- WINDOW / DOOR FRAMES - FEATURE ANNING - PRIVACY SCREEN POWDERCOAT FINISH IN COLORBOND 'NIGHT SKY'
(Symbol E)	- WALLS: OFF FORM CONCRETE
(Symbol G)	TRANSLUCENT GLASS BALUSTRADE TOP RAIL & POSTS: BLACK POWDER COATED FINISH
(Image)	LV1 SLIDING ALUMINUM LOUVER
(Image)	ALUMINUM LOUVER ANNING
(Image)	POWDERCOAT FINISH IN COLORBOND 'NIGHT SKY'



STRATHFIELD COUNCIL RECEIVED
DA2015/120/02
22 February 2018

DATE FOR FINAL REVIEW: 30/03/2018
DATE FOR FINAL REVIEW: 20/11/2018

Rev. Description Date

Project: MINTARO RESIDENTIAL DEVELOPMENT
2-4 MINTARO AVE STRATHFIELD NSW 2135 AUSTRALIA

URBAN LINK
Building Address: Level 15, 11-15 Green Street, Strathfield NSW 2135
Postal Address: PO BOX 2022 Strathfield NSW NSW 2134
Phone Number: +61 29740 2014
Non-Residential Address: 2nd Strathfield Reg. no 8338
Yaspeff 01 Knowledge Reg no 8522 Website: Urban Link Reg no 8326

Drawing Title: ELEVATIONS SOUTH & WEST
Date of Issue: 21/02/2018 Drawn by: ZB Checked by: ZB

Scale: 1:100
Project Number: 17-083 Drawing Number: CC-202 B Date: CONSTRUCTION CERTIFICATE

TO: Strathfield Local Planning Panel Meeting - 7 June 2018
REPORT: SLPP – Report No. 2
SUBJECT: DA2016/017/01 - 27-35 PUNCHBOWL ROAD, BELFIELD
LOT 10 IN DP 592982
DA NO. DA2016/017/01

SUMMARY

Proposal: Section 4.55(2) Modification Application involving revised design of the northernmost building (Building F, previously Building E) including provision of additional units and redesign of basement parking.

Applicant: Nabil Investments

Owner: Nabil Investments

Date of lodgement: 7 March 2018

Notification period: 19 March 2018 – 6 April 2018

Submissions received: Nil

Assessment officer: LM

Estimated cost of works: N/A

Zoning: B4 –Mixed Use

Heritage: No

Flood Affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: APPROVAL

EXECUTIVE SUMMARY

- 1.0 On 15 June 2017, Sydney Central Planning Panel approved Development Application No. 2016/017 for demolition and construction of a 4-7 storey mixed use building comprised of 5 retail suites and 111 apartments, with basement parking for 221 cars.
- 2.0 This modification application seeks a number of internal and external modifications to the approved development under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.
- 3.0 The proposed modifications seek to alter the approved unit mix to increase the number of 1 bedroom apartments and 3 bedroom apartments to better reflect market demand. Further, the proposal has sought to provide more appropriate internal unit layouts so as to enhance residential amenity.
- 4.0 The proposed modifications have demonstrated compliance with the relevant statutory controls applicable to the development and are therefore recommended for approval subject to amended conditions of consent.

DESCRIPTION OF THE PROPOSED MODIFICATION(S)

The specific elements of the modification(s) sought are as follows:

**DA2016/017/01 - 27-35 Punchbowl Road, Belfield
Lot 10 in DP 592982 (Cont'd)**Basement Level 1 and 2

- Realignment of basement's northern wall to match reconfigured building footprint above;
- Reconfiguration of carparking spaces to the rear to provide four (4) additional spaces; and
- Reconfiguration of stairwell, lift core and waste room to accommodate new location of stairwell and lift core.

Lower Ground Level

- Realignment to building walls of Building F resulting in minor changes to terraces of adjoining units;
- Delete a two (2) bedroom unit (formerly E103) and reconfigure to two (2) separate 1 bedroom units (unit F103 and F104);
- Reconfigure 2 bedroom unit to a 3 bedroom unit (F105); and
- Reconfiguration of stairwell and lift core.

Ground Level

- Realignment to building walls of Building F resulting in minor changes to terraces of adjoining units;
- Removal of the commercial 3 access to rear courtyard (as per conditions of consent);
- Construction of fence to separate the shared retail terraces and play area from the rest of the communal open space areas;
- Installation of outdoor paved area and pergola to unit C201 (formerly B201) as per conditions of consent;
- Deletion of a two (2) bedroom unit (formerly E203) and reconfigure to two (2) separate 1 bedroom units (unit F203 and F204); and
- Reconfiguration of two 2 bedroom unit (formerly E204) to a 3 bedroom unit F205.

Upper Ground Level

- Realignment to building walls of Building F resulting in minor changes to terraces of adjoining units;
- Reconfiguration of unit D304 (formerly C304) and changes to façade openings;
- Deletion of former unit E303 and reconfigure to two (2) separate 1 bedroom units (F303 and F304); and
- Reconfigure unit F305 (formerly E304) from a two bedroom unit to a three bedroom unit.

Level 2

- Revised balcony planters to units D406 and D405 (formerly C405 and D406 as per conditions of consent);
- Realignment to building walls of Building F resulting in minor changes to terraces of adjoining units;
- Deletion of former unit E403 and reconfigure to two (2) separate 1 bedroom units (F403 and F404); and
- Reconfigure unit F405 (formerly E404) from a two bedroom unit to a three bedroom unit.

Level 3

- Deletion of secondary balcony to unit E502 (formerly D502) as per conditions of consent; and
- Revised balcony planters to units D506 and D505 (formerly C505 and D506 as per conditions of consent).

**DA2016/017/01 - 27-35 Punchbowl Road, Belfield
Lot 10 in DP 592982 (Cont'd)**

Level 4

- Revised balcony planters to units D606 and D605 (formerly C605 and C606 as per conditions of consent; and
- Minor reconfiguration of units D602 and D603 (formerly C602 and C603).

Level 5

- Revised balcony planters to units D706 and D705 (formerly C705 and C706 as per conditions of consent;
- Minor reconfiguration of units D702 and D703 (formerly C702 and C703); and
- Additional skylight to north eastern portion of building.

Level 6

- Minor reconfiguration of units D804 and D806 (formerly C804 and C806);
- Reconfiguration of unit D801 (formerly C801) from a three bedroom unit to a 1 bedroom unit;
- Reconfiguration of unit D802 (formerly C801) from a 2 bedroom unit to a three bedroom unit; and
- Reconfiguration of unit D803 (formerly C803) from a 2 bedroom unit to a three bedroom unit.

Additional External Building Changes

- Provision of new skylights and plant areas through all building;
- Provision of 1 additional adaptable unit from 11 to 12 overall; and
- Replacement of facebrick external finishes with red brown terracotta tile finish.

Unit Mix

The proposed modifications result in a 211m² increase in floor space with the provision of four (4) additional apartments within the development. The residential unit numbers will therefore increase from 111 to 115 residential units.

The development was approved with the following unit mix:

- 7 x 1 bedroom units;
- 87 x 2 bedroom units; and
- 17 x 3 bedroom units.

The development is seeking modifications which will result in the following unit mix:

- 16 x 1 bedroom units;
- 77 x 2 bedroom units; and
- 22 x 3 bedroom units.

SECTION 4.55 OF THE EP&A ACT 1979

Section 4.55 of the Environmental Planning and Assessment states as follows:

“4.55 Modifications of consents – generally

(2) *Other modifications*

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

**DA2016/017/01 - 27-35 Punchbowl Road, Belfield
Lot 10 in DP 592982 (Cont'd)**

- (a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with:*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1) and (1A) do not apply to such a modification."

As regards subclause 'a', it is considered that the modification(s) sought as part of this application are of minimal environmental impact in terms of amenity impacts to neighbouring development and visual impacts to the streetscape.

As regards subclause 'b', Council is satisfied that the development to which the consent as modified is substantially the same development for which consent was originally granted being for the purposes of a 4-6 storey mixed use building with 5 retail suites and residential apartments.

In answering this threshold question, a comparative analysis of the approved development as modified has been undertaken. In this regard, whilst some external and internal modifications are proposed, the proposed use does not change. Further, the overall bulk and scale as viewed from adjoining properties and the public domain is left relatively unaltered with the development continuing to achieve compliance with the maximum FSR controls applying to the site. Overall, the proposed development results in minimal impacts with regard to privacy, views and solar access and accordingly, the development as modified is considered to satisfy the 'substantially the same' test in that it will result in essentially and materially the same development as that which was originally approved.

As regards subclause 'c' and 'd' the application was notified in accordance with Part L of the SDCDP 2050 and no submissions were received.

REFERRALS

INTERNAL REFERRALS

Waste Comments

Council's Waste Officer has commented on the proposal as follows:

- ***Bins required***
 - *General Waste - 21 X 660L bins required*
 - *Recycling - 58 X 240L bins required or 21 X 660L bins required*
- ***Residential waste collection area***
 - *68m2 required*

DA2016/017/01 - 27-35 Punchbowl Road, Belfield
 Lot 10 in DP 592982 (Cont'd)

- **Waste vehicle design requirements**
 - *W – 3.6m*
 - *H – 3.6m*
 - *L – 14m*
- *Include path of travel of waste collection vehicle; ensure turning circle, height and width requirements are met throughout entire path of travel.*
- *Recycling bins should be in all garbage chute rooms to encourage resident recycling.*
- *Arrangements should be in place regarding the regular maintenance and cleaning of waste management facilities.*

Standard Conditions

- *Provide council with an updated copy of the waste management plan (stand condition 4.67) as per Comments section above”*

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

Traffic Comments

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

“I refer to the Statement of Environmental Effects and Architectural Plan submitted for the development application, 27-35 Punchbowl Road (DA 2016/017/01).

The proposed parking of 177 spaces + wash bay for residential, 23 visitors parking spaces and 26 retail and commercial spaces are acceptable as per the requirements.

The proposed modification with minor internal modifications doesn't have any impact on the layout of Car Parking and their access arrangement. Also, these modifications will not significantly increase the traffic generation rate approved for the previous DA 2016/017.”

Council's Traffic Engineer offered no objections to the proposal.

SECTION 4.15 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 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

State Environmental Planning Policy No. 55 – Remediation of Land

**DA2016/017/01 - 27-35 Punchbowl Road, Belfield
Lot 10 in DP 592982 (Cont'd)**

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.

Under the parent application, a Phase 2 Environmental Site Assessment was prepared due to the site's industrial history. A remedial action plan and various other assessments were conditioned to be carried out before building works take place. The proposed modification will not result in any changes to this aspect of the 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.

An amended BASIX Certificate was submitted as part of this application. This will be included as an approved document in the amended conditions of consent.

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

Development (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 27.

Clause 30(2) requires that consent cannot be granted if the application does not demonstrate that adequate regard has been given to the design principles of the SEPP and the objectives specified for the relevant design criteria of the ADG). Assessment of the application against these has been undertaken in the tables 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>	The proposed design responds appropriately to this context, with nil front setback to retail suites, nil side setbacks at the Punchbowl Road frontage and a "street wall" design.

DA2016/017/01 - 27-35 Punchbowl Road, Belfield
 Lot 10 in DP 592982 (Cont'd)

Principle	Objective	Proposed
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 proposed design complies with the FSR control of SLEP and achieves an appropriate bulk and scale that is responsive to the desired future character of the area and the recent approval in the street.</p> <p>The built form continues to define the public and private domain and provides an appropriate emphasis to the entry of the development. The wide entry driveway has been visually minimised as much as possible with the use of appropriate materials on the walls.</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. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i></p>	<p>The proposal complies with the FSR control contained within LEP 2012.</p> <p>The proposal achieves a high level of residential amenity to units through improved access to natural light and ventilation.</p>
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 the amended 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</i></p>	<p>The subject application is accompanied by an amended landscape plan that is considered suitable for the scale of</p>

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 Lot 10 in DP 592982 (Cont'd)

Principle	Objective	Proposed
	<p><i>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>development. The landscape plan includes further detail relating to BBQ areas with tables and seating as required by the original conditions of consent.</p>
<p>Amenity</p>	<p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</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 is designed to provide a good level of internal amenity for residents with appropriate solar access, cross ventilation and apartment layout.</p> <p>Additional facilities have been provided within the communal open space area to improve residential amenity.</p>
<p>Safety</p>	<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</i></p>	<p>The entry points to the buildings are well defined and visible from the adjoining street, enhancing safety.</p>

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Principle	Objective	Proposed
	<i>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>	
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 seeks to modify the unit mix to:</p> <ul style="list-style-type: none"> • 16 x 1 bedroom units; • 77 x 2 bedroom units; and • 22 x 3 bedroom units. <p>The proposed housing mix is considered acceptable and provides for a variety of housing types.</p> <p>The amended landscape plans include improvements to the common open space areas and are considered appropriate to the development.</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 designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	<p>The proposal continues to achieve an appropriate level of articulation throughout.</p> <p>The schedule of external finishes has been amended including replacement of the corrugated iron with red/brown terracotta tile. This is considered a more appropriate finish for the style of development and surrounding streetscape.</p> <p>The schedule of external finishes is understated and will integrate well with the colours and finishes of more recently approved development in the immediate vicinity of the site.</p>

Apartment Design Guide

Design Criteria	Required	Proposed	Compliance
2E - Building Depth	12m – 18m	The widths of the buildings vary between a maximum of 16.5m fronting Punchbowl Road and to a maximum of 17m to the rear.	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	The proposed modifications result in minor adjustments to the	Yes.

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Lot 10 in DP 592982 (Cont'd)**

	<p>access and minimise overlooking</p> <p>Shall not further reduce solar access by more than 20%</p>	<p>building footprint which would have a negligible impact upon adjoining properties.</p>	
3C – Public Domain Interface	<p>Direct street entry to ground floor apartments</p> <p>Balconies/windows orientated to overlook the public domain</p>	<p>Balconies and windows are orientated to overlook the public domain and rear area of private open space.</p>	Yes.
3D – Communal Open Space	<p>Min. 25% (733.25m²) Min 2h to 50% communal open space at mid-winter Consolidated area Min dimension of 3m 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>As per the amended Landscape plan, the communal open space areas have been fashioned with improved play amenities as well as BBQ seating and dining areas. This will improve overall residential amenity for future residents.</p>	Yes.
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 	<p>The R3 zoning interface with adjoining allotments requires an additional 3m building separation.</p> <p>The proposal results in a minor reconfiguration of the building footprint to the rear. Between the lower ground level and level 2 (building F), the terraces and adjoining building walls generally achieve a minimum 9m separation from adjoining property boundaries and is acceptable.</p> <p>Whilst minor unit reconfigurations are sought through levels 4-6, all balconies and openings achieve a minimum 9m separation</p>	<p>Yes.</p> <p>Yes.</p>

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	<ul style="list-style-type: none"> 4.5m between habitable and non-habitable rooms and the boundary. 	from adjoining property boundaries.	
3J – Bicycle and Car Parking	<p>Within 800m of a railway station:</p> <p>Min RMS Rate Applies:</p>	Site is not within 800m of station	See Part I assessment.
4A – Solar and Daylight Access	<p>Min. 70% (81 units) receive 2 hours solar access.</p> <p>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.</p>	A minimum of 94% (108) of the units receive a minimum 2 hours solar access daily	Yes.
4B – Natural Ventilation	<p>Min. 60% units are cross ventilated</p> <p>Light wells are not the primary source of ventilation for habitable rooms Single aspect units have limited depth to maximise ventilation.</p>	A minimum of 98.26% (113) of the 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>	Floor to ceiling heights remain unchanged and are compliant.	Yes.
4D – Apartment Size and Layout	<p>1 bed: 50m² 2 bed: 70m² 3 bed: 90m² Additional bathrooms +5m² 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 10m² Other bedroom: min 9m² Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m</p>	<p>Unit E502 located upon level 3 of the development is only 92m² and does not comply with the minimum 95m² floor space required for the unit – Note: there are 2 bathrooms within the unit requiring a total floor space of 95m².</p> <p>All remaining units are provided with the minimum unit size requirements.</p>	No, refer to likely impacts section of report.
4E – Private Open Space and Balconies	<p>Studio: 4m² 1 bed: 8m², min depth 2m 2 bed: 10m², min depth 2m 3 bed: 12m², min depth 2.4m</p>	The balconies to units A401, A402, A501, A502, A601, A602, A701 and A702 provide a 1.8m balcony depth which falls short 200mm from the	No – however acceptable on merit given that the departure is minor and the balconies each achieve

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		<p>minimum 2m depth requirements.</p> <p>All remaining units achieve compliance with the minimum balcony size requirements.</p>	<p>compliance with the minimum space requirements.</p>
4F – Common Circulation and Spaces	Max 8 apartments off a single core	No more than six (6) apartments are accessed off a single core.	Yes.
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building.	<p>The proposal provides the following housing mix;</p> <ul style="list-style-type: none"> • 16 x 1 bedroom units; • 77 x 2 bedroom units; and • 22 x 3 bedroom units. 	Yes.
4O – Landscape Design	Responsive to streetscape Viable and sustainable	The amended 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 (12) units as adaptable units providing a total of 10% of adaptable units throughout the building.	No – refer to likely impacts section of report.
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation Screened areas for clothes drying Shading on northern and western elevations	The proposal achieves compliant cross ventilation outcomes.	Yes.
4V – Water Management and Conservation	Efficient fixtures/fittings WSUD integrated Rainwater storage and reuse	Refer to BASIX Certificate commitments.	Yes.
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	The proposal provides multiple waste storage rooms in the basement for the storage of waste. The proposal also allows for the underground collection of waste to ensure that there is no disruption to Punchbowl Road.	Yes.
4X – Building Maintenance	Material selection reduces ongoing maintenance costs.	The amended schedule of external finishes is understated and refined to ensure the development will evolve	Yes.

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		nicely with both the approved as well as future development in the street.	
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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 approved development as modified by this current section 4.55 modification application is consistent with the general aims of SLEP 2012.

Permissibility

No change is proposed to the approved use of the site for the purpose of a mixed use development.

Zone Objectives

The subject site is zones B4 – Mixed Use pursuant to SLEP 2012. “Shop Top Housing” is a permissible use subject to development consent within the zone.

Part 4: Principal development standards

The modification application seeks to amend the approved floor space ratio as follows:

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	Back portion of the allotment with 1:4 FSR:1.4:1 (3,787m ²)	1.39:1(3,752.12m ²)	Yes
		Front portion of allotment with 3:1 zoning: 3:1 (8,124m ²)	2.64:1 (7,155.88m ²)	

Objectives	Complies
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(a)	<i>To ensure that dwellings are in keeping with the built form character of the local area</i>	Yes
(b)	<i>To provide consistency in the bulk and scale of new dwellings in residential areas</i>	Yes
(c)	<i>To minimise the impact of new development on the amenity of adjoining properties</i>	Yes
(d)	<i>To minimise the impact of development on heritage conservation areas and heritage items</i>	Yes

Part 5: Miscellaneous Provisions

This modification application does not involve changes to the assessment of the original application against the relevant provisions contained within Part 5 of the SLEP 2012.

Part 6: Local Provisions

This modification application does not involve changes to the assessment of the original application against the relevant provisions contained within Part 6 of the SLEP 2012.

4.15(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.

4.15 (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.

Strathfield Consolidated Development Control Plan

Part C – Multiple-Unit Housing of the DCP is of relevance to the assessment of the application and as such applies to the subject application. Parts H – Waste Minimisation and Management and I – Provision of Off Street Parking Facilities are also applicable.

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.

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The remaining matters of relevance provided in the DCP are addressed in the table below. It is noted that the DCP has not been updated since the up-zoning of the land along Punchbowl Road and as such many of the controls are no longer relevant to the assessment of the application as they are in conflict with the LEP controls and as such are overridden.

Section	Development Standard	Required	Proposal	Compliance
2.2	Building Street Setback & Site Requirements	Minimum width 30m Minimum arterial road frontage 25m Minimum site area 1,000m ²	Width varies from 45-81m 81m Area 5,572m ²	Yes Yes Yes
	Building Envelope & Setbacks	3.5m vertically at boundary & project inwards at 45°.	ADG prevails	N/A
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.	Refer to previous discussion of adaptable apartments under assessment of ADG	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	Parking for people with disabilities.	Accessible parking spaces are 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 timber cladding, terracotta tile, concrete and metal cladding which is compatible with the transitioning nature of the streetscape.	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 = 110m ² < than 3 bed t/house = 120m ²	ADG prevails	N/A
2.4	Energy Efficiency	Application is required to provide a NatHERS certificate. Each dwelling must achieve 3.5 star NatHERS rating.	Amended 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	Solar access in ADG prevails.	N/A

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		space of adjoining properties be provided for a minimum of 3 hours during the winter solstice.		
2.4.3	Natural Space Heating and Cooling	Reduce the need to artificially heat and cool dwellings.	The application achieves the minimum cross ventilation and solar access requirements as per the ADG which implies the development will be efficient in naturally cooling and heating spaces throughout the building.	Yes.
2.4.4	Natural Lighting	Reduce reliance on artificial lighting	As above.	No, refer to discussion.
2.4.6	Water Management	Mandatory water storage 10 dwell= 500lt / dwell each dwell thereafter = 250 lt/ dwell	BASIX commitments prevail.	Yes.
2.5	Streetscape orientation	Compatible with the existing character and address the street frontage.	The proposed design considers the local context and is consistent with the desired future character of the area.	Yes.
	Streetscape orientation	Dwellings facing the street will have frontage and apparent access.	All ground floor units provided with direct access from the street.	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 provided as deep soil landscaping this excludes basement underneath areas.	ADG prevails.	N/A.
		10% of the site area is to be provided as communal open space, with a minimum dimension of 7m.	ADG prevails.	N/A
		RFBs – where dwellings do not have access to ground level open space at least one main balcony is to have a size of 12 ² (up to 2 bed) and 15m ² (3 or more bed).	ADG prevails.	N/A.

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		Balconies must have a depth of 2m.		
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.

PART I – CAR PARKING (SCDCP 2005)

The commercial and retail components of the development are to remain unchanged however given that the proposal results in four (4) additional residential units and a change in the overall unit mix, an assessment against the off-street parking requirements has been undertaken:

Section	Development Control	Required	Proposed	Compliance
Part I	Car Parking	Residential 1 bed – 1 space (16 x 1 = 16) 2 bed – 1.5 spaces (77 x 1.5 = 115.5) 3 bed – 2 spaces (2 x 22 = 44) TOTAL = 175.5 (176) Visitor – 1/5 Dwellings 115/5 = 23 + retail/com :26 (unchanged)	Residential – 176 Visitor - 23 Retail/Com: 26 (unchanged) TOTAL: 225	Yes

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal provides for off-street waste collection through the provision of a basement level loading bay and storage room. The loading bay has a minimum dimension of 10.8m x 4.1m and a minimum clearance height of 3.8m, which demonstrates compliance with the minimum loading bay dimensions provided by Part H of the SDCP 2005.

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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, and in accordance with Council's Waste Officer's recommendations, a minimum of (21) x 660L bins are to be provided for general waste and (28) x 240L bins are to be provided for recycling waste for the residential uses. The bin rooms within the basement levels 1 and 2 are appropriate in size to sufficiently accommodate for the minimum bin numbers and waste collection areas required for residents. The bin rooms provided for the residential uses are also considered acceptable.

4.15 (1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.14 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.

Appropriate conditions are included on the original consent 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*.

4.15(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

4D – Apartment Size and Layout

Section 4D of the Apartment Design Guide requires apartments to achieve compliance with the minimum internal area requirements. With regard to apartments where additional bathrooms are provided, an additional 5m² floor space is required. Unit E502 of the development (2 bedroom unit with additional bathroom) located upon level 3 is only 92m² and does not comply with the minimum 95m² floor space required. This is a 3m² departure from the minimum apartment size requirements.

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Accordingly, a condition of consent is recommended to ensure that the unit be increased in floor space so as to achieve compliance with the abovementioned control.

4Q – Universal Design

Section 4Q of the Apartment Design Guide requires a minimum 20% (23) of the total apartments to incorporate the Liveable Housing Guideline's silver level universal design features. The proposed modifications results in only 10% (12) units as achieving this requirement which is a 10% departure from the (23) units required. Accordingly, a condition of consent is recommended to ensure that 20% (23) units throughout the development achieve the Liveable Housing Guideline's silver level universal design features.

4.15 (1)(c) the suitability of the site for the development

The approved development as modified by the current section 4.55 application does not alter the suitability of the development to the site.

4.15 (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 and no submissions were received.

4.15 (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. The approved development as modified by the current modification application is not contrary to the public interest.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 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.”*

Additional Section 7.11 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as the proposal seeks the construction of additional units and a change of unit mix. The original Section 7.11 contributions read as follows:

Provision of Community Facilities	\$ 21,819.84
Provision of Major Open Space	\$1,148,348.24
Provision of Local Open Space	\$ 252,434.31
Provision Roads and Traffic Management Administration	\$ 40,451.90
	\$ 21,819.84
TOTAL	\$ 1,702,918.00

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The new Section 7.11 Contributions are as follows:

Provision of Community Facilities	\$249,194.18
Provision of Major Open Space	\$1,119,824.00
Provision of Local Open Space	\$261,996.66
Provision Roads and Traffic Management	\$42,926.50
Administration	\$22,644.81
TOTAL	\$1,768,586.15

CONCLUSION

The application has been assessed having regard to Section 4.55 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval.

RECOMMENDATION

Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, the proposed modification(s) to Development Consent No. 2016/017 involving a revised design of the northernmost building (Building F, previously Building E) including provision of additional units and redesign of basement parking at 27-35 Punchbowl Road, Belfield be **APPROVED**, subject to:

1. The original conditions of consent Application (DA2016/017) as approved by Sydney Central Planning Panel on 15 June 2017 for demolition and construction of a 4-7 storey mixed use building comprised of 5 retail suites and (111) apartments, with basement parking for 221 cars.
2. As modified by the Section 4.55(2) application (DA2016/017/1) involving:
 - Amendment to Condition No.1;
 - Amendment to Condition No.8;
 - Amendment to Condition No.15; and
 - Amendment to Condition No.18

Accordingly, Development Consent No.2016/017/1 is approved as following:

Condition No.1

Plans

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied and any variation as required by conditions of this consent:

Existing/Demolition Plan, Drawing No. A-180, Rev G, prepared by Olsson & Associates Architects, dated 26/4/17.

Basement 2, Drawing No. A-2B2-A, Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Basement 1, Drawing No. A-2B1-A , Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Lower Ground Level, Drawing No. A-201-A , Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Ground Level, Drawing No. A-202-A , Rev 4, prepared by Olsson & Associates Architects,

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dated 15/5/2018, received by Council 17 May 2018.

Upper Ground Level, Drawing No. A-203-A , Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Level 2, Drawing No. A-204-A, Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Level 3, Drawing No. A-205-A, Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Level 4, Drawing No. A-206-A, Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Level 5, Drawing No. A-207-A, Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Level 6, Drawing No. A-208-A, Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Roof Plan, Drawing No. A-209, Rev 3, prepared by Olsson & Associates Architects, dated 28/2/2018, received by Council 7 March 2018.

Adaptable Apartments, Drawing No. A-250, Rev 3, prepared by Olsson & Associates Architects, dated 28/2/2018, received by Council 7 March 2018.

N-S Elevations, Drawing No. A-301-A , Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

E-W Elevations, Drawing No. A-302-A, Rev 4, prepared by Olsson & Associates Architects, dated 15/5/2018, received by Council 17 May 2018.

Privacy Screens, Drawing No. A-310, Rev 3, prepared by Olsson & Associates Architects, dated 28/2/2018, received by Council 7 March 2018.

Sections I, Drawing No. A-401 , Rev 3, prepared by Olsson & Associates Architects, dated 28/2/2018, received by Council 7 March 2018.

Sections II, Drawing No. A-402, Rev 3, prepared by Olsson & Associates Architects, dated 28/2/2018, received by Council 7 March 2018.

Materials & Finishes, Drawing No. A-501 , Rev 3, prepared by Olsson & Associates Architects, dated 28/2/2018, received by Council 7 March 2018.

Landscape Plan LA-01, Issue 4, prepared by Jila, dated 17/11/2017, received by Council 7 March 2018.

Landscape Plan LA-02, Issue 4, prepared by Jila, dated 17/11/2017, received by Council 7 March 2018.

Drainage Plans, Revision B, Drawing Nos, H-01 - H-14, Sheets 1/14 - 14/14, prepared by Green Arrow, dated 26.4.2017

Geotechnical Investigation Report prepared by J K Geotechnics, dated 15 January 2016.

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Phase 2 Environmental Site Assessment, prepared by Environmental Investigation Services, dated 5 February 2016.

Acoustic Report prepared by Acouras Consultancy, dated 17.11 .2015

Access Compliance Report, prepared by Vista Access Architects, received 7 March 2018.

Waste Management Plan prepared by Elephants Foot Recycling Solutions, dated 13/9/2016.

BASIX Certificate No.678913M_04 issued 28 February 2018, received by Council 7 March 2018.

BCA Report prepared by Design Right Consulting, received by Council 7 March 2018

2. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
4. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Contamination

5. A Remediation Action Plan (RAP) shall be prepared to outline remedial measures for the site as recommended in Section 10 of the Phase 2 Environmental Site Assessment report prepared by Environmental Investigation Services, dated 5 February 2016. The RAP shall include remediation of the lead contamination at BH9 and removal of the UST and associated fuel infrastructure.
6. A Validation Assessment (VA) report shall be prepared on completion of the remediation as recommended in Section 10 of the Phase 2 Environmental Site Assessment report prepared by Environmental Investigation Services, dated 5 February 2016. The VA shall include additional groundwater monitoring following removal of the USTs. A copy of the RAP and VA shall be provided to Council prior to the commencement of any works on the site, other than those required to complete the remediation works.
7. A Hazardous Materials Assessment (Hazmat) as recommended in Section 10 of the Phase 2 Environmental Site Assessment report prepared by Environmental Investigation Services, dated 5 February 2016 shall be prepared for the existing buildings prior to the commencement of demolition work. A copy of the Hazmat shall be provided to Council.

Special Conditions

8. Prior to the issue of a Construction Certificate, amended architectural plans shall be prepared and submitted to the Principal Certifying Authority including the following changes:
 - a. The acoustic report prepared by Acouras Consultancy dated 17 November 2015 shall be updated to address the approved plans and the recommended measures of the report to address traffic noise shall be incorporated into the plans.
 - b. An updated Waste Management Plan which includes:

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- Provision of waste storage room /s capable of holding the following:
 - i. (21) x 660L bins for residential general waste;
 - ii. (58) x 240Lbins for residential recycling waste;
 - A minimum of 68m² residential bin collection room.
 - The bulk storage room shall have an area of 44m² and be conveniently located for access to the loading dock.
- c. A roller door with a minimum width of (1 .5 m) is to be provided to the waste storage room and the bulky waste room.
- d. A room for provision of individual water meters is to be located at or near ground level.
- e. A minimum (23) units throughout the development shall achieve the Liveable Housing Guideline's silver level universal design features.
- f. Unit E502 shall be increased by an additional 3m² in floor space so as to achieve compliance with the minimum 95m² floor space required as per the ADG.
9. **Prior to the issue of a Construction Certificate**, amended landscape plans and details shall be prepared and submitted to the Principal Certifying Authority showing the following changes:
- (a) A 10-12m maturity height tree shall be planted adjoining the western boundary opposite Apartment E1 01 ; "(Minimum 1 OOI)"
- (b) An additional 15-20m and 10-12m maturity height tree shall be planted adjoining the western boundary, within the deep soil zone in the nature play area (may replace existing proposed tree); "(Minimum 100I),,
- (c) 4 x 8-10m maturity height trees shall be planted adjoining the eastern boundary between the residential waste collection room and Apartment E104. Where necessary the hard landscaped areas are to be reduced in size and mounding/raised planter boxes provided to ensure suitable soil area to support the trees; "(Minimum 1 OOI)"
- (d) An additional 10-12m maturity height tree shall be planted adjoining the western boundary, opposite lobby 4 (to the west of the proposed lemon Scented Gum); "(Minimum 100I)"
- (e) The proposed Australian Tree Ferns to the north of Retail Suite 1 in the deep soil area are to be replaced with trees to reach a minimum maturity height of 10m, with a narrow growth habit;
- (f) Details are to be provided showing how the retail terraces and shared child play area are to be secured such that the general public cannot enter the remainder of the communal open space of the development. The security measures are not to prevent access by residents of the development (key operated);
- (g) The access proposed from Commercial Suite 3 to the communal open space (northern facade) is to be removed and the area between the two smaller retail terraces (to Suites 1 and 2) and the apartment building is to become communal open space accessible only to residents of the development;
- (h) A second child play area shall be provided at the north-western corner of the site which is accessible only by residents of the development;
- (i) Additional casual seating is to be provided throughout the communal open space areas affording opportunities in the sun and dappled shade;
- (J) Planter boxes (minimum 1m wide) shall be provided to separate paved areas within the communal open space area and adjoining private areas of open space; and
- (k) BBQ areas are to be provided, with a minimum of 1 BBQ, access to a tap and table and seating for at least 8 persons under a shelter in the following locations:

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- north-west corner of site;
- north-east corner of site, and
- to the east of the retail terraces.

(l) Details shall be provided of soil profiles and structural design for planting on slabs, irrigation systems and drainage.

(m) A minimum of 6 native street trees shall be planted along the Punchbowl Road frontage to reach a maturity height of 15 metres (minimum 200L). Street trees shall not be planted between, or within 3 metres of, the driveways and shall not be planted in the area of land to be dedicated for road widening. The trees shall be chosen from Council's recommended tree list.

10. The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
11. For residential flat developments which are subject to State Environmental Planning Policy (SEPP) No. 65 - Design Quality of Residential Flat Development and required to be accompanied by a design verification from a qualified designer under Clause 50(1 A) of the Environmental Planning and Assessment Act Regulation 2000, a certifying authority must not issue:
 - (a) a Construction Certificate unless the certifying authority has received a design verification statement from a qualified designer that verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 143A of the Regulations; and
 - (b) an Occupation Certificate to authorise a person to commence occupation or use of the residential flat building unless the certifying authority has received a design verification statement from a qualified designer that verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 154A of the Regulations.
12. A Works Permit shall be obtained from Strathfield Council at least five (5) working days prior any work (including demolition, excavation and the erection of site fencing/hording). The approved Works Permit and any approved Construction Traffic Management Plan must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed. The permit must be retained on site at all times.
13. Prior to the issue of a Construction Certificate, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
14. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

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15. 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	\$249,194.18
Provision of Major Open Space	\$1,119,824.00
Provision of Local Open Space	\$261,996.66
Provision Roads and Traffic Management	\$42,926.50
Administration	\$22,644.81
TOTAL	\$1,768,586.15

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.

16. A security payment of \$22,254.00 in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council prior to the issue of a Construction Certificate. The security payment is GST inclusive and comprises the following :

Refundable street tree protection bond	\$ 2,000.00
Refundable works bond	\$20,000.00
Non-refundable administration fee (\$127/bd)	\$ 254.00
TOTAL	\$22,254.00

The security payment covers the following matters and will be released upon satisfactory completion of these items:

- (a) road and stormwater drainage works in roadways and public areas;
- (b) installation and maintenance of sediment control measures for the duration of construction activities;
- (c) tree final inspection to ensure that Council's street trees have been retained , protected or replanted in accordance with conditions of consent and/or Arborists' report for the post final inspection twelve (12) month period; and
- (d) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.

17. Fees are payable where Council is appointed as principal certifying authority to carry out the post-approval inspections. A quotation for the fees can be obtained by contacting Council and the fees shall be paid prior to the carrying out of any of the inspections. Any re-inspection which is necessary due to site access not being available, defective work, or the matter not being ready for inspection will be charged in accordance with Council's Fees and Charges Policy. Council will advise in writing if an additional re-inspection is required and the re-inspection fee shall be paid prior to release of the damage deposit. If the additional fee is not paid it will be deducted from the damage deposit.

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Parking/Traffic Matters

18. A total of (225) off-street parking spaces, hard paved, line-marked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Residents 176
Visitors 23
Retail/commercial 26
TOTAL 225

These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

Residential parking spaces shall be designated at a rate of at least one (1) space per 1 and 2 bedroom unit and two (2) spaces per 3 bedroom unit.

If it is proposed to strata subdivide the development in the future, parking designation shall be strictly in accordance with this condition.

19. Prior to the issue of any Occupation Certificate, fixed signage shall be placed within the basement car park of the building adjacent to the lift stating that Council will not issue residential parking permits for owners and residents of the subject site.
20. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
21. The entry point to the basement carpark area shall be fitted with security gates/shutter to control the entry and exit of vehicles to and from the basement. Any security gates/shutter shall be designed in order to ensure it is able to be opened remotely by occupants of the building.
22. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
23. All vehicles entering and leaving the site shall be driven in a forward direction only.
24. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.
25. The vehicle spaces must not be enclosed with walls or meshed security screens without the prior approval of Council.
26. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.
27. Reconstruct the footpath, kerb and gutter to Council's specifications for the full frontage of the development site at the completion of all building works.
28. Purpose built storage compartment(s) shall be provided to and within each of the resident car parking bays and/or associated dwellings at the following rates:
- o 6m³ for each one (1) bedroom unit
 - o 8m³ for each two (2) bedroom unit, and
 - o 10m³ for each unit with three (3) bedrooms or more.

In order to deter theft, the security compartments shall be designed in a manner to conceal

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from view and secure their contents i.e. through the use of dense, solid material and a shroud covered padlock (or similar).

Amended plans showing the location and configuration of each of storage compartment(s) shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of the Construction Certificate.**

29. 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.

30. A detailed Construction Site Traffic Management Plan (CTMP) must be submitted to and approved by Council, prior to commencement of any site work (including demolition). The approved CTMP must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed.

The CTMP must be prepared by a suitably qualified person and must include the following details, to the satisfaction of Council:

- (a) A description of the demolition, excavation and construction works
 - (b) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
 - (c) Any proposed road and/or footpath closures
 - (d) Proposed site access locations for personnel, deliveries and materials
 - (e) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
 - (f) Provision for loading and unloading of goods and materials
 - (g) 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
 - (h) Impacts of the work and vehicular movements on the road network, traffic and pedestrians
 - (i) Proposed hours of construction related activities and vehicular movements to and from the site
- OJ Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)
- (k) Any activities proposed to be located or impact upon Council's road , footways or any public place
 - (l) Measures to maintain public safety and convenience
 - (m) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc).

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Drainage/Stormwater

31. The Stormwater Concept Plans do not show a clear connection of the rising main from basement pump well 1 to the OSD tank 1. As such, prior to the issue of a Construction Certificate, an amended stormwater concept plan is to be prepared by a suitably qualified Hydraulic Engineer and submitted to the Principal Certifying Authority for approval demonstrating the following modifications:
- (a) Connection of rising main from basement pump well 1 to the OSD tank 1.
32. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans **AND** the requirements of Council's Storm water Management Code.

In this project the above engineering plans are satisfactory as Concept plans. The assessment authority, (either (a) Council, or (b) a Private Certifier), is to satisfy themselves of the adequacy of the above plans for the purposes of Construction. They are to independently determine what details, if any, are to be added to the Construction Certificate plans, in order for the issue of the Construction Certificate.

Where a Private Certifier issues the Construction Certificate a copy must be provided to Council, prior to the issue of a Construction Certificate.

33. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system. The storage system shall be designed in accordance with the endorsed concept stormwater plans AND Council's Stormwater Management Code. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
34. Prior to the issue of an Occupation Certificate/use of the building, written verification from a suitably qualified professional civil engineer shall be obtained, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans.

In addition, detailed works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.

35. Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
36. For drainage works within public land or connecting to Council's stormwater drainage system the following inspections will be required:-
- (a) After the excavation of pipeline trenches.
- (b) After the laying of all pipes prior to backfilling.
- (c) After the completion of all pits and connection points.

A minimum of 48 hours notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Engineering Works and Services section on 9748-9999 during office hours. Work is not to proceed until the works are inspected and approved by Council.

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37. All pits shall be constructed in accordance with Australian Standard AS3500.3.
38. All subsoil drainage must be designed to meet the requirements of AS3500.
39. The proposed basement pump out system capacity shall be capable of handling 4 hours of 1 OOyr ARI storm event and the catchment contributing to it shall be limited to the subsoil drainage and the basement access ramp area only. The pipes under the basement shall not be PVC or HDPE. The rising main shall be connected to the Silt Arrestor Pit. Final details of this system are to be submitted with the Construction Certificate application.
40. Grated drains shall be provided along the basement entry at the vehicular crossing(s) and the terraces on the lower ground floor and are to connect to the internal drainage system.
41. The OSD basin must be graded to drain completely and gradients shall not be less than 1 %. Discharge restriction from the OSD shall be by use of appropriately sized short length of reduced diameter pipe and weir; orifice plate shall not be used and a co-efficient of 0.8 shall be used for design of the pipe. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
42. All surface inlet drains upstream of the on-site detention basin must be designed so that there is no overflow before the storage is full.
43. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
44. 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.
45. A Positive Covenant under Section 8BE of the Conveyancing Act shall be created on the title of the property detailing the:
 - (a) On-site stormwater detention system **AND**
 - (b) All Water Sensitive Urban Design components

incorporated in the development. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building.

The positive covenant is required to prevent future modification or alteration without the written consent of the consent authority, and to ensure suitable maintenance is carried out.

46. 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.
47. The sediment tank shall be inspected quarterly and cleaned as necessary. The accumulated sediment should be disposed off site as per standard practice and National guidelines. A record of quarterly maintenance of the sediment tank shall be kept and produced when requested by Council.
48. A detailed design of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying

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Authority prior to the issue of a Construction Certificate and shall include, but not be limited to:

Batters, levels, underdrains, high flow bypass details, clean out points, filter media details, mulching details, material specification, planting details, inlet scour protection areas, maintenance access ramps and maintenance schedule(s).

The design shall be prepared by a suitably qualified professional engineer experienced in Water Sensitive Urban Design in accordance with the approved plans, conditions of consent, Strathfield Council's Development Control Plan Part N - Water Sensitive Urban Design 2005, Strathfield Council WSUD Reference Guideline and WSUD Technical Design Guidelines for South East Queensland (SEQ Healthy Waterways Partnership) Version 1 June 2006 or subsequent updated versions.

49. All approved stormwater works are required to be carried out in accordance with the conditions of consent, approved construction certificate plans, "Strathfield Council WSUD Reference Guideline" and the Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands (SEQ Healthy Waterways Partnership) Version 1.1 April 2010 or subsequent versions that may be updated.
50. A suitably qualified Engineer is required to inspect and certify the proposed development at the completion of each of the following construction phases (if any):
 - (i) Installation of the overflow pit and bulking out/trimming profiling;
 - (ii) Installation of under drainage;
 - (iii) Installation of cleanout points;
 - (iv) Installation of drainage layer;
 - (v) Installation of transition layer;
 - (vi) Installation of filtration media;
 - (vii) Laying of geofabric protection for build-out phase;
 - (viii) Laying of turf temporary protection layer, and
 - (ix) Final planting.
51. An Operational Management and Maintenance Report is required to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate outlining the proposed long term operational management and maintenance requirements of the stormwater system on the site.

A schedule or timetable for the proposed regular inspection and monitoring of the devices, maintenance techniques, reporting and record keeping requirements and associated rectification procedure shall be included in the report.
52. The utility services within the area of effect of the proposed drainage works (i.e. gas, water, sewer, electricity, telephone, etc) shall be physically located prior to the commencement of drainage works in Loftus Lane. The relevant authority's written consent for excavation adjacent to their services shall be obtained. Any adjustments required shall be at no cost to Council.
53. A Works Permit shall be obtained from Council's Customer service Centre prior to undertaking any works on public/Council-controlled lands. This includes any work on the nature strip, footpath, driveways, Council's drainage kerb & guttering and roadways.
54. The applicant or any contractors carrying out works in public or Council's controlled lands shall have public liability insurance cover to the value of \$20 million, and shall provide proof of such cover prior to carrying out the works.

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55. Upon completion of drainage works within the road reserve full works-as executed plans prepared and signed by a registered surveyor, shall be submitted for Council's approval. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and locations for the drainage structures and works.
56. The affected areas i.e. roadway, nature strip, footpath, kerb & guttering and driveways shall be reinstated to the satisfaction of Manager Infrastructure Planning at no cost to Council.

Public Authority Matters

57. Prior to the issue of an Occupation Certificate all existing overhead electricity and telecommunication cabling adjacent to the development site shall be consolidated into a single Aerial Bundle Cable (ABC) at the applicants' expense in accordance with the specifications of AusGrid and the telecommunications supplier.

Landscaping/Tree Matters

58. The trees listed below shall be retained at all times:

Tree	Location	Protection zone (m)	Excavation zone (m)
Group of 4 Trees noted for retention	5 x 5	Punchbowl Road frontage	4.8
Trees on adjoining properties	-	-	-

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.

59. A minimum 600mm deep root deflection barrier shall be provided on both sides of the proposed driveway crossing(s) and footpaths.

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60. All noxious weeds on the site shall be removed and destroyed as per their classification under the Noxious Weeds Act.
61. 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:

Tree	Height/Spread (m)	Location
3. Eucalyptus saligna	10 x 8	Punchbowl Road frontage
4. Eucalyptus sp.	8 x 5	Eastern Elevation

62. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).
63. 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 all relevant Australian Standards.
64. 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 shall be maintained at all times.
- Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
65. To protect existing trees, masonry fence piers must be setback a minimum 3.0 metre radius from the retained trees on the Punchbowl Rd frontage and all masonry walling between the piers within this zone must be supported on concrete beams (not strip footings).
66. Manual excavation and manual sawing of all roots is required within canopy spread of the retained trees on the Punchbowl Rd frontage.
67. A minimum level 5 (AQF5) Consultant Arborist who is currently a member or is eligible for membership to the *Institute of Australian Consulting Arboriculturists* (IACA) or *Arboriculture Australia* (AA) is to be contracted by the applicant to undertake/monitor pruning of the required branches of the retained trees on the Punchbowl Rd frontage.
68. Prior to the issue of an occupation certificate the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape implementation plan certifying that landscaping has been provided accordance with the landscape plan prepared by Jane Irwin Landscape Architect (Drawing No. LA-01, Rev 3) 19/4/17, as amended by conditions of this consent and the Landscape provisions contained within section 10.0 of Part A of the Strathfield Council Development Control Plan.

Construction Matters

69. Prior to the commencement of any construction or demolition work, the Applicant or principal contractor must, subject to obtaining permission from the respective property owners, provide dilapidation reports prepared by a suitably qualified person (such as a structural engineer), on the buildings located on any lot adjacent to the subject site,

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inclusive of ancillary structures. A copy of the respective report must be provided to the Principal Certifying Authority and neighbouring property owners that are the subject of that report.

70. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.
71. Footings shall be designed in accordance with the soil classification of H, or Highly Reactive (unless determined to the contrary by a suitably qualified person).
72. If the soil conditions require it retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and adequate provision must be made for drainage.
73. The existing ground levels shall not be altered except in accordance with the levels shown on the approved plans as part of this consent. Finished ground surface levels shall match the existing levels at the property boundary. Any survey plan shall also show the extension of these levels in relation to adjoining properties.
74. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
75. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.
76. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (a) Must preserve and protect the building from damage; and
 - (b) If necessary, must underpin and support the building in an approved manner, and
 - (c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
77. There are built structures which may be in the zone of influence of the proposed works and excavations on the site. A qualified practicing geotechnical engineer must prepare a Construction Methodology Report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure. The report must be submitted with the application for a Construction Certificate and must include an investigation to determine the design parameters appropriate to the specific development and site. This would typically include;
 - (a) the location and level of nearby foundations and footings (site and neighbouring);
 - (b) proposed method of excavation;
 - (c) Permanent and temporary support measures for excavation;
 - (d) Potential settlements affecting footings and foundations;
 - (e) Ground water levels (if any);
 - (f) Batter slopes;
 - (g) Potential vibration cause by method of excavation; and

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(h) De-watering including seepage and offsite disposal rate (if any).

Excavation, retention, underpinning and construction must be undertaken onsite by an excavation contractor with specialist excavation experience. A suitably qualified geotechnical engineer, specialising in excavation must supervise the excavation procedure.

78. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
79. The common access pathways, letterboxes and entry doorways to the building shall be provided with suitable low level artificial lighting systems to ensure safe and convenient access at night. Details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

Building Matters

80. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street. If it is proposed to strata subdivide the building, the lot numbers and unit numbers shall be the same as those nominated on the approved plans and be in accordance with Council's requirements. For strata subdivision, parking spaces shall have the same lot number as the residential portion and shall not be numbered separately.
81. Prior to the issue of an Occupation Certificate, the applicant shall submit evidence to the Principal Certifying Authority that a Master TV antenna has been installed on the roof of the building that services all apartments.

Sustainability

82. Water heating systems to multi-unit residential developments 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.

Demolition

83. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
84. The demolition of the building shall be carried out by a licensed demolition contractor. A copy of the licence shall be submitted to Council and the Principal Certifying Authority prior to any work commencing on site.
85. Details demonstrating that excavated and demolished materials including asbestos-based materials will be disposed of at an approved site shall be submitted to the Principal Certifying Authority prior to any work commencing on site.
86. The cleared ground surface of the site shall be suitably stabilised to prevent the generation of dust and the erosion of soil on the site.

Fire Safety Measures

87. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the building and specified in the fire safety schedule. The final fire safety certificate shall be provided prior to the issue of an Occupation Certificate.

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88. Each 12 months after the installation of essential fire or other safety measures, the owner of a building must submit an Annual Fire Safety Statement for the building to Council. In addition a copy of the statement must be given to the NSW Fire Commissioner and a copy displayed prominently in the building.

Hoardings

89. If 'A' type hoarding is to be erected about the building site, it is to comply with NSW Workcover's requirements; shall have a minimum height of 1.8 m and comply with AS1725-2003 (Galvanized Rail-Less Chain-Wire Security Fences and Gates) or AS 4687-2007 (Temporary Fencing and Hoardings). Inverted trench mesh is not an acceptable 'A' type hoarding and as such does not satisfy AS 1725-2003 and as such shall not be installed to the building site.
90. An overhead 'B' type hoarding shall be constructed where buildings over 7.5 m in height above the footpath level and within 3.6 m of the street alignment are being erected or demolished or where the outer part of such a building adjoining a public way is being altered. Where the height of the building or the position of the site is such that danger is likely to occur from falling objects, additional safety hoarding shall be provided to the satisfaction of the principal certifying authority and Workcover NSW.
91. An overhead 'B' type hoarding shall be constructed where material is being hoisted over or across a public way.
92. The following additional requirements apply to the erection of a 'B' type hoarding:
- (a) No advertisement of any kind shall be affixed to hoarding with the exception of a board not exceeding 2400 -mm by 1800-mm on which may be shown the architects, builders and principal certifying authority company name / contact details or any particulars regarding the subject building, and notices regarding the existing or future occupancies in the building.
 - (b) A sign reading 'billposters will be Prosecuted' shall be attached or printed upon the front of the hoarding
 - (c) A hydrant or other footpath box shall not be covered in any way or access to it impeded
 - (d) Cranes shall not be placed upon the public way unless a permit has been obtained under section 68 Local Government Act, 1993.
 - (e) The hoarding must be so constructed that it will not obstruct the view of traffic lights of motorists or pedestrians.
 - (f) The use of the roadway for the storage of building materials is not permitted.
 - (g) Where materials are being hoisted over a public way a sign shall be attached or printed upon the front of the hoarding at the decking level with the lettering 'Lifting Operation Above'. The lettering shall not be less than 300-mm in height.
 - (h) Persons undertaking the work in accordance with this Approval must hold this Approval/Permit on-site for inspection.
 - (i) Approval for a temporary protective structure does not permit use of the roadway for general loading and unloading from construction vehicles. This requires a separate Construction Zone Application.

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U) An appropriate qualified practising structural engineer shall certify the structural stability / adequacy of the erected 'B' type hoarding. A copy of the certificate shall be forward to the principal certifying authority and to Council, where Council is not the principal certifying authority.

93. The builder shall erect and maintain all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary and must be in place before the approved activity commences.
94. Permits are required to erect Class 'A' or 'B' type hoardings. If any type hoarding is to occupy a section of Council's property, that section will require a permit for the occupation of Council's property. The applicant, owner, builder or site supervisor must apply for specific permits and pay the appropriate hoarding fees as adopted by Council's Fees and Charges schedule. The application form is available from Council's Customer Service Department.

Air Quality

95. As required by the Protection of the Environment Operations (Noise Control) Regulation 200S, air-conditioning units or heat pump water heaters shall not be audible in the habitable rooms of any other residential premises before 7am or after 10pm on any Saturday, Sunday or public holiday, or before 7am or after 10pm on any other day.
96. Prior to the issue of any Occupation Certificate the Principal Certifying Authority shall confirm that the development has been constructed in accordance with the recommended methodology within the endorsed Acoustic report to ensure noise levels do not exceed:
- (a) in any bedroom in the building-35 dB(A) at any time between 10 pm and 7 am,
 - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)-40 dB(A) at any time.

Subdivision

97. The strata subdivision of the development shall be subject to a separate application.

Disabled Access

98. The Access Compliance Report, prepared by Vista Access Architects shall be updated to address the approved plans, as amended by the conditions of this consent, and the required accessibility design features are to be included in the Construction Certificate plans.
99. Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia , the relevant standards and the requirements of the Disability (Access to Premises - Buildings) Standards 2010. Details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
100. Accessible car parking spaces for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
101. Prior to the issue of a Construction Certificate, certification shall be submitted to the Principal Certifying Authority demonstrating that at least 20% of the residential units meet the silver level Universal Design Guide requirements of the Liveable Housing Design. In

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order to meet the requirements, the following must be achieved:

- (a) A safe continuous and step free path of travel from the street entrance *and/or* parking area to a dwelling entrance that is level.
- (b) Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.
- (c) A toilet on the ground (or entry) level that provides easy access.
- (d) A bathroom that contains a hobless (step-free) shower recess.
- (e) Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date
- (f) A continuous handrail on one side of any stairway where there is a rise of more than one metre.
- (g) Stairways are designed to reduce the likelihood of injury and also enable future adaptation.

Waste Management

102. Submission of a comprehensive Waste Management Plan to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate. Such plan shall address demolition, construction and operation waste arising from the development and shall include:-
- (a) type and likely quantity of waste arising from the demolition and construction activities;
 - (b) storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;
 - (c) type and likely quantity of trade and operational waste arising from the proposed development. including storage and collection details. Note: Strathfield Council does not provide a trade waste service;
 - (d) provision for a suitable number of 660 litre garbage bins and 240 litre recycling bins for the residential development; and
 - (e) fit out details of any garbage/waste enclosures and storage areas.

Full compliance must be given to the endorsed Waste Management Plan submitted for the proposed development. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.

103. Prior to the issue of any Occupation Certificate waste identification and educational signage is to be installed within or adjacent to the waste storage room in accordance with the requirements Part H "Waste Minimisation and Management" of the Strathfield Consolidated Development Control Plan 2005.
104. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property as follows :
- (a) Full and free right must be provided to Strathfield Council employees or its authorised contractors to:
 - (i) Enter upon the land and remove any waste products using any vehicle or equipment as necessary;
 - (b) The owner of the lot burdened shall be solely responsible for the cost of maintaining in good and sufficient repair at all times the internal roads or access ways used by Strathfield Council for the purpose of exercising its rights as set out in clause (a) above.

The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate.

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Land Contamination

105. All soil material removed from the site is to be classified in accordance with the "Waste Classification Guidelines, Part 1: Classifying Waste" NSW DECC and disposed of at a suitably licensed facility. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.

Geotechnical

106. The recommended additional geotechnical investigation work recommended in Section 4 of the Geotechnical Investigation Report prepared by J K Geotechnics, dated 15 January 2016 shall be undertaken prior to the commencement of the excavation works approved by this consent. The construction recommendations contained in Section 4 of the Geotechnical Investigation Report prepared by J K Geotechnics, dated 15 January 2016 shall be carried out during construction of the project.

Finish of Driveway Opening

107. The walls of the driveway opening are to be finished in the material identified as MCC1 (matching the ground floor front facade material) as shown on the approved materials and finishes schedule.

Operable Conditions

108. The retail and commercial suites shall operate only between the hours of 9am and 5.30pm Monday to Friday and 9am-4pm Saturdays, except with separate approval. No approval is granted for use of the external retail/commercial courtyards, which require separate development consent for use. No approval is granted for the use of the retail/commercial suites as cafes/restaurants and such use would require separate development consent.

Integrated Development

Roads and Maritime Service

109. Roads and Maritime has previously vested a strip of land as road along the Punchbowl Road frontage of the subject property as shown by grey colour on the attached Aerial - "X".

A strip of land along the Punchbowl Road frontage of the subject property is affected in by a Road Widening Order under Section 25 of the Roads Act 1993 as published in Government Gazette 100 of 30-08-1957 as shown by pink colour on the attached Aerial- "X" and DP447679.

Therefore all new buildings or structures together with any improvements integral to the future use of the site are to be erected clear of the land acquired or reserved for road widening unlimited in height or depth. No substantial trees or trees with the potential to be substantial trees are to be planted in the area acquired or reserved for road widening for road.

110. The construction of the new left in and left out kerb and gutter crossing including the raised median within the property boundary on Punchbowl Road shall be in accordance Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 9598 7798).

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Detailed design plans of the proposed kerb and gutter crossings are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works. A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

111. All vehicles are to enter and exit the site in a forward direction.
112. All vehicles are to be wholly contained on site before being required to stop.
113. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. The report and any enquiries should be forwarded to:

Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 8849 2114
Fax 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

114. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Details should be forwarded to: Suppiah.Thillai@rms.nsw.gov.au

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax:88492766.

115. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Punchbowl Road.
116. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Punchbowl Road during construction activities.

NSW Office of WaterGeneral

117. 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.

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118. 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 fully 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.
119. 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.
120. 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.
121. OPI Water requires documentation (referred to as a 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. 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 OPI Water at Parramatta Office, in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation

122. 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. [OPI Water prefers that groundwater level measurements should be undertaken on a continuous basis using automatic loggers in monitoring bores.]
123. 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

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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.

124. 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.
125. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
126. 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 determined by slug-testing, pump-testing or other means).
127. A copy of a valid consent for the development shall be provided in the initial report.
128. 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 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.
129. 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

130. 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.
131. 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.
132. Measurement and monitoring arrangements to the satisfaction of DPI Water are to be

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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.

133. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/so The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
134. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
135. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.
136. Access to groundwater management works used in the activity is to be provided to permit inspection when required by **DPI Water** under appropriate safety procedures.

Following excavation

137. Following completion of the dewatering operations, the applicant shall submit to **DPI Water**, Parramatta Office, the completion report which shall include:
 - (a) detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and
 - (b) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and
 - (c) a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.
138. The completion report is to be assessed by **DPI Water** prior to any certifying agency's approval for occupation or use of the completed construction.

ATTACHMENTS

1. [↓](#) Architectural Plans



**ADDITIONAL INFORMATION FOR SECTION 96
APPLICATION TO MODIFY EXISTING DA CONSENT
2016/17 AT 27-35 PUNCHBOWL ROAD, BELFIELD,
NSW**

DWG NO.	DRAWING NAME	SCALE	ISSUE
A-2B2-A	RL 8.00 - MODIFICATIONS PLAN	1:200	4
A-2B1-A	RL 11.00 - MODIFICATIONS PLAN	1:200	4
A-201-A	RL 14.00 - MODIFICATIONS PLAN	1:200	4
A-202-A	RL 17.00 - MODIFICATIONS PLAN	1:200	4
A-203-A	RL 20.00 - MODIFICATIONS PLAN	1:200	4
A-204-A	RL 23.00 - MODIFICATIONS PLAN	1:200	4
A-205-A	RL 26.00 - MODIFICATIONS PLAN	1:200	4
A-206-A	RL 29.00 - MODIFICATIONS PLAN	1:200	4
A-207-A	RL 32.00 - MODIFICATIONS PLAN	1:200	4
A-208-A	RL 35.00 - MODIFICATIONS PLAN	1:200	4
A-301-A	EAST / WEST ELEVATIONS DIAGRAM	1:200	4
A-302-A	NORTH / SOUTH ELEVATIONS DIAGRAM	1:200	4

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1	22/11/17	FOR INFORMATION																								
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DRAWN PG	CHECKED RO																									
DATE	DESCRIPTION																									

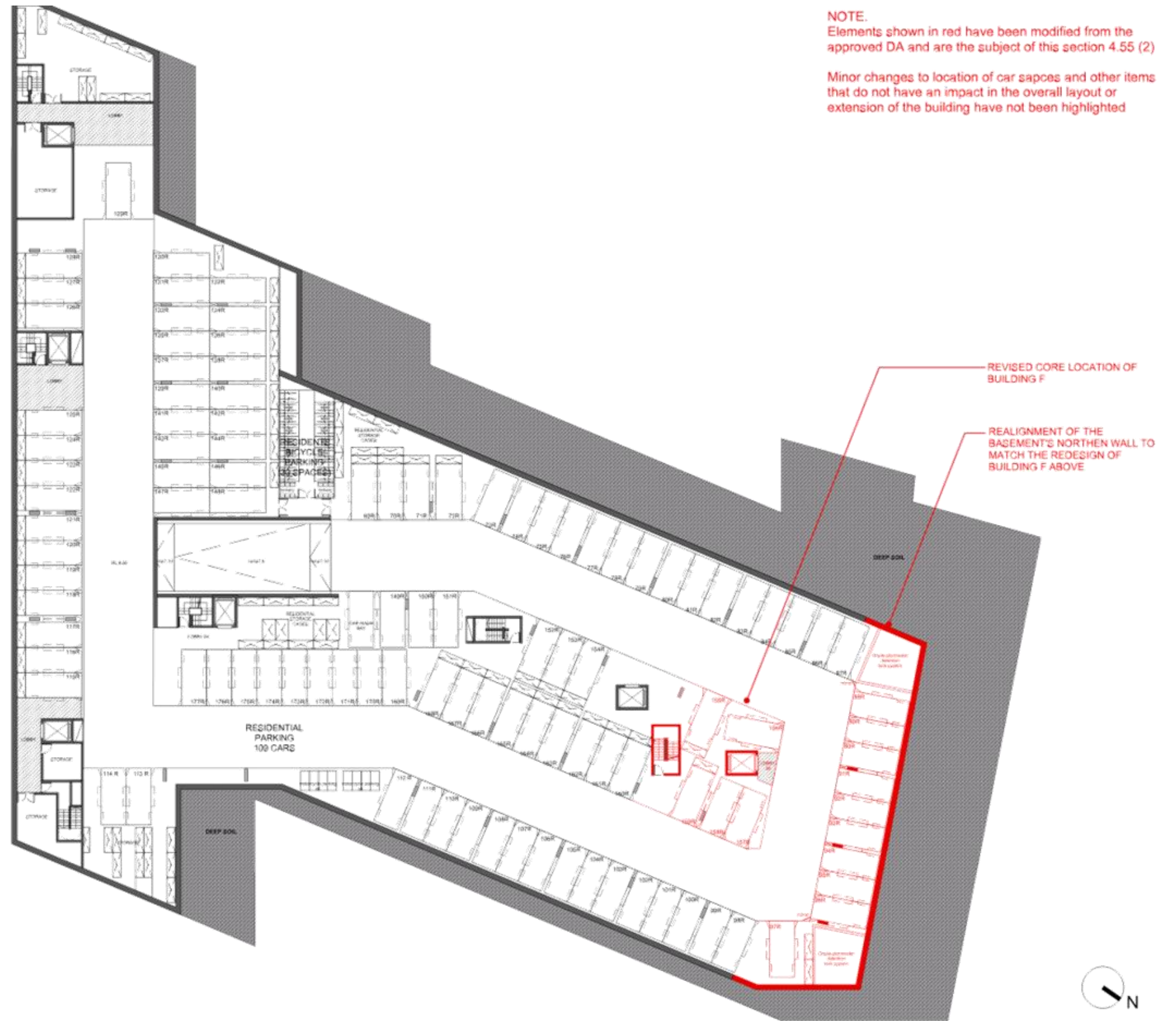
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Minor changes to location of car spaces and other items that do not have an impact in the overall layout or extension of the building have not been highlighted



1 PLAN RL 8.00 BASEMENT 2
A-2B2-A

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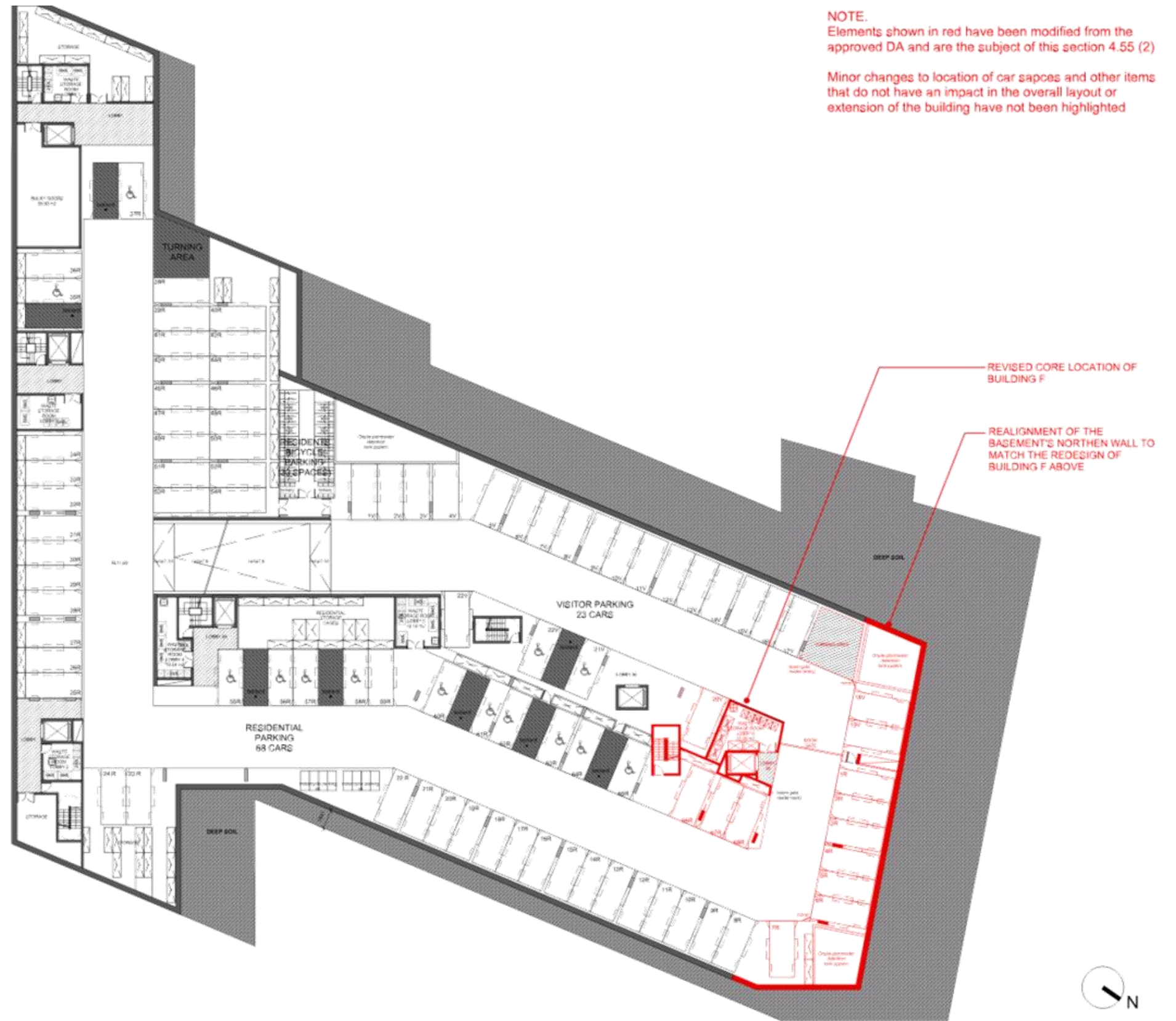
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PROJECT
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DA 2016/17
MIXED USE DEVELOPMENT
ADDRESS
27-35 PUNCHBOWL ROAD, BELFIELD.

DRAWING TITLE		
RL 8.00 - MODIFICATIONS PL		
PROJECT NO.	SCALE	DRAWING NO.
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PG	RO	
DATE	DESCRIPTION	

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1 PLAN RL 11.00 BASEMENT 1
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DRAWN PG	CHECKED RO	
DATE	DESCRIPTION	

AMENDED PLANS
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17 May 2018

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Minor changes to apartment interior layouts that do not change the apartment size or characteristics and do not have an effect on the facade, have not been highlighted as they do not present a significant change and do not impact the volume or appearance of the building.

Minor changes to the landscape design to match the new building layout have not been highlighted as they do not alter the intent and character of the landscape

Approved DA Outline of Building F

REVISED LANDSCAPE AMENITIES, PLAYGROUND AREAS AND BARBEQUES

REVISED BUILDING F

REVISED PRIVATE OPEN SPACES FOR GROUND FLOOR UNITS

1 PLAN RL 14.00 LOWER GROUND LEVEL
A-201-A

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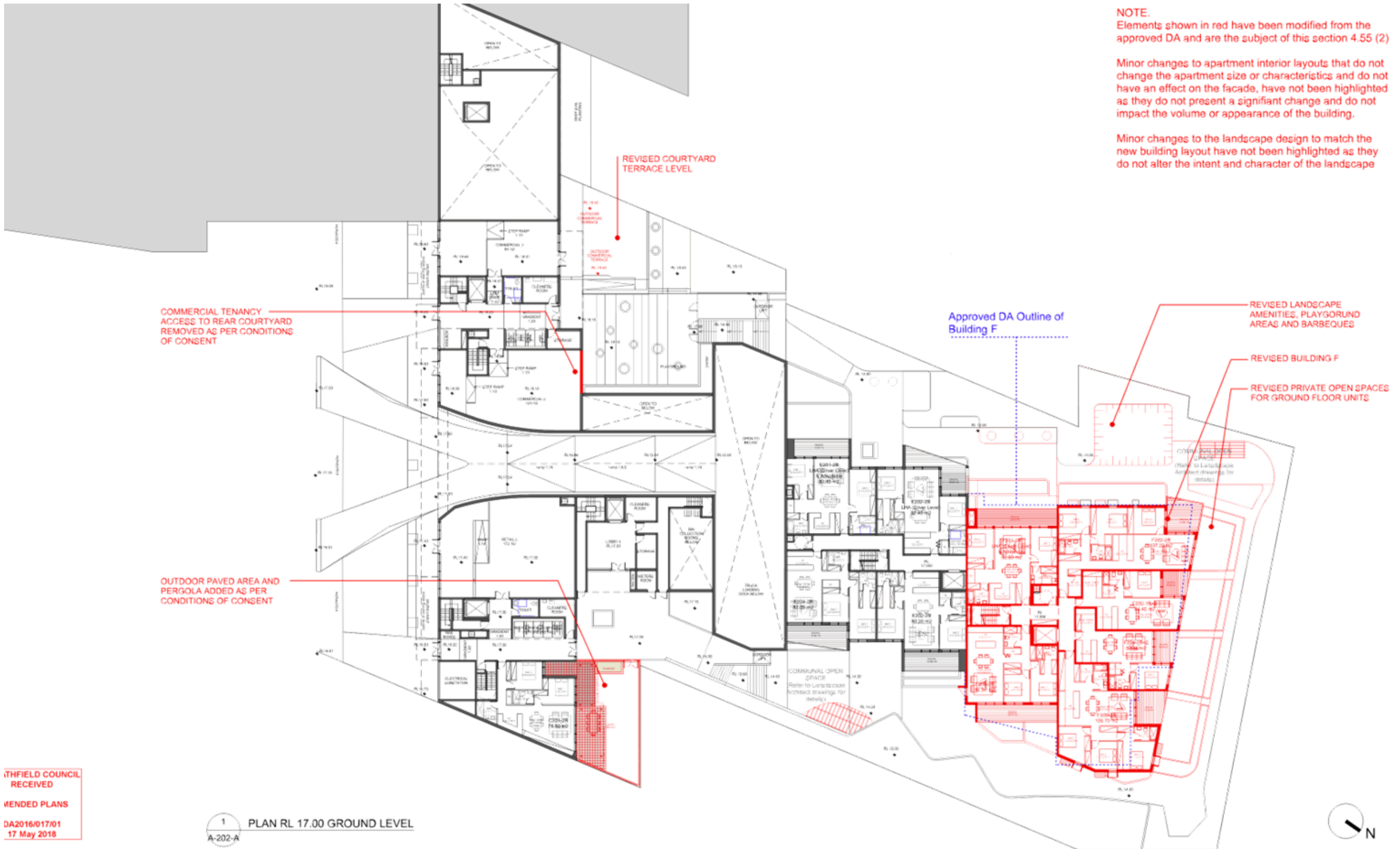
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DRAWING TITLE		
RL 14.00 - MODIFICATIONS PLAN		
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DRAWN	CHECKED	
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DATE	DESCRIPTION	



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1 PLAN RL 17.00 GROUND LEVEL
 A-202-A

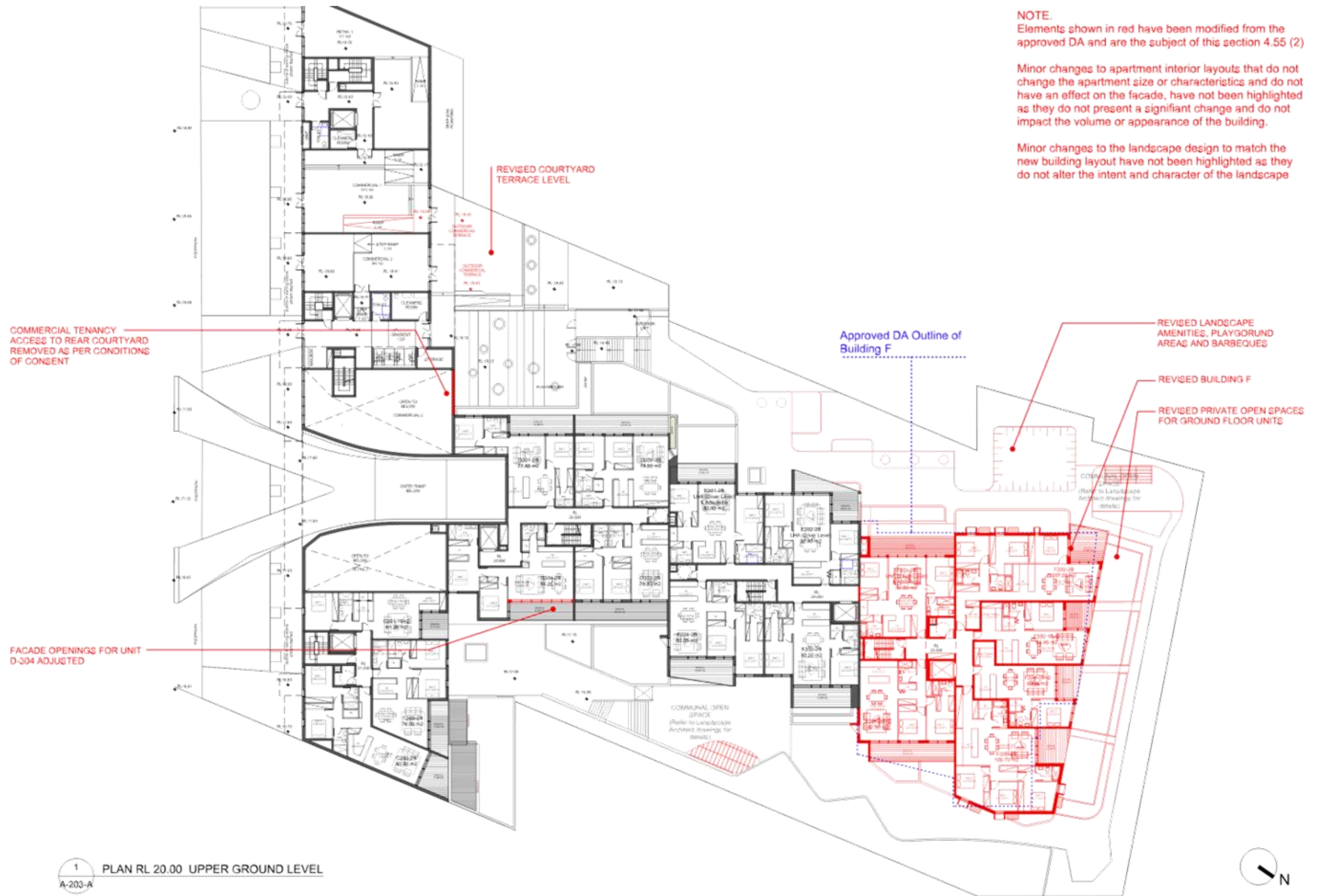
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DRAWING TITLE RL 17.00 - MODIFICATIONS PLAN		
PROJECT NO. 1719	SCALE 1:200 (A1)	DRAWING NO. A-202
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1 PLAN RL 20.00 UPPER GROUND LEVEL
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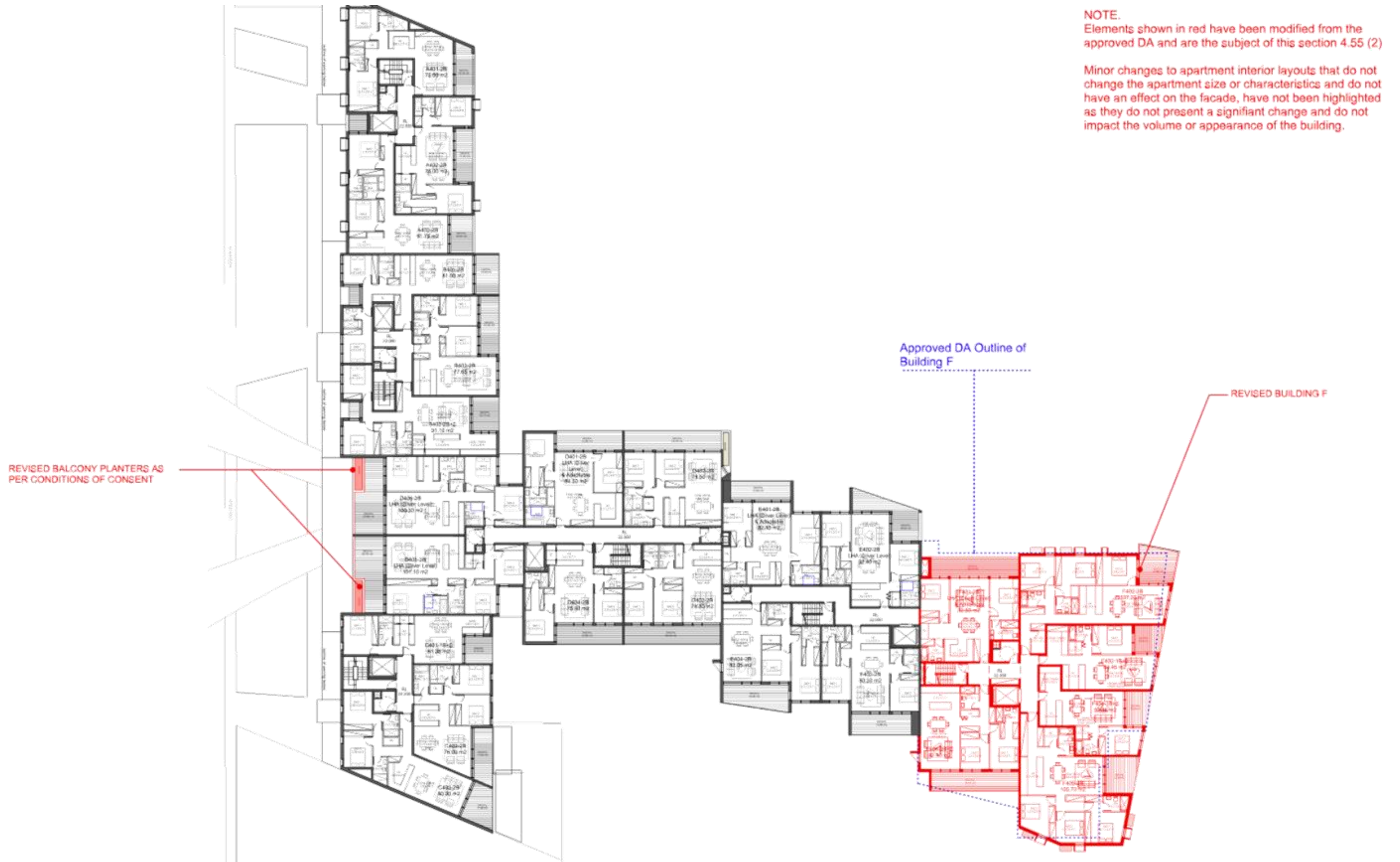
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1 PLAN RL 23.00 LEVEL 2
 A-204-A



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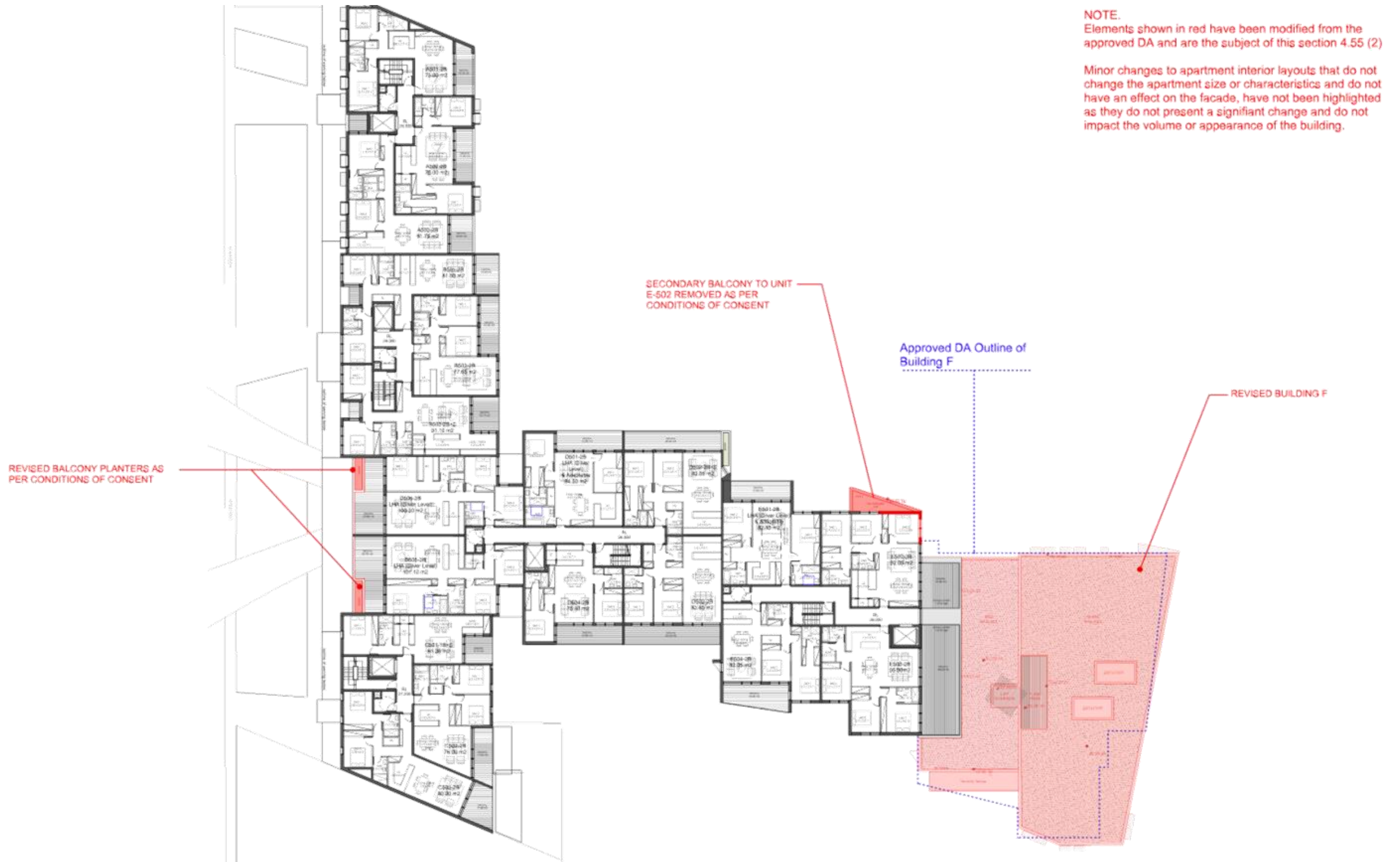
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SECTION 96 APPLICATION
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DRAWING TITLE		
RL 23.00 - MODIFICATIONS		
PLAN		
PROJECT NO.	SCALE	DRAWING NO.
1719	1:200 (A1)	A-204
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PG	RO	
PLATE	DEFORM	



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REVISED BALCONY PLANTERS AS PER CONDITIONS OF CONSENT

SECONDARY BALCONY TO UNIT E-502 REMOVED AS PER CONDITIONS OF CONSENT

Approved DA Outline of Building F

REVISED BUILDING F

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 AMENDED PLANS
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1 PLAN RL 26.00 LEVEL 3
 A-205-A



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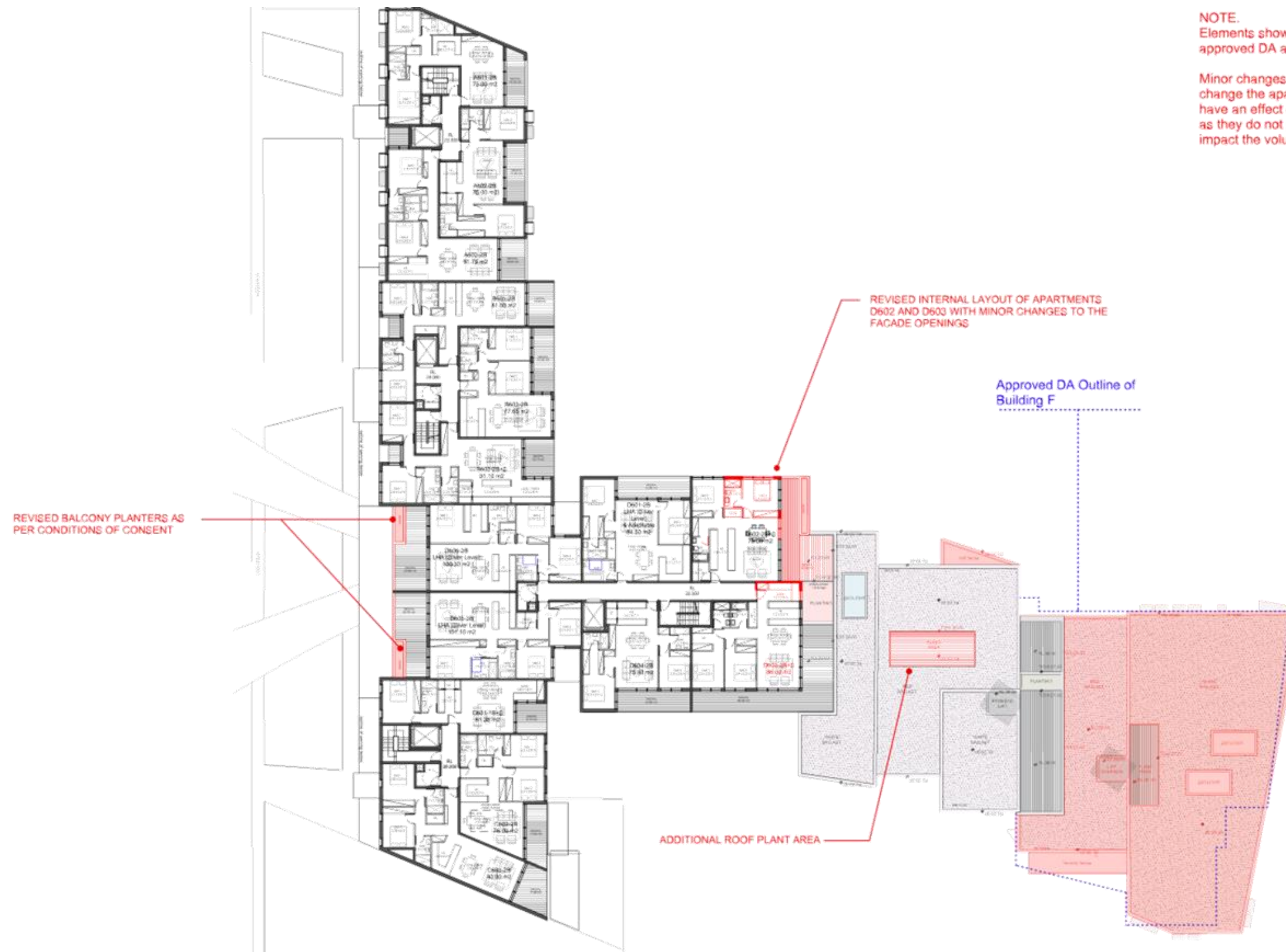
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REVISED BALCONY PLANTERS AS PER CONDITIONS OF CONSENT

REVISED INTERNAL LAYOUT OF APARTMENTS D602 AND D603 WITH MINOR CHANGES TO THE FACADE OPENINGS

Approved DA Outline of Building F

ADDITIONAL ROOF PLANT AREA

STRATHFIELD COUNCIL RECEIVED
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DA2016/017/01
17 May 2018

1 PLAN RL 29.00 LEVEL 4
A-206-A



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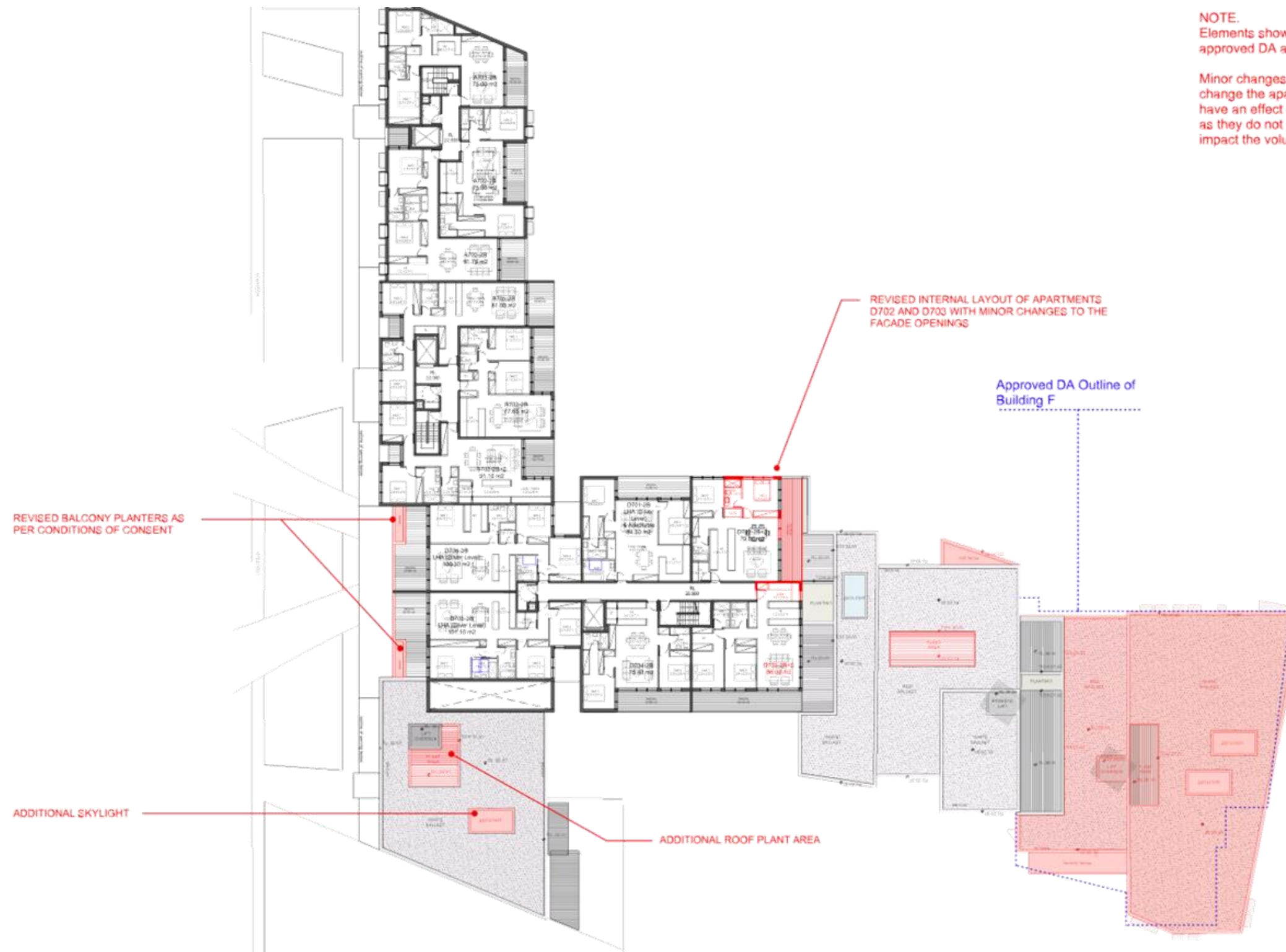
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ISSUE	DATE	DESCRIPTION
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27-35 PUNCHBOWL ROAD, BELFIELD.

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RL 29.00 - MODIFICATIONS		
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DRAWN	CHECKED	
PG	RO	
PLATE	DESCRIPTION	



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REVISED BALCONY PLANTERS AS PER CONDITIONS OF CONSENT

REVISED INTERNAL LAYOUT OF APARTMENTS D702 AND D703 WITH MINOR CHANGES TO THE FACADE OPENINGS

Approved DA Outline of Building F

ADDITIONAL SKYLIGHT

ADDITIONAL ROOF PLANT AREA

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1 PLAN RL 32.00 LEVEL 5
 A-207-A



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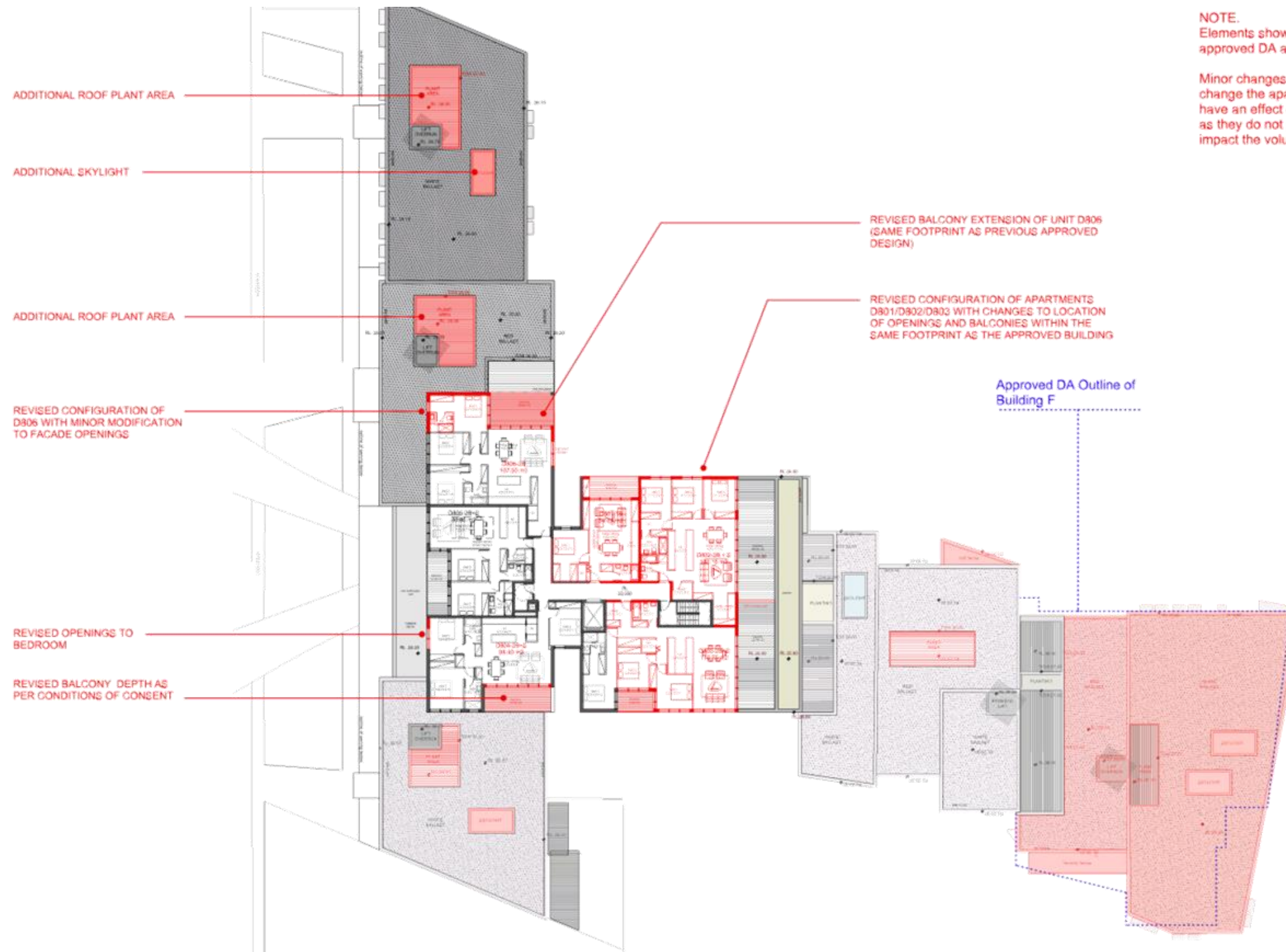
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ISSUE	DATE	DESCRIPTION
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DRAWING TITLE RL 32.00 - MODIFICATIONS PLAN		
PROJECT NO. 1719	SCALE 1:200 (A1)	DRAWING NO. A-207
DRAWN PG	CHECKED RO	
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1 PLAN RL 35.00 LEVEL 6
A-208-A



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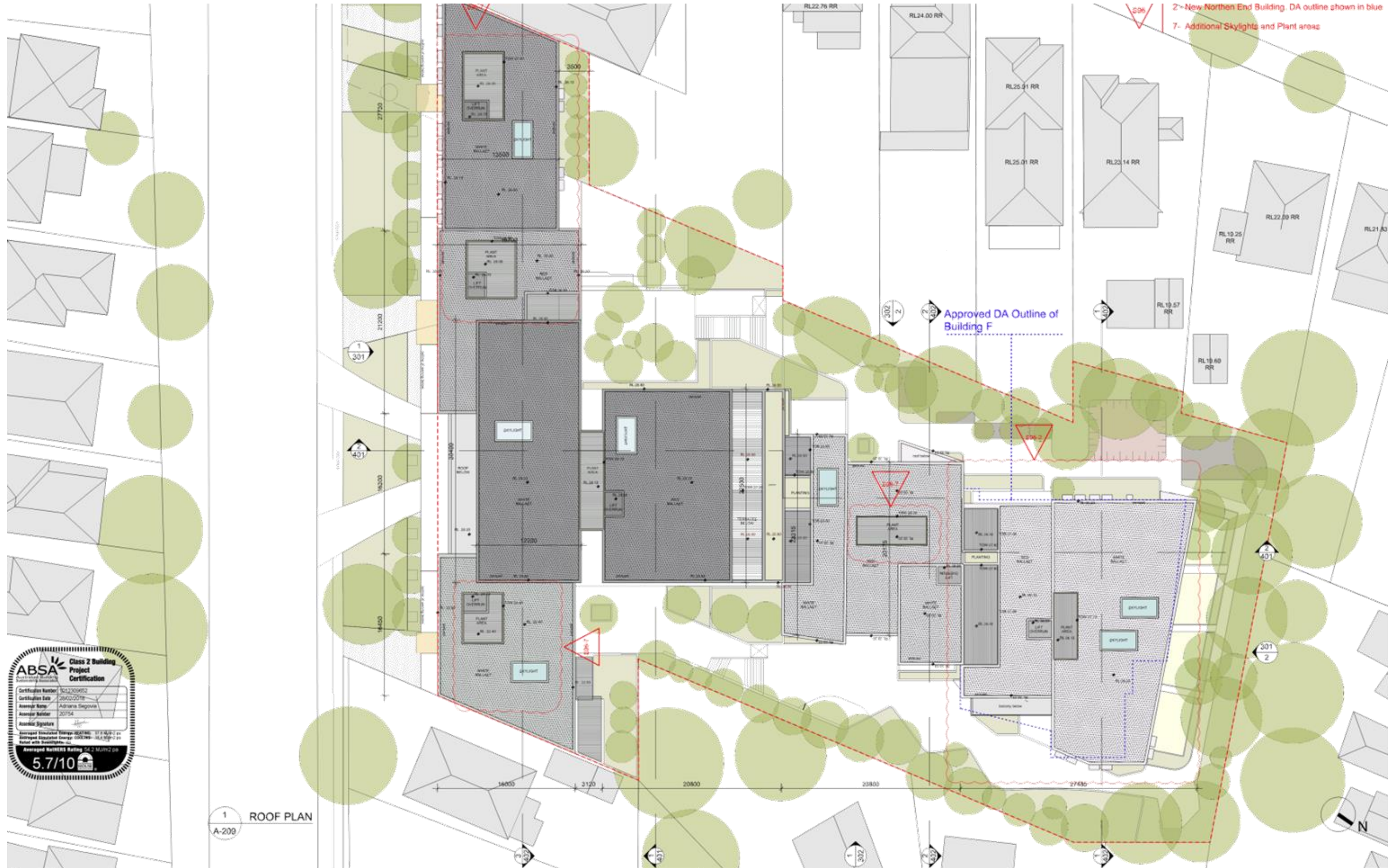
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DRAWING TITLE RL 35.00 - MODIFICATIONS PLAN		
PROJECT NO. 1719	SCALE 1:200 (A1)	DRAWING NO.
DRAWN PG	CHECKED RO	A-208
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1 ROOF PLAN
A-200

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3	28/2/18	SECTION 96 APPLICATION

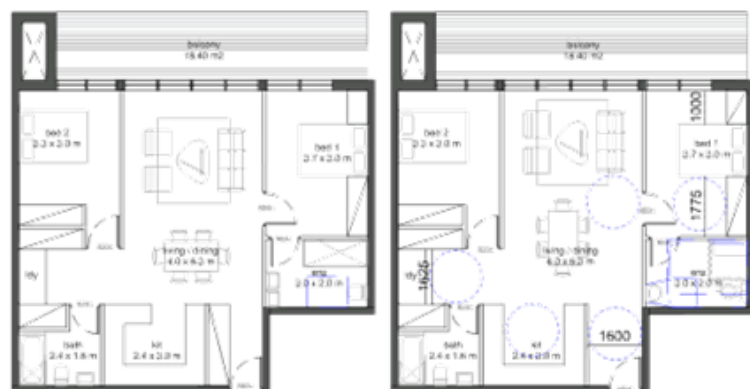
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SECTION 96 APPLICATION
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ADDRESS
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DRAWING TITLE		
ROOF PLAN		
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DA2016/017/01
7 March 2018

PRE-ADAPTATION

POST-ADAPTATION



1 ADAPTABLE UNITS F101 / F201 / F301 / F401
A-250

PRE-ADAPTATION

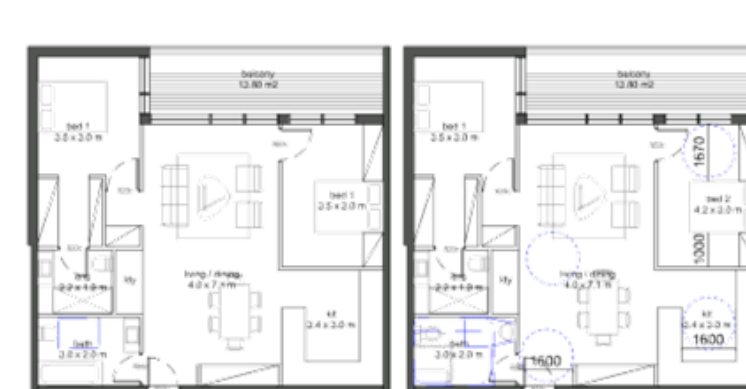
POST-ADAPTATION



2 ADAPTABLE UNITS E201 / E301 / E401 / E501
A-250

PRE-ADAPTATION

POST-ADAPTATION



3 ADAPTABLE UNITS D401 / D501 / D601 / D701
A-250

THE BUILDING HAS 12 ADAPTABLE
APRTMENTS OUT OF 115
(10 %)



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ADDRESS
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DRAWING TITLE ADAPTABLE APARTMENTS		
PROJECT NO.	SCALE	DRAWING NO.
1719	1:100 (RA1)	A-250
DRAWN	CHECKED	DATE
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1 SOUTH ELEVATION
A-301-A PUNCHBOWL ROAD



2 NORTH ELEVATION
A-301-A

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DA 2016/17
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DRAWING TITLE		
N-S ELEVATIONS DIAGRAM		
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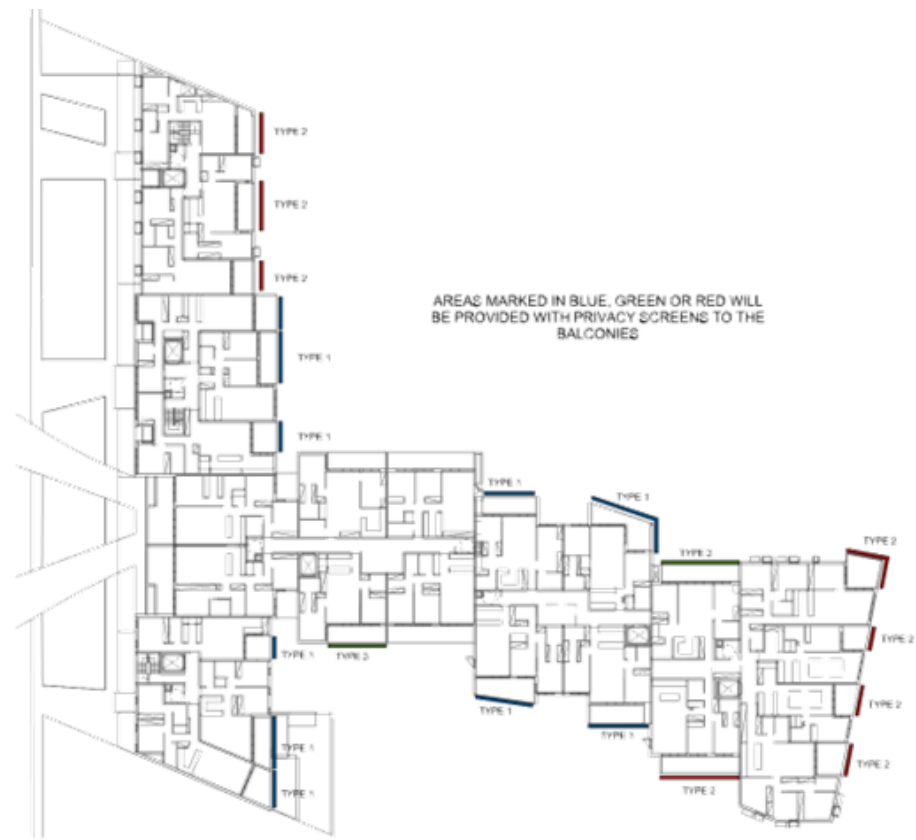
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DRAWING TITLE		
E-W ELEVATIONS DIAGRAM		
PROJECT NO. 1719	SCALE 1:200 (A1)	DRAWING NO.
DRAWN PG	CHECKED RO	A-302
DATE	DESCRIPTION	



5 PRIVACY SCREENS LOCATION - PLAN
A-310 1:400

S36 5- Addressed or superceded conditions of consent

- Condition of consent 8(c)
Privacy screens added to apartments D-304, D-434, D-504, D-604, D-704,
(formerly these apartments were labeled C)

An additional Type of privacy screen (Type 3) has been added to the design to match the metallic facade.



3 PRIVACY SCREENS LOCATION-ELEVATIONS
A-310 1:400

Olsson & Associates architects

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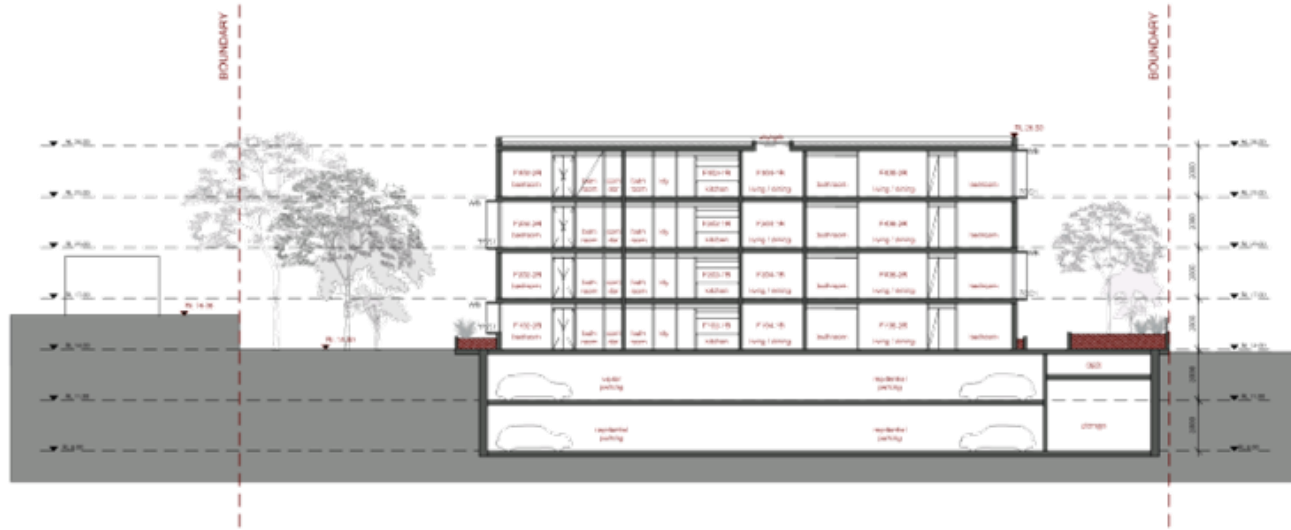
LEGEND

**STRATHFIELD COUNCIL
RECEIVED**
**DA2016/017/01
7 March 2018**

ISSUE	DATE	DESCRIPTION
1	22/11/17	FOR INFORMATION
2	19/12/17	FOR INFORMATION
3	28/2/18	SECTION 96 APPLICATION

PROJECT
SECTION 96 APPLICATION
DA 2016/17
MIXED USE DEVELOPMENT
ADDRESS
27-35 PUNCHBOWL ROAD, BELFIELD.

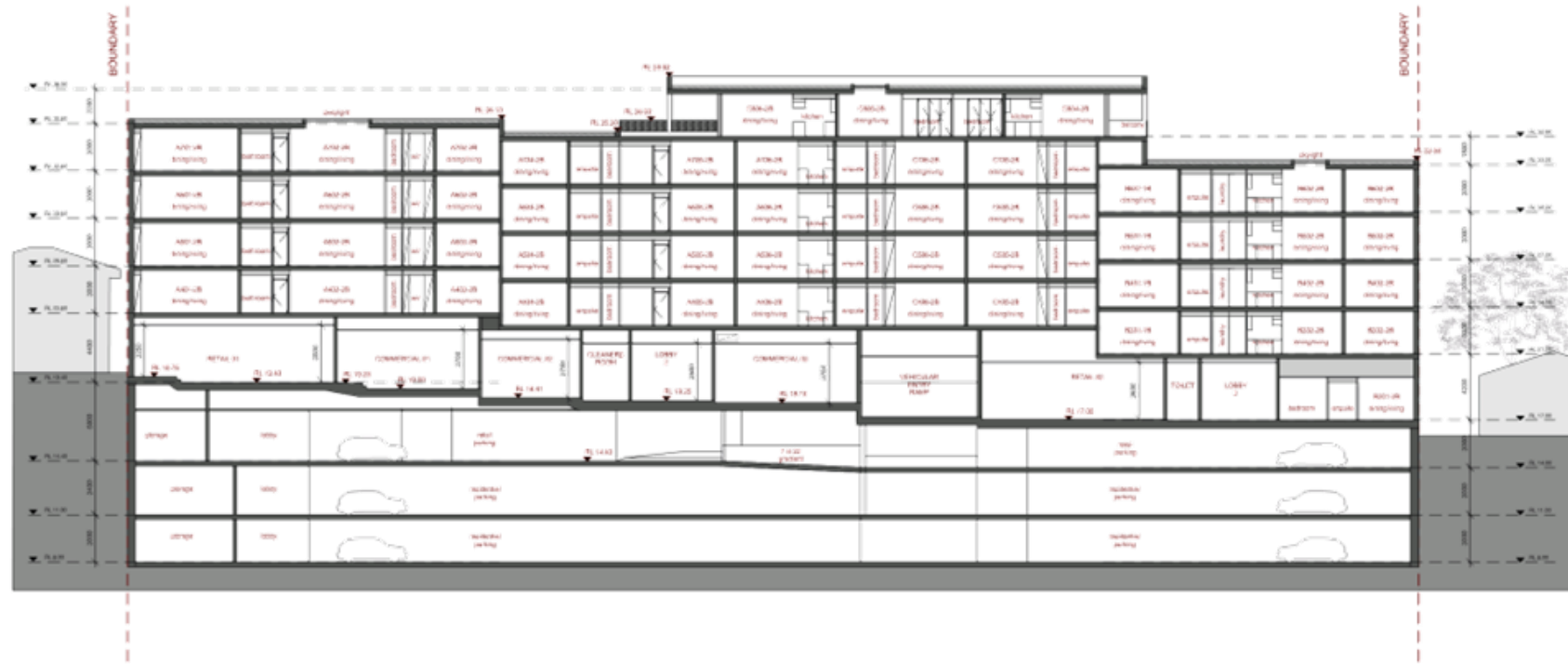
DRAWING TITLE PRIVACY SCREENS		
PROJECT NO. 1719	SCALE AS SHOWN	DRAWING NO. A-310
DRAWN PG	CHECKED RO	
DATE	DESCRIPTION	



1 E-W SECTION THROUGH BUILDING F
A-402



2 E-W SECTION THROUGH BUILDING E
A-402



3 E-W SECTION THROUGH BUILDINGS A/B/C/D
A-402



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DRAWING TITLE		
SECTIONS II		
PROJECT NO.	SCALE	DRAWING NO.
1719	1:200 (A1)	A-402
DRAWN	CHECKED	
PG	RO	
DATE	DESCRIPTION	

SCHEDULE OF MATERIALS AND FINISHES

CODE	DESCRIPTION	COLOUR / FINISH
BAL 1	BALUSTRADE	- POWDER COATED ALUMINIUM VERTICAL SHS BARS @ 150MM c/c INTERPON ROUGE YY285A
BAL 2	BALUSTRADE	- PERFORATED COLORBOND PANELS. COLOUR. SHALE GREY
BAL 3	BALUSTRADE	- TIMBER COMPOSITE CLADDING. PREMIUM OAK FINISH
CPL	IN SITU CONCRETE	- TEXTURED AND PIGMENTED CONCRETE FOR PLANTERS AND WALLS
FCC 1	FIBRE CEMENT CLADDING	- EQUITONE. STONE LIKE FINISH. DARK GREY. NATURA 281 OR SIMILAR
FSC1	FASCIA	- INTERPON PEARL WHITE YA278AE POWDER COATED STEEL PFC
FB	TERRACOTTA TILES	- ARGETON RED BROWN OR SIMILAR
GLZ 1	CLEAR GLASS FIXED/OPENABLE (RETAIL AND ENTRIES)	- ASTEROID YY371A POWDER COATED ALUMINIUM FRAME
GLZ 2	CLEAR GLASS OPENABLE WINDOW/DOOR	- ASTEROID YY371A POWDER COATED ALUMINIUM FRAME
GLZ 3	FROSTED GLASS OPENABLE WINDOW	- ASTEROID YY371A POWDER COATED ALUMINIUM FRAME
GT 1	ENTRY GATE	- FENCE GATE. TIMBER AND ALUMINIUM. FRAME AND FIXED LOUVRES INTERPON ROUGE YY285A / SILVER PEARL YY230A
LCD1	LIGHTWEIGHT CLADDING	- PAINT FINISH TO LIGHTWEIGHT CLADDING. COLOUR. DULUX TUSCAN SUNSET
LCD2	LIGHTWEIGHT CLADDING	- PAINT FINISH TO LIGHTWEIGHT CLADDING. COLOUR. DULUX SPANISH CREAM HALF
MCC1	METAL CLADDING	- ZINC. CHARCOAL. VM QUARTZ OR SIMILAR (GROUND FLOOR)
MCC2	METAL CLADDING	- COLORBOND. COLOUR. SHALE GREY
MCD	METAL CLADDED DOOR	- PERFORATED ALUMINIUM. NATURAL FINISH. BRASS FRAME
MCD 2	METAL CLADDED DOOR	- INTERPON ROUGE YY285A POWDER COATED ALUMINIUM. BRUSHED FINISH.
MA	METAL AWNING	- INTERPON PEARL WHITE YA278AE POWDER COATED ALUMINIUM
MA2	METAL AWNING ENTRIES	- METAL MESH/ FROSTED GLASS BOX POWDER COATED ALUMINIUM STICK NEST INTERPON ROUGE YY285A
PLF	PALISADE FENCE STEEL	- INTERPON PEARL WHITE POWDER COATED STEEL FLATS AT VARYING ANGLES
PR1	PAINTED RENDER TO EXTERIOR WALL	- MUROBOND "PURE". Acrylic Paint. PAINT COLOUR. TRAVERTINE
PS 1	PRIVACY SCREEN	- ALUMINIUM SILVER PEARL YY230A STRIPS ON INTERPON ROUGE YY285A POWDER COATED ALUMINIUM FRAME
PS 2	PRIVACY SCREEN	- PERFORATED TIMBER PANELS ON ASTEROID YY371A POWDER COATED ALUMINIUM FRAME
PS3	PRIVACY SCREEN	- SILVER PEARL YY230A POWDER COATED ALUMINIUM CHS ON ALUMINIUM FRAME
TCC1	COMPOSITE TIMBER CLADDING	- TIMBER COMPOSITE CLADDING. COLOUR PREMIUM OAK. FINISH. BRUSHED
WB	WINDOW BOX	- TIMBER CLAD BOX EXTERIOR. PREMIUM OAK. ALUMINIUM INTERIOR

COMPOSITE TIMBER CLADDING



TERRACOTTA TILE



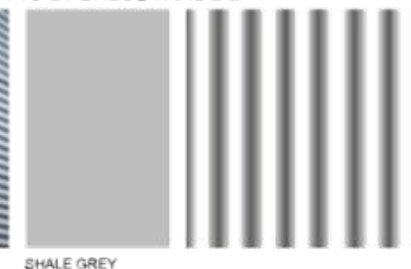
IN SITU CONCRETE



METAL CLADDING 1



METAL CLADDING 2 / BALUSTRADE 2



EXTERIOR RENDER FINISH



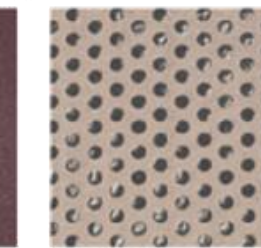
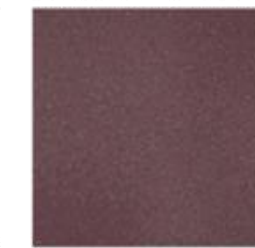
FIBRE CEMENT CLADDING



EQUITONE NATURA 281



SCREENS AND HILIGHTS



PALISADE



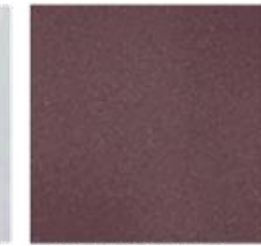
GLAZING SYSTEMS



METAL DOORS



BALUSTRADE



LIGHTWEIGHT CLADDING



BASIX Building Fabric Requirements

Please refer to BASIX Thermal Comfort Commitments by ESD Synergy



stipulated with Terracotta Tiles

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DRAWING TITLE
MATERIALS & FINISHES

PROJECT NO.	SCALE	DRAWING NO.
1719	NTS	A-50
DRAWN	CHECKED	DATE
PG	RO	



TO: Strathfield Local Planning Panel Meeting - 7 June 2018
REPORT: SLPP – Report No. 3
SUBJECT: DA2017/052/03 - MELVILLE COMMUNITY HALL
MELVILLE RESERVE HAMPSTEAD ROAD, HOMEBUSH WEST
LOT 8 - 14 AND PART LOT 7 IN DP 14766
DA NO. DA2017/052/03

SUMMARY

Proposal:	Section 4.55(1A) modification application involving minor internal and external modifications to approved community hall development.
Applicant:	Strathfield Council
Owner:	Strathfield Council
Date of lodgement:	14 March 2018
Notification period	23 March 2018 – 11 April 2018
Submissions received	Nil
Assessment officer:	SB
Zoning	RE1 – Public Recreation
Heritage:	Yes
Flood affected:	Yes
Is a Clause 4.6 variation proposed	No
RECOMMENDATION OF OFFICER:	APPROVAL

EXECUTIVE SUMMARY

- 1.0 On 4 May 2017, Council approved Development Application No. 2017/052 for a new Community Hall in Melville Reserve.
- 2.0 A Stage 1 Construction Certificate was issued on 26 September 2017 for excavation works, inground infrastructure including footings, stormwater drainage and construction of the ground floor slab associated with the construction of a new community hall. An additional Construction Certificate is required for the remainder of the development.
- 3.0 The current application seeks to modify Development Consent No. DA2017/052 under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*. The proposed modification seeks minor internal and external modifications to the approved community hall.
- 4.0 In accordance with Part L of the SCDCP 2005, the application was notified for a period of (21) days from 23 March 2018 to 11 April 2018. No submissions were received during this time.
- 5.0 The proposed modifications are considered minor in nature. The application is recommended for approval subject to conditions as it satisfies the relevant statutory planning controls and demonstrates good planning merit.

DA2017/052/03 - Melville Community Hall
 Melville Reserve Hampstead Road, Homebush West
 Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)

DESCRIPTION OF THE PROPOSED MODIFICATION(S)

The specific elements of the modification(s) sought are as follows:

Ground floor level:

- Addition of FHR cupboard, audio visual and communication room added;
- Revision of stage location;
- Increase in storage area, with additional internal doors added from hall to storage area;
- Revision the layout of the female toilet adjacent to the main hall;
- Provision of additional exit door added from workshop area to main hall;
- Revision of window elevations;
- Revision of window glazing;
- Removal of window glazing from window within the garbage room and storage area; and
- Review of material legend.

First floor level:

- Window glazing area revision;
- Window glazing removed;
- Reduction of canopy extent;
- Approved Workshop area changed to office space; and
- Revision of section location.

External Works:

- Reconfiguration of car parking space layout to accommodate:
- Increase in overall carpark spaces from (17) to (33) including two (2) accessible parking spaces;
- Provision of one (1) loading bay and bicycle storage area;
- Reconfiguration of landscaping to suit the additional proposed car parking spaces; and
- Increase in extent of tree removal to accommodate car parking spaces – Removal of (21) trees (number 74, 76-95) and retention of Tree 73 *Eucalyptus sideroxylon* and 75 *Corymbia maculata*.

SECTION 4.55(1A) OF THE EP&A ACT 1979

Section 4.55(1A) of the Environmental Planning and Assessment states as follows:

“4.55 Modifications of consents – generally

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact,

Comment: It is considered that the modification(s) sought as part of this application are of minimal environmental impact in terms of amenity impacts to neighbouring development and visual impacts to the streetscape.

**DA2017/052/03 - Melville Community Hall
Melville Reserve Hampstead Road, Homebush West
Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)**

- (b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all),*

Comment: Council is satisfied that the development, which the consent as modified relates, is substantially the same development for which consent was originally granted.

A comparative analysis of the approved development as modified was undertaken. The proposed use is not considered to change; the external building appearance in terms of bulk and scale as viewed from the adjoining properties and public domain and is not altered in a significant or readily discernible manner; and amenity impacts to neighbouring development in terms of privacy, views, solar access and overshadowing are substantially the same as that of the approved development. It is therefore considered, the development will result in essentially and materially the same development as that which was originally approved.

- (c) *it has notified the application in accordance with:*
- (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

Comment: The application has been notified in accordance with Part L of the SCDPC 2005.

- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comment: No written submissions were received during the notification period.

REFERRALS

INTERNAL REFERRALS

Heritage Comments

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

"The development is located on the southern side of the site and is separated from the heritage items located on the northwestern part of the site by a stormwater canal, which the heritage-listed bridge traverses. The modifications sought would not adversely affect the heritage significance of Melville Reserve, and the heritage listed dwelling house on Hampstead Road to the west of the site would not be affected by the proposed amendments. Proposal raises no issues regarding the LEP and DCP.

On balance the proposal can be supported on heritage grounds, with no special conditions required."

Council's Heritage Advisor offered no objections to the proposal.

Tree Officer Comments

Council's Tree Officer has commented on the proposed modifications as follows:

**DA2017/052/03 - Melville Community Hall
Melville Reserve Hampstead Road, Homebush West
Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)**

“Amendment of the proposed design (Site plan A0-03 revision 3) alters the carpark layout, and position of the pedestrian footpath to facilitate the retention of Tree 73 Eucalyptus sideroxylon previously approved for demolition and Tree 75 Corymbia maculata. The removal of twenty-one trees (numbers 74, 76-95) in accordance with the updated Tree identification Plan (appendix 8.2) is considered an acceptable outcome that is supported for submission in the s96 application”.

Council's Tree Officer offered no objections to the proposal.

SECTION 4.15 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 4.15C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the subject site. Clause 7(1)(a) of SEPP 55 states that an approval authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and if so, if it is suitable in its current state or after remediation, for the proposed development.

There are no known previous uses on the site that would have resulted in any contamination

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: This section 4.55(1A) modification application involves minimal environmental impact and satisfies the general aims of the SLEP 2012.

DA2017/052/03 - Melville Community Hall
 Melville Reserve Hampstead Road, Homebush West
 Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)

Permissibility

The site is zoned RE1 – Public Recreation pursuant to SLEP 2012. “Community Facility” is a permissible use with development consent in the zone.

The proposed modifications are consistent with the development type as approved.

Zone Objectives

An assessment of the proposal against the objectives of the RE1 Zone is included below

Objectives	Complies
➤ To enable land to be used for public open space or recreational purposes.	Yes
➤ To provide a range of recreational settings and activities and compatible land uses.	Yes
➤ To protect and enhance the natural environment for recreational purposes.	Yes

The modification(s) sought as part of this application are consistent with the objectives of the RE1 Public Recreation Zone.

Part 4: Principal development standards

The modification application seeks to amend the floor space of the approved development. It is noted that there are no building height or FSR provisions do not pertain to the land. However a merit assessment against FSR objectives has been undertaken below:

Clause 4.3 Height of building

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

Comments: The building height of 6.97m will remain unaffected by the proposed modifications.

Clause 4.4 Floor space ratio

Objectives	Complies
(a) <i>To ensure that dwellings are in keeping with the built form character of the local area</i>	Yes
(b) <i>To provide consistency in the bulk and scale of new dwellings in residential areas</i>	Yes
(c) <i>To minimise the impact of new development on the amenity of adjoining properties</i>	Yes
(d) <i>To minimise the impact of development on heritage conservation areas and heritage items</i>	Yes

Comments:

The proposed modifications result in a minor increase to the overall floor space of the development. The proposed modification results in an increase in gross floor area. The additional gross floor area is attributed to internal modifications. Articulation will still be achieved throughout

DA2017/052/03 - Melville Community Hall
 Melville Reserve Hampstead Road, Homebush West
 Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)

the development so as not to appear overly bulky and out of scale with neighbouring buildings when viewed from the street.

Part 5: Miscellaneous Provisions

5.10 Heritage Conservation

Council's Heritage Advisor provided comments regarding the proposed modifications to the community hall. No objections were raised given the development is located on the southern side of the site and is separated from the heritage items located northwest of the site, by a stormwater canal.

Part 6: Local Provisions

This modification application does not involve changes to the assessment of the original application against the relevant provisions contained within Part 6 of the SLEP 2012.

4.15(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.

4.15(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.

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
Cl. 1.11	Controls	Complies
(1)	A Statement of Heritage Impact is required for proposed development: <ol style="list-style-type: none"> affecting a heritage item; within a heritage conservation area; or in the vicinity of an item or heritage conservation area 	Yes
(2)	This statement must set out the heritage significance of the structure or place and assess the extent to which carrying out of the proposed development would affect the significance of the heritage item or heritage conservation area concerned and outline measures to minimise any identified impact	Yes

Comments:

**DA2017/052/03 - Melville Community Hall
Melville Reserve Hampstead Road, Homebush West
Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)**

The subject site is located in the vicinity of Melville Reserve, which contains three (3) WW1 Memorial Items of local heritage significance, which are listed under Schedule 5 of the SLEP 2012. The items include an Iron Gate, Fountain, and Bridge; which are all located within the portion of Melville Reserve located north-west of the stormwater canal.

The proposed modifications are not considered to detract from the significance of these listed items, having regard to the matters of consideration contained within Clause 5.10 of the SLEP 2012.

4.15(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 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.

Appropriate conditions are included on the original consent 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 site of the proposed development is identified in Council's Powells Creek Flood Study as being land that is flood prone from a main stream and subject to partial inundation in a 1 in 100 year flood event and full inundation in a probable maximum flood event (PMF). A condition of consent was imposed under the parent application for a flood study to be prepared prior to the issue of Construction Certificate. This will ensure appropriate floor levels and construction methods for flood protection are provided in the proposed development in accordance with Council's flood prone land policy and NSW Floodplain Development Manual, and taking into account the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

4.15(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

The proposed development is not considered to give rise to any adverse impacts including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

DA2017/052/03 - Melville Community Hall
Melville Reserve Hampstead Road, Homebush West
Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)

Streetscape

The proposed community building respects the height, scale, character, materials and architectural qualities of the surrounding neighbourhood, including that of the heritage items in the vicinity. It is unlikely that heritage structures in the reserve will be adversely impacted due to the separation distance between structures.

Tree Retention/Removal and Landscaping

Subject to the recommendations contained within the Tree Impact Assessment Report and updated Arboricultural Review, the modifications will maintain the landscaped setting of the public recreation area. The proposed building modifications retain openness and space between built elements by maintaining landscaped setbacks, which are consistent with the objectives of the RE1 Zone.

An updated Arboricultural Review conducted by Council's Tree Officer provided no objection to the removal of (21) trees – Trees (74,76-95) to accommodate for the layout of the amended car park. The amended design will allow for the retention of Tree 73 *Eucalyptus sideroxylon* previously approved for removal and Tree *Corymbia maculate*. Conditions of consent have been amended to ensure that the trees for retention remain protected throughout the construction and operation phases of the development.

Privacy Impacts

The proposed modifications are unlikely to result in any additional impacts relating to the visual and acoustic privacy of surrounding residential development and/or existing child care centre within the Reserve. The proposed modifications to the approved development maintains the existing public views and vistas and are considered to enhance the public domain, providing a development that will result in a high quality built form outcome.

Traffic Impacts

A Traffic Impact Assessment Report accompanied this application and concludes that the proposed on-site parking provision is sufficient to service the proposed community building and existing child care centre. It is expected that the Community hall will peak during weekends and evening hours, when the child care component will not operate. In this instance, the 33 parking spaces will be capable of being shared between the Child Care Centre and Community Hall. The report notes that while the existing driveway arrangement does not strictly satisfy the Australian Standard requirements, this is considered to be acceptable based on currently satisfactory operations.

Stormwater Matters

Council's Development Engineer has certified the submitted Stormwater Management Plan and confirmed that it is designed in accordance with Council's Stormwater Management Code. The stormwater runoff from all roof and paved surfaces will be collected and discharged by means of a gravity pipe system to a Sydney Water channel in accordance with the requirements of Sydney Water.

4.15(1)(c) the suitability of the site for the development

The approved development as modified by the current section 4.55(1A) application does not alter the suitability of the development to the site. The modification(s) sought as part of this application involve minimal environmental impact and will result in substantially the same development for which consent was originally granted.

DA2017/052/03 - Melville Community Hall
 Melville Reserve Hampstead Road, Homebush West
 Lot 8 - 14 and part lot 7 in DP 14766 (Cont'd)

4.15(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified for period of (21) days in accordance with Part L of the SCDCP 2005 and no submissions were received as a result.

4.15(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. The approved development as modified by the current modification application is not contrary to the public interest.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 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.”*

It is noted that a previous Section 96(1) Application was approved on 9 August 2017 to omit the Condition pertaining to monetary contributions. As such Section 7.11 contributions do not apply to this application.

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval.

RECOMMENDATION

Pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, the proposed modification(s) to Development Consent No. 2017/052 involving the modification application involving minor internal and external modifications to approved community hall development at Melville Reserve, Hampstead Road, Homebush West be **APPROVED**, subject to:

1. The original conditions of consent Application (DA2017/052) as approved by SIHAP on 4 May 2017 for a new Community hall in Melville Reserve.
 2. As modified by the Section 96(1A) Application (DA2017/052/01) as approved by Council on 23 June 2017 for Amendment of Condition DAG007 – Construction Hours
 3. As modified by the Section 96(1) Application (DA2017/052/02) as approved by Council on 9 August 2017 for Deletion of DACC051 – S94 Contributions.
- Amendment to Condition DAGC001
 - Amendment to Condition DAGC018

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- Amendment to Condition DAGC019

Accordingly, Development Consent No.2017/052/03 is approved as following:

SPECIAL CONDITIONS

DASP001 Flood Study

A flood study is to be prepared prior to issue of a construction certificate to ensure appropriate floor levels and building design / construction methods for flood protection are provided in the proposed development in accordance with Council's flood prone land policy and NSW Floodplain Development Manual, and taking into account the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

(Reason: To protect life and property from flood hazard.)

DASP002 Crime Prevention

A Crime Prevention Through Environmental Design Report is to be prepared by a suitably qualified person in consultation with NSW Police prior to issue of a construction certificate with measures recommended to maximise safety and security and minimise opportunities for crime in the detailed design and operation of development and on the site. The measures recommended in the report are to be implemented in construction certificate drawings.

(Reason: For safety and security in the development and on the site.)

DASP003 Sustainable development

A Sustainable Development Report is to be prepared by a suitably qualified person prior to issue of a construction certificate with measures recommended for energy efficiency, water conservation, waste management, and sustainable building materials in the detailed design and operation of the development. The measures recommended in the report are to be implemented in construction certificate drawings.

(Reason: For sustainable development.)

DASP004 Aboriginal archaeological heritage

In accordance with the National Parks and Wildlife Act 1974, if any Aboriginal objects are unearthed during construction all work must cease immediately and the NSW Office of Environment and heritage must be contacted for advice before any works re-commence. No Aboriginal objects may be harmed unless an Aboriginal Heritage Impact Permit has been issued.

(Reason: To conserve any Aboriginal archaeological objects on site.)

GENERAL CONDITIONS

DAGC001 Approved plans and reference documentation

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:

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Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/052: these would need to be updated?

Drawing No.	Title/Description	Prepared by	Revision Date	&	Date Received by Council
S96-0.02	Site Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-0.03	Parking Layout Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-0.04	Landscape Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-0.05	Stormwater Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-0.06	Sediment and Erosion Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-0.07	Waste Management Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-1.01	Ground Floor Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-1.02	First Floor Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-1.03	Roof Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-2.01	South West Elevation	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-2.02	North East and North Elevation	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-2.03	South East Elevation	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-2.04	North West Elevation	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-2.05	Streetscape Elevation	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-3.01	Section A-A	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-4.01	Material Sample Board	Strathfield Council	Rev.1 03.03.17	-	14 March 2018
S96-5.01	Notification Plan	Strathfield Council	Rev.1 03.03.17	-	14 March 2018

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No.2017/052:

Title / Description	Prepared by	Date
Statement of Environmental Effects	Strathfield Council	March 2018
Traffic Engineering Report	Strathfield Council	February 2018
Arboricultural Review	Strathfield Council – Tree Management Officer	February 2018

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

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the extent of any inconsistency.

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

DAGC007 Construction hours

With the exception of the 24th and 25th of June 2017, when works may be undertaken between 7.00am and 5:00pm on both days, no construction or any other work related activities shall be carried out on the site outside the hours of 7:00am to 5:00pm 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 and minimise potential conflict with adjoining land use)

DAGC011 Demolition (site safety fencing)

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.

(Reasons: Statutory requirement and health and safety)

DAGC018 Landscaping (trees permitted to be removed)

The trees numbered 14 to 26, 36, 40, 41, 48, 49, 59, 74, 76-95 in the Tree Assessment Report dated February 2018, prepared by Strathfield Council's Tree Management Officer submitted with the Development Application are permitted to be removed to accommodate the proposed development.

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 at least four trees shall be a minimum 500 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.

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

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- iv) 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)

DAGC019 Landscaping (tree preservation)

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 trees retained on-site shall be protected from adverse impacts of development by the establishment of Tree Protection Zones which will be fenced using 1.8 metre temporary site fencing or trunk and branch armouring as is appropriate for the situation; fencing is to be installed prior to the commencement of any works and maintained for the duration of the project.

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)

DAGC020 Landscaping (tree pruning permitted)

Pruning of the trees numbered 37,38, 39 and 42 in the Tree Assessment Report dated 07.04.2017 prepared by Strathfield Council's Tree Management Officer submitted with the Development Application is permitted.

No more than 10% of the entire crown is to be removed as part of this approval. The pruning shall not give the crown an unbalanced appearance. All pruning work must be undertaken by a minimum level 2 (AQF 3) qualified Arborist who is currently a member or eligible for membership to *Arboriculture Australia* (AA) or the *Tree Contractors Association Australia* (TCAA), in accordance with AS4373—*Pruning of Amenity Trees*.

(Reason: To ensure tree preservation and pruning is undertaken in accordance with AS4373:2007 – Pruning of amenity trees)

DAGC021 Lighting

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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DAGC022 Materials (external materials and reflectivity)

All external materials, colours and finishes including windows and doors and roofing materials must be of high quality and compatible with those of the surrounding streetscape and locality. All external materials and colours shall be of low glare and reflectivity. Details demonstrating compliance with this condition, shall be provided to the Principal Certifying Authority, prior to the issue of any Construction Certificate.

(Reason: To ensure a positive contribution to the streetscape and to minimise excessive glare and reflectivity)

DAGC023 Materials (schedule of external materials, finishes and colours)

The 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)

DAGC024 Principal certifying authority (PCA) identification sign

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)

DAGC027 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

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- 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 to the local area)

DAGC028 Stormwater management plan (certification requirement)

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 is not overloaded)

DAGC029 Sydney water (stamped plans prior to commencement)

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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)

DAGC030 Utilities and services (protection)

Construction plans must be approved by the appropriate utility's office 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 infrastructure assets)

DAGC031 Waste (trackable)

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

DACC001 Access (access for people with disabilities)

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)

DACC002 Access (disabled toilets)

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Plans and details of the disabled toilet/s complying with the relevant Australian Standards, the Building Code of Australia, 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)

DACC010 Building Code of Australia (compliance with)

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)

DACC012 Car parking (disabled car parking spaces)

Two (2) of the car parking spaces provided as part of the total requirement shall be reserved for disabled persons. These spaces shall be a minimum of 3.2m wide x 5.5m long and located near pedestrian access routes designed for disabled persons. Each space shall be clearly marked as such.

Car parking for people with disabilities shall be provided in accordance with the Building Code of Australia, relevant Australian Standards and with regard to the *Disability Discrimination Act 1992*. Prior to the issue of a Construction Certificate, the plans shall be notated to demonstrate compliance.

The above details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure adequate parking for persons with a disability)

DACC016 Car parking (compliance with AS/NZS 2890.1:2004)

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)

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DACC019 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)

DACC020 Construction and environmental management plan

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.
- (i) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- (ii) 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

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- or leaving the site; and
- details of drainage to protect and drain the site during works.
- (iii) 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)

DACC023 Driveway design (speed hump and stop sign on exit)

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The applicant shall install a stop sign and a speed hump at the exit from the site. The stop sign must be accompanied by the associated line marking and the speed hump shall be set back by 1.5 metres from the boundary alignment. The devices shall be designed and constructed in accordance with the provision of all relevant Australian Standards. The building plans shall indicate compliance with this requirement, prior to the issue of a Construction Certificate.

(Reason: Traffic safety and management)

DACC030 Fire safety schedule

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)

DACC038 Landscaping (maintenance strategy)

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)

DACC042 Noise and vibration management plan

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, 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

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- 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)

DACC053 Stormwater (rainwater re-use)

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)

DACC054 Stormwater (silt arrestors and gross pollutant traps)

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.

DACC058 Wastewater control

The applicant shall contact Sydney Water, to determine the requirements for the disposal of wastewater. 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)

DACC059 Works permit

A Works Permit shall be obtained from Strathfield Council at least five (5) working days prior any work (including demolition, excavation and the erection of site fencing/hording). The approved Works Permit and any approved Construction Traffic Management Plan must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed. The permit must be retained on site at all times.

DACC061 Traffic (construction traffic management plan)

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;

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- (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)

DACC062 Utilities and telecommunications (electricity connection)

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.

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

(Reason: Environmental amenity)

DACC067 Waste management plan

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)

DACC069 Waste (garbage rooms)

Garbage 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)

DACC070 Water sustainability (water sensitive urban design)

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

(Reason: To promote Water Sensitive Urban Design)

DACC072 Water heating systems (location of)

- i) Any water heating system 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)

DACC073 Works zone (approval by Council's traffic committee)

- ii) 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

DAPC001 Appointment of a principal certifying authority

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.

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.

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(Reason: Statutory requirement)

DAPC003 Notice of commencement

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 work

DADW001 Contaminated land unexpected finds

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)

DADW002 Fill material

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)

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DADW007 Public infrastructure and services

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)

DADW010 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

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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)

DAOC006 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 driveway and layback; and/or
- (v) any other civil works

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

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)

DAOC007 Fire safety (certification)

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.

iii)

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*.

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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)

DAOC011 Landscaping (Arborist's follow up report of tree/s to be retained)

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)

DAOC013 Occupation of building

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)

DAOC017 Stormwater (certification of the constructed drainage system)

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)

DAOC021 Ventilation system (mechanical)

Any mechanical ventilation system is to comply with the following:

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- (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.

At the completion of the installation of the mechanical exhaust ventilation system, a certificate from a practising mechanical engineer shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate demonstrating compliance with the above.

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

DAOC022 Ventilation systems (natural)

Any 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 premise

DAOU005 Deliveries

All deliveries must not occur before 7.00am or after 8.00pm weekdays and before 8.00am or after 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

(Reason: To control noise impacts)

DAOU006 Fire safety (annual statement)

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)

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DAOU011 Greywater (treatment systems)

Greywater must not be stored on the property unless within an approved greywater treatment system. Any greywater treatment system and associated reuse distribution system must:

- (i) comply with the Local Government (General) Regulation 2005 and Local Government Act 1993;
- (ii) comply with the NSW Code of Practice: Plumbing and Drainage 3rd Edition 2006;
- (iii) be accredited by the NSW Department of Health;
- (iv) installed by a licensed plumber; and
- (v) installed to prevent the incidence of cross-connection, overflow and backflow.

Additional requirements:

- (i) Sydney Water shall be notified in writing by the installing plumber that the system is in place. Written notification shall be in the form of 'as completed plans' (e.g. an amended sewer service diagram) or other documentation as required by Sydney Water;
- (ii) where the GTS is connected to internal fixtures for toilet flushing and washing machine use, a back-up water supply is required to ensure a constant water supply to all fixtures should the GTS fail; and
- (iii) Greywater must be contained within the property and not allowed to migrate onto neighbouring properties.

(Reason: Health and amenity)

DAOU013 Hours of operation

The hours of operation of the premises must (ie. Hours open for business) must not exceed the following, without the prior approval of Council:

<i>Days</i>	<i>Approved hours of operation</i>
Monday to Sunday (including public holidays)	7am – 10pm

(Reason: To ensure the business operates between the approved hours)

DAOU018 Noise (complaints relating to use)

The use of the premises shall comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2008.

Should substantiated complaints or breaches of noise regulations occur, a suitably qualified acoustic consultant shall be engaged by Council to measure noise emanating from the building/premises and to recommend appropriate action. The cost of such an appointment shall be borne by the operator/owner and any works recommended by the acoustic consultant shall also be borne by the operator/owner and carried out within a time frame set by Council.

(Reason: Noise control and amenity)

DAOU020 Noise (no amplified music)

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Music and other amplified sound played on the premises shall not give rise to offensive noise as defined under the provisions of the *Protection of the Environment Operations Act 1997*. The sound level output shall not exceed 5 dB(A) above the ambient background level at the received boundary.

Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

(Reason: Environmental amenity)

DAOU022 Noise (signage to patrons exiting the premises)

A clearly visible sign shall be permanently erected immediately adjacent to the entry/exit doors indicating that patrons are to leave in an orderly fashion and shall leave the vicinity of the premises in a manner that does not disturb the quiet and good order of the neighbourhood.

(Reason: Public interest)

DAOU025 Pollution (compliance with PEOA 1997 generally)

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*.

DAOU028 Security (management plan)

Management must ensure the implementation of a Security Management Plan which specifies security patrol, surveillance and other security and response methods and security management of the public domain within and surrounding the site.

(Reason: Amenity, health and safety)

DAOU037 Waste and recycling (collection hours)

The collection of waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

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

DAOU038 Waste (control of litter)

The occupant or person in control of the premises must take all practicable steps to ensure that the public area adjacent to the premises is maintained in a clean and tidy condition.

DAOU041 Waste (restricted times for bottle, can or garbage disposal)

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No bottle, can or garbage disposal shall take place between the hours of 8.00pm and 7.00am daily.

(Reason: Disturbance and public interest)

ATTACHMENTS

1. [↓](#) DA2017.052.03 - Architectural Plans - Melville Community Hall, Hampstead Road Homebush West

**S-96 APPLICATION
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD
HOMEBUSH WEST, 2140**

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14 March 2018

IMPORTANT NOTES:
Do not scale from drawings. All dimensions shall be checked on site before commencement of work. All discrepancies shall be brought to the attention of the Architect. Large scale drawings and notes dimensions take precedence. This drawing is copyright of the author, and must not be retained, copied or used without the express authority of STRATHFIELD COUNCIL.

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REVISION	DATE	DESCRIPTION	BY
1	2018 02 08	ISSUED FOR S-96 APPROVAL	PP

DRAWING LIST		
SHEET NO	TITLE	SCALE
S96-0.01	TITLE SHEET	NTS
S96-0.02	SITE PLAN	1:250 @A1 / 1:500@A3
S96-0.03	PARKING LAYOUT PLAN	1:200 @A1 / 1:400@A3
S96-0.04	LANDSCAPE PLAN	1:200 @A1 / 1:400@A3
S96-0.05	STORMWATER PLAN	1:200 @A1 / 1:400@A3
S96-0.06	SEDIMENT & EROSION PLAN	1:200 @A1 / 1:400@A3
S96-0.07	WASTE MANAGEMENT PLAN	1:200 @A1 / 1:400@A3
S96-1.01	GROUND FLOOR PLAN (S-96)	1:100 @A1 / 1:200@A3
S96-1.02	FIRST PLAN PLAN	1:100 @A1 / 1:200@A3
S96-1.03	ROOF PLAN	1:100 @A1 / 1:200@A3
S96-2.01	SOUTH EAST ELEVATION	1:100 @A1 / 1:200@A3
S96-2.02	NORTH WEST ELEVATION	1:100 @A1 / 1:200@A3
S96-2.03	SOUTH EAST ELEVATION	1:100 @A1 / 1:200@A3
S96-2.04	NORTH WEST ELEVATION	1:100 @A1 / 1:200@A3
S96-2.05	STREETSCAPE ELEVATION	1:150 @A1 / 1:300@A3
S96-3.01	SECTION A-A	1:100 @A1 / 1:200@A3
S96-4.01	MATERIAL SAMPLE BOARD	AS SHOWN
S96-5.01	NOTIFICATION PLAN	AS SHOWN



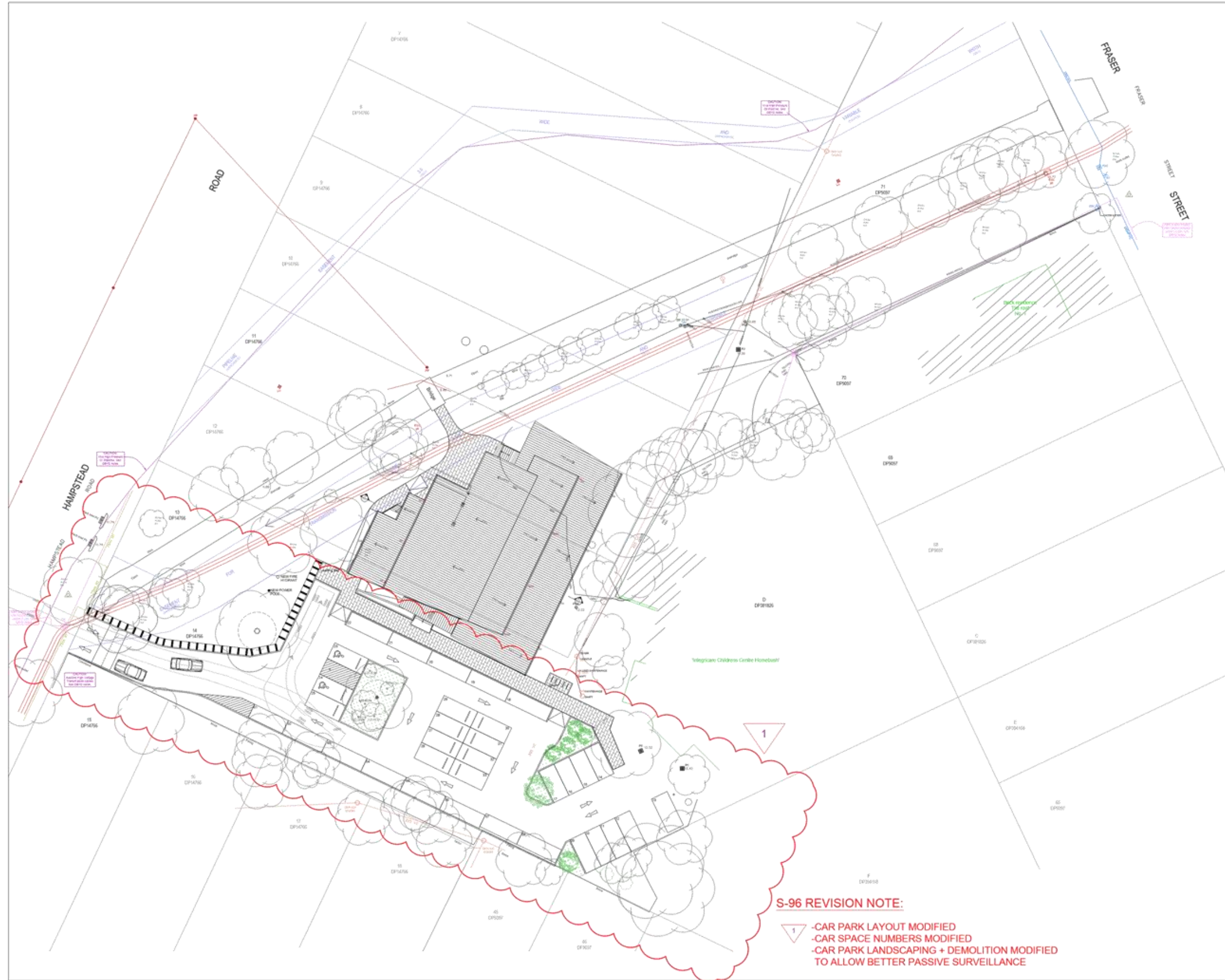
GENERAL NOTES:
Do not scale from drawings. Verify dimensions on site. Measurements in millimeters unless otherwise noted. Verify any discrepancies with the Project Manager. All works to comply with the Building Code of Australia (BCA) Australian Standards (SAA), Council Conditions & Planning Instruments & other relevant Statutory Authorities.

DEPARTMENT
INFRASTRUCTURE & PLANNING

PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD HOMEBUSH WEST 2040

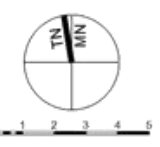
DRAWING TITLE
COVER SHEET

SCALE	DATE	DRAWN	CHECKED
NTS	03.03.17	WA/PP	PP
JOB	DRAWING	REVISION	
.	S96-0.01	1	



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1	2018 02 08	ISSUED FOR S-96 APPROVAL	PP

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14 March 2018



GENERAL NOTES:
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DEPARTMENT
INFRASTRUCTURE & PLANNING

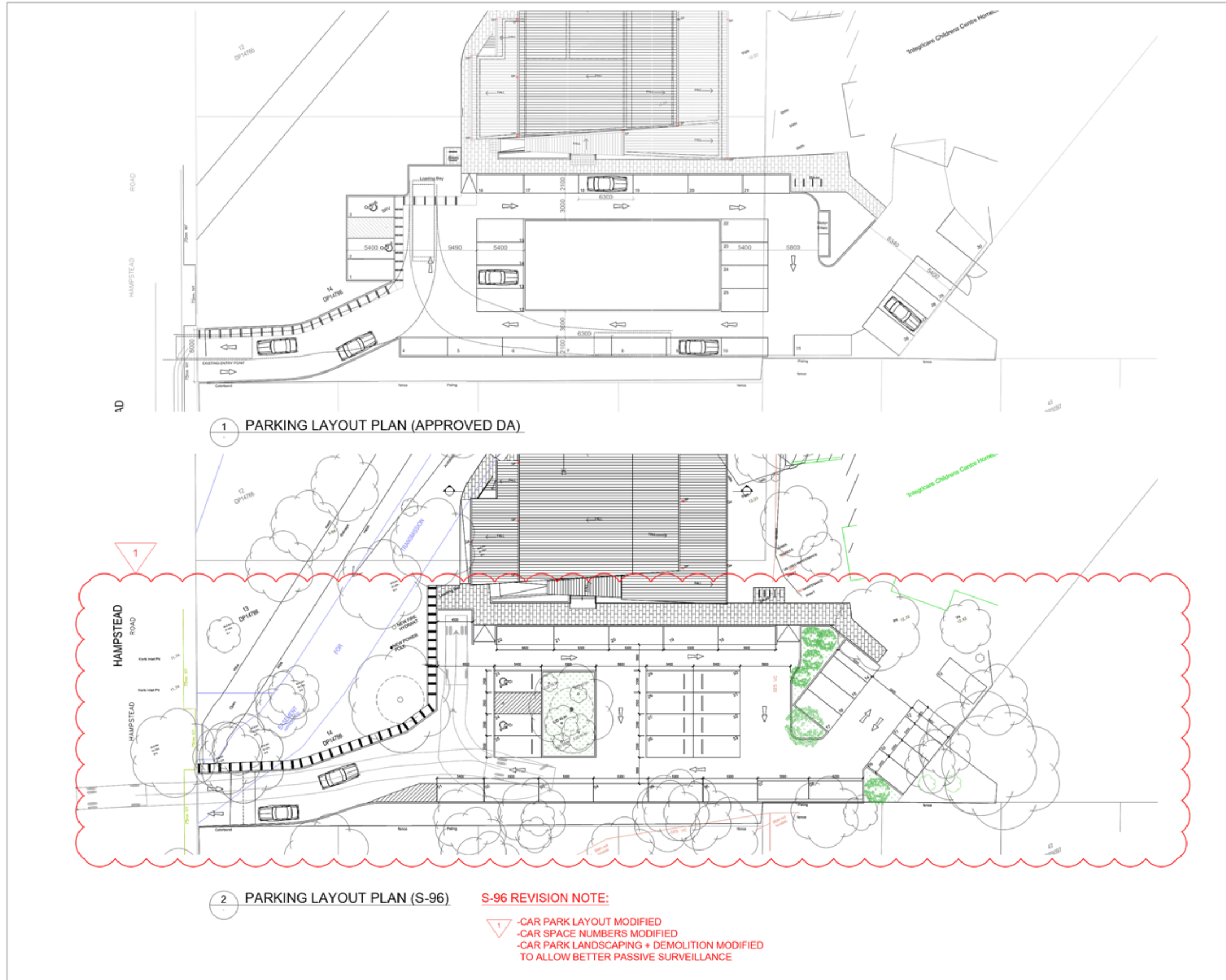
PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD, HOMEBUSH WEST 2040

DRAWING TITLE
SITE PLAN

SCALE	DATE	DRAWN	CHECKED
1:250 (B1)	03.03.17	WA/PP	PP
JOB	DRAWING	REVISION	
S96-0.02		1	

S-96 REVISION NOTE:

- 1 - CAR PARK LAYOUT MODIFIED
- CAR SPACE NUMBERS MODIFIED
- CAR PARK LANDSCAPING + DEMOLITION MODIFIED TO ALLOW BETTER PASSIVE SURVEILLANCE



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1	2016 02 08	ISSUED FOR S-96 APPROVAL	PP

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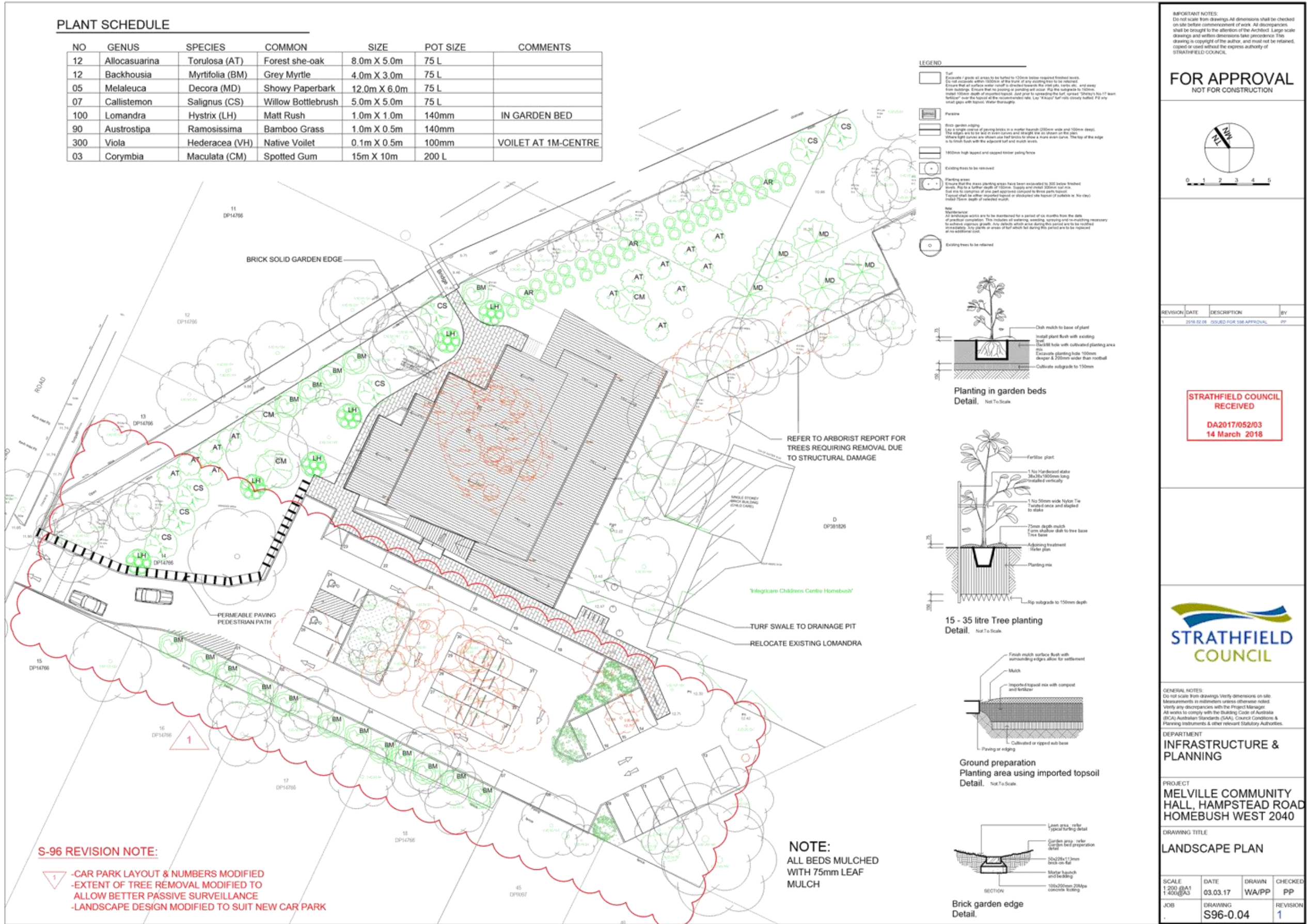
DEPARTMENT
INFRASTRUCTURE & PLANNING

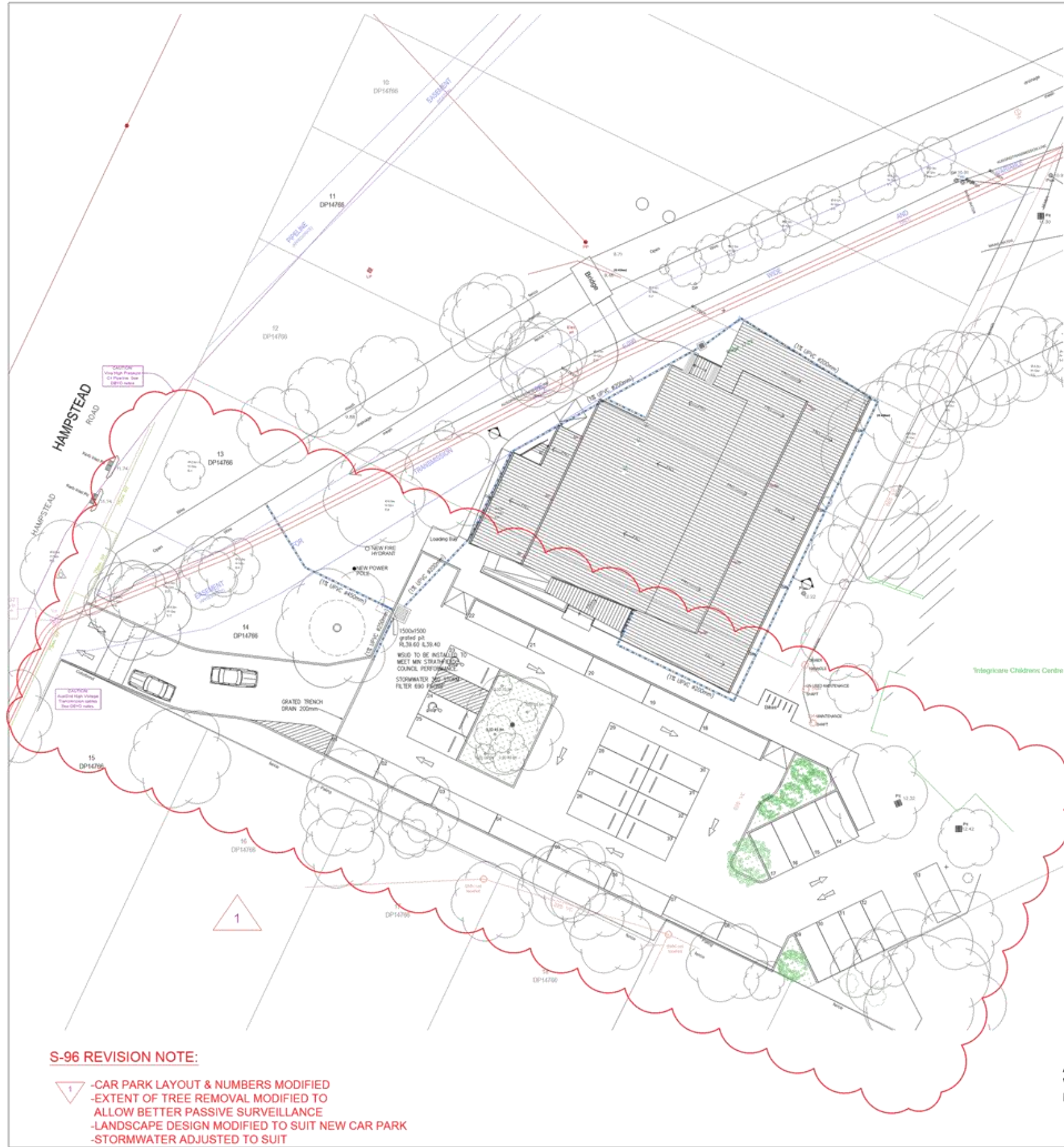
PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD, HOMEBUSH WEST 2040

DRAWING TITLE
PARKING LAYOUT PLAN

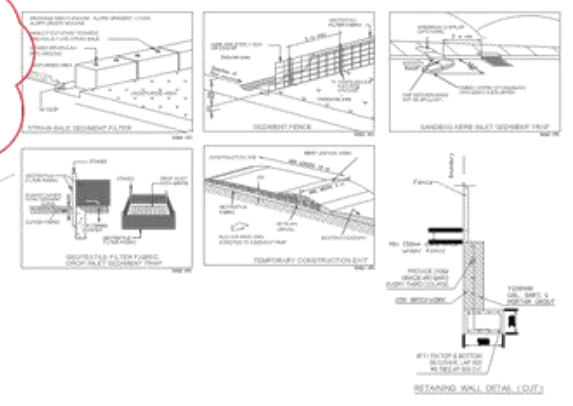
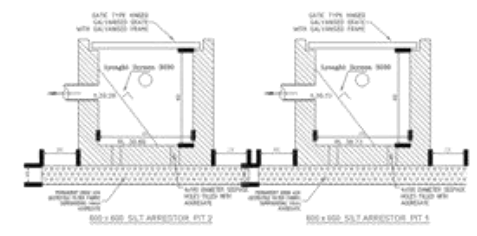
SCALE	DATE	DRAWN	CHECKED
1:200 (SAA) 1:200 (S-96)	03.03.17	WA/PP	PP

JOB	DRAWING	REVISION
S96-0.03	1	1





- NOTES**
1. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ARCHITECTURAL DRAWINGS, STRUCTURAL DRAWINGS AND THE SPECIFICATION.
 2. PRIOR TO COMMENCEMENT OF WORKS THE CONTRACTOR SHALL SATISFY HIMSELF OF THE CORRECT LOCATION OF EXISTING SERVICES WHETHER INDICATED OR NOT ON THE PLANS. ANY DAMAGE TO EXISTING SERVICES SHALL BE RECTIFIED AT THE CONTRACTORS EXPENSE.
 3. TRAFFIC MANAGEMENT MEASURES HAVE TO BE IMPLEMENTED AND MAINTAINED DURING CONSTRUCTION, ALL IN ACCORDANCE WITH COUNCIL'S REQUIREMENTS. THE CONTRACTOR SHALL MAINTAIN SAFE PEDESTRIAN ACCESS ALONG THE FOOTPATH.
 4. THE CONTRACTOR SHALL EFFECT TEMPORARY DRAINAGE MEASURES TO AVOID LOCALISED PONDING OF SURFACE RUN-OFF.
 5. REFER TO ARCHITECT'S DRAWINGS FOR ALL DETAILS (LEVELS, GRADING ETC.) OF DRIVEWAYS, CONCRETE AND PAVED AREAS, AND RETAINING WALL TYPES AND LOCATIONS.
 6. REFER TO LANDSCAPE ARCHITECT'S DRAWINGS FOR DETAILS AND EXTENT OF ALL LANDSCAPED AREAS.
 7. ALL SWD PIPES ARE UPVC AT 1.0% MINIMUM GRADE (UNO).
 8. SWD PITS CAN BE PRE-CAST SIZED AS FOLLOWS:
450mm SQ. UP TO 600mm DEEP
600mm SQ. UP TO 1000mm DEEP
 9. ALL PITS LOCATED IN TRAFFICABLE AREAS, (IE. DRIVEWAYS) TO HAVE MEDIUM DUTY GRATED COVERS SUITABLE FOR WITHSTANDING LOADS ASSOCIATED WITH SMALL TRUCKS.
 10. PROVIDE STEP IRONS TO ALL PITS GREATER THAN 1.2m DEEP.
 11. THE CONTRACTOR SHALL IMPLEMENT ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO COMMENCEMENT OF WORKS.
 12. TOPSOIL SHALL BE STRIPPED ON STOCKPILED OUTSIDE HAZARDOUS AREAS SUCH AS DRAINAGE LINES. THIS TOPSOIL IS TO BE RESPREAD LATER ON AREAS TO BE REVEGETATED.
 13. THE CONTRACTOR SHALL REGULARLY MAINTAIN ALL SEDIMENT AND EROSION CONTROL DEVICES AND REMOVE ACCUMULATED SILT FROM SUCH DEVICES. ALL SILT REMOVED SHALL BE DISPOSED OF AS DIRECTED BY THE SUPERINTENDENT. THE PERIOD FOR MAINTAINING THESE DEVICES SHALL BE AT LEAST UNTIL ALL DISTURBED AREAS ARE REVEGETATED AND FURTHER AS MAY BE DIRECTED BY THE SUPERINTENDENT OR COUNCIL.
 14. THE CONTRACTOR SHALL MAINTAIN DUST CONTROL UNTIL FINAL COMPLETION OF WORKS.



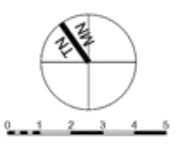
S-96 REVISION NOTE:

1 - CAR PARK LAYOUT & NUMBERS MODIFIED
 - EXTENT OF TREE REMOVAL MODIFIED TO ALLOW BETTER PASSIVE SURVEILLANCE
 - LANDSCAPE DESIGN MODIFIED TO SUIT NEW CAR PARK
 - STORMWATER ADJUSTED TO SUIT

NOTE:
 ALL BEDS MULCHED WITH 75mm LEAF MULCH

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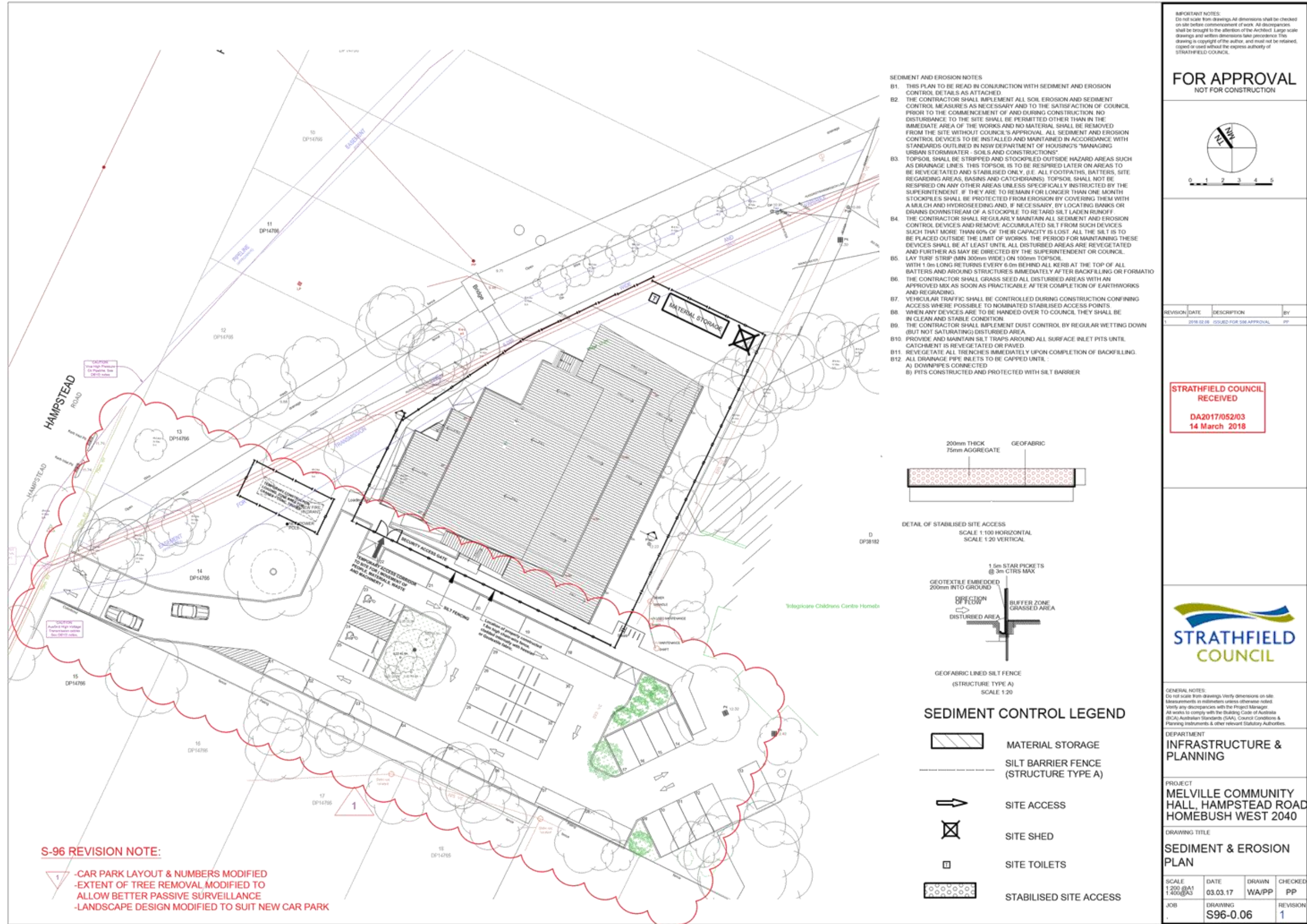
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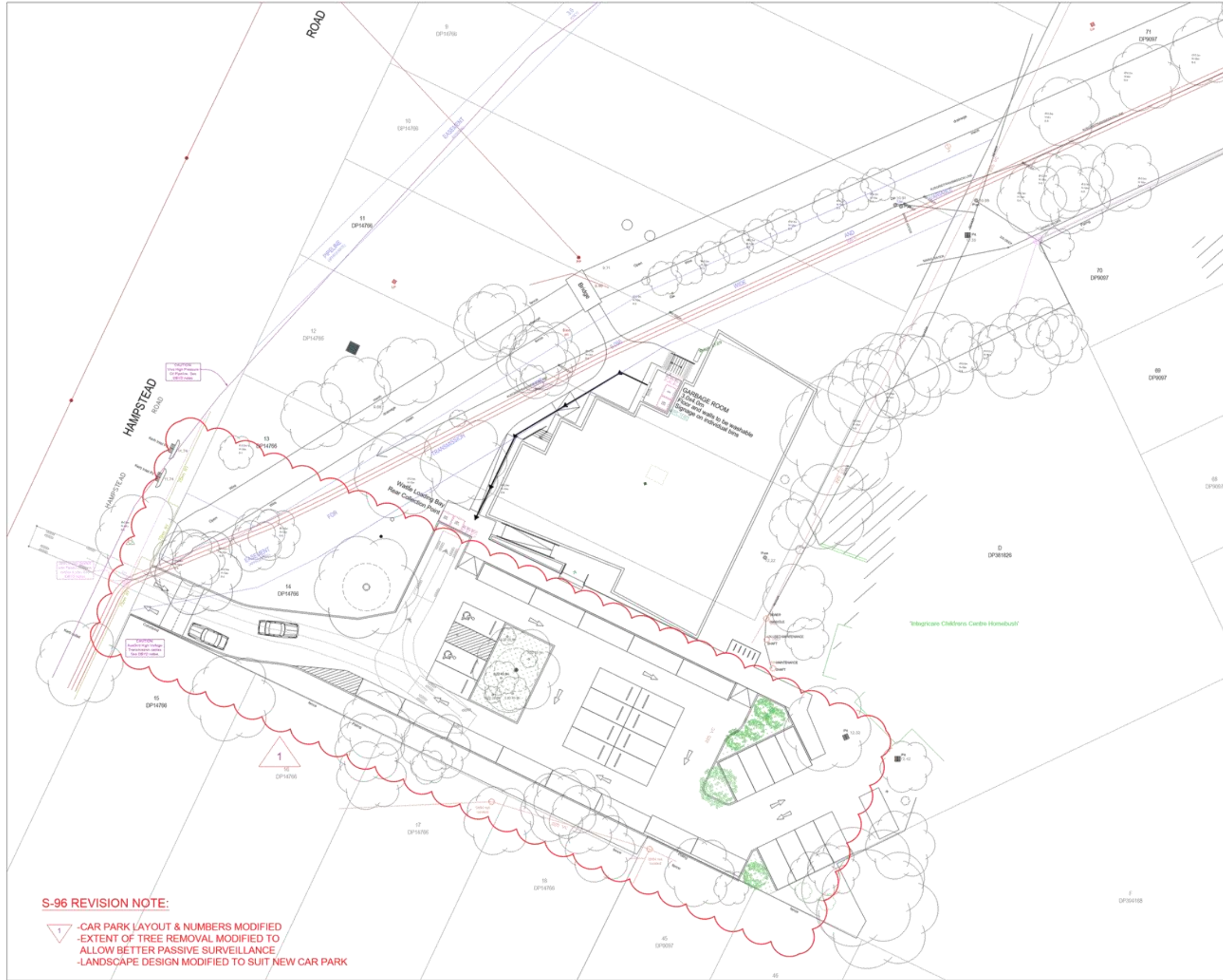
DEPARTMENT
 INFRASTRUCTURE & PLANNING

PROJECT
 MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD, HOMEBUSH WEST 2040

DRAWING TITLE
 STORMWATER PLAN

SCALE	DATE	DRAWN	CHECKED
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JOB	DRAWING	REVISION	
S96-0.05		1	



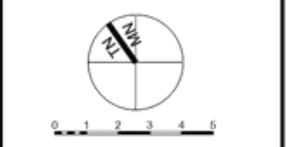


S-96 REVISION NOTE:

1 - CAR PARK LAYOUT & NUMBERS MODIFIED
 - EXTENT OF TREE REMOVAL MODIFIED TO ALLOW BETTER PASSIVE SURVEILLANCE
 - LANDSCAPE DESIGN MODIFIED TO SUIT NEW CAR PARK

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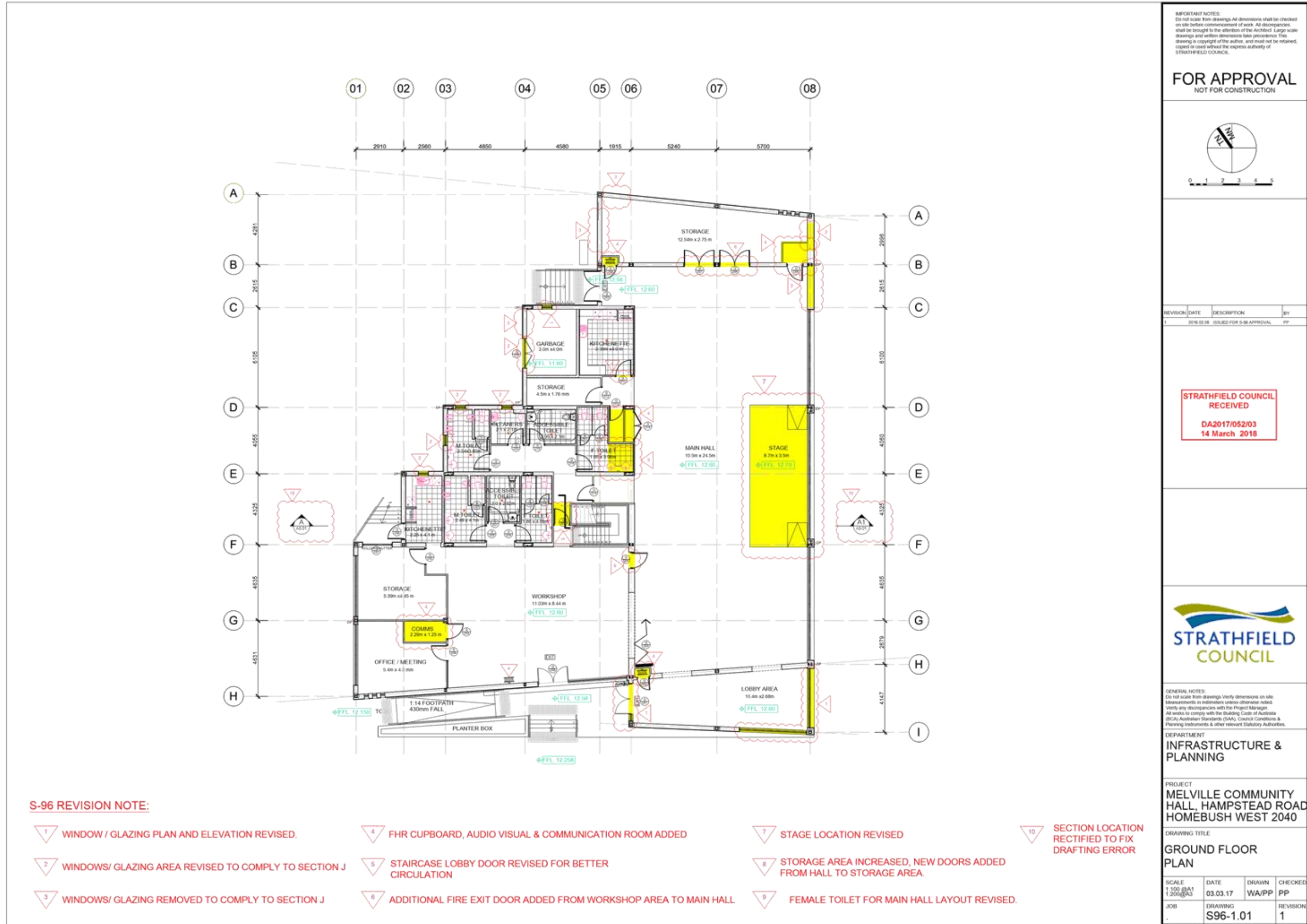
GENERAL NOTES:
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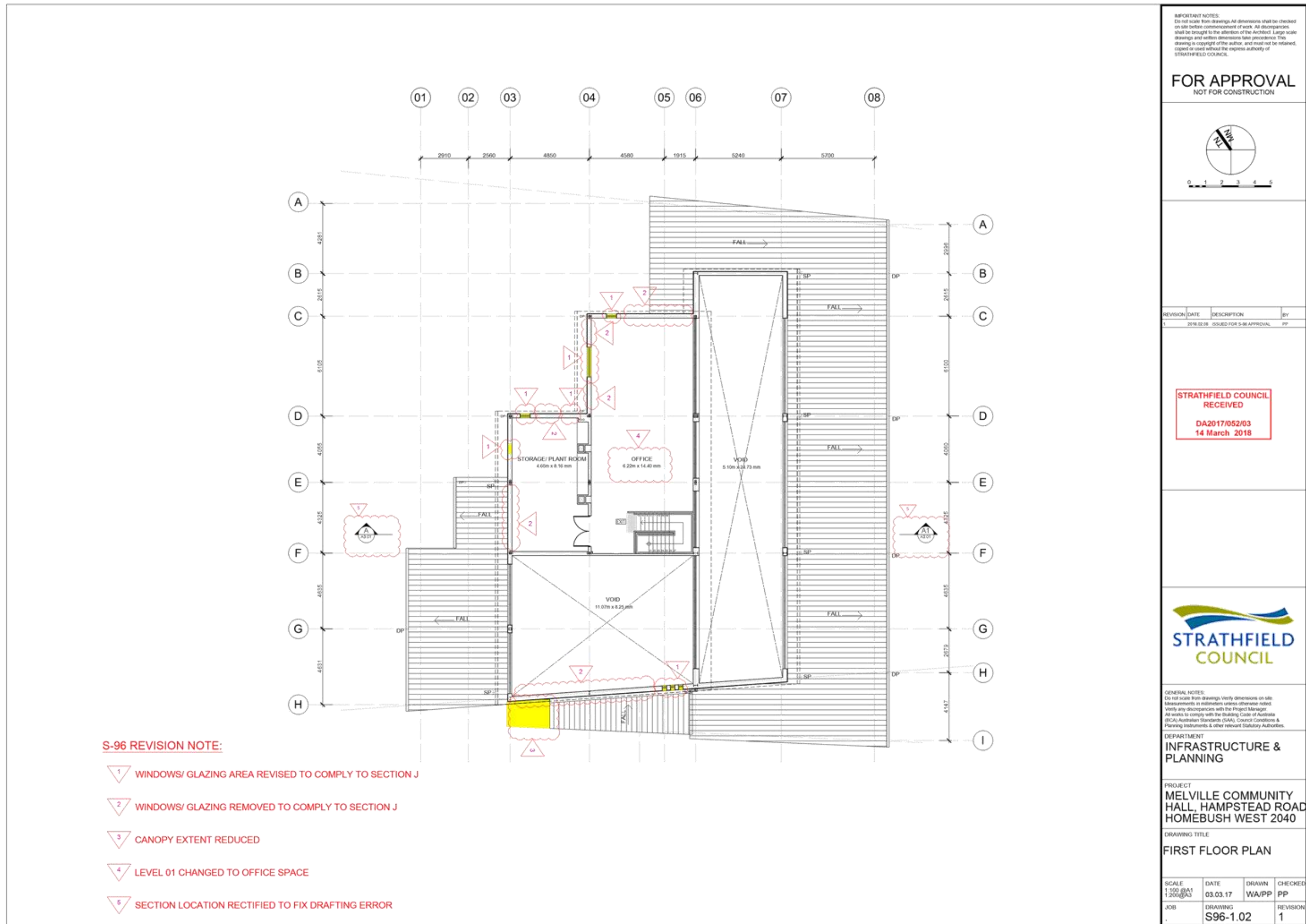
DEPARTMENT
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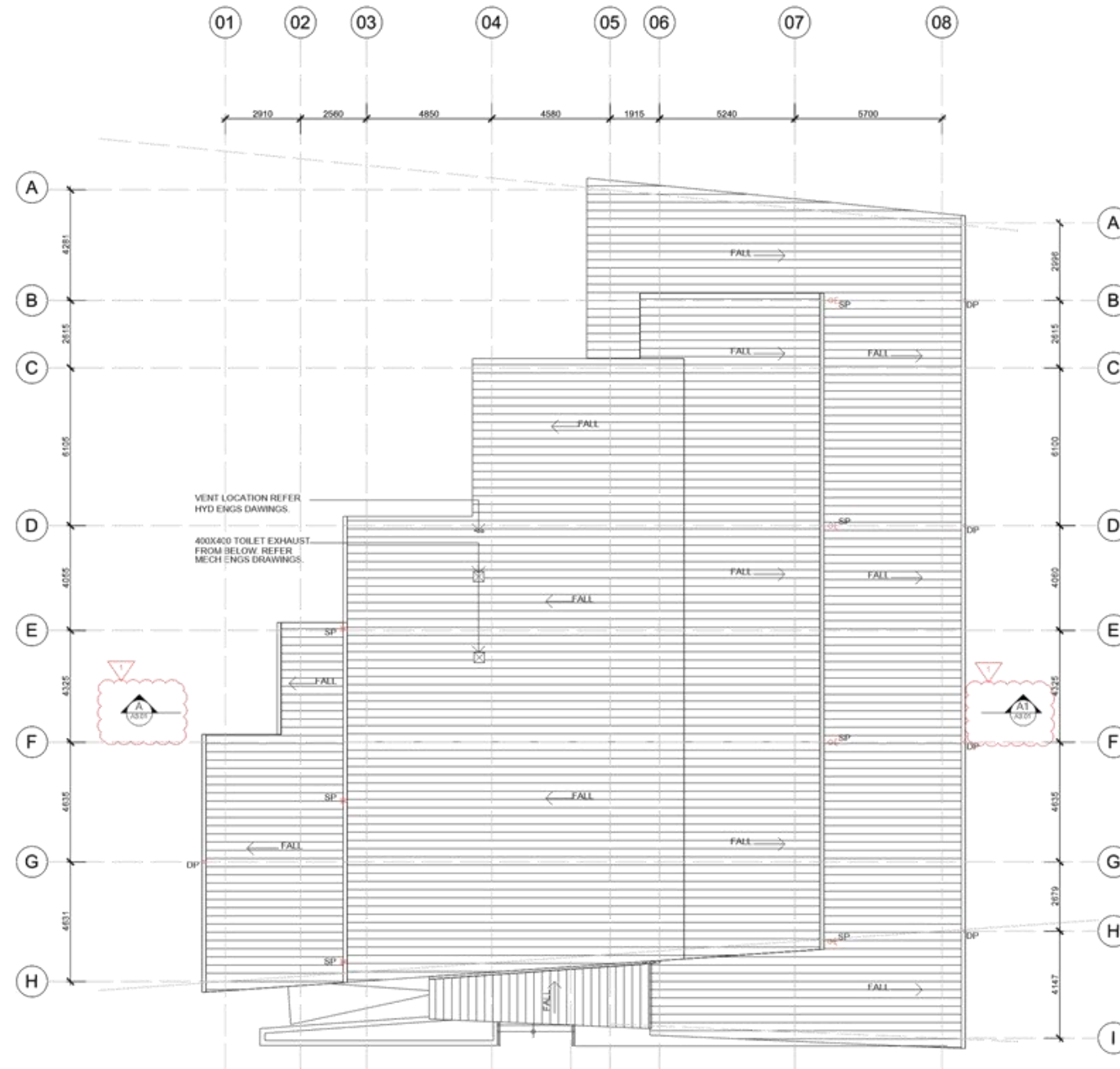
PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD, HOMEBUSH WEST 2040

DRAWING TITLE
WASTE MANAGEMENT PLAN

SCALE	DATE	DRAWN	CHECKED
1:200 (SAA) 1:200 (S96)	03.03.17	WA/PP	PP
JOB	DRAWING	REVISION	
S96-0.07		1	







S-96 REVISION NOTE:

SECTION LOCATION RECTIFIED TO FIX DRAFTING ERROR

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PROJECT
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DRAWING TITLE
ROOF PLAN

SCALE	DATE	DRAWN	CHECKED
1:100 @A1 1:200 @A3	03.03.17	WA/PP	PP
JOB	DRAWING	REVISION	
S96-1.03	1		

1 SOUTH WEST ELEVATION (APPROVED DA)

MATERIAL LEGEND (DA)	
CR: CEMENT RENDER	MS: COLORBOND SEPSA METAL SHUTTER
TF: ALUMINUM FRAMED BRONZE ANODIZED FINISH	BG: COLORBOND DARK SEPSA FINISH EAVES GUTTER DP
KS: COLORBOND KING SPAN	SS: STAINLESS STEEL HANDRAILS

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PROJECT
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DRAWING TITLE
SOUTH WEST ELEVATION

SCALE	DATE	DRAWN	CHECKED
1:150 @A1 1:200 @A3	03.03.17	WA/PP	PP

JOB	DRAWING	REVISION
S96-2.01	1	1

2 SOUTH WEST ELEVATION (S-96)

MATERIAL LEGEND (S-96)	
CA: ALUMINUM CLAD CANOPY (COLOUR) MONUMENT	FW: FIXED LOUVERED ALUMINUM (COLOUR) MONUMENT WINDOW
CD: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT DOOR	KS: KING SPAN ROOF
CW: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT WINDOW	MP: FIXED ALUMINUM (COLOUR) MONUMENT PANEL
DP: COLORBOND (COLOUR) MONUMENT, EAVES GUTTER DOWNPIPE AND FASCIA	OW: OPERABLE CLEAR GLASS LOUVERED(COLOUR) MONUMENT WINDOW
FD: FIXED LOUVERED ALUMINUM(COLOUR) MONUMENT DOOR	RS: COLORBOND (COLOUR) MONUMENT ROLLER SHUTTER
FC: PRE FINISHED FC SHEET CLADDING, VITRAPANEL OR SIMILAR	SS: STAINLESS STEEL HANDRAILS

S-96 REVISION NOTE:

- 1 WINDOW / GLAZING PLAN AND ELEVATION REVISED.
- 2 WINDOWS/ GLAZING REMOVED TO COMPLY TO SECTION J.
- 3 CANOPY PLAN AND ELEVATION REVISED.
- 4 MATERIAL LEGEND (S-96) REVISED.

1 NORTH EAST ELEVATION (APPROVED DA)

MATERIAL LEGEND (DA)	
CR: CEMENT RENDER	MS: COLORBOND SEPIA METAL SHUTTER
TF: ALUMINUM THERMO-BRAKE WINDOW FRAME	BG: COLORBOND DADA SEPIA EMBOS SALES CHITTED PE

2 NORTH EAST ELEVATION (S-96)

MATERIAL LEGEND (S-96)	
CA: ALUMINUM CLAD CANOPY (COLOUR) MONUMENT	FW: FIXED LOUVERED ALUMINUM (COLOUR) MONUMENT WINDOW
CD: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT DOOR	KS: KING SPAN ROOF
CW: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT WINDOW	MP: FIXED ALUMINUM (COLOUR) MONUMENT PANEL
DP: COLORBOND (COLOUR) MONUMENT, EAVES GUTTER DOWNPIPE AND FASCA	OW: OPERABLE CLEAR GLASS LOUVERED(COLOUR) MONUMENT WINDOW
FD: FIXED LOUVERED ALUMINUM(COLOUR) MONUMENT DOOR	RS: COLORBOND (COLOUR) MONUMENT ROLLER SHUTTER
FC: PRE FINISHED FC SHEET CLADDING, VITRAPANEL OR SIMILAR	SS: STAINLESS STEEL HANDRAILS

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INFRASTRUCTURE & PLANNING

PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD HOME BUSH WEST 2040

DRAWING TITLE
NORTH EAST ELEVATION

SCALE	DATE	DRAWN	CHECKED
1:100 @A1 1:200 @A3	03.03.17	WA/PP	PP

JOB	DRAWING	REVISION
.	S96-2.02	1

S-96 REVISION NOTE:

- ▽ 1 WINDOWS/ GLAZING AREA REVISED TO COMPLY TO SECTION J.
- ▽ 2 WINDOWS/ GLAZING REMOVED TO COMPLY TO SECTION J.
- ▽ 3 MATERIAL LEGEND (S-96) REVISED.



1 SOUTH EAST ELEVATION (APPROVED DA)

MATERIAL LEGEND (DA)	
CR CEMENT RENDER	MS COLORBOND SEPIA METAL SHUTTER
TF ALUMINUM FRAMED BRONZE ANODIZED FINISH	BG COLORBOND DARK SEPIA FINISH, EAVES GUTTER DP
KS COLORBOND KING SPAN	SS STAINLESS STEEL HANDRAILS



1 SOUTH EAST ELEVATION (S-96)

MATERIAL LEGEND (S-96)	
CA: ALUMINUM CLAD CANOPY (COLOUR) MONUMENT	FW: FIXED LOUVERED ALUMINUM (COLOUR) MONUMENT WINDOW
CD: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT DOOR	KS: KING SPAN ROOF
CW: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT WINDOW	MP: FIXED ALUMINUM (COLOUR) MONUMENT PANEL
DP: COLORBOND (COLOUR) MONUMENT, EAVES GUTTER DOWNPIPE AND FASCIA	OW: OPERABLE CLEAR GLASS LOUVERED(COLOUR) MONUMENT WINDOW
FD: FIXED LOUVERED ALUMINUM(COLOUR) MONUMENT DOOR	RS: COLORBOND (COLOUR) MONUMENT ROLLER SHUTTER
FC: PRE FINISHED FC SHEET CLADDING, VITRAPANEL OR SIMILAR	SS: STAINLESS STEEL HANDRAILS

S-96 REVISION NOTE:

- 1 WINDOWS/ GLAZING AREA REVISED TO COMPLY TO SECTION J.
- 2 WINDOWS/ GLAZING REMOVED TO COMPLY TO SECTION J.
- 3 MINOR DRAFTING DISCREPANCIES ADJUSTED.
- 4 WINDOW / GLAZING PLAN AND ELEVATION REVISED.
- 5 MATERIAL LEGEND (S-96) REVISED.

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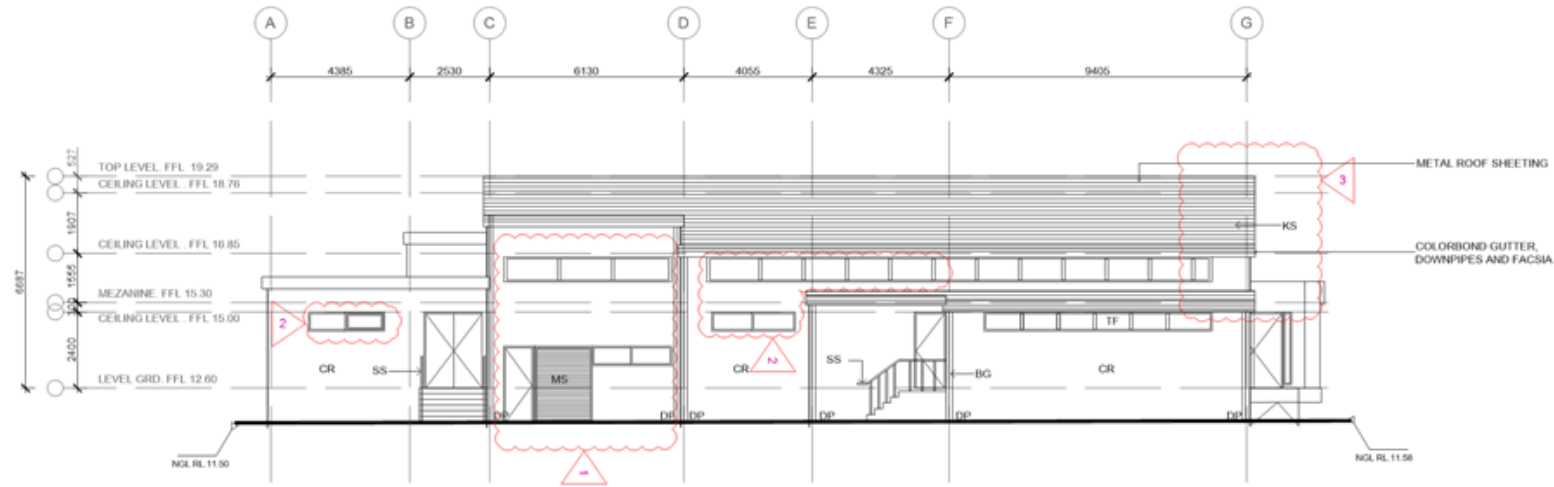
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INFRASTRUCTURE & PLANNING

PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD HOMEBUSH WEST 2040

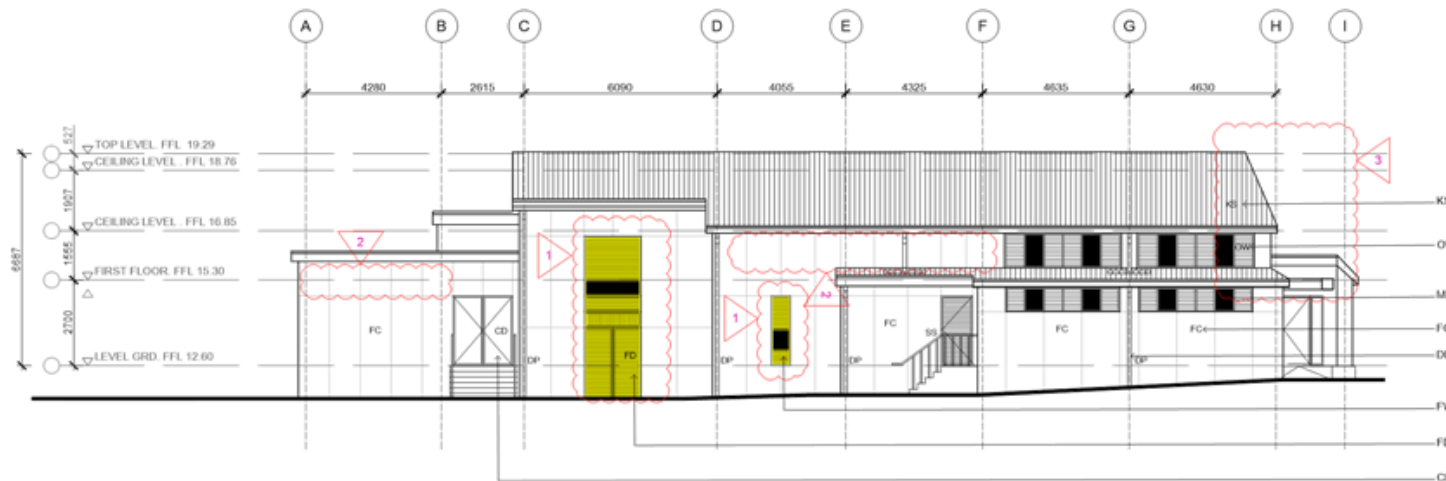
DRAWING TITLE
SOUTH EAST ELEVATION

SCALE	DATE	DRAWN	CHECKED
1:100 @A1 1:200 @A3	03.03.17	WA/PP	PP
JOB	DRAWING	REVISION	
S96-2.03	1		



1 NORTH WEST ELEVATION (APPROVED DA)

MATERIAL LEGEND (DA)	
CR: CEMENT RENDER	MS: COLORBOND SEPIA METAL SHUTTER
TF: ALUMINUM FRAMED BRONZE ANODIZED FINISH	BG: COLORBOND DARK SEPIA FINISH, EAVES GUTTER DP
KS: COLORBOND KING SPAN	SS: STAINLESS STEEL HANDRAILS



2 NORTH WEST ELEVATION (S-96)

MATERIAL LEGEND (S-96)	
CA: ALUMINUM CLAD CANOPY (COLOUR) MONUMENT	FW: FIXED LOUVERED ALUMINUM (COLOUR) MONUMENT WINDOW
CD: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT DOOR	KS: KING SPAN ROOF
CW: ALUMINUM CLEAR GLASS (COLOUR) MONUMENT WINDOW	MP: FIXED ALUMINUM (COLOUR) MONUMENT PANEL
DP: COLORBOND (COLOUR) MONUMENT, EAVES GUTTER DOWNPIPE AND FASCIA	OW: OPERABLE CLEAR GLASS LOUVERED(COLOUR) MONUMENT WINDOW
FD: FIXED LOUVERED ALUMINUM(COLOUR) MONUMENT DOOR	RS: COLORBOND (COLOUR) MONUMENT ROLLER SHUTTER
FC: PRE FINISHED FC SHEET CLADDING, VITRAPANEL OR SIMILAR	SS: STAINLESS STEEL HANDRAILS

S-96 REVISION NOTE:

- 1 WINDOWS/ GLAZING AREA REVISED TO COMPLY TO SECTION J. 4 MATERIAL LEGEND (S-96) REVISED.
- 2 WINDOWS/ GLAZING REMOVED TO COMPLY TO SECTION J.
- 3 MINOR DRAFTING DISCREPANCIES ADJUSTED.

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REVISION	DATE	DESCRIPTION	BY
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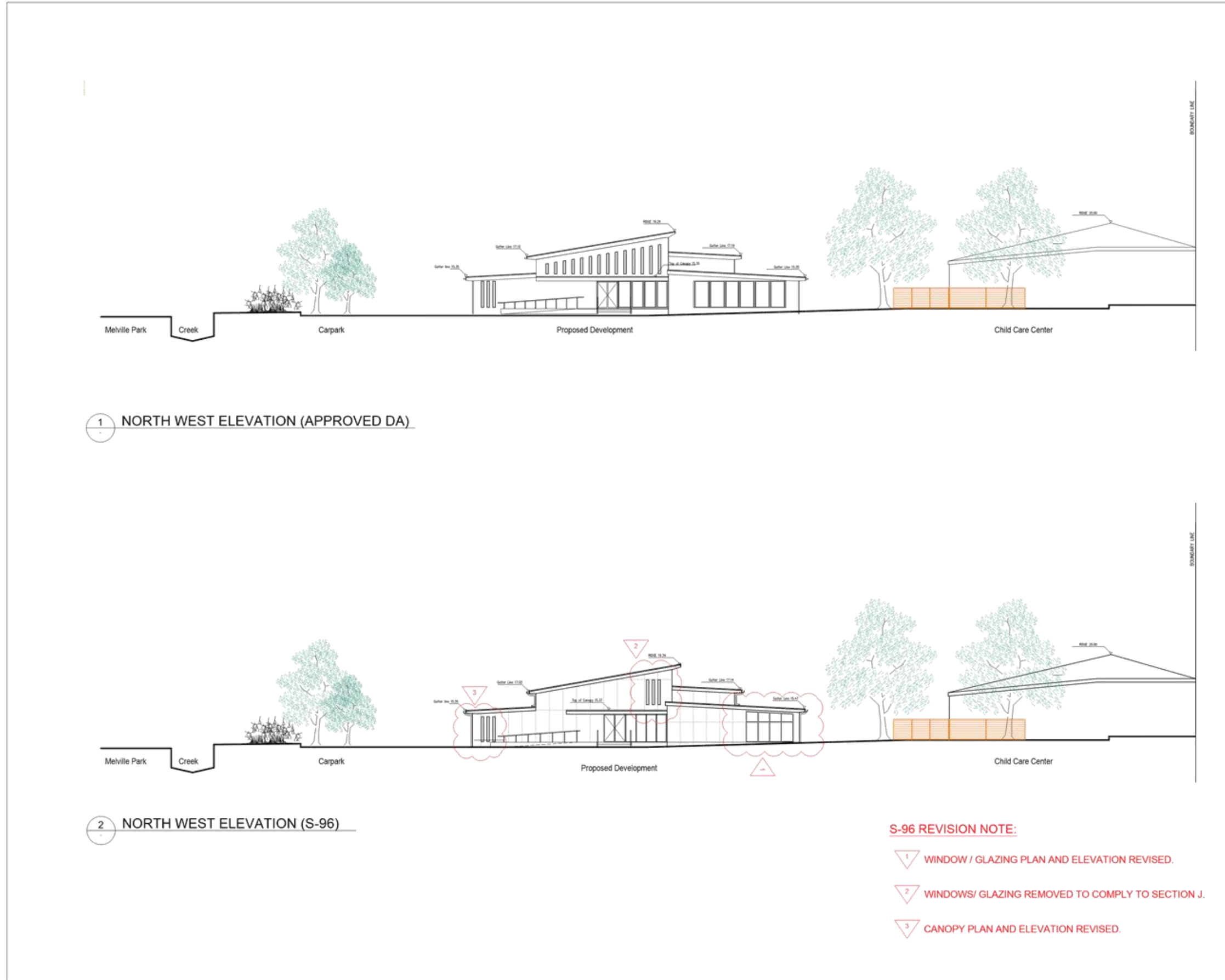
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PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD HOMEBUSH WEST 2040

DRAWING TITLE
NORTH WEST ELEVATION

SCALE	DATE	DRAWN	CHECKED
1:100 (A1) 1:200 (A3)	03.03.17	WA/PP	PP
JOB	DRAWING	REVISION	
S96-2.04	1		



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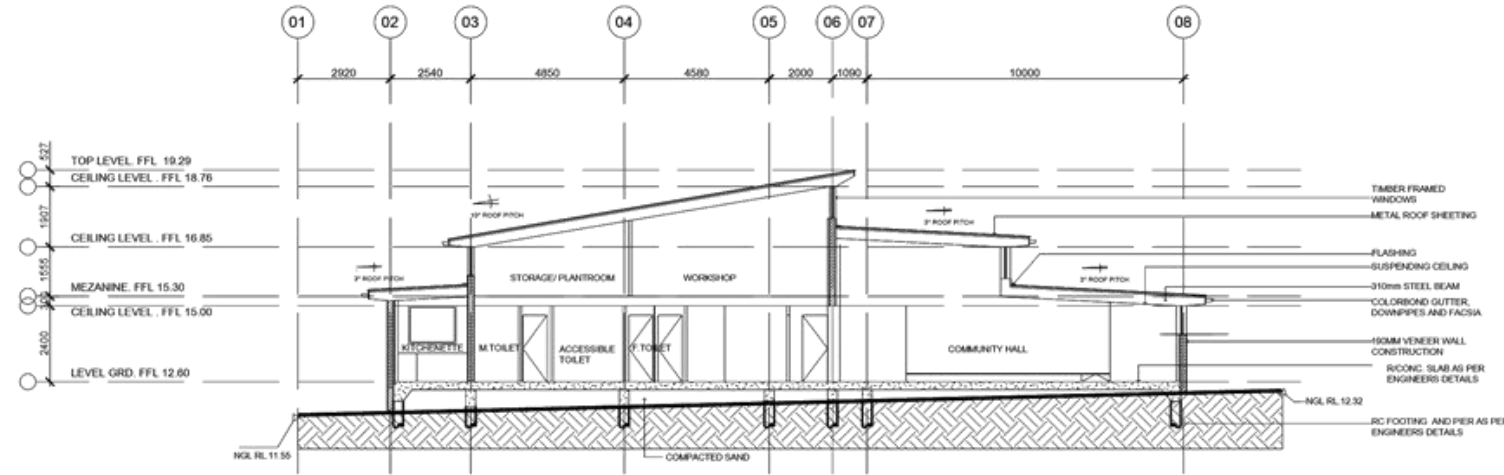
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PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD, HOMEBUSH WEST 2040

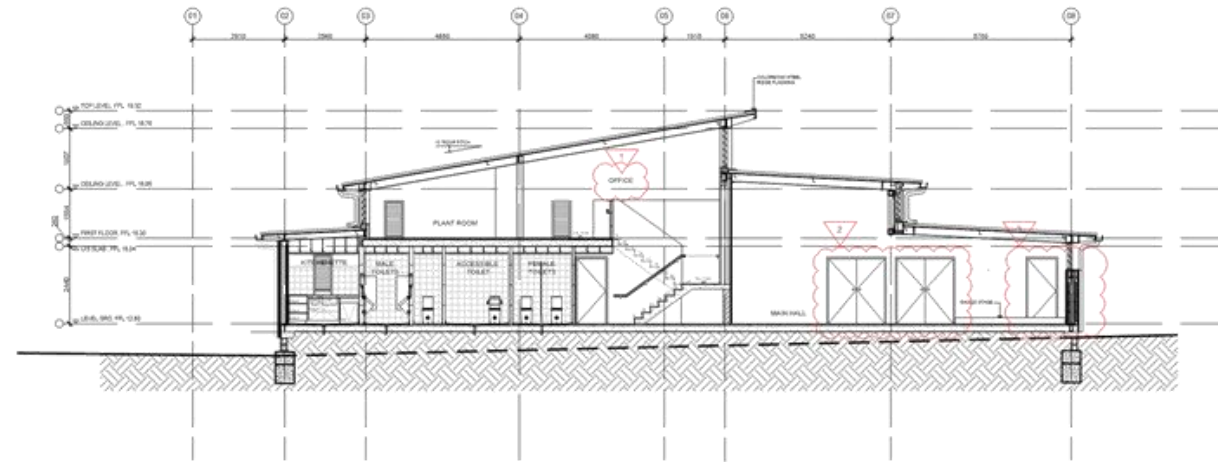
DRAWING TITLE
STREETSCAPE ELEVATION

SCALE	DATE	DRAWN	CHECKED
1:150 @A1 1:300 @A3	03.03.17	WA/PP	PP

JOB	DRAWING	REVISION
.	S96-2.05	1



1 SECTION A-A (APPROVED DA)



2 SECTION A-A (S-96)

S-96 REVISION NOTE:

- 1 LEVEL 01 CHANGED TO OFFICE SPACE
- 2 STORAGE AREA INCREASED, NEW DOORS ADDED FROM HALL TO STORAGE AREA.
- 3 FHR CUPBOARD, AUDIO VISUAL & COMMUNICATION ROOM ADDED

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PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD, HOMEBUSH WEST 2040

DRAWING TITLE
SECTION A-A

SCALE	DATE	DRAWN	CHECKED
1:100 @A1 1:200 @A3	03.03.17	WA/PP	PP
JOB	DRAWING	REVISION	
S96-3.01	1		

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DA2017/052/03
14 March 2018

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PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD, HOMEBUSH WEST 2040

DRAWING TITLE
MATERIAL SAMPLE BOARD

SCALE AS SHOWN	DATE	DRAWN	CHECKED
	03.03.17	WA/PP	PP

JOB	DRAWING	REVISION
	S96-4.01	1

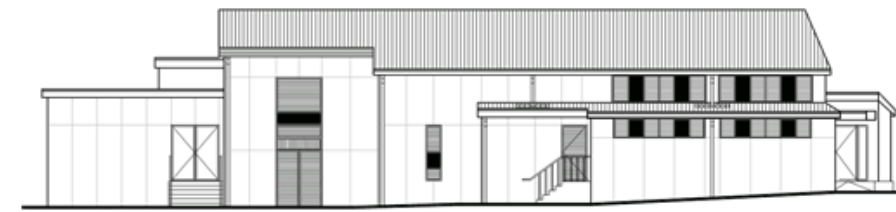
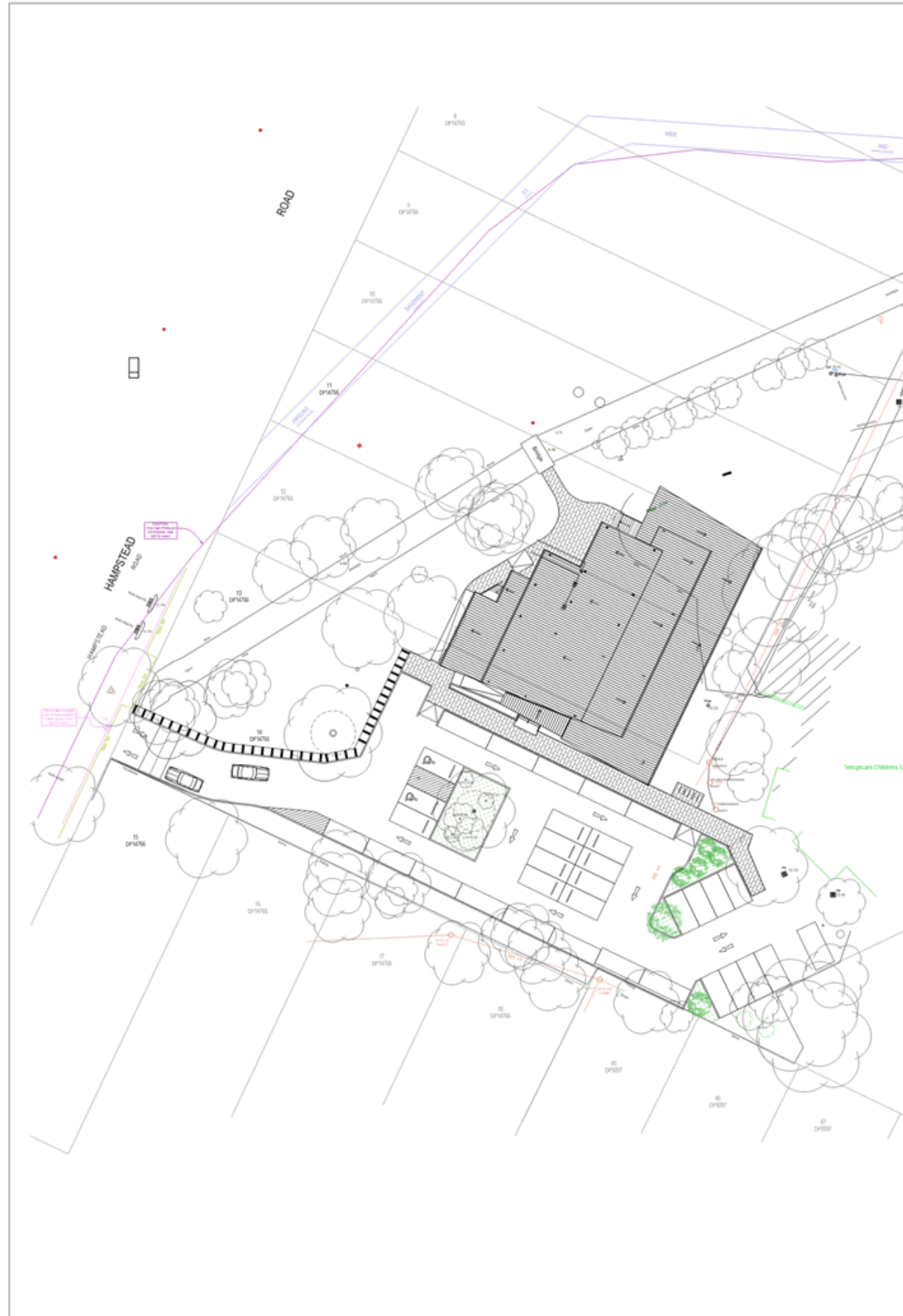
NORTH-WEST ELEVATION

NORTH-EAST ELEVATION

SOUTH-EAST ELEVATION
SCALE: 1:125 @A1

SOUTH-WEST ELEVATION

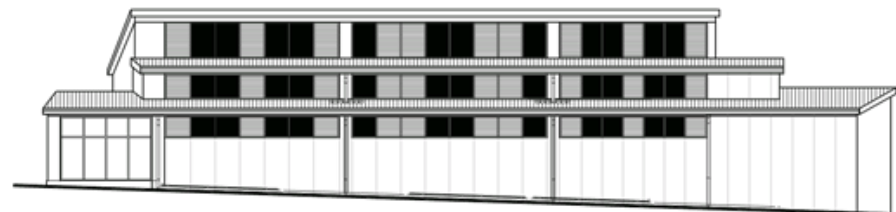
01 ALUMINUM CLAD CANOPY (COLOUR) MONUMENT
02 PRE FINISHED FIBRE CEMENT SHEET OR SIMILAR
03 COLORBOND (COLOUR) MONUMENT, EAVES GUTTERS AND DOWNPIPES AND FASCIA.
04 CONCRETE PAVING, TROWEL MACHINE FINISH.
05 ALUMINUM CLEAR GLASS (COLOUR) MONUMENT DOOR
06 OPERABLE CLEAR GLASS LOUVERED (COLOUR) MONUMENT WINDOW
07 KINGSPAN ROOF, (COLOUR) MONUMENT.
08 ALUMINUM CLEAR GLASS (COLOUR) MONUMENT WINDOW
09 FIXED LOUVERED ALUMINUM (COLOUR) MONUMENT DOOR
10 FIXED LOUVERED ALUMINUM (COLOUR) MONUMENT WINDOW
11 PAVING
12 STEEL HANDRAILS.
13 COLORBOND (COLOUR) MONUMENT ROLLER SHUTTER



NORTH-WEST ELEVATION



NORTH-EAST ELEVATION



SOUTH-EAST ELEVATION
SCALE: 1:125 @A1



SOUTH-WEST ELEVATION

IMPORTANT NOTES:
Do not scale from drawings. All dimensions shall be checked on site before commencement of work. All discrepancies shall be brought to the attention of the Architect. Large scale drawings and written dimensions take precedence. This drawing is copyright of the author, and must not be retained, copied or used without the express authority of STRATHFIELD COUNCIL.

FOR APPROVAL
NOT FOR CONSTRUCTION

REVISION	DATE	DESCRIPTION	BY
1	2018 02 08	ISSUED FOR S-86 APPROVAL	PP

STRATHFIELD COUNCIL RECEIVED
DA2017/052/03
14 March 2018



GENERAL NOTES:
Do not scale from drawings. Verify dimensions on site. Measurements in red/italic letters otherwise noted. Verify any discrepancies with the Project Manager. All works to comply with the Building Code of Australia (BCA), Australian Standards (SAA), Council Conditions & Planning Instruments & other relevant Statutory Authorities.

DEPARTMENT
INFRASTRUCTURE & PLANNING

PROJECT
MELVILLE COMMUNITY HALL, HAMPSTEAD ROAD HOMEBUSH WEST 2040

DRAWING TITLE
NOTIFICATION PLAN

SCALE AS SHOWN	DATE	DRAWN	CHECKED
	07.02.2018	WA/PP	PP
JOB	DRAWING	REVISION	
	S96-5.01	1	

TO: Strathfield Local Planning Panel Meeting - 7 June 2018
REPORT: SLPP – Report No. 4
SUBJECT: DA2017/136/01 - 14 DUNLOP STREET, STRATHFIELD SOUTH
LOT 10 IN DP 29223
DA NO. DA2017/136/01

SUMMARY

Proposal: Section 8.2 Review – use of the site as a vehicle hire premise.

Applicant: Merlino Property Investments Pty Ltd

Owner: Merlino Property Investments Pty Ltd

Date of lodgement: 21 March 2017

Notification period: 3 April 2018 to 20 April 2018

Submissions received: Two (2) written submission received

Assessment officer: KL

Estimated cost of works: \$Nil

Zoning: IN1 General Industrial - SLEP 2012

Heritage: N/A

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: REFUSAL

EXECUTIVE SUMMARY

- 1.0 The current application seeks a review of determination of DA2017/136 pursuant to Section 8.2 of the EP&A Act 1979. The application for the use of the site as a vehicle hire premise was originally refused by Strathfield Independent Hearing Assessment Panel on 7 December 2017.
- 2.0 The subject application seeks approval for the use of the site as a vehicle hire premise. The applicant contends that no customers come to the premise and the subject site is predominantly for the use of the two directors and two staff during the day.
- 3.0 The subject application was notified from 3 April 2018 to 20 April 2018 in accordance with the requirements of Part L “Public Notification of Development Applications” of the Strathfield Consolidated Development Control Plan 2005. Two (2) written submissions were received raising concerns in relation to the noise and speed associated with the proposed use and the permissibility of the use on the subject site.
- 4.0 Whilst it is noted that the further information provided by the application clarified the nature of the use as a warehouse/distribution centre and subsequently permissible on the subject site, the applicant fails to sufficiently address the concerns previously raised in relation to car parking, access and manoeuvring. Therefore, the proposed Development Application cannot be supported.

DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)

BACKGROUND

- 18 July 2017** An audit of all the premises within the Strathfield Local Government Area's industrial zoned lands identified that the current use of the site is operating without consent. Accordingly pertaining to this effect and advising that consent for the use of the site is required was sent by Council's Environmental Health and Compliance Coordinator.
- 21 November 2017** Correspondence was sent to the architect (at the request of the applicant) requesting further information in relation to the operations of the premises.
- 24 November 2017** Additional information was received regarding the operations of the site.
- 7 December 2017** The Strathfield Independent Hearing and Assessment Panel has reviewed the Development Application for the use of the site as a vehicle premise and was REFUSED for the following reasons:
- 1. In accordance with Section 79C(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is prohibited within IN1 – General Industrial for the purpose of a vehicle hire premises.*
 - 2. In accordance with Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposal fails to satisfy the objectives of Clause 2.9 Parking, Access and Manoeuvring of the Part D of Strathfield Consolidated Development Control Plan 2005 with respect to vehicle parking, access and manoeuvring.*
 - 3. In accordance with Section 79C(1)(b)&(c) of the Environmental Planning and Assessment Act 1979, the proposed development would have impacts to the locality with respect to the proposed operating hours.*
 - 4. Pursuant to the provisions of Section 79C(1)(d)(e) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development would not be in the public interest.*
- 21 March 2018** Section 8.2 Review for the application DA2017/136 was lodged to Council.

DESCRIPTION OF THE SITE AND LOCALITY

The site is located on the south-eastern side of Dunlop Street, Strathfield South and comprises two (2) tenancies (Lot 10 and Lot 11 in DP 29223) both two (2) storey buildings in a L-shape orientation with direct vehicular access to Dunlop Street with a total site area of 2,164.7m². The subject tenancy (Lot 10) is outlined in yellow in Figure 1. The subject site is located approximately 160m from residential dwellings located to the north-east.

Development along Dunlop Street is characterised by single and two (2) storey buildings used for a variety of industrial uses including warehouse and distribution, landscaping, and building supplies. The subject site is surrounded by low density residential dwellings to the north and east.

It is important to note that the proposed used of the site as a vehicle hire premises is currently operational without any consent.

DA2017/136/01 - 14 Dunlop Street, Strathfield South
 Lot 10 in DP 29223 (Cont'd)



Figure 1: Aerial view of the subject site and surrounding industrial and residential properties. 14 Dunlop St comprises of both Lot 10 and Lot 11 in DP 29223.



Figure 2: View of the existing premises from Dunlop Street (building on the left).

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

**DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)**

The application seeks Council approval for the use of the site as a warehouse or distribution centre. The specific elements of the proposal are:

External:

- Three (3) car parking spaces;

Ground Level:

- Reception Area;
- Workshop;
- Five (5) office rooms;
- One (1) IT room;
- Two (2) kitchens;
- Electrical room; and
- Three (3) bathrooms.

Mezzanine:

- Four (4) office rooms.

Proposed Operations:

- Hours of operation - Monday to Sunday 7am to 7pm
- Maximum of three (3) fulltime employees at the site at any one time.

Activities conducted at the premises:

- No car washing or servicing of any cars will take place on-site as the cars are under warranty and servicing plans.
- Additional information requested and received by the applicant during the assessment process stated that customers visit the premises to view the fleet of wedding cars which are stored within the building and other cars for hire.

REFERRALS**INTERNAL REFERRALS**

The referral responses provided in the assessment of the Development Application are relied up and provide as follows:

Environmental Health

Council's Environmental Officer provided the following comments in relation to the proposed Development Application:

The Statement of Environmental Effects states that no washing down of vehicles and/ or servicing will be conducted on site as they are brand new and under warranty serving plans. However I suggest the below special condition to ensure that all environmental requirements are met, also considering the use and maintenance of vehicles once they are no longer in new condition.

Wastewater Control

The cleaning and/or preparation of surfaces in a manner whereby liquids are permitted or likely to enter any storm water drain is prohibited and an offence under the Protection of the Environment Operations Act 1997.

Waste Comments

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

DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)

SECTION 4.15 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 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

S.8.2 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979: REVIEW OF DETERMINATION

In accordance with Section 8.2 of the EP&A Act, the Council *may review a determination or decision made by the consent authority.*

An application made under S8.2 of the EP&A Act shall be notified in accordance with Council's development control plan. In accordance with Part L of the Strathfield Consolidated DCP 2005, the proposed development required notification for a period of 14 days.

Section 8.3 of the EP&A Act, enables Council to review the determination of an application in the event that the applicant has made amendments to the development described in the original application, is substantially the same development as the development described in the original application. Documentation accompanying the application was provided which clarified the nature of the use proposed. As such, the proposed use is not considered to constitute a 'Vehicle Hire Premise' as originally defined by the determination notice. Rather, the use is considered to constitute "Warehouse or Distribution Centre" pursuant to the definitions contained within the standard instrument.

The application has been made and will be determined within six (6) months from the date of the previous determination (7 December 2017) in accordance with Section 8.2 of the EP&A Act.

Previous Reasons for Refusal:

1. *In accordance with Section 4.15(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is prohibited within IN1 – General Industrial for the purpose of a vehicle hire premises.*

Comment: Under SLEP 2012, the definition of vehicle hire premises is as follows:

"vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there."

'Vehicle Hire Premise' is prohibited in the IN1 General industrial zone. Further information was provided in this application which clarified the nature of the proposed use as a 'warehouse/distribution centre' defined in the standard instrument as,

"a building or place used mainly or exclusively for storing or handling (whether goods or materials) pending their sale, but from which no retail sales are made."

This definition is considered a more accurate description of the intended use.

2. *In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposal fails to satisfy the objectives of Clause 2.9 Parking, Access and Manoeuvring of the Part D of Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005 with respect to vehicle parking, access and manoeuvring.*

**DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)**

Comment: The application did not provide additional information to satisfy the objectives of Clause 2.9 Parking, Access and Manoeuvring of the Part D of SCDCP 2005 with respect to vehicle parking, access and manoeuvring. It is therefore unclear as to whether the proposal satisfies the objectives of Clause 2.9 Parking, Access and Manoeuvring of the Part D of SCDCP 2005. The applicant has failed to sufficiently respond to this reason of refusal and therefore, cannot be supported.

3. *In accordance with Section 4.15(1)(b)&(c) of the Environmental Planning and Assessment Act 1979, the proposed development would have impacts to the locality with respect to the proposed operating hours.*

Comment: The proposed hours of operation from 7am to 7pm, Monday- Sunday remain unchanged. Whilst it is noted that the business has been operating without consent, the proposed hours of operation and access to the site through residential streets is considered to generate adverse noise impacts likely to affect adjacent residential areas. The applicant failed to provide any additional information to sufficiently address this matter and therefore, the application cannot be supported.

4. *Pursuant to the provisions of Section 4.15(1)(d)(e) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development would not be in the public interest.*

Comment: The development application was notified and two (2) submissions were received. The concerns raised during the notification period were not addressed by the applicant in the form of additional information and remain unresolved. Such concerns include:

- a) Noise pollutions
- b) Suitability of the use on the subject site
- c) Traffic

As such, the proposed use cannot be supported with the information provided.

State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires that Council gives consideration as to whether the land is contaminated prior to granting consent for the carrying out of any development.

The site has historically been used as a warehouse and factory. The proposed use of the site as a vehicle hire facility does not involve any excavation or change to the existing ground levels. As such, no further assessment under SEPP 55 is required.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation).

The intent of this SEPP is consistent with the objectives of the repealed Standard where the primary aims/objectives are related to the protection of the biodiversity values of trees and other vegetation on the site. The proposed Development Application for the use of the premises only and does not involve any tree removal. As such, no further assessment under SEPP (Vegetation in Non-Rural Areas) 2017 is required.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

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

**DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)**

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	N/A
(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	N/A
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	No
(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	No
(f)	To identify and protect environmental and cultural heritage	N/A
(g)	To promote opportunities for social, cultural and community activities	N/A
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	No

Comments: The information accompanying the application details that the subject site is predominately for the use of the two directors and two staff during the day. The proposed use adds little to the opportunities for economic growth to enhance the local community and does not promote nor encourage an appropriate mix of uses for the local community. Furthermore, accessibility to the subject site via public transport is limited and will likely result in an increase in traffic and environmental impacts by private vehicle use.

Permissibility

The subject site is Zoned IN1 – General Industrial under *Strathfield Local Environmental Plan (SLEP) 2012*.

Additional information submitted with the application clarified the nature of the use as a 'warehouse/distribution centre'. The intended use is permissible with development consent.

Zone Objectives

An assessment of the proposal against the objectives of the IN1 – General Industrial Zone is included below:

Objectives	Complies
➤ To provide a wide range of industrial and warehouse land uses.	Yes
➤ To encourage employment opportunities.	Yes
➤ To minimize any adverse effect of industry on other land uses.	No
➤ To support and protect industrial land for industrial uses.	No
➤ To minimize fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.	Yes

Comments: The warehouse/distribution centre will likely result in additional traffic movements along Dunlop Street and an increase in the use of off-street parking adversely impacting on adjoining industrial land uses.

Part 4: Principal development standards

The proposal seeks consent for the use of the site as a Warehouse Distribution Centre and will not result in any changes to the existing building height or Floor Space Ratio applying to the land.

DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)

Part 5: Miscellaneous Provisions

There are no provisions contained within Part 5 of the *SLEP 2012* that are applicable to the proposed development.

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 4 soils. However, no works are proposed more than 2m below the natural ground surface. 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

No cut or fill works are proposed with the development application.

6.3 Flood planning

The subject site is identified as being affected in the 1 in 100 year flood event. The proposal and accompanying plans demonstrate that no building works are proposed, the proposal seeks consent for the use of the site as a warehouse distribution centre. Given that building works are not proposed, the proposal is considered to be consistent with the Flood Planning Objectives under Clause 6.3 of the *SLEP 2012* with no flood measures required.

4.15 (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.

4.151)(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 D – INDUSTRIAL DEVELOPMENT

An assessment of the proposal against the objectives contained within Clause 1.2 of Part d of SCDCP 2005 is included below:

No.	Objectives	Complies
A	To improve the quality of industrial development within the Strathfield Municipality	Yes
B	To ensure the orderly development of industrial sites to minimise their environmental impact while maximising their functional potential	Yes
C	To ensure development is consistent with the principles of Ecologically Sustainable Development	Yes
D	To encourage high quality building design and industrial streetscape aesthetics	Yes
E	To ensure that new industrial development is of a type, scale, height, bulk and character that is compatible with the streetscape characteristics of the surrounding area	Yes
F	To promote high quality landscape areas which complement the overall development of the site and which assist in enhancing streetscape quality	No

**DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)**

G	<i>To ensure that development will not unreasonably impact upon the amenity of any residential area in the vicinity</i>	Yes
H	<i>To ensure that traffic generated by industrial development does not adversely impact upon local or regional traffic movements</i>	No
I	<i>To ensure that each development has adequate on-site parking and manoeuvring areas for vehicles</i>	No
J	<i>To encourage employee amenity within industrial developments</i>	Yes

Comments: The site provides limited deep soil landscaping and fails to promote high quality landscape areas. In addition, information in relating to on-site parking and manoeuvring areas for vehicles has not been provided and the amenity of nearby residential areas is likely to be unreasonably affected by the operation of the proposed use.

2.9 Parking, Access and Manoeuvring

Cl.	Controls	Complies
2.9.1	Parking	
1	<i>The design of off-street parking areas is to be guided by and meet the requirements of Australian Standard (AS) 2890.1-1993 – Off-street car parking, AS2890.2-1989 – Commercial vehicles and Strathfield Part I - Provision of Off-Street Parking Facilities</i>	Yes
2	<i>Provision of spaces:</i> <ul style="list-style-type: none"> • <i>Industry: 1 space per 50m2 GFA where any office component is under 20%. If the office component is greater than 20% that additional area will be assessed at a rate of 1 space per 40m2 GFA.</i> • <i>Warehouses: 1 space per 300m2 GFA.</i> • <i>Delivery and service vehicles associated with a development: 1 space per 800m2 GFA up to 8,000m2 GFA plus 1 space per 1,000m2 GFA thereafter.</i> <i>Note: Car parking calculations are to be rounded up.</i>	No
3	<i>Car parking areas should ideally be located in the front setback for easy access.</i>	Yes
4	<i>Loading/unloading and parking areas are to be separated so as not to cause conflict. A variation to this may be considered if, for example all deliveries are made outside of business hours</i>	Yes
5	<i>Car parking areas are to be suitably landscaped which should include trees for shading. Refer to Section 2.10.13 and 2.10.14 for landscaping requirements</i>	No
6	<i>No parking shall be located within any proposed buildings (this does not include underground car parking)</i>	No
7	<i>Pedestrian thoroughfares shall be provided to separate vehicular from pedestrian traffic in large parking areas</i>	Yes
2.9.4	Site Design	
1	<i>All vehicles are to enter and leave the site in a forward direction.</i>	No

Comments: Contrary to 2.9.1 (2) the premises provides three (3) car parking spaces, a shortfall of four (4) spaces to the minimum requirement of seven (7) spaces. Furthermore, contrary to 2.9.1 (6) and 2.9.4 (1) the proposed use involves the parking of vehicles within the existing building without providing a swept path analysis to demonstrate that the vehicles are capable of entering and leaving the site in a forward direction.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A Waste Management Plan accompanied the development application stating that one (1) x 240 litre recycling bin and one (1) x 240 litre waste bin is to be provided and collected by appointed contractors. Council's Environmental Projects Officer has reviewed the Waste Management Plan and considered it satisfactory.

4.15 (1)(iia) any planning agreement or draft planning agreement

**DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)**

No planning agreement has been entered into under section 7.4 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*.

(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 located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

According to Council's Flood Studies the subject site is identified as being flood affected in the 1 in 100 year flood event. The proposal and accompanying plans demonstrate that building works are not proposed and flooding of the site (in such an event) would occur over the hard paved area within the front setback of the site. The proposal is considered to be consistent with the Flood Planning Objectives under Clause 6.3 of the *SLEP 2012* with no flood measures required.

4.15(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

Zoning Permissibility

Additional information submitted with the application clarified the nature of the use as a 'warehouse/distribution centre' defined by the standard instrument. As previously noted, the intended use is permissible with development consent.

Insufficient Information

**DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)**

The subject site being 14 Dunlop Street comprises two (2) allotments (Lot 10 and Lot 11 in DP 29223) however with the Statement of Environmental Effects and accompanying plans refer only to Lot 10 and no information pertaining to the use of the second allotment (Lot 11). Furthermore, the information submitted fails to sufficiently address the stated reasons for refusal and as such, the application cannot be supported.

Parking, Access and Manoeuvring

The proposed use requires a minimum of seven (7) car spaces. The application proposed three (3) car parking spaces, resulting in a shortfall of four (4) spaces. Contrary to 2.9.1 (6) and 2.9.4 (1) the proposed use involves the parking of vehicles within the existing building without swept path analysis accompanying the Development Application to demonstrate that the vehicles for hire and display are capable of entering and leaving the site in a forward direction.

Residential Amenity

The proposed hours of operation from 7am to 7pm, Monday- Sunday remain unchanged. Whilst it is noted that the business has been operating without consent, the proposed hours of operation and access to the site through residential streets is considered to generate adverse noise impacts likely to affect adjacent residential areas. The applicant failed to provide additional information to sufficiently address this matter.

4.15 (1)(c) the suitability of the site for the development

The proposed hours of operation 7am to 7pm over seven (7) days will impact on the acoustic amenity of surrounding residents as access to the site is limited through residential areas. Therefore the use of the site is not suitable for the site and is recommended for refusal.

4.15 (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 **3 April 2018** to **20 April 2018**, with **two (2)** written submissions received, raising the following concerns:

1. Noise and Speeding of Vehicles

Concern is raised in relation to the noise and speed of vehicles associated with the proposed use of the site whilst driving along Dean Street and Dunlop Street.

Comments: The proposed use of the premises as a warehouse/distribution centre does not satisfy the objectives of Clause 2.9 Parking, Access and Maneuvering of the Part D of Strathfield Consolidated Development Control Plan 2005 with respect to vehicle parking, access and manoeuvring. The applicant has failed to sufficiently address the reasons for refusal and the recommendation made by the original Development Application shall be upheld.

2. Suitability of the premises as a vehicle hire premises with the IN2 Light Industrial zoning of the subject site.

Concern is raised for the proposal of prohibited use on the subject site.

Comments: The subject site is located within the IN1 General Industrial zone under the *Strathfield LEP 2012*. Further information provided by the application clarified the nature of the use as a 'warehouse/distribution centre'. This is considered a more accurate description of the intended use and is permissible with development consent within the zone.

4.15 (1)(e) the public interest

**DA2017/136/01 - 14 Dunlop Street, Strathfield South
Lot 10 in DP 29223 (Cont'd)**

The public interest is served through a detailed assessment of this development application under the relevant local planning controls and legislation and the consideration of any submissions received relating to it by Council. The proposed development is considered to be contrary to the public interest.

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is not considered satisfactory for approval.

RECOMMENDATION

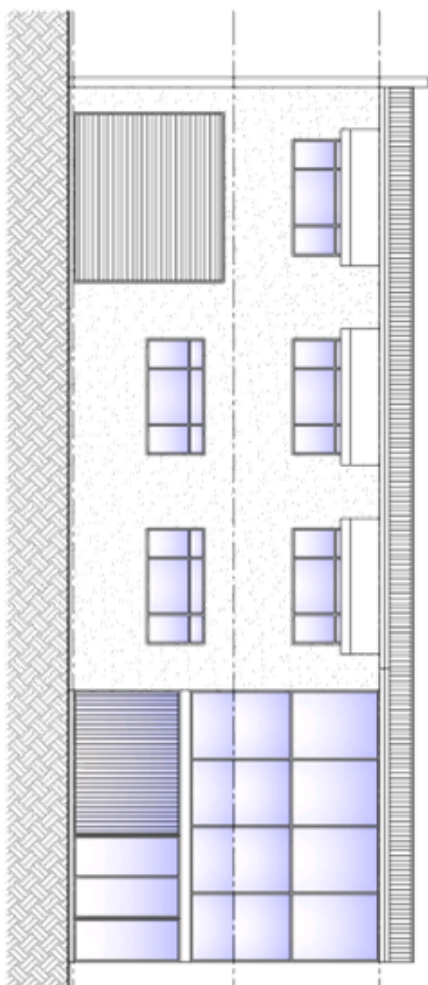
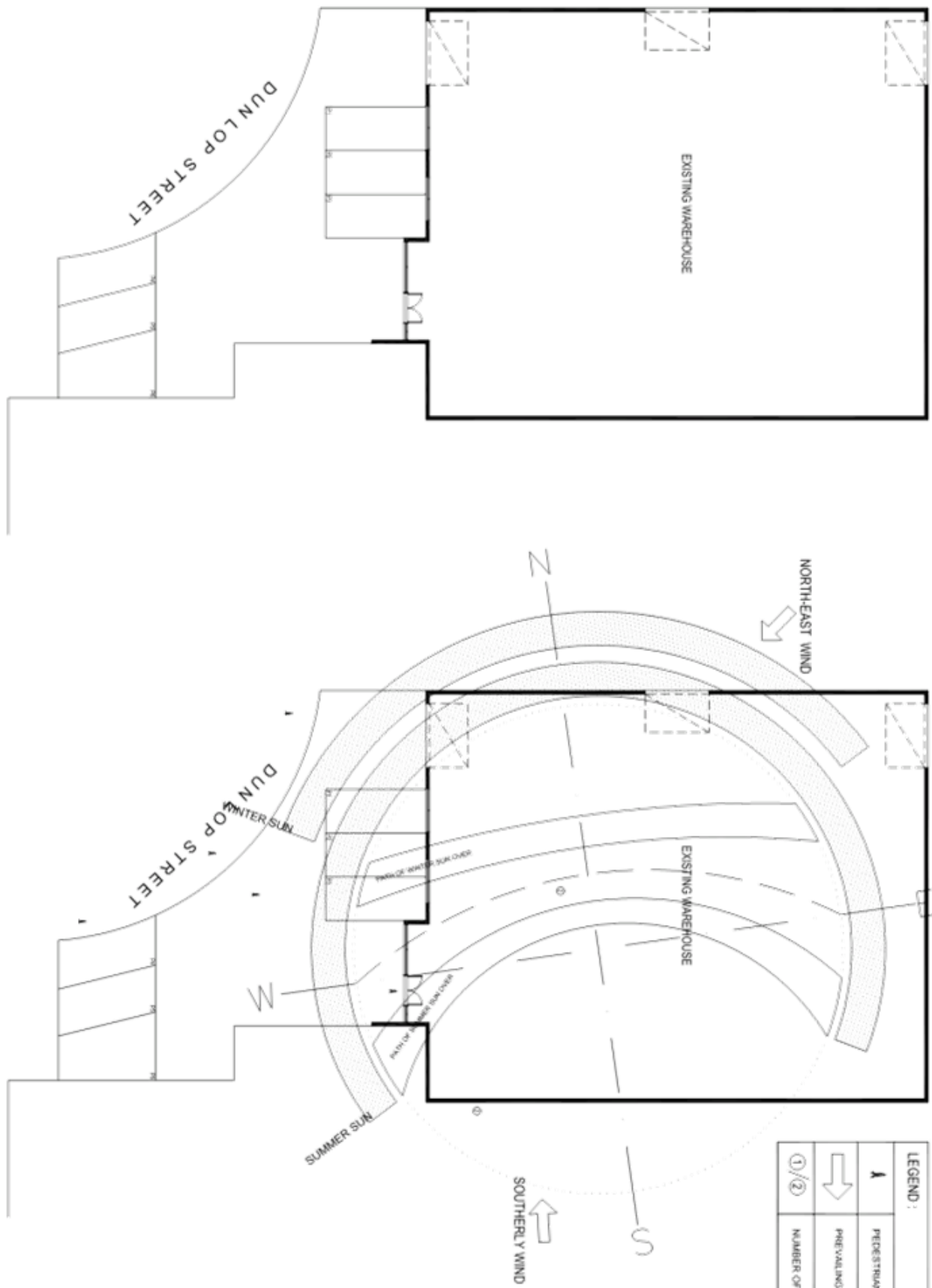
That Development Application No. DA2017/136/01 for the use of the site as a warehouse/distribution centre at 14 Dunlop Street, Strathfield be **REFUSED**, subject to the following reasons:

1. In accordance with *Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*, the proposal fails to satisfy the objectives of Clause 2.9 Parking, Access and Manoeuvring of the Part D of Strathfield Consolidated Development Control Plan 2005 with respect to vehicle parking, access and manoeuvring.
2. In accordance with *Section 4.15(1)(b)&(c) of the Environmental Planning and Assessment Act 1979*, the proposed hours of operation and access to the site through residential streets are considered to generate noise likely to affect residential areas.
3. Pursuant to the provisions of *Section 4.15(1)(d)(e) of the Environmental Planning and Assessment Act 1979*, it is considered that the proposed development would not be in the public interest.

ATTACHMENTS

1. [↓](#) Architectural Plans

PROPOSED DEVELOPMENT OF COMMERCIAL LOTS
 5. 14 DUNLOP STREET, STRATHFIELD SOUTH, NSW 2136 ISSUE FOR SECTION 82A



SITE PLAN
 SCALE 1 : 200

SITE ANALYSIS PLAN
 SCALE 1 : 200

FRONT ELEVATION
 SCALE 1 : 100

DA

- Residential
- Industrial
- Commercial

PO BOX 2033,
 North Parramatta, NSW 2151
 T. 0405 256 993
 e. anthony@dadesignworx.com.au
 w. www.dadesignworx.com.au

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 ○ Only figured dimensions to be used.
 ○ All scaled dimensions must be verified.
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Issue	Assessment	Initials	Date
A	Issue to council for Section 82a	A.B.	21.03.18

CITY OF
ASTRA Limousines

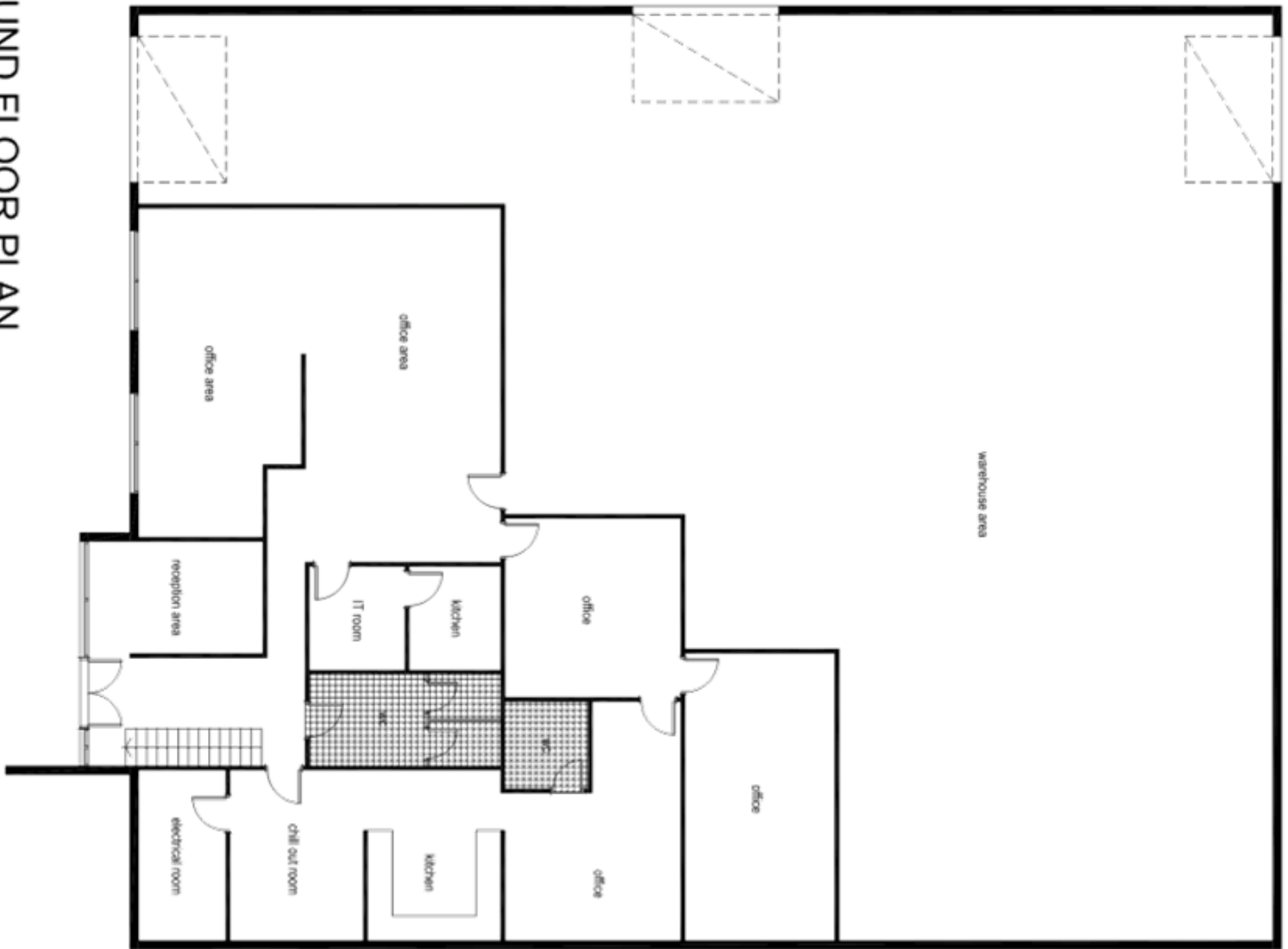
ADDRESS:
 14 Dunlop Street,
 Strathfield South, N.S.W

PROJECT:

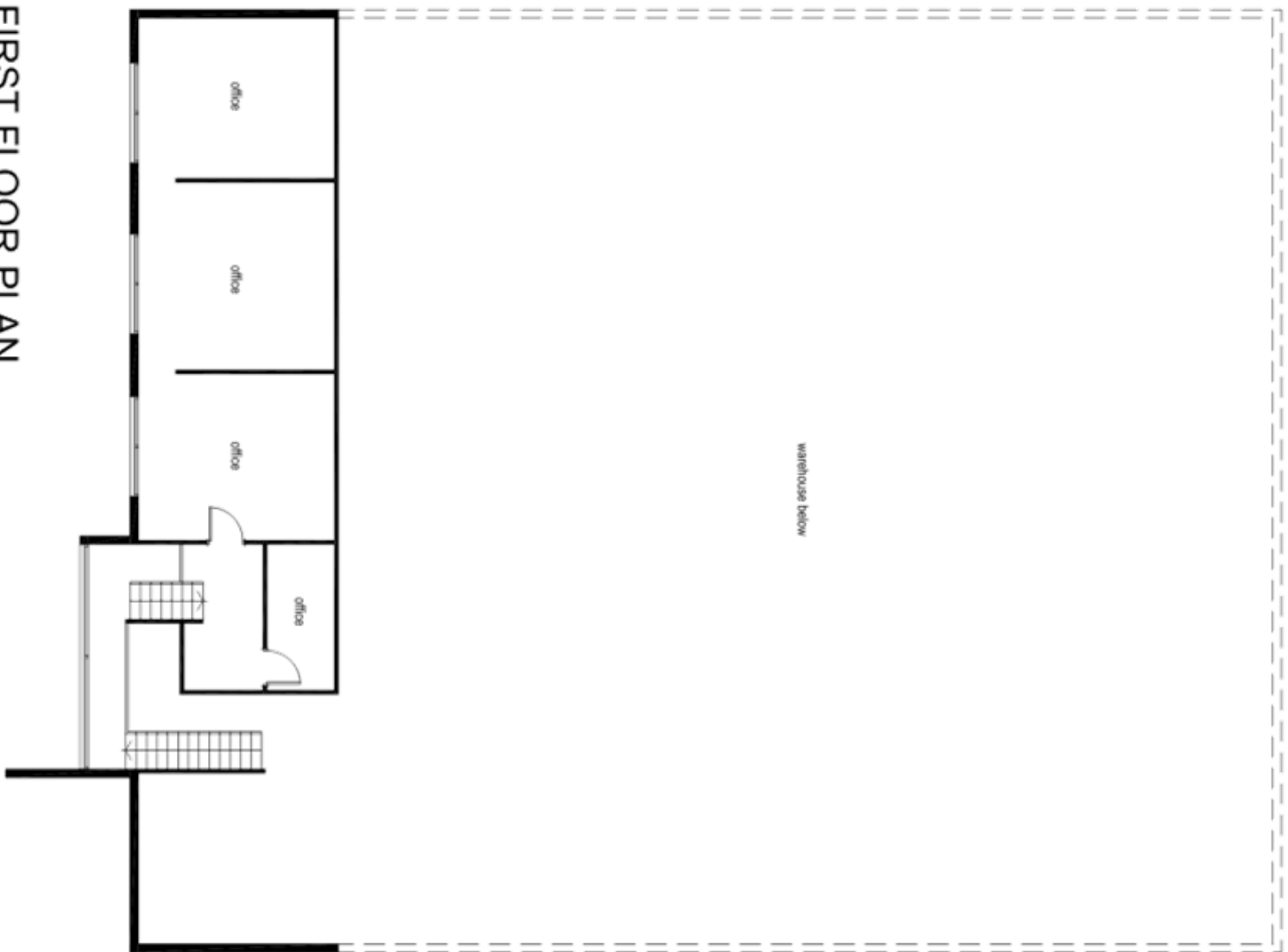
TITLE:
SITE PLAN / SITE ANALYSIS PLAN/ FRONT ELEVATION

Drawn:	Date:	Project No:
A.B.	31-06-17	17-051
Checked:	Scale:	Draw. No.:
D.B.	1:100/200	

Sheet 01 of 1 Issues



GROUND FLOOR PLAN
SCALE 1 : 100



FIRST FLOOR PLAN
SCALE 1 : 100

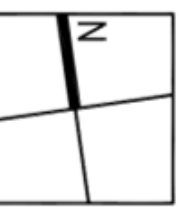


Residential
Industrial
Commercial

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North Parramatta, NSW 2151
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w. www.dadesignwork.com.au

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Only figured dimensions to be used.
All scaled dimensions must be verified.
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Issue	Amendment	Include	Date
A	Issue to council by Section 52a	A,B	21.03.18



Client: **ASTRA Limousines**
Address: **14 Dunlop Street, Strathfield South, N.S.W**
Project: **VALUING OFFICE APPLICANT**

Issue: **GROUND & FIRST FLOOR PLAN**
Drawn: **A.B.** Date: **31-08-17** Project No: **17-051**
Checked: **D.B.** Scale: **1:100** Draw No: **S82-02**
Street: **ST 02** Issue: **A**

TO: Strathfield Local Planning Panel Meeting - 7 June 2018
REPORT: SLPP – Report No. 5
SUBJECT: DA2015/167/02 - 4 ROCHESTER STREET, HOMEBUSH
LOT A DP104002
DA NO. DA2015/167/02

SUMMARY

Proposal: Section 4.55(1A) modification application to extend hours of operation to allow trading from 7am – 10:30pm Monday to Sunday

Applicant: Philosophers Stone P/L

Owner: Medi P/L

Date of lodgement: 16 March 2018

Submissions: Six (6) submissions received

Assessment officer: LM

Zoning: B4 – Mixed Use

Heritage: Yes – Item 36 & located within “Village of Homebush”
Retail Conservation Area

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

On 19 April 2016, at its Planning and Development Meeting, Council approved Development Application No. 2015/167 for the fit-out and use of an existing premise as a ground floor restaurant with one (1) x 1 bedroom shop top housing unit.

On 7 December 2016, Council approved a Section 4.55(1A) application to modify Development Application No. 2015/167 involving an addition of a wood fire oven.

The current application seeks to modify Development Consent No. 19 under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* which relates to the hours of operation on the site. The proposal is of minimal environmental impact.

The restaurant on the subject site is currently operating with the subject application seeking to extend hours of operation to enable breakfast trading from 7:00am and allow the premises to be continually open throughout the entirety of the day. This is compatible with the approved hours of operation of existing food and drink premises surrounding the site.

Overall, the proposed application is considered appropriate to the site and accordingly is recommended for approval.

DESCRIPTION OF THE PROPOSED MODIFICATION(S)

The specific elements of the modification(s) sought are to amend Condition 19 which relates to hours of operation so as to extend trading hours of the premise.

The current trading hours as approved are as follows:

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

- a) Lunch trade: 11:30am to 2:30pm, Monday to Sunday
- b) Dinner Trade: 6:00pm to 10:30pm, Monday to Sunday*
- c) Employees are permitted to be present within the site from 10:30am to 10:30pm, Monday to Sunday.

*The outdoor areas adjacent to the site shall not be used after 9:30pm, Sunday to Wednesday in order to minimise acoustic impacts on neighbouring residents.

The proposal seeks approval for the following trading hours:

- 7:00am to 10:30pm Monday to Sunday

The hours of use for the outdoor areas are to remain unchanged. Whilst no approval is sought for the extension of cleaning hours for employees, it is recommended that the premise be open to employees only from 6:30am to allow setting up time prior to opening at 7:00am. This is reflected in the amended conditions of consent.

SECTION 4.55(1A) OF THE EP&A ACT 1979

Section 4.55(1A) of the Environmental Planning and Assessment states as follows:

“4.55 Modifications of consents – generally

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) it has notified the application in accordance with:*
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1), (2) and (5) do not apply to such a modification.”

As regards subclause ‘a’, it is considered that the modification(s) sought as part of this application are of minimal environmental impact in terms of amenity impacts to neighbouring development and visual impacts to the streetscape. The proposed development relates to the extension of operating hours of the premise with no physical external or internal modifications proposed.

As regards subclause ‘b’, Council is satisfied that the development to which the consent as modified relates is substantially the same development, (being a ground floor restaurant and one residential shop top unit) for which consent was originally granted and before that consent as originally granted was modified (if at all).

In answering this threshold question, a comparative analysis of the approved development as modified has been undertaken. In this regard, the proposed use does not change; the external building appearance in terms of bulk and scale as viewed from the adjoining properties and public

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

domain is not altered in a significant or readily discernible manner; and amenity impacts to neighbouring development in terms of privacy, views, solar access and overshadowing are essentially the same as that of the approved development. Accordingly, the development as modified is considered to satisfy the 'substantially the same' test in that it will result in essentially and materially the same development as that originally approved.

As regards subclause 'c' and 'd', the application was notified in accordance with Part L of SCDCP 2005 and six (6) submissions were received. The submissions received have been discussed further in this report.

REFERRALS

INTERNAL REFERRALS

Heritage Comments

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

"The applicant seeks consent to amend the approved hours of operation for the existing approved restaurant. The statement accompanying the Section 4.55 modification application states that "The current application before Council does not seek to alter any of the approved works but to solely amend the approved hours of operation."

The proposal involves no physical works and hence there are no objections on heritage grounds and no special conditions are recommended."

SECTION 4.15 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 4.15C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

State Environmental Planning Policy No 55 – Remediation of Land

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration.

A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations.

The objectives outlined within SEPP55 are considered to be satisfied.

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</i>	Yes

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

	<i>transport and land use, and an appropriate mix of uses by regulating land use and development</i>	
(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: This section 4.55 (1A) modification application involves minimal environmental impact. The proposed modification will promote employment and provide further opportunities for economic growth as it will facilitate economic activity in the morning hours.

Permissibility

No change is proposed to the approved use of the site for the purposes of restaurants.

Zone Objectives

The subject site is zoned B4 Mixed Use pursuant to SLEP 2012. "Food and Drink Premises" is a permissible use subject to development consent within the zone.

Part 4: Principal development standards

The modification application does not involve any change to the height or FSR of the approved premise.

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

As previously discussed, Council's Heritage Advisor has stated that the proposal involves no physical works and hence there are no objections on heritage grounds and no special conditions recommended.

Part 6: Local Provisions

This modification application involves no changes to the assessment of the original application against the relevant provisions contained within Part 6 of the SLEP 2012.

4.15(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.

4.15(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The application satisfies the relevant provisions contained within the SCDCP 2005.

DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)

4.15(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 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.

Appropriate conditions are included on the original consent 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*.

4.15(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

Hours of Operation

The proposal seeks to extend the existing trading hours from Lunch trade: 11:30am to 2:30pm, Monday to Sunday and Dinner Trade: 6:00pm to 10:30pm, Monday to Sunday to 7:00am to 10:30pm Monday to Sunday to facilitate morning trading. This is considered compatible with the approved hours of operation for surrounding food and drink premises along Rochester Street. Businesses in the area open from as early as 6am (41-43 and 15 Rochester Street) and close as late as 10-11pm (11, 41-43, 15 and 29 Rochester Street). The proposed hours are therefore considered appropriate and in keeping with the hours of operation of surrounding businesses.

Off-Street Parking

It is acknowledged that off-street parking in Rochester Street and on surrounding streets are at a premium particularly given that the adjoining public school attracts traffic on a daily basis (the school is also the premise for Saturday and Sunday school). It is noted that a 'kiss and ride' pick up/drop off area along the northern portion of Burlington Road is provided and is in use from 8am-9:30am and 2:30pm and 3:30pm school days. Parking along Rochester Street is predominantly

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

restricted to 2 hour parking between 8am-6pm Monday-Sunday with some 1 hour parking restrictions in designated areas of the street. It is anticipated that customers will be short stay (similar to that of surrounding food and drink premises) and therefore a high turnover of on-street parking spaces are expected. A public carpark is also within short walking distance from the premise and is accessible from Burlington Road. Furthermore, the proposal does not seek to increase the maximum seating capacity of the premise and does not constitute an intensification of the number of customers permitted to access the site at any given time.

Plan of Management

It is noted that Condition 6 of the parent consent requires a Plan of Management to be prepared and submitted to Council prior to the issue of a Construction Certificate. This includes hours of operation of the premise, on-site deliveries and noise and waste management provisions for the premise. Council's records suggest that such a plan was never submitted. As such, a new plan was requested during the assessment process and was later submitted to Council for review. The Plan of Management has been prepared including the extended hours of operation as sought under the subject modification application. Whilst the proposed arrangements appear acceptable, it has been identified that the site requires allocation of a loading bay upon Burlington Road. This loading zone has not yet been provided and will be a matter for Council's Compliance section to investigate further to ensure the space is provided.

Overall, the Plan of Management appears generally acceptable. In the event that the premise does not operate in accordance with the submitted Plan of Management, Council's Compliance section will investigate.

In light of above, it is recommended that Condition 20 be amended to include the 7am-6pm delivery times so as to ensure that it reflect the delivery hours as per the submitted Plan of Management.

4.15(1)(c) the suitability of the site for the development

The approved development as modified by the current section 4.55(1A) application does not alter the suitability of the development to the site. The modification(s) sought as part of this application involve minimal environmental impact and will result in substantially the same development for which consent was originally granted.

4.15(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDP 2005 from 22 March 2018 to 9 April 2018. Six (6) submissions were received raising concern for the following:

1. Off-Street parking

Concern is raised for the proposed extension of hours which will result in increased congestion and lack of suitable parking within the Homebush West vicinity without the addition of further parking spots. It was stated that if Council is minded to accept the DA then the Applicant should be required to provide at least (50) additional parking spots for this business alone. The carpark at the back of the shops located on Rochester Street was often full at night with the customers from the business. Taking over the only available parking in the area will be detrimental to the success of other businesses in the area.

Comment: The proposal does not seek to increase the current seating capacity as currently approved. Whilst it is acknowledged that parking is at a premium, customers will generally be short stay (alike other businesses in the surrounding area) and is acceptable in this instance. The requirement for the premise to provide (50) additional parking spaces is considered heavily onerous and as this has never been requested of other surrounding premises.

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

2. Delivery Vehicles

A business of this size will also have delivery trucks making deliveries every day, Monday to Sunday, and an increase in the flow of large trucks through the small Homebush West shopping centre on a daily basis, is an additional element of stress and pressure on the current roads and parking network.

Comment: As per the submitted Plan of Management, delivery frequency will be 5-6 times per week. Deliveries are by van or car between the hours of 7am and 6pm and are to be undertaken within the specified loading zone. This is considered acceptable and unlikely to result in any unreasonable pressure on the surrounding road network.

3. Safety

Concern is raised for the impact of additional traffic during school times will see people parking in the school zones, and will force parents to drop their kids off at the crossing, requiring them to walk and putting them in danger.

Comment: As previously discussed, the northern side of Burlington Road is an allocated 'kiss and ride' area which the restaurant is unlikely to have any adverse impact upon. Any parking in school zones will be monitored by parking rangers.

4.15(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. The approved development as modified by the current application is not contrary to the public interest.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 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.”*

This section 4.55(1A) application does not trigger any changes to the original condition of consent requiring payment of a section 7.11 contribution in accordance with Council's Section 94 Contributions Plan.

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval.

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

RECOMMENDATION

Pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, the proposed modification(s) to Development Consent No. 2015/167/2 for involving Section 4.55(1A) modification application to extend hours of operation to allow trading from 7am – 10:30pm Monday to Sunday. at 4 Rochester Street, Homebush be **APPROVED**, subject to:

1. The original conditions of consent Application (DA2015/167) as approved by Council on 19 April 2016 for Fit-out and use of an existing premise as a ground floor restaurant with one (1) x 1 bedroom shop top housing unit.
2. As modified by the Section 4.55(1A) Application (DA2015/167/01) as approved by Council on 17 October 2016 for the addition of a wood fire oven
3. As modified by the Section 4.55(1A) application (DA2015/167/02) involving:
 - Amendment to Condition No.19 and 20.

Accordingly, Development Consent No.2015/167/02 is approved as following:

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied, and subject to any amendments “in red” and any variation as required by conditions of this consent:

Ground Floor and First Floor Plan Project Number 150820 Drawing DA.02 prepared by BC&A Associates, dated 1 March 2016.

Existing and Demolition Plans Plan Project Number 150820 Drawing DA.03 prepared by BC&A Associates, dated 1 March 2016.

Proposed Elevations and Sections Project Number 150820 Drawing DA.04 prepared by BC&A Associates, dated 1 March 2016.

Noise Impact Assessment prepared by Acoustic Logic, dated 1 March 2016.

Parking Assessment prepared by APEX Engineers, dated 1 March 2016.

Stormwater Plans Cover Page Drawing A6449- SW01 prepared by Alpha Engineering & Development, dated 1 March 2016.

Ground Floor, First Floor & Roof Drainage Plan Drawing A6449 SW02 prepared by Alpha Engineering & Development, dated 1 March 2016.

Stormwater Section Details Drawing A6449 prepared by Alpha Engineering & Development, dated 1 March 2016.

Waste Management Plan prepared by BC&A Associates dated 21 December 2015.

Specification, Legend and Schedules, Drawing M-01, Rev C prepared by Nick Przita & Associates, received by Council 1 December 2016.

Kitchen Equipment Layout at Floor Level, Drawing M-02, Rev C prepared by Nick Przita & Associates, received by Council 1 December 2016.

Ventilation Equipment Layout at RCP Level, Drawing M-03, Rev C prepared by Nick Przita & Associates, received by Council 1 December 2016.

Ventilation Equipment Layout at Roof Level, Drawing M-04, Rev C prepared by Nick Przita &

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

Associates, received by Council 1 December 2016.

Section A-A, Drawing M-05, Rev C prepared by Nick Przita & Associates, received by Council 1 December 2016.

Section B-B, Hoods Manufacturing Details and Typical Details, Drawing M-06, Rev C prepared by Nick Przita & Associates, received by Council 1 December 2016.

2. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
4. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

5. **Prior to the issue of a Construction Certificate** amended plans shall be prepared and submitted to the Principal Certifying Authority increasing the size of the waste collection room to at least 7m² so that it can accommodate three (3) x 660L waste bins, four (4) x 240L recycling bins and manoeuvring space in accordance with the waste generation rates required by Council.

The waste storage and collection area must be located within the building with an air lock door to the restaurant and must not be located within the garage.

The waste storage room shall be suitably ventilated, bunded with an impervious, sealed floor and provided with hot and cold water.

6. A Plan of Management for the Restaurant including the outdoor eating area must be prepared and submitted to the Principal Certifying Authority and Council **prior to the issue of a Construction Certificate**. The Plan of Management shall provide details on matters including, but not limited to, the following:
 - (a) The hours of operation of the premise including the hours of use of the approved outdoor dining area and use of interior restaurant space in keeping with the hours of operation specified in this consent;
 - (b) Allocation of one (1) on-site loading bay;
 - (c) Schedule of regular deliveries for the restaurant to minimise demand for on-street parking;
 - (d) Details of the arrangements for storage, volumes and management of waste and recyclable materials;
 - (e) Details of the arrangements made with Council or a commercial contractor for the regular collection of waste from the waste storage room;
 - (f) Management of noise generated by the restaurant and approved outdoor eating areas to protect the amenity of nearby residential properties;
 - (g) Methods and timing for cleaning of outdoor eating areas; and
 - (h) Details of any licensing conditions for the restaurant.

NOTE: The Plan of Management must be signed by the owners of the site and any subsequent new tenant.

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

7. The fitout (including a wood fired pizza oven), use and operation of the premises including all preparation and food storage areas shall comply with the Australian/New Zealand Food Safety Standards Code and relevant standards. Details shall be submitted to the Principal Certifying Authority and approval obtained **prior to the issue of a Construction Certificate.**
- Note:** Copies of the Code are available from the Food Standards Australia New Zealand website at <http://www.foodstandards.gov.au/>
8. Plans and specifications showing details of all mechanical ventilation systems shall be submitted to the Principal Certifying Authority and approval obtained **prior to the issue of a Construction Certificate.**
9. Access to the interior of the restaurant for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
10. DELETED
11. The restaurant is to have a maximum capacity for (70) people inclusive of patrons for both indoor and outdoor seating areas and staff.
12. All existing street trees are to be retained with no furniture or other fittings such as lighting or signs permitted to be fixed to trees or planter beds.

General

13. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit must be retained on site at all times.
14. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
15. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

16. Fees are payable where Council is appointed as principal certifying authority to carry out the post-approval inspections. A quotation for the fees can be obtained by contacting Council and the fees shall be paid **prior to the carrying out of any of the inspections.**

Any re-inspection which is necessary due to site access not being available, defective work, or the matter not being ready for inspection will be charged in accordance with Council's Fees and Charges Policy. Council will advise in writing if an additional re-inspection is required and the re-inspection fee shall be paid **prior to release of the damage deposit.** If the additional fee is not paid it will be deducted from the damage deposit.

17. In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect Development Contributions Plan 2010-

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

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:

(a)

(b) Local Amenity Improvement Levy **\$3,000.00**

(c) The total amount of the contribution is valid as at the date of determination and is subject to annual indexation. If the contribution is paid after 1st July in any year, the amount of the contribution under this condition shall be indexed in accordance with clause 4.12 of the Strathfield Indirect Development Contributions Plan 2010-2030.

(d) The required contribution shall be paid **prior to the issue of a Construction Certificate.**

18. A security payment of **\$4,127.00** in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council **prior to the issue of a Construction Certificate.** The security payment is GST inclusive and comprises the following:

(e)

(f) Refundable works bond \$4,000.00

(g) Non-refundable administration fee (\$127/bd) \$127.00

(h) **TOTAL \$4,127.00**

The security payment covers the following matters and will be released upon satisfactory completion of these items:

- (a) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.

Site Operation

19. The use and operation of the restaurant shall be limited to the following hours:

(a) 7:00am – 10:30pm Monday to Sunday*

(b) Employees are permitted to be present within the site from 6:30am to 10:30pm, Monday to Sunday.

*The outdoor areas adjacent to the site shall not be used after 9:30pm, Sunday to Wednesday in order to minimise acoustic impacts on neighbouring residents.

20. The delivery and despatch of goods, material and the like to and from the premises shall only take place between 7am and 6pm and in accordance with a Plan of Management endorsed by the site owner and the tenants living in the dwelling above.
21. *All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.*
22. Any noise generated on the premises from the use of the outdoor eating area shall not have a detrimental effect on the occupants of any adjoining residential dwellings. The activities of staff and patrons using the outdoor eating area shall not generate excessive noise. In this regard there shall be no amplified music, public address system or the like and the cleaning and packing away of furniture and other items from the outdoor eating area shall be completed before the closing time of the restaurant.
23. In the event of Council receiving complaints regarding excessive noise, the person(s) in

**DA2015/167/02 - 4 Rochester Street, Homebush
Lot A DP104002 (Cont'd)**

control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

24. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.
25. Any proposed lighting of the outdoor eating area shall be designed, located or shielded to ensure the amenity of the surrounding area is not adversely affected by light overspill. Details of the lighting of the outdoor eating area shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
26. No flashing lights or flashing animated signs shall be erected on the property.
27. No advertising flags, banners or the like are to be erected on or attached to the shopfront or the outdoor dining area.
28. To minimise the generation of waste all food and drinks served in the outdoor eating area must be contained in re-usable (not disposable) cutlery, crockery and drink ware.
29. All furniture and other items associated with the outdoor eating area are to be stored internal to the building outside the approved hours of operation.

Construction Matters

30. The proposed development shall comply with the National Construction Code and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**.
31. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
32. A certificate from a practising and suitably qualified structural engineer certifying that the existing awning structure is capable of supporting the new superimposed loads from the proposed new awnings shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**.
33. The proposed development shall comply with the National Construction Code and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**.

Fire Safety Measures

34. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the restaurant premises and specified in the fire safety schedule. The final fire safety certificate shall be provided **prior to the issue of an Occupation Certificate**.
35. Each 12 months after the installation of essential fire or other safety measures, the owner of

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a building must submit an Annual Fire Safety Statement for the building to Council. In addition a copy of the statement must be given to the NSW Fire Commissioner and a copy displayed prominently in the building.

36. Details of the mechanical ventilation system, detailing compliance with the relevant requirements of Clause F4.12 of the Building Code of Australia and Australian Standard AS 1668 Part 1 and 2 are to be submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.
37. At the completion of the installation of the mechanical ventilation system, a certificate from a practising mechanical engineer shall be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate indicating compliance with Australian Standard AS 1668.
38. The ongoing use of the premises must not give rise to 'offensive noise' as defined under the provisions of the *Protection of the Environment Operations Act 1997*.

ATTACHMENTS

There are no attachments for this report.