

Agenda

Strathfield Local Planning Panel Meeting

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

Thursday, 6 June 2019

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 - 6 June 2019
REPORT: SLPP – Report No. 1
SUBJECT: DA2019/024 - 70 PARRAMATTA ROAD, HOMEBUSH
LOTS 7 & 8 IN DP 128813
DA NO. DA2019/024

SUMMARY

Proposal: Extension of hours of operation for the existing hotel from 10am-12pm Monday to Saturday and 10am-10pm on Sunday to 10am-2am Monday to Saturday and 10am-12am Sunday.

Applicant: Absolute Design Group Pty Ltd

Owner: Entasil Pty Ltd

Date of lodgement: 26 February 2019

Notification period: 12 March 2019 to 2 April 2019

Submissions received: Nil

Assessment officer: ND

Estimated cost of works: Nil

Zoning: B4 Mixed Use - SLEP 2012

Heritage: Yes

Is a Clause 4.6 variation proposed? No

Reason for referral to SLPP: Sensitive development – Extension of trading hours of an existing licenced premises.

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 Council approval is sought for hours of operation at the existing Horse and Jockey Hotel. The hours of operation include Monday to Saturday 10am – 2am and Sunday 10am – 12 midnight.
- 2.0 The application was put on notification from 12 March 2019 to 2 April 2019. No written submissions were received as a result of the notification period.
- 3.0 The application was forwarded to the Police whom had no objections to the late night trading hours.
- 4.0 Proposed late night trading hours, specifically 12 midnight to 2am Monday to Saturday and 10pm to 12 midnight on Sunday are considered suitable for the location of the existing Hotel at the corner of Parramatta Road and Knight Street. The longer trading hours will contribute towards the revitalization of the precinct.
- 5.0 As the surrounding streetscape is undergoing a state of transition from a decayed and low density commercial precinct to a high density active corridor, the late night trading hours are supported for a 12 month trial period. The trial period will provide the opportunity to ensure

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Lots 7 & 8 in DP 128813 (Cont'd)**

the trading hours of premises align with the future character of the locality and not result in adverse residential impacts.

- 6.0 The proposal is acceptable on its merits and is recommended for approval, subject to the conditions of consent.

BACKGROUND

- 28 June 2011: Development Application No. 2010/206 was approved for alterations and additions to the Horse and Jockey Hotel.
- 22 August 2011: Section 96(1) modification application to correct the Lot and Deposited Plan of the proposed development.
- 27 June 2014: Development Application No. DA2014/068 was approved for alterations and additions to the existing heritage listed Horse and Jockey Hotel including the demolition of two (2) brick warehouse buildings and construction of an at-grade carpark facility for (28) vehicles.
- 26 February 2019: The current development application (DA2019/024) was lodged.
- 12 March 2019 to
2 April 2019: Application was publicly notified. No written submissions were received.
- 1 April 2019: Comments provided by the NSW Police were received.
- 2 April 2019: A letter was sent to the applicant requesting additional information in relation to the submitted Acoustic Report.
- 17 April 2019: The requested additional information in relation to the Acoustic Report was submitted to Council.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the southern side of Parramatta Road at the corner of the intersection of Knight Street and Parramatta Road (Figure 1). The existing Horse and Jockey Hotel is an Inter-War Functionalist style hotel featuring horizontal banding and a corner lantern with pedestrian entrances located at Parramatta Road and Knight Street (Figure 2). The site is located 160m walking distance to Homebush train station.

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Figure 1: Locality plan. The subject site is outlined in yellow.



Figure 2: The existing Horse and Jockey Hotel.

The area is undergoing a state of transition from low scale commercial to recently constructed medium and high scale mixed use development (Figure 3). Car yard dealerships are also located intermitting between the commercial and residential flat buildings.

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Figure 3: View of the surrounding streetscape facing Parramatta Road including the existing Horse and Jockey Hotel, decayed commercial premises and a recently constructed mixed use building.

PROPERTY BURDENS AND CONSTRAINTS

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for hours of operation for the existing Horse and Jockey Hotel:

Hours of Operation Approved Under DA2010/206:

Monday to Saturday: 10:00am to 12 midnight
Sunday: 10:00am to 10:00pm

Proposed Hours of Operation:

Monday to Saturday: 10:00am to 2:00am
Sunday: 10:00am to 12 midnight

REFERRALS

INTERNAL REFERRALS

Environmental Health Comments

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

"The acoustic report fails to demonstrate wind and rain have been adequately measured and cannot demonstrate the long term noise measurements provide an accurate reflection of the existing noise environment."

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The additional information fails to provide validation for assumptions relating to patron noise, and fails to identify the impact alcohol will have on the assumptions.

The additional information states that no gaming machines will be used in an outdoor area. However any gaming machine rooms where smoking is permitted typically contain openings that result in the room being considered. The additional information and the acoustic report fails to identify which gaming machines are operating in these outdoor areas and how they will operate with openings and reduce the noise to neighbouring properties.

Recommendation

While concerns with the suitability of the acoustic report are noted, if the application is approved, it should be approved with the following conditions.

Special Conditions

Trial Period

The extended hours of operations are to operate on a trial basis, expiring after twelve (12) months.

Acoustic Assessment of Proposed Development

Within thirty (30) days of this development approval, the applicant must submit to Council for its approval an acoustic report prepared by a suitably qualified and experienced acoustic consultant. The acoustic report must:

- *Contain background readings taken in accordance with NSW EPA Noise Policy for Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" long-term measurement. The background readings must include full details on how meteorological conditions were monitored.*
- *Background readings must be reported in accordance with NSW EPA Noise Policy for Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" for long-term measurement.*
- *Identify all noise producing aspects of the proposed development.*
- *Demonstrate the suitability of any assumptions used in the acoustic report, via the provision of references or validating data.*
- *Recognise and provide variation for the impact of alcohol on any crowd noise.*
- *Identifying which areas of the development are indoor areas and outdoor areas.*
- *Propose effective and quantifiable noise control measures to control noise emitted from the premises to the levels required.*

Note: Any smoking gaming rooms with permanent openings are considered outdoor areas while smoking is permitted in the areas. If a room is required to have any doors, windows, louvres or any other structure to be open to allow smoking in the room, the room shall be considered outdoors while smoking is undertaken in the room.

Noise Use (Licensed Premises)

General:

The use and operation of the premises and any associated machinery, equipment or the like must not emit a sound pressure level when measured at the boundary of any other

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residential property between 7:00am and 12:00 midnight that exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

Office of Liquor Gaming & Racing Requirements:

- The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) by more than 5dB between 7:00 AM and 12:00 midnight at the boundary of any affected residence.*
- The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz- 8 kHz inclusive) between 12:00 midnight and 7:00 AM at the boundary of any affected residence.*
- Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 AM.*

Offensive noise:

The applicant is advised that Council reserves the right to restrict the days and hours of operation if considered necessary to prevent the emission of "offensive noise" as defined in the Protection of the Environment Operations Act, 1997.

Offensive noise means noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:*
- (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; or*
 - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or*
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.*

(Reason: Environmental amenity)

Standard Conditions

Noise - Complaints Relating To Use Or Machinery (OU)

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.)

Noise - Signage To Patrons Exiting The Premises (OU)

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

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the premises in a manner that does not disturb the quiet and good order of the neighbourhood.

(Reason: Public interest.)”

EXTERNAL REFERRALS

NSW Police

The application was referred to NSW Police. The following comments have been received.

“Police would like to make the following recommendations

CCTV

1) The consent holder must maintain a closed-circuit television system on the premises in accordance with the following requirements:

- a) the system must record continuously from opening time until one hour after the premises are required to close (or, in the case of premises that are not required to cease trading, continuously at all times),*
- b) recordings must be in digital format and at a minimum of 15 frames per second,*
- c) any recorded image must specify the time and date of the recorded image,*
- d) the system’s cameras must cover the following areas:*
 - i) all entry and exit points on the premises,*
 - ii) the footpath immediately adjacent to the premises,*
 - iii) all publicly accessible areas (other than toilets) on the premises.*

2) The consent holder must also:

- a) keep all recordings made by the CCTV system for at least 30 days, and*
- b) ensure that the system is accessible by at least one member of staff at all times it is in operation, and provide any recordings made by the system to a police officer or inspector within 24 hours of any request by a police officer or inspector to provide such recordings.*

Trading Hours

The applicants have requested extended trading hours from 10am to 12am Monday to Saturday to 10am to 2am, and from 10am to 10pm Sunday to 10am to 12am. Police want to remind the applicants this must be strictly adhered to. Any trade outside these hours, Police will breach the applicant.

Auburn Police will closely monitor the premises to ensure they comply with their liquor licence conditions.

On Site Security

Police recommend that there be on site security at the location especially late evening and would recommend the security officer be rostered till close of business.”

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:

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(i) any environmental planning instrument

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>	N/A
(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>	N/A

Comments: The surrounding locality is in a state of transition with the proposed late night trading hours encouraging visitation to the area and contributing towards the transformation of the Parramatta Road Corridor as an active hub for businesses and residents.

Permissibility

The subject site is Zoned B4 Mixed Use under Strathfield Local Environmental Plan (SLEP) 2012. 'Pubs' are permissible within the B4 Mixed Use zone with consent and are defined under the SLEP 2012 as follows:

“pub means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.”

The subject application seeks to increase the hours of operation of the existing pub located at the site and is consistent with the definition above.

Zone Objectives

An assessment of the proposal against the objectives of the B4 Mixed Use Zone is included below:

Objectives	Complies
➤ To provide a mixture of compatible land uses.	Yes
➤ To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximize public transport patronage and encourage walking and cycling.	Yes
➤ To facilitate mixed use urban growth around railway stations and transport nodes and corridors, commercial centres and open space.	Yes
➤ To provide local and regional employment and live and work opportunities.	Yes

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Comments: The application provides the opportunity for the continuation of the heritage listed premises as its original use as a pub in an accessible location.

Part 4: Principal development standards

There are no provisions contained within Part 4 of the *SLEP 2012* that are applicable to the subject application.

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

The Horse and Jockey Hotel is listed as a heritage listed item under Schedule 5 in the *SLEP 2012*. The Hotel has continually been used as pub and is a good example of an Inter-War Functionalist style hotel featuring horizontal banding and a corner lantern. No physical building works are proposed under the subject application. The proposal results in the continuance of the Hotel and its conservation as a heritage item.

Part 6: Local Provisions

There are no provisions contained within Part 4 of the *SLEP 2012* that are applicable to the subject application.

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

There are no relevant Development Control Plans.

4.15 (1)(a)(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*.

4.15 (1)(a)(iv) matters prescribed by the regulations

Not applicable.

(i) any coastal zone management plan

Not applicable.

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 Horse and Jockey Hotel is located at the corner of Parramatta Road and Knight Street with Parramatta Road the main arterial road connecting Sydney and Parramatta. The subject site is also located within the Parramatta Road Corridor, an area identified for long term growth and revitalisation. The proposal seeks consent for the Hotel to operate Monday to Saturday from 10am to 2:00am and Sunday from 10am to 12 midnight. Under two previous development consents

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(DA2010/206 and DA2014/068) approval hours were granted for Monday to Saturday 10am to 12midnight and Sunday 10am to 10pm.

The application was accompanied by an Acoustic Impact Report that addresses potential noise sources. Council's Environmental Officer identified insufficient information in the establishment of the background readings to provide an accurate reflection of the existing noise environment, particularly in regards to the affectation of wind and rain on the collected data. As such, conditions of consent as recommended by Council's Environmental Health Officer have been included. Specifically, an amended acoustic report must be submitted to Council prior to the commencement of the extended hours with background readings taken in accordance with NSW EPA Noise Policy for Industry 2017 and must demonstrate that the operation of the premises during the extended late night trading hours are capable of achieving compliance with the acoustic requirements of Office of Liquor Gaming and Racing. Commencement of the extended trading hours may not occur until all conditions recommended by Council's Environmental Health Officer are satisfied.

During the assessment process, Council received comments from NSW Police whom have no objections to the late night trading hours subject to recommendations regarding CCTV and on-site security. A condition of consent has been imposed for the CCTV and security recommendations to be included in an amended Plan of Management to be approved by Council prior to the commencement of the hours.

The operation of the Hotel for longer periods may give rise to adverse impacts on the locality in relation to crime, anti-social behaviour and gambling addiction. Licencing (including operational times) for the selling and supply of alcohol and gambling machines at the Hotel falls under the Independent Liquor and Gaming Authority (LIGA). Under the LIGA licensed premises must adhere to shut-down periods for gambling machines and the selling and supply of liquor. As there are no other pubs located within close proximity to the site, this will assist in the monitoring of anti-social alcohol related behaviour.

Whilst the proposed hours of operation are considered to be appropriate for the location of the subject site, from an accessibility (fronting Parramatta Road and close proximity to Homebush train station) and land use zoning context (shown in Figure 3), the transitioning nature of the streetscape in conjunction with Council having no late night trading policy raises an element of uncertainty. As such, it has been recommended for the late night trading hours Monday to Saturday 12midnight to 2am and Sunday 10pm to 12 midnight are granted for a 12 month trial period. The longer trading hours will support the continuation of the heritage listed premises as a pub whilst the trial period will enable the suitability and impacts of the hours to be reviewed as the locality transitions.

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Figure 3: SLEP 2012 land use map of the subject site and surrounding streetscape.

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

The proposed hours of operation of the existing Horse and Jockey Hotel are considered to be suitable for its use as a pub that will contribute towards a night time economy in the Parramatta Road Corridor.

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 12 March 2019 to 2 April 2019. No written submissions were received as a result of the notification period.

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 to be contrary to the public interest.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

Section 7.13 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. This section prescribes in part as follows:

A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

Section 7.12 Contributions are not applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan as no building works are proposed.

CONCLUSION

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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. The proposed trading hours are supported on a 12 month trial basis, subject to the recommended conditions of consent.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

That Development Application No. 2019/024 for hours of operations at the existing Horse and Jockey Hotel at 70 Parramatta Road, Homebush be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. NSW POLICE – CCTV AND ON-SITE SECURITY

The licensee must maintain a closed-circuit television system on the premises in accordance with the following requirements:

- (a) The system must record continuously from opening time until one hour after the premises are required to close (or, in the case of the premises that are not required to cease trading, continuously at all times)
- (b) Recordings must be digital format and at minimum of 15 frames per second,
- (c) Any recorded image must specify the time and date of the recorded image,
- (d) The system's cameras must cover the following areas, all entry and exit points on the premises, the footpath immediately adjacent to the premises, all publicly accessible areas (other than toilets) on the premises,
- (e) The licensee must also keep all recordings made by the CCTV system for at least 30 days, and ensure that at least one member of staff is on the premises at all times who is able to access and fully operate the CCTV system, including downloading and producing recordings of CCTV footage and
- (f) Provide any recordings made by the system to a police officer or inspector with 24 hours of any request by a police officer or inspector to provide such recording.

(Reason: To help ensure the safety of the staff and patrons.)

2. The venue must utilise the services of a minimum one (1) licensed security guard during the late night trading hours until 30 minutes after the last patron has left.

(Reason: To ensure the safety and security of the patrons and staff of the venue.)

GENERAL CONDITIONS (GC)

3. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No.2019/024:

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Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
1	Ground Floor Plan	Absolute Design Group Pty Ltd	Issue A	26 February 2019
2	First Floor Plan	Absolute Design Group Pty Ltd	Issue A	26 February 2019

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

4. HOURS OF OPERATION (GC)

The hours of operation at the Horse and Jockey Hotel shall be as follows:

	Base Hours	Late Night Hours
Monday to Saturday	10am to 12 midnight	12 midnight to 2am
Sunday and Public Holidays	10am to 10pm	10pm to 12 midnight

Extended Hours – 12 month trial:

- 1) The late night trading hours are subject to a 12 month trial.
- 2) Prior to the commencement of the late night trading hours (subject to a 12 month trial period), the applicant must submit to Council for its approval an acoustic report prepared by a suitably qualified and experienced acoustic consultant and an updated Plan of Management to reflect the recommendations of the acoustic report. The acoustic report must:
 - i) Contain background readings taken in accordance with NSW EPA Noise Policy for Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" long-term measurement. The background readings must include full details on how meteorological conditions were monitored.
 - ii) Background readings must be reported in accordance with NSW EPA Noise Policy for Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" for long-term measurement.
 - iii) Identify all noise producing aspects of the proposed development.
 - iv) Demonstrate the suitability of any assumptions used in the acoustic report, via the provision of references or validating data.
 - v) Recognise and provide variation for the impact of alcohol on any crowd noise.
 - vi) Identify which areas of the development are indoor areas and outdoor areas.
 - vii) Propose effective and quantifiable noise control measures to control noise emitted from the premises to a levels required in condition– Noise Use (Licenced Premises)

Note: Any smoking gaming rooms with permanent openings are considered outdoor areas while smoking is permitted in the areas. If a room is required to have any doors, windows, louvres or any other structure to be open to allow smoking in the room, the room shall be considered outdoors while smoking is undertaken in the room.

- 3) The 12 month trial period commences from the date of Council's approval of the Acoustic

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Report and Plan of Management referred to in Condition 2.

- 4) Should any Council approved acoustic report recommend lesser hours than stated in Condition 2 then the lesser hours will prevail.

A Section 4.55 application to modify or to make permanent the late night trading hours must be lodged 30 days prior to the expiry period. Until the application is determined the premises may continue to trade as per the approved trial hours. If an application is not lodged 30 days prior to the expiry of the trial period, the trading hours will revert to the base trading hours.

A renewal or extension of trading hours that are subject to any trial period may only be permitted if Council is satisfied that the premises has demonstrated good management performance, compliance with a plan of management and consideration of any comments from Police and State Licensing Authorities. .

If the Council determines that the trial period has been unsatisfactory then trading hours will revert to the base trading hours.

(Reason: Residential amenity and to permit a trial period of late night trading hours.)

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

5. PLAN OF MANAGEMENT (OU)

A final Plan of Management is to be formulated and submitted to Council for approval prior to the commencement of the late night trading hours. The Plan of Management shall be displayed in prominent locations within the premises. The Manager/Publican shall be responsible for ensuring that the terms of the Plan are adhered to at all times.

The Plan of Management must incorporate the following:

- i) Recommendations of any Council approved Acoustic Report.
- ii) All the measures to be implemented on the premises in terms of safety & security and amenity of surrounding residential properties including but not limited to matters relating to hours of operation, patron capacity, security staff and their responsibilities, training of staff in responsible service of alcohol procedures, control of amplified music and live band performances etc.
- iii) CCTV and on-site security measures in accordance with Special Condition No. 1.
- iv) All the responsibilities of the Manager particularly with respect to co-ordination of security measures, training and management of staff, and co-ordination of any matters involving the NSW Police Service.
- v) An Incident Register shall be maintained by the Manager and shall be produced upon demand by any Council officer or NSW Police Officer. The Register must contain a direction that all incidents of a criminal nature are to be reported to the Police immediately.
- vi) Complaint handling procedure if a noise complaint is received.
- v) Prior to commencement of the use, a notification letter shall be forwarded to Council, the Police and neighbours providing contact details for the Manager so that any surrounding property owner/occupier wishing to raise issues regarding the operation of the premises etc. can access the management of the premises promptly.

(Reason: To minimise the impact of the use on surrounding residences.)

6. LICENSED PREMISES - NOISE REQUIREMENTS (OU)

The use and operation of the premises and equipment shall comply with the following at all times:

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- i) Must not emit a sound pressure level when measured at the boundary of any other residential property between 7:00am and 12:00 midnight that exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.
- ii) The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) by more than 5dB between 7:00 AM and 12:00 midnight at the boundary of any affected residence.
- iii) The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz- 8 kHz inclusive) between 12:00 midnight and 7:00 AM at the boundary of any affected residence.
- iv) Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 AM.

(Reason: Noise control and amenity)

7. NOISE – GENERAL (OU)

The use of the premises shall not give rise to the transmission of offensive noise as defined in the Protection of the Environment Operation Act 1997 (NSW).

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.)

8. NOISE - SIGNAGE TO PATRONS EXITING THE PREMISES (OU)

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.)

ATTACHMENTS

1. [↓](#) Statement of Environmental Effects

STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared by



**Extention of Operating Hours to the Horse and Jockey
Hotel**

Lots 7,8,9,10 & 11 DP 128813 No 64-70 Parramatta Road Homebush

52 Tramway Drive Currans Hill
NSW 2567
Phone 0438234238
Email: absolutedesign@dodo.com.au

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**STRATHFIELD COUNCIL
RECEIVED**

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared in support of an application for extension of operating hours to the Horse and Jockey Hotel.

This statement of Environmental Effects is based on information and details shown on the following architectural plans prepared by Absolute design Group PTY LTD:

- Drawing No. 1006 01 – Ground Floor Plan
- Drawing No. 1006 02 – First Floor Plan

This Statement of Environmental Effects has been prepared in support of the proposed application. This report is based on the submitted plans, inspections and general knowledge of the site and locality, with the aim of:

- Assessing the proposal against relevant statutory controls.
- Determining whether the proposal is acceptable within the existing and likely future context of the area.
- Considering whether the proposal is acceptable within the broader planning controls.
- Addressing any likely environmental impacts (positive and negative).

The proposal has been assessed in relation to the relevant sections of:

- Strathfield Consolidated Development Control Plan 2005
- Strathfield Local Environmental Plan 2012

2.0 ZONING

The subject site is located on the southern side of Parramatta Road, Homebush. (Refer to Location Map – Appendix A).

The subject site consists of five allotments. The site has a frontage to Parramatta Road of approximately 21.45 Meters and an average depth of approximately 46.02 Meters. The Description of the Site is Lots 7,8,9,10 & 11 No 68 in DP 128813, Parramatta Road, Homebush.

The subject site is zoned B4 Mixed Use under the Strathfield Councils LEP Zoning Maps

3.0 Current Development Approved Hours of Operation

Currently the Horse and Jockey Hotel has a Development Application approval No 2014/068 with hours of operation restricted to 10:00am to 12:00am Monday to Saturday and 1:00am to 10:00pm Sundays. This proposal seeks to have these hours of operation extended to 10:00am to 2:00am the following mornings of Monday to Saturday and 10:00am till Midnight Sundays.

There are no construction alterations to the existing hotel proposed, or any other addition to the building.

4.0 Impacts on surrounding Development

Currently the Horse and Jockey Hotel has measures in place for security and patron rules for entering and exiting the premises. These rules will not change as outlined in the attached Plan of Management. An acoustic report has also been prepared and submitted with his application detailing how the extended trading hours will not impact the surrounding neighbors.

Noise from Parramatta Road and The M4 motorway will be significantly louder than the noise generated from the hotel. Therefore there are no significant impacts to the surrounding neighborhood.

5.0 Conclusion

The proposal is to simply extend the hours of operation of the hotel. The impact of the new hours of operation has no detrimental effect to the surrounding neighborhood and we trust that council looks favorable upon the application and we hope for a speedy approval.

Yours truly,

Kylie Celea
Director

APPENDIX A

LOCATION MAP



Horse and Jockey Hotel

TO: Strathfield Local Planning Panel Meeting - 6 June 2019
REPORT: SLPP – Report No. 2
SUBJECT: DA2014/142/03 - 482 LIVERPOOL ROAD, STRATHFIELD SOUTH
LOT A IN DP 324632
DA NO. DA2014/142/03

SUMMARY

Proposal: Section 4.55(2) modification application to extend the hours of operation of the existing hotel to include 12:00am-2:00am Monday to Saturday and 10:00pm-12:00am Sunday for a 12 month trial period.

Applicant: Viewhost Pty Limited

Owner: A. & M. Laundry

Date of lodgement: 7 March 2019

Notification period: 26 March 2019 to 16 April 2019 and 11 April 2019 to 29 April 2019.

Submissions received: Three (3) written submissions were received.

Assessment officer: ND

Estimated cost of works: Nil

Zoning: B4 Mixed Use - SLEP 2012

Heritage: No

Flood affected: No

Is a Clause 4.6 variation proposed? No

Reason for referral to SLPP: Sensitive development – Extension of trading hours of an existing licenced premises.

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 On 15 December 2014, Council approved Development Application No. 2014/142 for alterations to the existing Crossways Hotel.
- 2.0 One (1) subsequent modification application has been approved involving internal configuration of the kitchen, private room and bars areas, amendments to the Liverpool Road entrance and the children's play area.
- 3.0 Hours of operation for the Hotel were imposed under the parent consent as it was noted that no previous development consents included hours of operation restrictions.
- 4.0 The subject application was lodged under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, seeking to extend the hours of operation for a 12 month trial period at the existing Crossways Hotel.

**DA2014/142/03 - 482 Liverpool Road, Strathfield South
Lot A in DP 324632 (Cont'd)**

- 5.0 The application was put on notification with three (3) written submissions received raising concerns regarding noise emitted from patrons at the premises, vehicles leaving and increase in gambling opportunities.
- 6.0 The application was forwarded to the Police whom had no objections to the 12 month trial to the extended trading hours.
- 7.0 The site is located in an accessible location, at the corner of Liverpool Road (a classified road) and Homebush Road, however the close proximity of the Hotel to sensitive land uses, the extension of hours Monday to Thursday is not supported.
- 8.0 As the submitted acoustic report cannot account for environmental factors in the measurement of the background readings, conditions of consent have been recommended for the extended trading hours to commencement upon the satisfaction of the acoustic report to Council.
- 9.0 The proposal specifically seeks consent for the nominated extended trading hours to be approved as a 12 month trial period. The trial period will enable Council the opportunity to review the hours and the ability of the premises to create an acceptable environment for patrons and residents alike.
- 10.0 The proposal is acceptable on its merits and is recommended for approval subject to the conditions of consent.

BACKGROUND

- 13 July 1962: Approval of the Crossways Hotel was granted.
- 23 September 1987: Approval granted for alterations to the Hotel.
- 14 February 1991: Approval granted for alterations to the Hotel.
- 15 December 2014: Council granted approval to Development Application No. 2014/142 for alterations to the existing Crossways Hotel including an outdoor beer garden, entry structure, gaming area and toilet facilities.
- 23 October 2015: Section 96(1A) modification application (DA2014/142/01) to extend the hours of operation of the Crossways Hotel was refused by Council.
- 19 November 2015: Section (1A) modification application (DA2014/142/02) including internal configuration of the kitchen, private room and bar areas, amendment to the Liverpool Road entrance and the children's play area was approved.
- 7 March 2019: The current modification application to extend the hours of operation was lodged.
- 26 March 2019 to
16 April 2019: Application was publicly notified.
- 1 April 2019: Comments provided by the NSW Police were received.
- 5 April 2019: A letter was sent to the applicant requesting an updated Acoustic Report and an amended Plan of Management in accordance with NSW Police comments.
- 11 April 2019 to

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Lot A in DP 324632 (Cont'd)

29 April 2019: The application was re-notified with an extended notification area.

9 May 2019: Amended Acoustic received.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located at the south-western corner of the intersection at Liverpool Road and Homebush Road (Figure 1). The site has a frontage of 19.81m to Liverpool Road with a skewed south eastern boundary and an overall site area of 850.11m². The site is currently occupied by the Crossways Hotel, a two (2) storey brick building with a rendered masonry base with associated beer garden located along the eastern boundary and children's playground and eating area located at the southern boundary (Figure 2). Customer parking is provided by way of the adjoining public car park and surrounding on-street parking.

The site is located within the B4 Mixed Use zone and is immediately surrounded by recently constructed mixed use development and decayed commercial buildings centred upon the Liverpool Road and Homebush Road intersection. The wider streetscape comprises of undeveloped detached dwellings and low density residential housing.

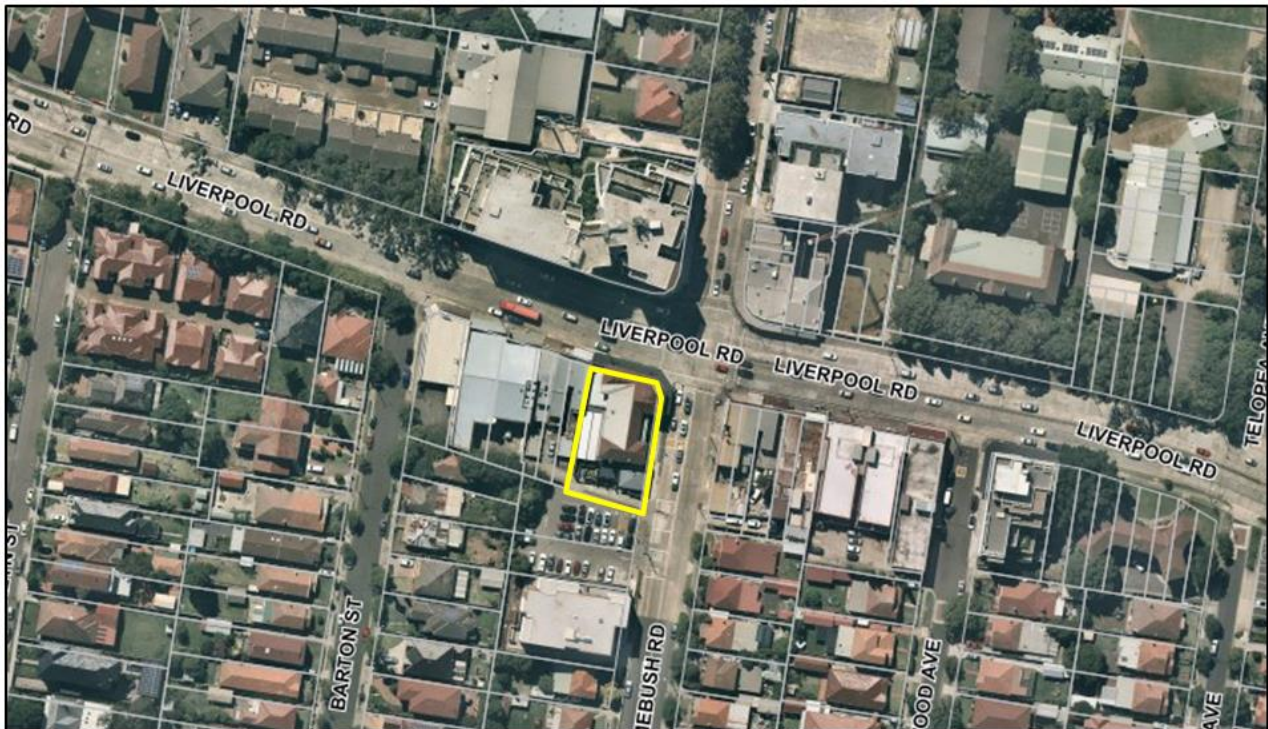


Figure 1: Locality plan with the subject site outlined in yellow.

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 Lot A in DP 324632 (Cont'd)



Figure 2: View of the existing Crossways Hotel from Homebush Road.

PROPERTY BURDENS AND CONSTRAINTS

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval to extend the hours of operation of the Crossways Hotel for a 12 month trial period.

The specific elements of the proposal are:

Existing Condition No. 7:

7. *"The existing hours of operation of the Crossways Hotel shall not be altered.
 The existing hours of operation are:*

- (a) Monday to Saturday: 5am to 12 midnight; and*
- (b) Sunday or public holidays: 10am to 10pm."*

Proposed Condition No. 7:

7. *"The hours of operation are:*

- Monday to Saturday: 5:00am to 12 midnight; and*
- Sunday or public holidays: 10:00am to 10:00pm.*

(a) Notwithstanding the above, the premises may operate between 12:00 midnight to 2:00 am the following day Monday to Saturday inclusive; and between 10.00 pm and 12.00 midnight on Sunday for a 12 month trial period commencing from the date of grant of this Section 4.55 modification application.

(b) The applicant may apply to Council prior to the expiration of the trial period to make the extended hours outlined in (a) above permanent. Providing the application is lodged prior to expiration of the trial period, the premises may continue to trade the extended hours until the application is determined. The decision to make the

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extended hours permanent will be based on the performance of the operator during the trial period."

REFERRALS

INTERNAL REFERRALS

Environmental Health Comments

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

"The Acoustic Report does not satisfactorily demonstrate the proposal will not cause an offensive noise to the surrounding area.

The two main failures are:

- 1. The report fails to demonstrate wind and rain have been adequately measured and does not identify the wind and rain affected data for exclusion.*
- 2. The report recommends predicted noise levels at Level 1/480 Liverpool road that fails to meet the amenity criteria required by the Noise Policy for Industry 2017.*

Recommendation

While concerns with the suitability of the acoustic report are noted, if the application is approved, it should be approved with the following conditions.

Special Conditions

Trial Period

The extended hours of operations are to operate on a trial basis, expiring after twelve (12) months.

Acoustic Assessment of Proposed Development

Within thirty (30) days of this development approval, the applicant must submit to Council for its approval an acoustic report prepared by a suitably qualified and experienced acoustic consultant. The acoustic report must:

- Contain background readings taken in accordance with NSW EPA Noise Policy for Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" long-term measurement. The background readings must include full details on how meteorological conditions were monitored.*
- Background readings must be reported in accordance with NSW EPA Noise Policy for Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" for long-term measurement.*
- Identify all noise producing aspects of the proposed development.*
- Demonstrate the suitability of any assumptions used in the acoustic report, via the provision of references or validating data.*
- Recognise and provide variation for the impact of alcohol on any crowd noise.*
- Identify which areas of the development are indoor areas and outdoor areas.*
- Propose effective and quantifiable noise control measures to control noise emitted from the premises to a levels required in condition– Noise Use (Licenced Premises)*

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Note: Any smoking gaming rooms with permanent openings are considered outdoor areas while smoking is permitted in the areas. If a room is required to have any doors, windows, louvres or any other structure to be open to allow smoking in the room, the room shall be considered outdoors while smoking is undertaken in the room.

Noise Use (Licensed Premises)

General:

The use and operation of the premises and any associated machinery, equipment or the like must not emit a sound pressure level when measured at the boundary of any other residential property between 7:00am and 12:00 midnight that exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

Office of Liquor Gaming & Racing Requirements:

- The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) by more than 5dB between 7:00 AM and 12:00 midnight at the boundary of any affected residence.*
- The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz- 8 kHz inclusive) between 12:00 midnight and 7:00 AM at the boundary of any affected residence.*
- Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 AM.*

Offensive noise:

The applicant is advised that Council reserves the right to restrict the days and hours of operation if considered necessary to prevent the emission of "offensive noise" as defined in the Protection of the Environment Operations Act, 1997.

Offensive noise means noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:*
- (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; or*
 - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or*
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.*

The Hotel is to develop and implement a policy for managing noisy patrons, including steps for educating and controlling patrons and removal of patrons that fail to comply with the policy.

(Reason: Environmental amenity)

Standard Conditions

Noise - Acoustic Assessment Of Licensed Premises (OU)

Appropriately qualified acoustic consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia

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or the Australian Association of Acoustic Consultants must be appointed before the and details of that appointment submitted to Council.

Noise - Complaints Relating To Use Or Machinery (OU)

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.)

Noise - Signage To Patrons Exiting The Premises (Ou)

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.)

EXTERNAL REFERRALS

NSW Police

The application was referred to NSW Police. The following comments have been received.

Police would like to make the following recommendations

CCTV

- 1) *The consent holder must maintain a closed-circuit television system on the premises in accordance with the following requirements:*
 - a) *the system must record continuously from opening time until one hour after the premises are required to close (or, in the case of premises that are not required to cease trading, continuously at all times),*
 - b) *recordings must be in digital format and at a minimum of 15 frames per second,*
 - c) *any recorded image must specify the time and date of the recorded image,*
 - d) *the system's cameras must cover the following areas:*
 - i) *all entry and exit points on the premises,*
 - ii) *the footpath immediately adjacent to the premises,*
 - iii) *all publicly accessible areas (other than toilets) on the premises.*
- 2) *The consent holder must also:*
 - a) *keep all recordings made by the CCTV system for at least 30 days, and*
 - b) *ensure that the system is accessible by at least one member of staff at all times it is in operation, and provide any recordings made by the system to a police officer or inspector within 24 hours of any request by a police officer or inspector to provide such recordings.*

Trading hours

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The applicants have requested to extend the hours of operation of the existing hotel to include 12am to 2am Monday to Friday, and 10pm to 12am Sundays, for a trial period of 12 months. Police are adamant that the applicant must not trade beyond these hours, and Auburn Police will monitor this and breach the applicant if necessary. Police are happy for a 12 month trial period to take place, however request that if there is an increase in alcohol related crime due to these extended hours, the applicant will be required to partake in meetings with the Licensing Officer from Auburn to organise a management plan. After the 12 month trial period has been completed, the Licensing Officer wishes to organise a meeting with the applicant to discuss any further applications to vary trading hours.

Auburn Police will closely monitor the premises to ensure they comply with their liquor licence conditions and the responsible service of alcohol.

On Site Security

Police recommend that there be on site security at the location especially late evening and would recommend the security officer be rostered till close of business.

SECTION 4.55(2) OF THE EP&A ACT 1979

The modification as presented as assessed under Section 4.55(2) of the Environmental Planning and Assessment 1979 which 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:

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

Comment: The proposed modification does not seek approval for any physical works or provide additional facilities during the late night trading hours as approved under the original development consent. It is satisfied that the proposal is 'substantially the same development' as that which was originally approved.

(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

Comment: No concurrence was required under the original development consent and the subject modification application.

(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

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Comment: In accordance with Part L of the SCDCP 2005 the application was notified from 26 March 2019 to 16 April 2019 and 11 April 2019 to 29 April 2019.

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

Comment: Three (3) submissions were received as a result of the notification period. The issues raised in the submissions are discussed in this report.

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in Section 4.15(1) as are of relevance to the development the subject of the application.

Comment: An assessment of the application as modified against the matters referred in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* is contained in this report.

(3) The consent authority must also take into consideration the reason given by the consent authority for the grant of the consent that is sought to be modified.

Comment: In accordance with Clause 4.55(3), the recommendation report of the original development application (DA2014/142) has been taken into consideration. Section 79(1)(c) Suitability of the Site for the Development of the report states;

*“The proposed alterations are found suitable to the existing hotel on the site.
 The proposed alterations are required for the benefit and growth of the hotel to provide an elegant and sophisticated environment suitable for its patrons and encourage visitation to the hotel.”*

The development as modified will continue to encourage visitation to the hotel by providing flexible trading hours to its patrons. Conditions of consent, including the imposition of a 12 month trial period for the extended trading hours has been recommended to minimise adverse impacts to the surrounding residential properties.

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

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,</i>	Yes

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	<i>retail, cultural, service, educational and other facilities for the local community</i>	
(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>	N/A
(f)	<i>To identify and protect environmental and cultural heritage</i>	N/A
(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>	N/A

Comments: The proposed late night trading hours will encourage visitation to the Hotel by providing flexible trading hours. Whilst the existing Hotel is located in an accessible area fronting Liverpool Road, its close proximity to medium and low density residential land uses warrants the restriction of late night trading Monday to Thursday to ensure a reasonable level of residential amenity to nearby residents is achieved.

Permissibility

The subject site is Zoned B4 Mixed Use under Strathfield Local Environmental Plan (SLEP) 2012. 'Pubs' are permissible within the B4 Mixed Use zone with consent and are defined under the SLEP 2012 as follows:

“pub means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.”

The subject modification application seeks to increase the hours of operation of the existing pub located at the site and is consistent with the definition above.

Zone Objectives

An assessment of the proposal against the objectives of the B4 Mixed Use Zone is included below:

Objectives	Complies
➤ <i>To provide a mixture of compatible land uses.</i>	Yes
➤ <i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximize public transport patronage and encourage walking and cycling.</i>	Yes
➤ <i>To facilitate mixed use urban growth around railway stations and transport nodes and corridors, commercial centres and open space.</i>	Yes
➤ <i>To provide local and regional employment and live and work opportunities.</i>	Yes

Comments: The proposed extension to the hours of operation is generally consistent with the objectives of the B4 Mixed Use zone, providing a food and drink premises in an accessible location and employment opportunities.

Part 4: Principal development standards

There are no provisions contained within Part 4 of the SLEP 2012 that are applicable to the subject application.

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Lot A in DP 324632 (Cont'd)

Part 5: Miscellaneous Provisions

There are no provisions contained within Part 4 of the *SLEP 2012* that are applicable to the subject application.

Part 6: Local Provisions

There are no provisions contained within Part 4 of the *SLEP 2012* that are applicable to the subject application.

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

There are no relevant Development Control Plans.

4.15 (1)(a)(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*.

4.15 (1)(a)(iv) matters prescribed by the regulations

Not applicable.

(i) any coastal zone management plan

Not applicable.

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 existing Crossways Hotel is located within B4 Mixed Use zoning and is approximately 20m from R3 Medium Density Residential and 40m from R2 Low Density Residential zoned land (shown in Figure 3). The immediate streetscape surrounding the existing Crossways Hotel is undergoing a state of transition from low density commercial and residential to mixed use development with density focused at the intersection of Homebush Road and Liverpool Road (a classified road). The transitioning state of the streetscape is evident with properties zoned as B4 Mixed Use still occupied with detached dwellings.

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 Lot A in DP 324632 (Cont'd)

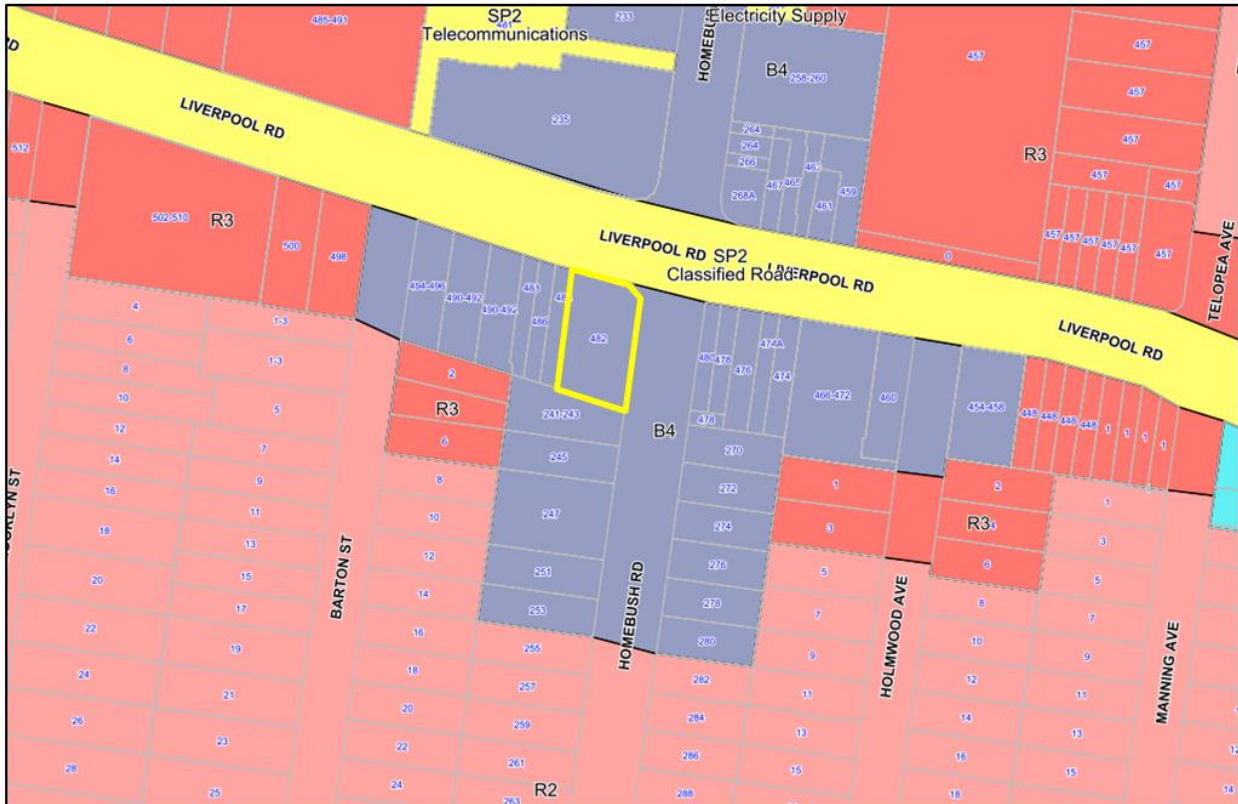


Figure 3: SLEP 2012 land use map of the subject site and surrounding streetscape.

The proposal seeks to extend the hours of operation of the existing Crossways Hotel as follows:

	Existing Hours of Operation:	Proposed Hours of Operation:	Proposed Extended Hours:
Monday to Saturday:	5:00am to 12 midnight	5:00am to 2:00am	12 midnight to 2:00am
Sunday and public holidays	10:00am to 10:00pm	10:00am to 12 midnight	10:00pm to 12 midnight

The application specifically seeks consent for the extended trading hours for a 12 month trial period. The Plan of Management proposes operational measures to minimise potential impacts that may arise from the late night hours including:

- “No entertainment other than background music will be provided after 12 midnight Monday to Saturday inclusive and after 10:00pm on Sunday;
- On nights the Hotel trades past 12 midnight, security personnel will be present from 1:00pm until 30 minutes after the Hotel closes;
- The patron capacity be limited to no more than 100 patrons on the Hotel’s premises after 12 midnight;
- No liquor is to be sold or supplied after 12 midnight Monday to Saturday, or after 10:00pm Sunday;
- No more than two (2) alcoholic drinks to be sold to a patron after 11:00pm Monday to Saturday (9:00pm Sunday);
- No shots, shooters, slammers or high-strength RTD’s etc to be sold or supplied after 11:00pm Monday to Saturday (9:00pm on Sunday).
- A single point of entry will apply after 12 midnight to the Liverpool Road entrance.”

The above are considered as appropriate precautionary measures to minimise unacceptable behaviour and encourage the gradual dispersal of patrons once final drinks have been consumed.

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The application was accompanied by an Acoustic Impact Report that addresses potential noise sources. Council's Environmental Officer identified insufficient information in the establishment of the background readings to provide an accurate reflection of the existing noise environment, particularly in regards to the affectation of wind and rain on the collected data. As such, conditions of consent as recommended by Council's Environmental Health Officer have been included. Specifically, an amended acoustic report must be submitted to Council prior to the commencement of the extended hours with background readings taken in accordance with NSW EPA Noise Policy for Industry 2017 and must demonstrate that the operation of the premises during the extended late night trading hours are capable of achieving compliance with the acoustic requirements of Office of Liquor Gaming and Racing. Commencement of the extended trading hours may not occur until all conditions recommended by Council's Environmental Health Officer are satisfied.

During the assessment process, Council received comments from NSW Police whom have no objections to the extended trading hours 12 month trial. The recommendations regarding CCTV and on-site security personnel have been adopted in the amended Plan of Management submitted to Council.

The operation of the Hotel for longer periods may give rise to adverse impacts on the locality in relation to crime, anti-social behaviour and gambling addiction. Licencing (including operational times) for the selling and supply of alcohol and gambling machines at the Hotel falls under the Independent Liquor and Gaming Authority (LIGA). Under the LIGA licensed premises must adhere to shut-down periods for gambling machines and the selling and supply of liquor.

The existing Crossways Hotel, is located at the corner of a Liverpool Road and Homebush Road. The frontage of the Hotel to a classified road results in a premises in a highly accessible location, however the close proximity of the site to sensitive land uses (R3 Medium Density zoning and R2 Low Density zoning), has the potential to result in a loss of acoustic amenity to the surrounding residents arising from patron noise and vehicles leaving. The hours of operation of the premises should achieve a balance between its accessibility, the zoning of the site and residential proximity. As such, the proposed extension of hours Monday to Thursday is not supported with the hours as proposed Friday, Saturday and Sunday supported for a 12 month trial period as sought. The trial period will enable Council the opportunity to review the hours and the ability of the premises to create an acceptable environment for patrons and residents alike. A condition of consent has been recommended requiring the lodgment of a Section 4.55 application to modify the extended trading hours 30 days prior to the 12 month expiry period. If an application is not lodged 30 days prior to the expiry of the trial period, then the trading hours will revert to the base trading hours as approved under the original development consent. The determination of the Section 4.55 application will be subject to the premises demonstrating good management performance and compliance.

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

The proposal seeking the extension of trading hours of the existing Hotel are considered to be generally suitable for its use. Given, the close proximity of the Hotel to sensitive land uses the imposition of a 12 month trial period allows a review of any impacts onto the surrounding locality.

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

The application was notified as per the notification area of the original development consent (DA2014/142) from 26 March 2019 to 16 April 2019. As the original notification area was not considered to be adequate, the application was re-notified to all properties within a 100m radius from 11 April 2019 to 29 April 2019 in accordance with the minimum notification area in Part L of the SCDGP 2005. A total of three (3) written submissions were received, raising the following concerns:

1. Residential Amenity - Noise

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Concern is raised that the proposed late night trading hours will result in adverse impacts to residents adjacent from the Hotel. Particularly noise emitted from patrons whilst at the pub, walking to and closing the car doors late at night. Traffic from the roads is already an issue and the extended hours will make it worse.

Assessing officer's comments: Due to the close proximity of the site to medium and low density residential zoned land and the potential for a loss in acoustic amenity, the proposed extended hours Monday to Thursday is not supported with the late night trading hours Friday, Saturday and Sunday supported for a 12 month trial period.

2. Community Impact

An increase in the trading hours of the Hotel will have no benefit to the community and only provide further opportunities for gambling.

Assessing officer's comments: It is noted that the extension of trading hours provides the community with opportunities for socialising outside of the work place. The licensing of gambling machines falls under the Independent Liquor and Gaming Authority (LIGA). The impact of gaming machines on the surrounding locality is considered when the LIGA is assessing applications. Council will have the opportunity to participate in this process when such applications are lodged with the LIGA.

3. Proposal Inconsistencies

The Statement of Environmental Effects states that there will be no changes to the facilities that are provided at the Hotel. However, another section states that there will be one point of entry/exit after 12 midnight and no liquor sold or supplied after 12 midnight weekday and 10pm Sunday.

Assessing officer's comments: The modification application proposes no physical changes to the approved facilities at the Hotel, seeking approval for the extension of hours of operation only.

4. On Street Parking

Concern is raised that the extended trading hours will increase demand for parking along Homebush Road in front of residential properties.

Assessing officer's comments: The proposed extended trading hours will provide patrons with more flexibility resulting in a staggered demand for parking. As the extended hours are to occur late in the evening, vehicle traffic movements are not anticipated to be high at this time. Further, the 12 month trial period will provide Council the opportunity to review the hours and its impacts on the surrounding streetscape including car parking.

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 to be contrary to the public interest.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

Section 7.13 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. This section prescribes in part as follows:

A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

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STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

Section 7.12 Contributions are not applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan as no building works are proposed.

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. The proposed extended trading hours, with the exception of Monday to Thursday late night trading is supported on a 12 month trial basis.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

Pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, the proposed modifications to Development Consent No. 2014/142 involving the extension of hours of operation at 482 Liverpool Road, Strathfield South be **APPROVED**, subject to:

1. The original conditions of consent of DA2014/142 as approved by Council on 15 December 2014 for alterations to the existing Crossways Hotel;
2. As modified by the Section 96(1A) application (DA2014/142/02) as approved by Council on 19 November 2015 involving the internal reconfiguration of the bar area, replacement of existing windows, reconfiguration of entries from Liverpool Road, demolition of the existing garage and construction of an amenities block and children's play area; and
3. As modified by the Section 4.55(2) application (DA2014/142/03) as follows:
 - Amendment to Condition No. 7 regarding hours of operation;
 - Addition of Condition No. 7A regarding noise and
 - Addition of Condition No. 35 and 36 regarding CCTV and on-site security.

PART B - OTHER CONDITIONS

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:

Overall General Arrangement Plan DWG NO D.100 Issue A prepared by Luchetti Krelle received by Council 8 July 2015

External Elevations DWG NO D.200 Issue A prepared by Luchetti Krelle received by Council 8 July 2015

External Elevations DWG NO D.201 Issue A prepared by Luchetti Krelle received by Council 8 July 2015

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External Elevations DWG NO D.202 Issue A prepared by Luchetti Krelle received by Council 8 July 2015

External Elevations DWG NO D.203 Issue A prepared by Luchetti Krelle received by Council 8 July 2015

External Finishes Schedule Revision A prepared by Luchetti Krelle received by Council 13 November 2015.

Waste Management Plan received by Council 29 September 2014.

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.

General

5. 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
6. 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.

Site Operation

7. The hours of operation of the Crossways Hotel shall be as follows:

	Base Hours	Extended Hours
Monday to Thursday	5am to 12 midnight	-
Friday and Saturday	5am to 12 midnight	12 midnight to 2am
Sunday and Public Holidays	10am to 10pm	10pm to 12 midnight

Extended Hours – 12 month trial:

- 1) The late night trading hours are subject to a 12 month trial.
- 2) Prior to the commencement of the late night trading hours (subject to a 12 month trial period), the applicant must submit to Council for its approval an acoustic report prepared by a suitably qualified and experienced acoustic consultant and an updated Plan of Management to reflect the recommendations of the acoustic report. The acoustic report must:
 - i) Contain background readings taken in accordance with NSW EPA Noise Policy for

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Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" long-term measurement. The background readings must include full details on how meteorological conditions were monitored.

- ii) Background readings must be reported in accordance with NSW EPA Noise Policy for Industry 2017 "Fact Sheet B: Measurement procedures for determining background noise" for long-term measurement.
- iii) Identify all noise producing aspects of the proposed development.
- iv) Demonstrate the suitability of any assumptions used in the acoustic report, via the provision of references or validating data.
- v) Recognise and provide variation for the impact of alcohol on any crowd noise.
- vi) Identify which areas of the development are indoor areas and outdoor areas.
- vii) Propose effective and quantifiable noise control measures to control noise emitted from the premises to a levels required in condition– Noise Use (Licenced Premises)

Note: Any smoking gaming rooms with permanent openings are considered outdoor areas while smoking is permitted in the areas. If a room is required to have any doors, windows, louvres or any other structure to be open to allow smoking in the room, the room shall be considered outdoors while smoking is undertaken in the room.

- 3) The 12 month trial period commences from the date of Council's approval of the Acoustic Report and Plan of Management referred to in Condition 2.
- 4) Should any Council approved acoustic report recommend lesser hours than stated in Condition 2 then the lesser hours will prevail.

A Section 4.55 application to modify or to make permanent the late night trading hours must be lodged 30 days prior to the expiry period. Until the application is determined the premises may continue to trade as per the approved trial hours. If an application is not lodged 30 days prior to the expiry of the trial period, the trading hours will revert to the base trading hours.

A renewal or extension of trading hours that are subject to any trial period may only be permitted if Council is satisfied that the premises has demonstrated good management performance, compliance with a plan of management and consideration of any comments from Police and State Licensing Authorities. .

If the Council determines that the trial period has been unsatisfactory then trading hours will revert to the base trading hours.

- 7A. The use and operation of the premises and equipment shall comply with the following at all times:
- i) Must not emit a sound pressure level when measured at the boundary of any other residential property between 7:00am and 12:00 midnight that exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.
 - ii) The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) by more than 5dB between 7:00 AM and 12:00 midnight at the boundary of

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any affected residence.

- iii) The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz- 8 kHz inclusive) between 12:00 midnight and 7:00 AM at the boundary of any affected residence.
 - iv) Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 AM.
8. The delivery and despatch of goods, material and the like to and from the premises shall only take place between the hours of 7am to 7pm, Monday to Saturday and 10am to 5pm, Sunday.
 9. Any proposed lighting of the site shall be designed, located or shielded to ensure the amenity of the surrounding area is not adversely affected by light overspill and details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
 10. No flashing lights or flashing animated signs shall be erected on the property.
 11. No advertising flags, banners or the like are to be erected on or attached to the shopfront.
 12. No advertising, corporate colours, logos or decal are to be applied or painted or placed within 1 metre of the shopfront windows so as to be visible from outside without the prior written approval of Council.
 13. No flashing signage visible from the public way shall be installed.
 14. The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the premises.
 15. Signs shall be appropriately located within the building and in the car park advising patrons of the nearby residences and seeking quiet and orderly ingress and egress from the premises. The proprietor shall ensure that staff give appropriate directions and take reasonable steps to control noisy and disorderly patrons entering or leaving the premises. In this regard a Plan of Management is to be submitted to the Principal Certifying Authority for approval **prior to the issue of an Occupation Certificate** detailing how this will be implemented and detailing policies on dealing with non-compliant patrons.

Construction Matters

16. 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.**
17. The egress from the apartments above to the street shall be constructed in accordance with the requirements of section D of the national Construction Code. The entry/exist paths shall comply with section D3 & AS1428
18. All construction, demolition and excavation work shall be restricted to 7am and 5pm on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.

Demolition

19. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition

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of structures' or any subsequent standard and the relevant legislation.

20. 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.**
21. 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.**
22. 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.
23. 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.**

As soon as practicable after a final safety certificate is issued, the owner of the building to which it relates:

- (a) shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to the Commissioner of NSW Fire Brigades;
- (b) shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to Council for registration; and
- (c) shall ensure the current fire safety schedule is prominently displayed in the building.

Food/Kitchen

24. The fit out, use and operation of the kitchen 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/>

25. Food premises registration (for inspection purposes) must be obtained from Council **prior to the issue of an Occupation Certificate and/or use of the premises.**
26. 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.**

Disabled Access

27. Access to the building 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.
28. Sanitary facilities for persons with disabilities shall be provided in the building 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.**

Waste Management

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29. 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.
30. A maximum of ten (10) employees are permitted to operate the site at any one (1) time.
31. The hours of use for the children's play area is to be restricted from 8am – 9pm.
32. 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).
33. Certification shall be obtained from a registered surveyor at the following stage(s) of construction confirming that the building has been constructed in accordance with the approved plans including any approved amendments (S.96 approvals) and plans and details required by Council as conditions of development consent:
 - a) footings excavation prior to placement of concrete;
 - b) ground floor and first floor levels;
 - c) wall setbacks from property boundaries and street alignment; and
 - d) dimensions and areas of balconies/courtyards.
34. Copies of the surveyor's certificates must be submitted to and accepted by Council at the stages nominated above.
35. The licensee must maintain a closed-circuit television system on the premises in accordance with the following requirements:
 - (a) The system must record continuously from opening time until one hour after the premises are required to close (or, in the case of the premises that are not required to cease trading, continuously at all times)
 - (b) Recordings must be digital format and at minimum of 15 frames per second,
 - (c) Any recorded image must specify the time and date of the recorded image,
 - (d) The system's cameras must cover the following areas, all entry and exit points on the premises, the footpath immediately adjacent to the premises, all publicly accessible areas (other than toilets) on the premises,
 - (e) The licensee must also keep all recordings made by the CCTV system for at least 30 days, and ensure that at least one member of staff is on the premises at all times who is able to access and fully operate the CCTV system, including downloading and producing recordings of CCTV footage and
 - (f) Provide any recordings made by the system to a police officer or inspector with 24 hours of any request by a police officer or inspector to provide such recording.
36. The venue must utilise the services of a minimum one (1) licensed security guard during the late night trading hours until 30 minutes after the last patron has left.

ATTACHMENTS

1. [Statement of Environmental effects](#)

**STATEMENT OF ENVIRONMENTAL EFFECTS – SECTION 4.55 MODIFICATION
APPLICATION TO MODIFY DEVELOPMENT CONSENT RELATING TO
CROSSWAYS HOTEL LOCATED AT 482 LIVERPOOL ROAD, STRATHFIELD
SOUTH (THE “HOTEL”)**

1. This Statement of Environmental Effects has been prepared to accompany the Section 4.55 application to Council to modify the Development Consent which applies to the hotel licence known as Crossways Hotel (the “Hotel”) situated at 482 Liverpool Road (also known as Hume Highway), Strathfield South.
2. The modification application relates to the trading hours, to allow the Hotel to trade until 2.00 am Monday to Saturday inclusive and 12.00 midnight on Sunday.
3. The proposed modification of the Hotel’s trading hours will result in the extension of hours, which is to be granted for an initial trial period. This initial trial period is to allow the Hotel’s operator to demonstrate to Council that the Hotel can be operated during the additional hours without undue, adverse impact to the local and broader communities, as demonstrated during the Hotel’s current hours of operation.
4. Various additional operational measures and restrictions are to apply during the additional hours of trade.

1. The Site

- 1.1. The Hotel is situated on the south-west corner of the intersection of Liverpool Road (also known as the Hume Highway) and Homebush Road, Strathfield South. The Hotel is located adjacent to a mix of retail premises/ residential premises on each corner intersection whilst residential buildings are located adjacent to the Hotel on to the rear of the Hotel on Homebush Road.
- 1.2. The premises is zoned B4. A “pub” is permissible use pursuant to Strathfield Local Environmental Plan dated 2012 applicable to the subject premises. There will be no change to the Hotel’s building structure as a result of this application.

2. Background and facilities provided

- 2.1. The records maintained by Strathfield Council disclose the Hotel has consent for its present use and trading hours.
- 2.2. The records of Liquor & Gaming NSW disclose the Hotel’s liquor licence was granted in 1960, with a full hotel licence applying to these premises. This licence allows the sale of liquor for consumption on the licensed premises and also for takeaway purposes, in conjunction of the operation of approved gaming machines on the Hotel’s licensed premises. The licence number for the Hotel is LIQH400101651.
- 2.3. The Hotel presently provides the usual facilities associated with the operation of a hotel licence including:
 - Sports bar,
 - Lounge,

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7 March 2019**

- Gaming room,
 - Outdoor terrace area's/courtyard
 - Private functions,
 - Children's play area,
 - Rear outdoor courtyard,
 - Sanitary facilities,
 - Back-of-house facilities.
- 2.4. The current approved hours of trade for the Hotel pursuant to Development Consent number DA 2014/142 issued by Council are:-
- a) Monday to Saturday: 5am to 12 midnight; and
 - b) Sunday and public holidays: 10 am to 10 pm
- 2.5. There will be no changes to the facilities that are provided at the Hotel as a result of this modification application. This application is to extend the Hotel's trading hours on Monday to Saturday inclusive until 2.00 am the following day; and until 12.00 midnight on Sunday.
- 2.6. The Hotel is popular with the residents from the suburbs of Strathfield South, Strathfield, Enfield, Belfield and Chullora together with the other surrounding areas and as well as with the employees of commercial establishments and industrial facilities located in the vicinity of the Hotel.
- 2.7. The current approved hours of operation are considered to be inadequate to meet the needs, demands and expectations of patrons, particularly those who attend the Hotel's gaming room.
- 2.8. Many patrons attend the Hotel on their way home from work to use the Hotel's facilities. These persons comprise employees of businesses (hospitality, commercial and industrial) from the surrounding suburbs or who are travelling through the suburb on their way home after concluding their shift, together with local residents who use the facilities on offer at the Hotel.
- 2.9. In addition to allowing persons to use the Hotel's facilities for longer, the extension of hours will create a more staggered exit of patrons from the Hotel. Patrons will be allowed to gradually leave the venue after finishing their drinks up to and including 2.00 am closing time Monday to Saturday; and 12.00 midnight on Sunday. The longer hours will allow for the progressive dispersal of patrons, thereby reducing the potential for any undue noise and other disturbances associated with patrons being required to leave the Hotel at its current closing time of 12.00 midnight Monday to Saturday, and 10.00 pm on Sunday.

3. The Application

- 3.1. As indicated above, it is sought that the Hotel's closing times be extended to permit the premises to trade on Monday to Saturday until 2.00 am the following day; and to until 12.00 midnight on Sunday. There is no proposal to vary the Hotel's opening times.
- 3.2. There is no objection to the application initially being granted for a 12 month trial period to allow the Hotel's operator to demonstrate that the licensed premises can be operated in a responsible manner during the proposed additional extended hours.
- 3.3. It is sought that Condition 7 of Development Consent number 2014/142, which regulates the Hotel's trading hours, be amended to read as follows:
 - (a) *The existing hours of operation are:*
 - *Monday to Saturday: 5.00 am to 12.00 midnight; and*
 - *Sunday or public holidays: 10.00 am to 10.00 pm.*
 - (b) *Notwithstanding (a) above, the premises may operate between 12.00 midnight to 2.00 am the following day Monday to Saturday inclusive; and between 10.00 pm and 12.00 midnight on Sunday for a 12 month trial period commencing from the date of grant of this Section 4.55 modification application.*
 - (c) *The applicant may apply to Council prior to expiration of the trial period to make the extended hours outlined in (b) above permanent. Providing the application is lodged prior to expiration of the trial period, the premises may continue to trade the extended hours until the application is determined. The decision to make the extended hours permanent will be based on the performance of the operator during the trial period.*
- 3.4. If the application is approved, various additional measures will be applied on any night the Hotel trades after 12.00 midnight Monday to Saturday; and after 10.00 pm on Sunday. Those measures include, but are not limited to, the following:
 - (i) No entertainment other than background music will be provided after 12.00 midnight Monday to Saturday inclusive and after 10.00 pm on Sunday.
 - (ii) On nights the Hotel trades past 12.00 midnight, security personnel will be present from 11.00 pm until 30 minutes after the Hotel closes.
 - (iii) CCTV is to be present and operated during the additional extended hours.
 - (iv) One point of entry/exit to the Hotel after 12.00 midnight (being via the Liverpool Road entrance).
 - (v) The patron capacity be limited to no more than 100 patrons on the Hotel's premises after 12.00 midnight.
 - (vi) No liquor is to be sold or supplied after 12.00 midnight Monday to Saturday, or after 10.00 pm Sunday.

- (vii) No more than two (2) alcoholic drinks to be sold to a patron after 11.00 pm Monday to Saturday (9.00 pm on Sunday).
 - (viii) No shots, shooters, slammers or high-strength RTDs etc to be sold or supplied after 11.00 pm Monday to Saturday (9.00 pm on Sunday).
- 3.5. The above measures/restrictions will minimise the potential for any adverse impact on the local or broader community as a result of extending the hours of operation.

4. Environmental Assessment

- 4.1. As stated above, the application is to extend the current approved trading hours of operation to meet the needs, demands and expectations of patrons who attend the Hotel.

Local Environmental Plan – Strathfield Local Environmental Plan 2012

- 4.2. The Hotel is zoned B4, mixed use pursuant to the Strathfield Local Environmental Plan 2012 which is the principal environmental planning instrument that applies to the subject site. Within this zone, the development for the purpose of a “commercial premises” in the form of a “food and drink premises” (which includes “pub”) is permissible with consent.
- 4.3. The Hotel has consent from Council for its current use. A “pub” is defined as a licensed premises under the Liquor Act 2007, the principal purpose of this is the retail sale of liquor for consumption on the premises, whether or not the premises include a hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.
- 4.4. The extended trading hours will contribute to the provision of compatible land use. The proposed various additional measures to be implemented, which supplement the detailed and comprehensive existing measures currently in place at the Hotel, will assist in mitigating any potential social or amenity impact from the proposed additional trading at the Hotel (albeit without the sale of alcohol during those hours).
- 4.5. The grant of the Section 4.55 modification application will have no environmental impact and will not change the access, traffic or utilities associated with the operation of the Hotel.

Compliance History

- 4.6. The Hotel does not appear on the Liquor & Gaming NSW’s 3 Strikes Register, nor has it qualified as a Declared Premises under Liquor & Gaming NSW’s Violent Venues Scheme pursuant to Schedule 4 of the Liquor Act 2007.

Location

- 4.7. Having regard to the Hotel’s:
- (a) Current zoning
 - (b) Location adjacent to other retail premises and as a major arterial road,
 - (c) Various restrictions to be applied,

- (d) History of good management,
- (e) Compliance with the licence conditions

It is unlikely that any appreciable amenity impact will result from the Hotel operating the proposed additional hours after 12.00 midnight Monday to Saturday; and after 10.00 pm on Sunday.

Crime

- 4.8. The NSW Bureau of Crime Statistics and Research (BOCSAR) figures for the year ending June 2018 in respect of NSW and Strathfield South suburb, are as follows:

Rates per 100,000 of population

Indicator	NSW	Strathfield South
Non-DV assault	413.2	514.6
DV assault	370.0	135.4
Non-alcohol-related non-DV assault	285.9	379.2
Non-alcohol-related DV assault	256.0	108.3
Disorderly conduct	259.2	162.5
Malicious damage	768.4	514.6

- 4.9. As indicated in the table above, the suburb of Strathfield South overall experiences relatively low rates of alcohol-related crime for the majority of indicators in comparison to NSW rates. It is contended that the grant of the additional trading hours, coupled with the restriction on the sale and supply of liquor during those hours are highly unlikely to result in any increase in crime figures that currently apply to the suburb.

Adequate Measures to be Implemented to Minimise Adverse Impacts

- 4.10. Various measures have been implemented at the Hotel to minimise adverse impacts for the proposed trading hours, including the provision of security and the installation of lighting in strategic locations in and around the Hotel to assist in creating a safe environment of the immediate area.
- 4.11. The extension of hours will result in a more staggered exit of patrons from the Hotel, with patrons gradually leaving the premises as they finish their drinks, up to and including the proposed closing times. This allows for a more progressive dispersal of patrons and reduces the potential for noise and other disturbances that are usually associated with closing times that currently apply to the Hotel.

- 4.12. It is proposed that the Hotel will operate during the extended hours in accordance with the comprehensive Plan of Management. Further, additional measures are to apply after 12.00 midnight Monday to Saturday, and 10.00 pm on Sunday, to minimise the likelihood of adverse impacts.

Will Not Operate as an Entertainment Venue after Midnight

- 4.13. It is not proposed that the premises operate as an entertainment venue after 12.00 midnight whilst any music provided after 12.00 midnight will be limited to background music only.

Trial Period

- 4.14. It is proposed that the extended trading hours are to initially be granted for a 12-month trial period to allow the Hotel's operator to demonstrate to Council's satisfaction that the Hotel can operate (during the proposed extended hours) with no undue adverse impact to the local community.

Application Required to Meet the Needs and Demands of Patrons

- 4.15. The Hotel comprises of a suburban hotel that provides the usual range of facilities to local residents and persons working in and around the Strathfield South area.
- 4.16. Meals will be available until a reasonable time until closing, and food that is commensurate with the responsible consumption of liquor will be available during all trading hours.
- 4.17. The current hours of operation have been found to be insufficient to meet the needs, demands and expectations of patrons, with request made to keep the Hotel open for longer hours.
- 4.18. The additional hours are sought primarily to serve gaming patrons, many of whom attend the Hotel after concluding their shifts at businesses in nearby and neighbouring suburbs or whilst on their way home from Sydney or other locations, who wish the ability to access the Hotel's gaming facilities. Gaming patrons are generally more mature and less likely to engage in any alcohol-related anti-social behaviour.
- 4.19. The extended hours will also allow existing patrons to make use of the Hotel's facilities to socialise, use the gaming machines and meet friends during the extended hours without having to go elsewhere to do so.

5. Substantially the Same Development

- 5.1. The proposed modification of the Development Consent as described above is considered to fall within the scope of Section 4.55 of the Environmental Planning and Assessment Act 1979 in that "*the development to which the consent as modified relates is substantially the same as the development for which consent was originally granted.*"
- 5.2. All that is being sought is the extension to the current approved hours of operation. Accordingly, the application will be substantially the same development on the grant of this modification.

6. Conclusion

- 6.1. The applicant seeks to extend the current Council-approved operating hours.
- 6.2. The applicant consents to the application initially being granted for a trial period.
- 6.3. Various additional measures and restrictions will apply on any day the Hotel trades after 12.00 midnight Monday to Saturday inclusive and after 10.00 pm on Sunday, including a restriction on entertainment.
- 6.4. The extension of hours will result in a progressive dispersal of patrons from the Hotel, with patrons gradually leaving the premises up to the proposed closing time. This will reduce the potential for noise and other disturbances when patrons are put out when the Hotel closes.
- 6.5. The Hotel operates pursuant to a comprehensive Plan of Management which supports the additional measures and restrictions.
- 6.6. Accordingly, Council can be satisfied that to grant the application as sought is not likely to result in any undue adverse impacts to the amenity of the area and that it would be in the public interest to grant the application.

This Statement of Environmental Effects was prepared by: -

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TO: Strathfield Local Planning Panel Meeting - 6 June 2019
REPORT: SLPP – Report No. 3
SUBJECT: DA2018/067/01 - 31 THE CRESCENT, HOMEBUSH
LOT A IN DP 391764
DA NO. DA2018/067/01

SUMMARY

Proposal: Section 8.2A review – The demolition of the existing structures and construction of a boarding house containing 49 rooms and 1 manager’s room above 3 levels of basement parking under the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Applicant: Urban Link Pty Ltd
Owner: JJ Holdings NSW Pty Ltd
Date of lodgement: 4 March 2019
Notification period: 19 March 2019 – 9 April 2019
Submissions received: Five (5)
Assessment officer: RG
Estimated cost of works: \$5,624,491.00
Zoning: B4 Mixed Use - SLEP 2012
Heritage: Heritage Item ‘144’ adjoins the site
Flood affected: Yes
Is a Clause 4.6 variation proposed? No
RECOMMENDATION OF OFFICER: APPROVAL

EXECUTIVE SUMMARY

- 1.0 Development Application 2018/067 for the demolition of existing structures and construction of a boarding house containing 48 rooms and one (1) manager’s room above three (3) levels of basement parking under the State Environmental Planning Policy (Affordable Rental Housing) 2009 was refused by the Strathfield Local Planning Panel on 6 December 2018.
- 2.0 The current application has been lodged under Section 8.2 of the *Environmental Planning and Assessment Act (EP&A Act 1979)* and seeks a review of the determination of DA2018/067. The reasons for refusal of the original application have mostly been addressed, particularly with regards to the height breach and concurrence has been granted by Sydney Trains.
- 3.0 The plans and documentation were notified and advertised in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005 from 19 March 2019 to 9 April 2019. Five (5) written submissions were received as a result, including four (4) objections and one (1) support submission.

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- 4.0 There are concerns with the accessibility of the site for waste collection vehicles (and safety of the footpath and road), quality of accommodation of room G.06, the security and pedestrian access to the building, number of lifts and redesign required for the traffic islands located outside of the subject site. However, it is considered that all these matters can be addressed by way of condition.
- 5.0 The application is recommended for approval, subject to the recommended conditions of consent.

BACKGROUND

- 18 May 2018** The original development application 2018/067 for the demolition of existing structures and construction of a boarding house containing 48 rooms and one (1) manager's room above three (3) levels of basement parking under the State Environmental Planning Policy Affordable Rental Housing 2009 was lodged.
- 19 September 2018** DA 2018/067 was reviewed by Council's Design Review Panel for advice concerning the quality and coherence of the architectural design. The recommendations included modifications to the front setback, lodger room configuration, external finishes and streetscape orientation.
- 19 October 2018** The applicant submitted amended plans for DA 2018/067.
- 6 December 2018** Development Application 2018/067 was refused by the Strathfield Local Planning Panel. The reasons for refusal are as follows:
1. *The proposal is in breach of the height standard in Clause 4.3 of the Strathfield Local Environmental Plan 2012 and the Clause 4.6 variation is not well founded (Section 4. 15(1)(a)(i) Environmental Planning and Assessment Act 1979).*
 2. *The information submitted is inadequate in terms of demonstrating the vehicular access arrangements of the development from The Crescent are satisfactory.*
 3. *Concurrence has not been granted by Sydney Trains in accordance with the requirements of Clause 86(1) of the State Environmental Planning Policy (Infrastructure) 2007.*
 4. *The dislocation of the communal lounge from the remainder of the building, and the communal open space, is unacceptable.*
 5. *The pedestrian access into the building is poorly configured, potentially unsafe and creates privacy impacts to the adjacent rooms.*
 6. *The open circulation corridors located on the eastern side of the building will create adverse privacy and acoustic impacts to the adjacent 3 storey residential flat building.*
 7. *The provision of a single lift servicing the building is unsatisfactory and will result in poor amenity for future occupants.*
 8. *The site is not suitable for the proposed development in accordance with Section 4. 15(1)(c) of the Environmental Planning and Assessment Act 1979.*
 9. *The proposal is not in the public interest (Section 4. 15(1)(e) of the Environmental Planning and Assessment Act 1979).*
- 4 March 2019** The current application (DA2018/067/01) was lodged under Division 8.2 of the *Environmental Planning and Assessment Act 1979*.
- 19 March –** The application was notified and advertised in accordance with Part L of the

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9 April 2019 Strathfield Consolidated Development Control Plan 2005. Five (5) written submissions were received as a result.

9 April 2019 Concurrence was granted by Sydney Trains.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the southern side of The Crescent, directly opposite the Homebush Train Station railway corridor, near the intersection of The Crescent and Subway Lane (Figure 1). The site has a 15.24m frontage with a total site area of 697m² and is presently occupied by a two storey residential flat building (Figure 2).

The site is bounded to the east by shop-top commercial landuses which form part of the Homebush town centre, residential dwellings and residential flat buildings are located to the western and southern boundaries and to the north, on the opposite side of The Crescent is a railway corridor. The site is within walking distance of Homebush train station, being approximately 150m to the north-east.



Figure 1: Locality plan. The subject site is outlined in yellow.

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Figure 2: View of the subject site from The Crescent.

PROPERTY BURDENS AND CONSTRAINTS

The subject site is constrained by a Council owned stormwater channel traversing the south-west corner of the site (Figure 3). In accordance with Section 4.31 of the Strathfield Council Stormwater Management Code 2007 *“new buildings, structures and tennis courts will not be permitted over drainage lines, within easement and overland flow paths.”* The articulated rear elevation has been designed in response to the location and constraint of the easement.

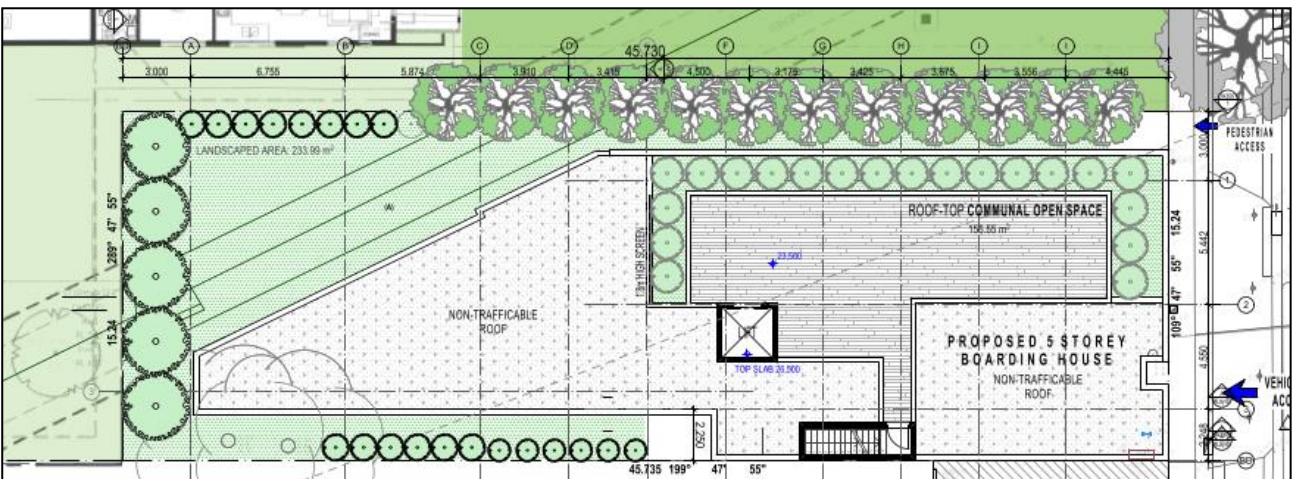


Figure 3: Proposed site plan, noting the easement traversing the rear corner.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the demolition of the existing structures and construction of a boarding house containing 49 rooms and 1 manager’s room above 3 levels of basement parking under the State Environmental Planning Policy Affordable Rental Housing 2009. More specifically the proposal includes:

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- Demolition of the existing site structures;
- Construction of a five (5) storey boarding house with 49 double lodger rooms and one (1) manager’s room;
- Excavation for three (3) levels of basement with a total of 25 car parking spaces, 8 motorbikes and 10 bicycles;
- Ground floor communal living room;
- On-site waste storage and collection area; and
- Associated stormwater and landscaping works.

The main amendments from the originally refused scheme (DA 2018/067) involve:

- Provision of one (1) additional lodger room;
- Removal of the rooftop communal open space area;
- Reduction in the size of the garbage room;
- Relocation of the communal lounge to the rear of the ground floor level, and replacement with a double lodger room;
- Enclosure of the previously open circulation corridors on the eastern side of the building, at first, second, third and fourth floor level, with external walls and high level windows;
- Reduction in the overall height of the building.

Whilst the amended plans have not shown a bed within room G.04, the applicant has confirmed that this is a double room and the proposal has been assessed on this basis.

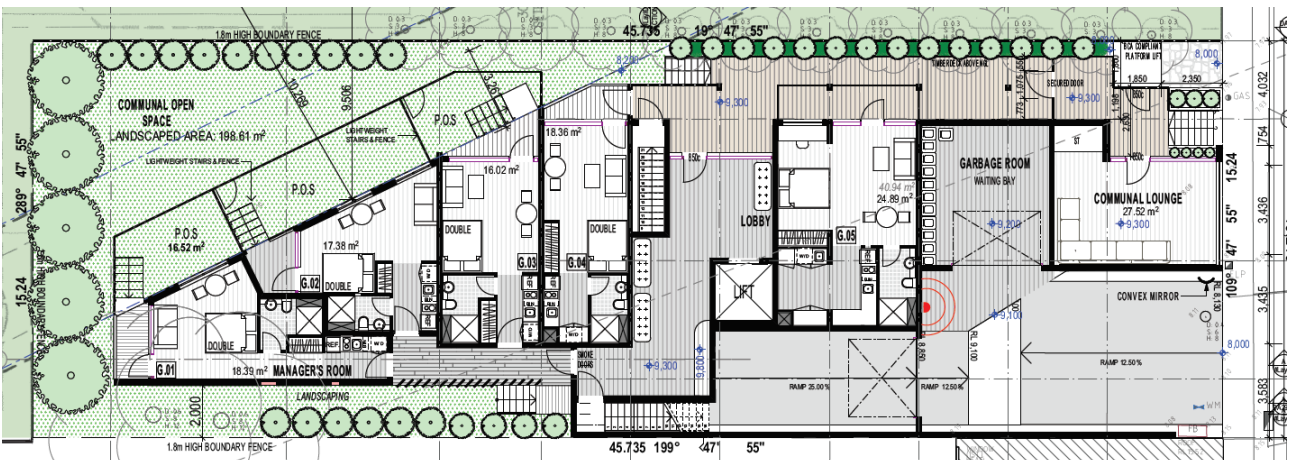


Figure 4: Extract of the ground floor plan refused as part of the original application DA 2018/067

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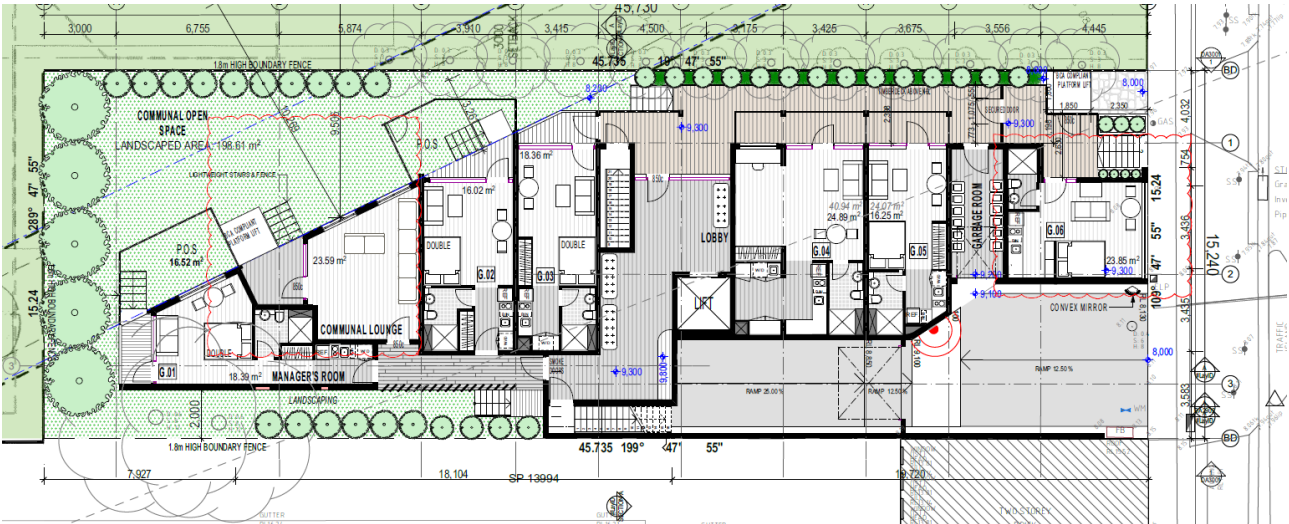


Figure 5: Extract of the proposed ground floor plan, noting the reduced size of the garbage store and relocation of the manager's room.

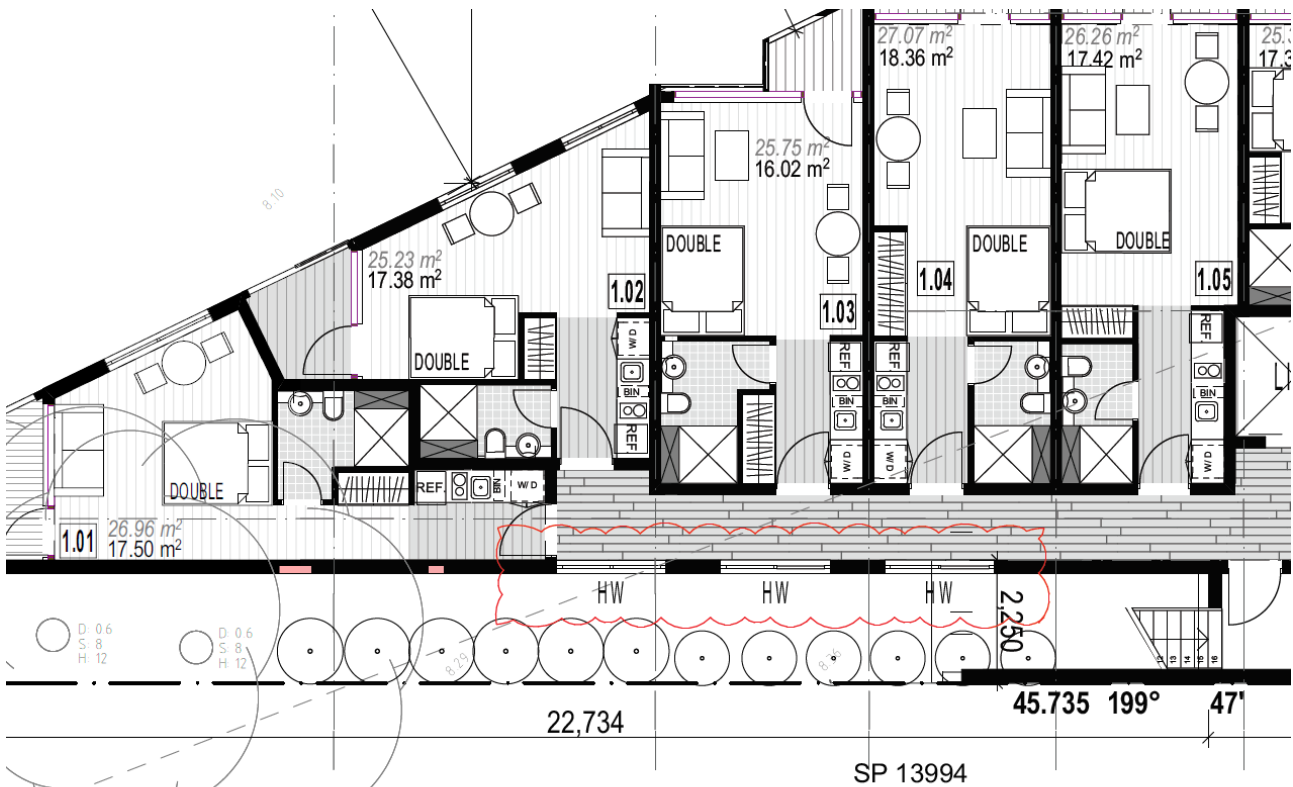


Figure 6: Extract of the proposed first floor plan noting the enclosure of the previously open circulation corridors on the eastern side elevation.

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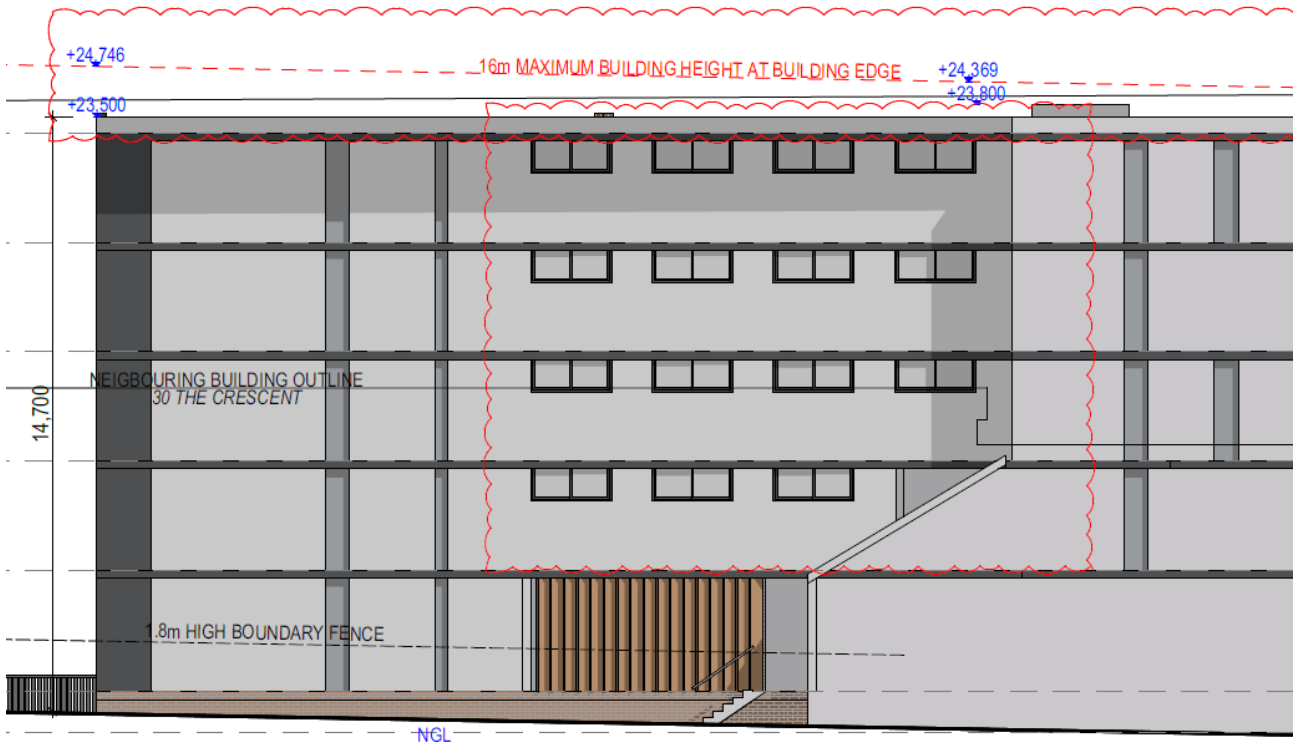


Figure 7: Extract of the proposed eastern elevation, noting the enclosure of the previously open circulation corridors and provision of high level windows.



Figure 8: Proposed photomontage of the building viewed from The Crescent.

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REFERRALS

INTERNAL REFERRALS

Hydraulic Engineering Comments

Council's Stormwater Engineer offered no objections to the original proposal, subject to the imposition the recommended conditions of consent including the following special condition:

"Flooding - comply with flood impact report (cc)

The applicant shall comply with the flood recommendations provided in the Flood Study prepared by S&G Consultants Pty Ltd ref: 2018.0113-L02 [A] dated May 18, 2018. A certificate from a suitably qualified Engineer shall be submitted to the Certifying Authority stating compliance with these recommendations, prior to the issue of a Construction Certificate."

Council's Stormwater Engineer confirmed that their comments on the original proposal was still applicable to the amended scheme.

Waste Comments

Council's Waste Officer offered no objections to the current proposal, subject to conditions of consent, including the following:

"Ongoing standard requirement:

- *Bins required*
 - *General Waste – 13 x 240L*
 - *Recycling – 4 x 240L*
- *Residential garbage room space required*
 - *11.5m²*
- *Bulky Store Room space required*
 - *20m²*
- *Onsite collection required at ground floor as waste vehicle will block access to roundabout*
- *Collection area required*
 - *11.5m²*
 - *Plus the waste vehicle standing area*
 - *Bin collection area to have size in m² identified on plans*
- *Waste vehicle standing area (provide evidence of height, width and length)*
 - *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*
- *Caretaker or individual identified who is responsible for maintaining waste rooms and moving bins for collections*
- *Signage for bin room to be collected from council*

Special condition

- *Provide council with an updated copy of the waste management plan (Standard condition 4.67) as per comments section above"*

The recommendations of the waste officer have been included in the recommended conditions of consent. This includes the deletion of room G.05 and enlargement of the waste store room to accommodate adequate space for the storage of the bins and bulky waste goods.

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Traffic Comments

Council's Traffic Engineer's written and verbal comments on the subject application are summarised as follows:

- Existing Traffic Islands shown on Plan 18-064 DA2003 (D) will have to be removed during construction and replace with line marking. At developers expense. To allow a free flow for building supplies and construction development (circled in red – refer to plan below).
- Traffic Islands and Road are to be reinstated as per original build except for the traffic island directly in front of the new vehicular access, at developer's expense.
- Access to site MUST be done via Eastern side of The Crescent. Developer to submit a Traffic Management Plan showing the route of modest transportation vehicles with turning paths (in/out of building site and along planned route). Due to site constrains, limited road access and road configuration.
- It is recommended – If a Work Zone is needed it would best served if arrangement are made with neighbouring sites. A Work Zone in front of the site on The Crescent is very unlikely to be granted.
- Driveway entrances to be fitted with signage and warning lights during and after construction. To alert Traffic, Cyclist and Pedestrians (refer to plan below – yellow circles).
- Traffic control must be supplied at all times during demolition and construction. Due to the insufficient circulation roadway with no turnaround spaces and poor visibility of approaching vehicles, there are many bottlenecks where vehicles conflict with each other which results in vehicles reversing for longer distance and creates conflict with pedestrians.

Council's Traffic Engineer's comments have been addressed by condition.

Landscaping and Tree Comments

Council's Tree Management Officer offered no objections to the proposed removal of the three (3) trees located within the front setback, subject to replacement planting. During the site inspection of the original application it was noted by Council officers that two (2) trees identified for retention had been removed.

Heritage Comments

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

"The proposal seeks consent for the construction of an affordable housing development over 5 stories and 3 levels of basement. The site is located immediately to the west of the development site at 29-35 Burlington Road which incorporates the Homebush RSL Memorial Garden on the site formerly known as 32 The Crescent. Item 144, the site is identified as significant for the following reasons:

"This memorial planting in memory of fallen Comrades in World War II was opened on 5 May 1947. The landscape items are arranged as an alley with roses, lawns, cypresses to each side of the axis. It is of local significance as a memorial to the local men who died during the war."

The proposal as amended is out of scale with the item and the form of development in its locality and though the scale and form is out of character with the nearby development, it is acknowledged that this is an area in transition. The amended design of the building pays respect to the garden by addressing them with the private open space and the additional landscaping proposed increases the buffer between the site and the item to the west. The materials and finishes proposed in the amended design provide visual interest to the backdrop of the item and would not unduly detract from its significance.

Recommendation:

The proposal is acceptable on heritage grounds. No specific heritage conditions are required, however the standard materials and finishes, and dilapidation report conditions should be applied".

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Environmental Health Comments

Council's Environmental Health Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent. This includes the requirement of further acoustic assessment and incorporation of noise attenuation measures to protect future occupants from adverse noise levels from the railway.

EXTERNAL REFERRALS

Sydney Trains

The application was referred to Sydney Trains. Concurrence from Sydney Trains has been received as follows:

*" I refer to Council's letter requesting concurrence for the above development application in accordance with Clause 86 of the above SEPP.
Council is advised that Sydney Trains, via Instruments of Delegation, has been delegated to act as the rail authority for the Sydney Trains heavy rail corridor and to process the concurrence for this development application.*

As such, Sydney Trains now advises that the proposed development is being assessed in accordance with the requirements of Clause 86(4) being:

- a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:
 - i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and*
 - ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and**
- b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.*

In this regard, Sydney Trains has taken the above matters into consideration and has decided to grant its concurrence to the development proposed in development application DA2018/067/01 subject to Council the conditions provided in Attachment B.

Should Council choose not to impose the conditions in Attachment B (as written), then concurrence from Sydney Trains has not been granted to the proposed development.

In the event that this development proposal is the subject of a Land and Environment Court appeal, Council's attention is drawn to Section 8.12 of the Environmental Planning and Assessment Act 1979 which requires Council to give notice of that appeal to a concurrence authority. Sydney Trains therefore requests that Council comply with this requirements should such an event occur.

Council is also advised that the Sydney Trains concurrence is not to be amended, replaced or superseded by any concurrence issued by any other rail authority, without the further agreement from Sydney Trains."

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Water NSW

The original application was referred to Water NSW. The following comments were received:

“WaterNSW has determined that the proposed development will encounter groundwater during the excavation process, and is subject to a Water Supply Work Approval under the Water Management Act 2000 for dewatering during the construction phase. If there is ongoing take of groundwater during the post construction phase, a Water Supply Work Approval and a Water Access Licence will be required. This determination is subject to appropriate construction methods to be employed to minimise volume of groundwater take during the construction phase. WaterNSW provides General Terms of Approval attached.”

The amended plans received as part of the subject section 8.2A review application did not involve additional excavation works beyond what was previously proposed. Given that WaterNSW previously raised no objection to the original proposal subject to the imposition of conditions, it was not considered necessary to reconsult Water NSW in this instance.

Design Review Panel

The original application was referred to the Design Review Panel. The following comments were provided:

Building Siting and Setbacks

The Panel raises concerns about the siting of the building in terms of its orientation and setbacks. The design does not take advantage of the outlook over an open area adjacent to the site to the west, nor does it respond appropriately to the noise impacts of the railway corridor and roadway to the north. The Panel considers that the design should not be based on an infill building typology as proposed, but instead developed as a corner building form adjacent to a “park” that transitions into a residential precinct further to the west. Further elaboration is provided below:

- 1. The open landscaped area adjacent to the street on the adjoining site to the west at 32 The Crescent is protected by a heritage listing. This open area is therefore unlikely ever be able to be built upon and therefore provides an excellent opportunity to orient living areas of the proposed development towards this (side) frontage, thereby enabling treatment of the northwest and street front elevations together as a corner building form.*
- 2. The zone boundary changes from B4 to R3 between 32 and 33 The Crescent to the west. The character of the streetscape in that direction is one of established lower scale residential flat buildings set back from the street with generous, front gardens. This further supports the Panel’s suggestion to prioritise orientation and outlook in that direction, and to treat the proposed building as a corner element, seen in the round as a termination to the B4 mixed use precinct near the station.*
- 3. To maximise outlook to the northwest, the side setback of the development on that boundary should be increased sufficiently to allow for compliant introduction of large windows and balconies or wintergardens, instead of a predominantly blank wall as currently proposed.*
- 4. The front setback of the building should be reduced to zero, to reflect the existing commercial character and built form of the current buildings to the east along The Crescent.*
- 5. These revised setbacks would allow most of the proposed north-facing units exposed to rail and road noise to be reoriented to the north-west, thereby achieving significantly improved amenity and aspect. Facade composition and articulation should be carefully reconsidered and designed to ensure a high-quality, “in-the-round” building presentation to The Crescent and adjacent park.*
- 6. A nil setback to the eastern side boundary is acceptable in the context of the commercial character and built form of the existing buildings. The depth of the building on this eastern interface should anticipate a future RFB and therefore not exceed the overall depth of 20 metres.*

Ground Floor Planning

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Reconfiguration of the building siting and setbacks as discussed above would necessitate re-planning of the ground floor level, and the following matters should be further addressed in this context:

- 1. By setting back the western edge of the building by 3 metres min, the main entry can be moved to a more central location in the plan. The lift core and stair location will also need to be moved to facilitate this.*
- 2. It is also recommended that a ground floor café/retail space replaces the two ground floor units and courtyards, noting that restroom/s, waste handling, kitchen exhaust and the like would need to be provided. The café could utilise part of the increased side setback with outdoor seating and awning to provide protection to residents and patrons. This would provide a genuine active "corner" frontage to the street and the open space adjoining the common boundary.*
- 3. Notwithstanding that the entry is relocated as described above, almost half of the street frontage is occupied by the driveway ramp. High quality design of this area must be carefully considered in terms lighting and materials to all visible surfaces.*
- 4. Reconfiguration of the ground floor entry as described will require a further review of pedestrian safety, sight lines for the driveway ramp and waste storage and handling arrangements.*

Internal planning

There is evidence that similar new boarding houses already operating in the inner city are being used more for longer term permanent tenancies and less for shorter term transitional occupation. The Panel acknowledges that whilst compliance with the ADG is not required for this type of development. there is nevertheless merit in using ADG principles and objectives to maximise amenity and usability of the rooms that are likely to be used as "micro" apartments as follows:

- 1. Because of the compact size of these dwellings, internal room planning must particularly aim to make every part of the floor plan usable to maximise liveability and to facilitate furnishing with options to function as a combined living and sleeping space, ie not just a bedroom.*
- 2. The Panel recommends that a more systematic approach be taken to services, bulkheads, and ceiling heights for improved efficiency of layouts. Kitchens and bathrooms should be located together, and access corridors shared with kitchen galley, laundry and storage wherever possible. Likewise, bedrooms and wardrobes should be co-located.*
- 3. Common internal spaces should be afforded natural light and fresh air if at all possible.*
- 4. Larger double rooms should be designed to allow for a separate seating/lounge area where possible.*
- 5. The provision of balconies to the rooms is supported in general.*

External design

- 1. The Panel supports the use of face-brick for the façades but does not support the extensive use of metal "timber look" cladding. Simpler elevational treatments with face brick as the predominant material would be preferred for this small building.*
- 2. The proposal to rotate most or all of the proposed street facing units towards the park will require a careful design approach to avoid the street façade appearing as a side elevation. One approach is to develop a compositional and material strategy that can be applied to both visible facades, with the balance between openings and solid varied according to the orientation and use of each room behind. The street elevation above awning could be a quite simple abstraction of brick panels separated by full height, staggered window slots as an example.*
- 3. Extensive use of louvres along the full height (three levels) of the western elevation is unnecessary given separation to nearest building and landscape screening, and should be reconsidered to provide a more interesting articulated elevation and improve the outlook and internal amenity for*

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residents of these rooms. The incorporation of balconies on the north western façade will provide sunshading and a degree of privacy to the rooms.

Other matters

1. *A broader context analysis plan should be provided showing all buildings to the corner of Rochester Street to the east, and other adjoining buildings including the building under construction at 2 The Crescent.*
2. *The intersection, underpass, roundabout, proposed driveway location, levels, street width, railway corridor and all pedestrian and traffic management devices need to be drawn to establish and clarify access and the relationship between the proposed building and the street.*
3. *Some units appear undersize under the provisions of the SEPP, particularly those shown as having the smallest net areas. The Panel queries whether the excludable areas under SEPP are correctly identified and calculated particularly in relation to areas within each kitchen zone to stand at the bench. Some excluded areas appear to be inconsistent across the levels and should be checked.*
4. *Provision of rooftop communal open space should be considered.*
5. *Trees to be retained to be identified and agreed with Council's landscape architect."*

SECTIONS 8.2 & 8.3 OF THE EP&A ACT 1979 - REVIEW OF DETERMINATION

Under Sections 8.2 and 8.3 of the *EP&A Act*, an applicant for development consent may request a consent authority to review a determination or decision made by the consent authority. Further, in requesting the review, the applicant may amend the proposed development the subject of the original application for development consent if the consent authority is satisfied that it is substantially the same development.

The current application has been submitted under the above provisions and is considered to be substantially the same development, seeking to demolish the existing structures and construct a boarding house which comprises five (5) levels of residential accommodation above three (3) levels of basement.

Pursuant to Sections 8.3(5) and 8.10(1) of the *EP&A Act 1979*, the current application must be determined by the Strathfield Local Planning Panel on the basis that the Strathfield Local Planning Panel was the consent authority for the previous development application and the current application must be determined within six (6) months of the date of the original determination (ie. by 6 June 2019).

The reasons for refusal of the original development application are outlined and addressed as follows:

1. *The proposal is in breach of the height standard in Clause 4.3 of the Strathfield Local Environmental Plan 2012 and the Clause 4.6 variation is not well founded (Section 4.15(1)(a)(i) Environmental Planning and Assessment Act 1979).*

Comments: Clause 4.3 of the Strathfield Local Environmental Plan (2012) sets out the maximum building height permitted for the site which is 16m. The amended plans have reduced the floor to ceiling heights within the building and removed the rooftop communal open space (and therefore the height of the lift overrun has also been reduced). The proposal now complies with the maximum building height permitted for the site, as shown in Figure 9. A Clause 4.6 variation is no longer required for the proposal.

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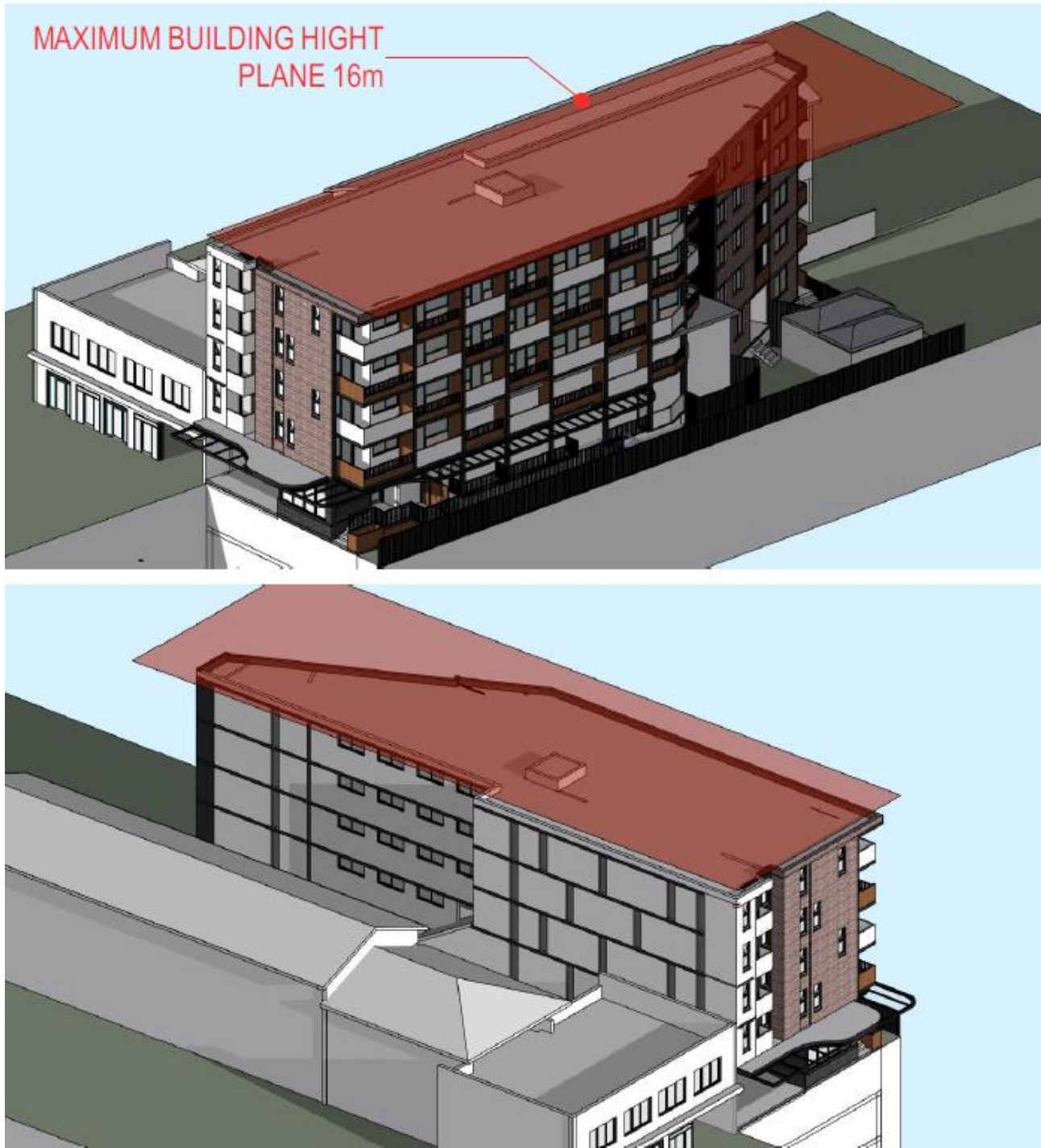


Figure 9: Extract of the height plane map, showing that there is no breach to the 16m height limit.

- 2. The information submitted is inadequate in terms of demonstrating the vehicular access arrangements of the development from The Crescent are satisfactory.*

Comments: Council's Traffic Engineer has confirmed that the traffic islands located on The Crescent (Figure 12) can be removed and replaced with line markings during the demolition and construction period to allow for larger sized vehicles to access to the site. The traffic island in between the two (2) lanes of traffic would need to be reinstated once construction works have been completed and prior to the occupation of the development. The traffic island in front of the proposed new vehicular access can remain as line markings only to allow for ongoing vehicle

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access to the site. All modifications to the traffic islands are to be at the developers' expense and at no cost to the council.

3. *Concurrence has not been granted by Sydney Trains in accordance with the requirements of Clause 86(1) of the State Environmental Planning Policy (Infrastructure) 2007.*

Comments: In accordance with the requirements of Clause 86(1) of *The State Environmental Planning Policy (Infrastructure) 2007*, concurrence was granted by Sydney Trains on 9 April 2019, subject to the imposition of conditions. These conditions have been included by the officer in the recommendation.

4. *The dislocation of the communal lounge from the remainder of the building, and the communal open space, is unacceptable.*

Comments: The amended plans have relocated the communal lounge to the rear of the ground floor level. The revised location of the communal lounge is amongst lodger rooms and provides a good level of access between the communal open space and the remainder of the building.

However, the communal lounge has been replaced with an additional double room (G.06). Concern is raised with regard to the internal quality of this room.

This room comprises a single aspect onto The Crescent at ground floor level. The only windows to this room are full height and the occupants would not be able to access good levels of sunlight, daylight and ventilation whilst also achieving a good level of privacy. The windows are at ground floor level and the privacy is compromised by pedestrians using the south-western side of the footpath of The Crescent. The levels of sunlight and daylight would also be restricted by the front awning protruding above these windows.

Furthermore, the single aspect is facing the railway line and this will also compromise internal amenity quality in respects to noise impacts.

It is recommended that room G.06 be replaced with a neighbourhood shop. The neighbourhood shop would provide a continuation of the shops located at ground floor level on The Crescent to the east of the subject site. It would service an area which is undergoing change with increased residential densities. A neighbourhood shop is a permissible use with consent on the land zoned B4- Mixed Use and this is addressed later in the report.

5. *The pedestrian access into the building is poorly configured, potentially unsafe and creates privacy impacts to the adjacent rooms.*

Comments: The front security door has been moved closer to the street however, this is only very marginal and has not improved the entry configuration and safety of the entrance (Figure 10).

A condition is recommended to provide an entry door to both pedestrian accesses from The Crescent. The entry door is to be setback 1.5m from the street frontage and the entry is to be covered, legible and secure. The entry stairs and lift is to be relocated behind the secure entry doors.

A 1.8m high timber fencing has been provided in front of the two (2) rooms (G.04 and G.05) that are adjacent to the access area. A condition of consent is also recommended to secure fencing at this height in order to assist with privacy.

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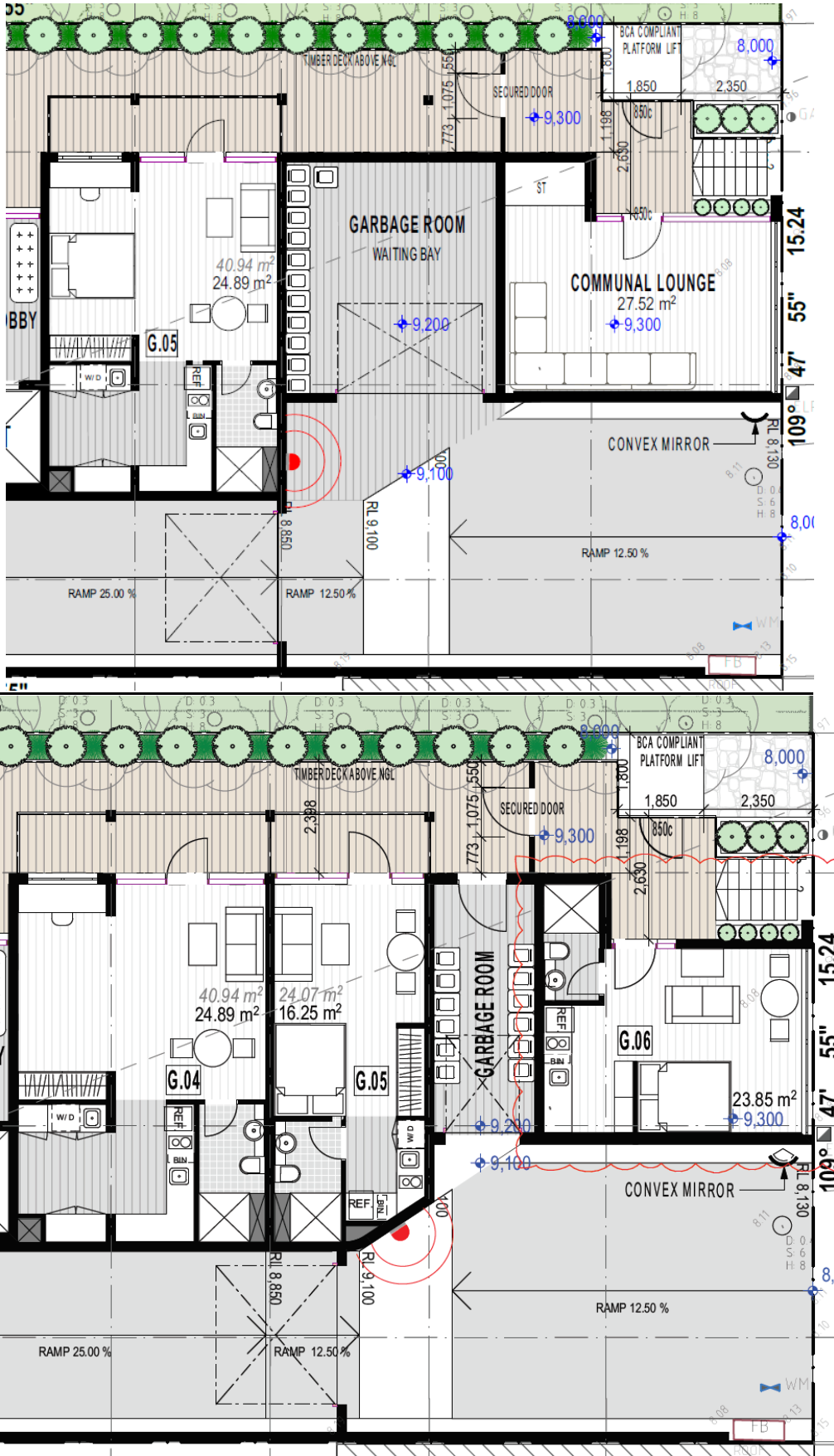


Figure 10: Extract of the ground floor plan refused in the original application (above) and extract of the proposed ground floor plan of the subject 8.2A application (below).

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6. *The open circulation corridors located on the eastern side of the building will create adverse privacy and acoustic impacts to the adjacent 3 storey residential flat building.*

Comments: The circulation corridors on the eastern side of the building at the first floor level and above have been enclosed with walls and high level windows. This assists with protecting the acoustic amenity of the neighbouring property whilst maintaining sufficient levels of light to this space through the high level windows (Figure 6 and 7).

7. *The provision of a single lift servicing the building is unsatisfactory and will result in poor amenity for future occupants.*

Comments: The amended plans have not included an additional lift to improve the accessibility within the building. A condition is recommended requiring an additional lift to be provided which services the habitable levels of the building. This could reasonably be achieved as the majority of the rooms exceed the minimum area requirements set out by the State Environmental Planning Policy (Affordable Rental Housing) 2009.

8. *The site is not suitable for the proposed development in accordance with Section 4. 15(1)(c) of the Environmental Planning and Assessment Act 1979.*

Comments: The proposed boarding house will provide affordable residential accommodation in an accessible location which is in walking distance to public transport and shops. The built form achieves a balance between the traditional and the contemporary, incorporating colour tones and external finishes sympathetic to the heritage items located within the vicinity of the site. Additionally, the proposed development has been appropriately designed for the constraints of the site.

Concurrence has been granted by Sydney Trains, subject to the imposition of a number of conditions of consent in order to protect the nearby Sydney Trains assets also the amenity of future occupiers of the site.

9. *The proposal is not in the public interest (Section 4. 15(1)(e) of the Environmental Planning and Assessment Act 1979).*

Comments: The proposal is considered to be in the public interest as it provides affordable residential accommodation in a location which is in walking distance to public transport and shops. The acoustic amenity of the eastern adjoining property, No. 30 The Crescent has been improved through the enclosure of the circulation corridor on the eastern side of the building.

The amendments have also improved the internal amenity of the accommodation by relocating the communal lounge amongst lodger rooms and adjacent to the communal outdoor amenity space. Appropriate acoustic attenuation will be secured by conditions of consent. A condition of consent is recommended to replace room G.06 with a neighbourhood shop and the shop will assist in providing the day-to-day needs of people who live or work in the local area, which is also considered to be in the public interest.

Overall, the proposal is considered to be in with public interest.

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

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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

The original development application was accompanied by a Stage 1 Environmental Investigation prepared by Dirt Doctors Pty Ltd and it concluded the following:

“Based on the finding of this investigation it is considered that the risk to human health and the environment associated with soil and groundwater contamination is low in relation to the proposed development for the subject site. The site can be made suitable for the proposed development in its current state, subject to the following recommendations.

- *Site investigation by DD post demolition to identify and potential areas of contamination;*
- *Preparation of a clearance certificate by a suitably qualified individual to confirm the absence of asbestos contamination;”*

A condition of consent has been recommended which incorporates the recommendations contained within the Stage 1 Environmental Investigation Report. Subject to the imposition of conditions, the objectives outlined within SEPP55 are considered to be satisfied.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The proposed development was referred to Sydney Trains (formerly Rail Corp) for concurrence in accordance with the requirements of Clause 86(1) of the Infrastructure SEPP as the subject site is within 25m of a Railway Corridor and the development includes excavation for three (3) levels of basement car parking.

Sydney Trains reviewed the Geotechnical and Groundwater Report, Structural Report and associated drawings and has confirmed that concurrence has been granted subject to the imposition of conditions. These have been included in the recommended conditions.

Clause 87 of the Infrastructure SEPP also requires Council to assess the impact of rail noise on the amenity of the proposed boarding house. The amended design minimizes the extent of openings and private open space orientated to the railway line in order to maximise acoustic amenity. In accordance with the concurrence conditions of Sydney Trains, a condition of consent is recommended requiring the applicant to prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning’s document “Development Near Rail Corridors and Busy Roads- Interim Guidelines”. The Applicant must incorporate in the development all the measures recommended in the report.

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 submitted plans propose the removal of multiple cypress trees within the front setback. The proposal was referred to Council’s Tree Management Officer who raised no objection to the removal of the trees, subject to replacement planting. As the existing site contains very little deep

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soil landscaping and vegetation, the proposed development provides an opportunity to improve upon the existing landscaping conditions of the site.

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

The proposed development has been lodged under Part 2, Division 3 of the *ARH SEPP 2009* which relates to the provision of 'Boarding Houses'. An assessment of the development against the development standards for boarding houses under the *ARH SEPP 2009* is presented in the table below.

Clause	Development Control	Required	Proposal	Compliance
26	Permissibility	Permissible in the following zones: <ul style="list-style-type: none"> • R2 Low Density Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use 	The site is located within B4 Mixed Use zone.	Yes
29	FSR	Max as per SLEP 2012: 3:1 (2,091m ²) PLUS incentive of 20% (418.2m ²) if the max FSR is >2.5:1 = 3.6:1 (2,509.2m ²)	2.39:1 (1,667.08m ²)	Yes
	Height	Max as per SLEP: 16m	15.869m including the lift overrun.	Yes
	Landscaping	Landscape treatment of the front setback is compatible with the streetscape.	The development proposes a nil front setback, achieving street frontage activation to reflect the existing commercial character of the current building to the east of the site.	Acceptable on merit. Whilst the front setback is not landscaped, it is in keeping with the streetscape.
	Solar Access	At least one (1) common area receives at least three (3) hours of direct sunlight between 9am and 3pm, mid-winter	The communal living room located on the ground floor receives at least three hours of direct sunlight during mid-winter.	Yes
	Private Open Space	Lodgers: Min 20m ² with min. dimension of 3m	Lodgers have access to the rear setback area (50m ² of usable space).	Yes

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	Parking	<p>Manager: Min 8m² with min dimension of 2.5m²</p> <p>0.5 spaces per room plus one per employee that resides on-site. = as (49) rooms are proposed, plus one (1) manager. Therefore, (26) spaces (rounded up) are required.</p>	<p>A private open space area (16.52m²) is directly accessible from the manager's room.</p> <p>A total of 25 car parking spaces are provided over three levels of basement.</p>	<p>Yes</p> <p>Yes, subject to the recommended conditions</p>
	Dwelling size	<p>(The recommendation involves the deletion of two rooms (resulting in a total of 48 rooms) which would require 25 car parking spaces in total)</p> <p>Single: min 12m² Other: min 16m² (excluding any area used for the purposes of private kitchen or bathroom)</p> <p>May have a kitchen/bathroom however is not required to.</p>	<p>All lodger rooms are double rooms exceeding the 16m² minimum requirement.</p> <p>Each room is provided with a kitchen, laundry and bathroom facilities.</p>	<p>Yes</p> <p>Yes</p>
30	Standards for Boarding Houses	<p>One (1) communal living room required where there are five (5) or more rooms</p> <p>No boarding room > 25m² (excluding any area used for the purposes of private kitchen or bathroom)</p> <p>No boarding room occupied by > two (2) adult lodgers</p> <p>Adequate bathroom and kitchen facilities available for the use of each lodger.</p> <p>Boarding House Manager where capacity of > 20 lodgers</p> <p>One (1) bicycle space and one (1) motorcycle space per five (5) boarding rooms. = 9.8 spaces / 10 spaces are</p>	<p>A communal living room is provided on the ground floor level.</p> <p>No boarding rooms exceed the 25m² maximum.</p> <p>A condition of consent has been recommended to ensure no more than two adult lodgers occupy any room.</p> <p>Each room has been provided with a bathroom and kitchenette</p> <p>Recommended conditions result in a maximum of 47 double lodger rooms and a lodger capacity of 94. Therefore a manager room has been provided.</p> <p>10 bicycle and 8 motorcycle spaces are proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No. However is considered acceptable as it is a minor</p>

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		<p>required.</p> <p>As per recommended conditions of consent (i.e. 48 rooms inc managers unit), 10 bicycle and 10 motorcycle parking spaces are required.</p>		<p>non-compliance. Given the proximity of the site to public transport, the non-compliance is accepted in this instance.</p>
30A	Character	<p>A consent authority must not consent to development to which this division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.</p>	<p>The proposed height and scale of the development will be consistent with the transitioning character of the streetscape.</p> <p>The building façade incorporates exposed facebrick and rendered masonry both are external finishes found in the 'Village of Homebush' Retail Conservation Area. The simplistic colour palette softens the contemporary building design so as not to detract from the multiple heritage items and conservation area located within the vicinity of the site.</p>	Yes

Part 3 Retention of existing affordable rental housing

50 Reduction of availability of affordable housing

- (1) *A person must not do any of the following in relation to a building to which this Part applies except with development consent:*
 - (a) *demolish the building,*
 - (b) *alter or add to the structure or fabric of the inside or outside of the building,*
 - (c) *change the use of the building to another use (including, in particular, a change of use to backpackers accommodation),*
 - (d) *If the building is a residential flat building, strata subdivide the building.*
- (2) *In determining a development application referred to in subclause (1), the consent authority is to take into account the guidelines and each of the following:*
 - (a) *whether there is likely to be a reduction in affordable housing on the land to which the application relates,*
 - (b) *whether there is available sufficient comparable accommodation to satisfy the demand for such accommodation,*
 - (c) *whether the development is likely to cause adverse social and economic effects on the general community,*
 - (d) *whether adequate arrangements have been made to assist the residents (if any) of the building likely to be displaced to find alternative comparable accommodation,*
 - (e) *the extent to which the development contributes to any cumulative loss of affordable housing in the local government area,*

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- (f) *the structural soundness of the building, the extent to which the building complies with any relevant fire safety requirements and the estimated cost of carrying out work necessary to ensure the structural soundness of the building and the compliance of the building with the fire safety requirements,*
- (g) *whether the imposition of a condition requiring the payment of a monetary contribution for the purposes of affordable housing would adequately mitigate the reduction of affordable housing resulting from the development,*
- (h) *in the case of a boarding house, the financial viability of the continued use of the boarding house.*

Comments: The existing circa 1960s residential flat building that currently occupies the site contains four (4) x 2-bedroom low rental residential units. The proposal seeks consent to demolish the existing building and construct a boarding house, being an alternative form of affordable residential accommodation. The proposal is considered to be suitable for the site in that it will provide 48 double lodger rooms (as per recommended conditions of consent) compared to the four (4) units provided by the existing development.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

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

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

Comments: The proposed development is well designed, achieving a balance between traditional and contemporary outcomes through the use of a simple colour palette and traditional external finishes with a contemporary building form. The proposed use of the site as a boarding house is considered to be suitable for its location, being within walking distance to Homebush train station, local shops and multiple schools.

Permissibility

The subject site is Zoned B4 Mixed Use under *Strathfield Local Environmental Plan (SLEP) 2012*. 'Boarding Houses' are permissible within the B4 Mixed Use zone with consent and are defined under *SLEP 2012* as follows:

"boarding house means a building that:

- (a) *is wholly or partly let in lodgings, and*
- (b) *provides lodgers with a principal place of residence for 3 months or more, and*

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- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment."

The proposed development for the purpose of a boarding house containing 47 double lodger rooms and one manager's room (as per the recommended conditions of consent) is consistent with the definition above.

A condition of consent it also recommended to replace room G.06. A 'neighbourhood shop' is permissible within the B4 Mixed Use zone with consent and are defined under SLEP 2012 as follows:

"neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank, or dry cleaning, but does not include neighbourhood supermarkets or restricted premises.

Zone Objectives

An assessment of the proposal against the objectives of the B4 Mixed Use zone is included below:

Objectives	Complies
• To provide a mixture of compatible land uses.	Yes
• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport and encourage walking and cycling.	Yes
• To facilitate mixed use urban growth around railway stations and transport nodes and corridors, commercial centres and open space.	Yes
• To provide local and regional employment and live and work opportunities.	Yes

Comments: The proposed boarding house and neighbourhood shop achieves the objectives of the B4 Mixed Use zone as it provides housing in an accessible location that is within walking distance to Homebush Train Station, shops and schools. The neighbourhood shop (required by condition) provides an extension to the existing shops located to the east of the site along The Crescent, integrates business development in an accessible location and will provide opportunity for local employment and live and work opportunities.

Part 4: Principal development standards

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

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	16m	15.869m	Yes

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

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Comments: The communal rooftop amenity space has been deleted, and the overall height reduced by lowering the lift overruns and floor to ceiling heights. The proposal now complies and is consistent with, the building height development standard and objectives of Clause 4.3 (Figure 9).

Floor space ratio

The FSR controls applying to the ARH SEPP 2009 override provisions of the SLEP 2012. Refer to ARH SEPP 2009 assessment table for reference.

Part 5: Miscellaneous Provisions

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

5.10 Heritage Conservation

Clause 5.10 of the *SLEP 2012* requires consideration be given to the potential impacts of development upon heritage items within the vicinity of the subject site included associated fabric, settings and views. The subject site is located within the immediate vicinity of the following heritage items listed under Schedule 5 of the SLEP 2012 (Figure 11):

- Former Homebush RSL Memorial Park - No. 29-35 Burlington Road (formerly 32 The Crescent);
- 'Village of Homebush' Retail Conservation Area; and
- Homebush Railway Station.



Figure 11: Aerial view of the site and surrounding heritage conservation area and heritage items. The subject site is outlined in red, Village of Homebush Retail Conservation Area in orange and heritage items in yellow.

The Former Homebush RSL Memorial Park is located immediately west of the site and is identified as a place of local significance:

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"This memorial planting in memory of fallen Comrades in World War II was opened on 5 May 1947. The landscape items are arranged as an alley with roses, lawns, cypresses to each side of the axis. It is of local significance as a memorial to the local men who died during the war".

The Memorial Park is planned to be restored and upgraded as part of the Development Consent associated with the development at 29-35 Burlington Road. In response to comments made by the Design Review Panel, the amended proposal adopts a 'book-end' to The Crescent, the Homebush town centre and subsequent B4 zone; orientating its address to the Memorial Park. Uniquely, the development orientates the private open spaces to the Memorial Park which utilizes indentations and architectural articulation to create a building elevation that is broken up; creating a sense of openness along the curtilage of the Memorial Park.

The building proposes a simplistic colour palette and traditional external finishes (exposed facebrick and rendered masonry) that is in keeping with the predominant materials of the Homebush Retail Conservation Area and entrance of the RSL War Memorial Garden.

Council's Heritage Advisor raised no objection to the proposal, subject to the imposition of conditions relating to materials and finishes. Overall, it is satisfied that the proposed development achieves the objectives of Clause 5.10 Heritage Conservation of the *SLEP 2012*.

Part 6: Local Provisions

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

6.1 Acid sulfate soils

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

6.2 Earthworks

The proposed development includes excavation of three (3) levels of basement to accommodate the car parking requirements. The size of the basement is constrained by the easement at the rear of site. Conditions of consent including the preparation of a dilapidation report of the adjoining properties has been recommended.

In accordance with the requirements of Clause 86(1) of the Infrastructure SEPP, and as the site is located in close proximity to the railway corridor the application was referred to Sydney Trains. Sydney Trains granted concurrence subject to the imposition of a number of conditions relating to compliance with geotechnical reports, construction methodology and supervision of construction by a geotechnical engineer.

6.3 Flood planning

The site is affected by overland flooding in the 1 in 100 year flood event in accordance with Powell's Creek flood studies. A Flood Impact Report accompanied the original development application. Council's Development Engineer has reviewed the proposed development and accompanying documentation and is satisfied that the proposal complies with Council's flood planning requirements. A condition of consent is included for the recommendations contained in the Flood Study prepared by S&G Consultants Pty Ltd to be complied with.

6.4 Essential services

Clause 6.4 of the *SLEP 2012* requires consideration to be given to the adequacy of essential services available to the subject site. The subject site is located within a well serviced area and

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features existing water and electricity connection and access to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development.

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 H - WASTE MANAGEMENT (SCDCP 2005)

As the site is located immediately adjacent to a round-about, The Crescent is one-lane in each direction (Figure 12) and there is minimal kerbside room, queuing for kerbside collection renders that alternative unsuitable for the development (Figure 12) due to likely traffic interference.

Furthermore, Council's Waste Officer confirmed that collection of waste from the basement would not be possible for Council waste vehicles due to internal heights and maneuverability room. The narrow width of the site highly constrains the site in this regard.

Therefore, the option of on-site waste collection at ground floor was considered to be the remaining alternative. As proposed, waste collection vehicles would enter the site and park in front of the garbage room, the waste would then be loaded into the vehicle. The vehicle would need to exit the site in a forward direction.

Council's Waste Officer has concern that given the size of Council's Waste vehicles that they would cause a disruption to traffic flow to both lanes of traffic on The Crescent as it reversed into the site.

Therefore it is considered suitable that the property is serviced by a private contractor who could utilise smaller waste collection vehicles that would not obstruct both lanes of traffic when entering the site and this is secured by condition.

Furthermore, officers have concern with the size of the garbage room as this appears to be undersized to accommodate the required number and size of bins, and provide adequate space for the storage of bulky waste goods. This is addressed by a condition requiring room G.05 to be deleted and the garbage room enlarged.

The warning light depicted on the ground floor plan shall be relocated so that whilst the waste collection vehicle is on site, vision of the warning light is not obstructed and this is also addressed by condition.

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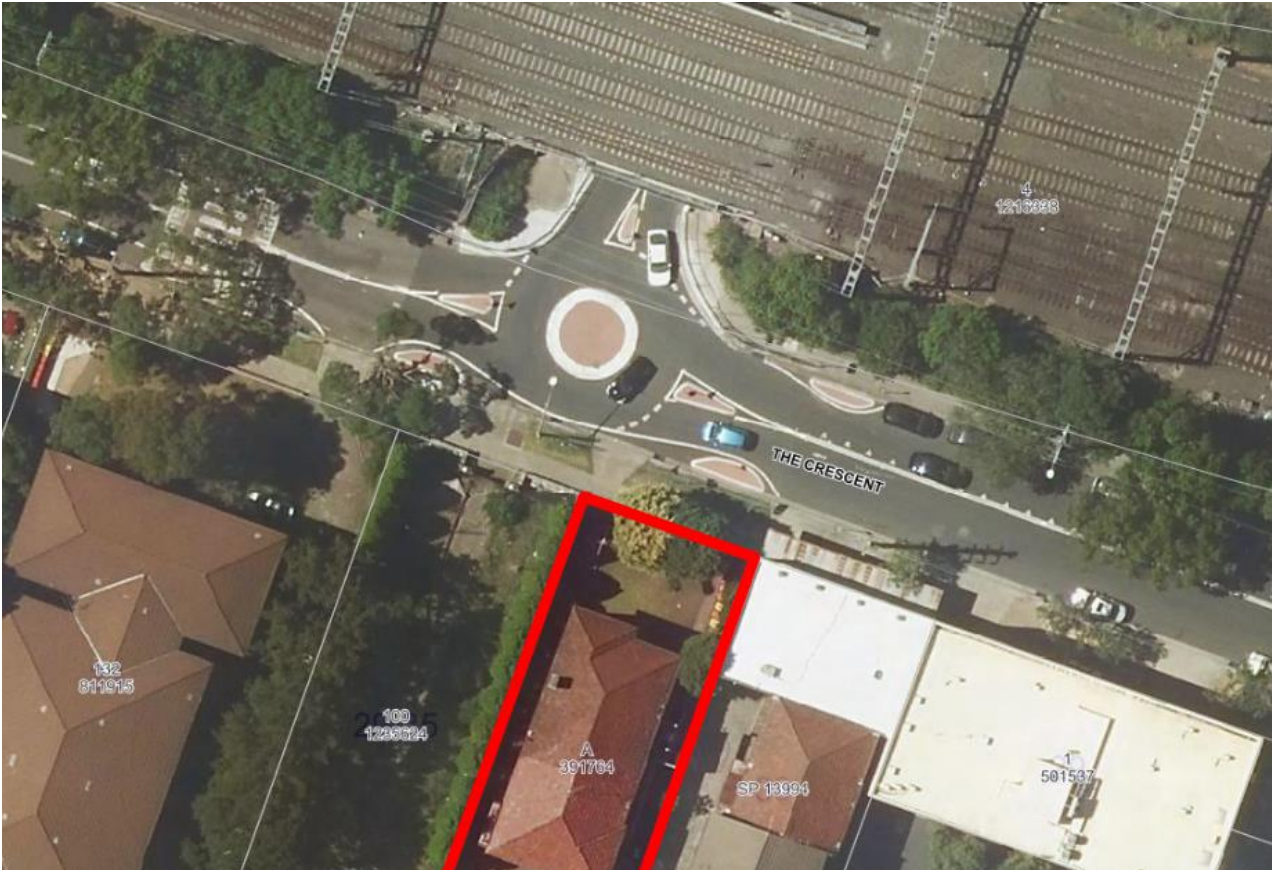


Figure 12: Aerial view of the site (outlined in red) showing layout of The Crescent and proximity to the roundabout.

PART P- HERITAGE

An assessment of the proposal against the objectives and development controls contained within Part P of SCDCP 2005 is included below:

1.5: Objectives of this DCP Part

1.5	Objectives	Satisfactory
a.	To encourage development which complements existing heritage items and heritage Conservation Areas in a modern context.	Yes
b.	To retain evidence of historic themes of development evident in the Strathfield Local Government Area, through the proper care and maintenance of individual heritage items and heritage Conservation Areas.	Yes
c.	To protect those items and areas that are of value to the local community	Yes
d.	To ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.	Yes
e.	To retain any significant horticultural or landscape features that assist in the interpretation of Strathfield's heritage.	Yes

Comments: The proposed built form achieves a balance between traditional and contemporary outcomes so as not to detract from the nearby heritage items. During the assessment process the schedule of colours and finishes was amended with the use of exposed facebrick expanded and replaced with metal ‘timber-looking’ cladding and rendered masonry to align with the predominant building material of the commercial buildings within the Homebush Retail Conservation Area. The simplistic colour palette is considered to soften the contemporary style of the building form.

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The proposed development complements the adjoining Memorial Park by treating the heritage item as another street frontage. This is achieved through the composition of private open spaces and modulation of elements instead of vast expanses of blank walls too common in side elevations of buildings of scale.

PART Q – URBAN DESIGN

An assessment of the proposal against the objectives and development controls contained within Part Q of SCDCP 2005 is included below:

2.1: Public Domain and Place Making

2.1.1	Objectives	Satisfactory
A.	<i>To ensure that development adjacent to the Public Domain complements the landscape character, public use and enjoyment of that land</i>	Yes
B.	<i>To enhance the quality of the Public Domain</i>	Yes
C.	<i>To ensure the Public Domain is attractive, safe, interesting, comfortable, readily understood and easily accessed</i>	Yes
2.1.2	Development Controls	Complies
.2.	<i>Development is to be designed to address elements of the public domain, including the building interface between private and public domains, circulation patterns and access ways, gateways, nodes, edges, landscape features, heritage items, ground floor activity and built form definition to the street.</i>	Yes
.3.	<i>Public access to the public domain is to be maximized</i>	Yes
.4.	<i>Development is to be located to provide an outlook to the public domain, without appearing to privatise that space.</i>	Yes
.5.	<i>Development is to provide passive surveillance to the public domain. Where appropriate, ground floor areas abutting public space should be occupied by uses that create active building fronts with pedestrian flow, and contribute to the life of the streets and other public spaces.</i>	Yes
.6.	<i>Continuous lengths of blank walls and fences at the public domain interface are to be avoided</i>	Yes

Comments: The proposed development addresses both Memorial Park and The Crescent. In response to Design Review Panel comments, the rooms were orientated towards Memorial Park to improve internal amenity quality by overlooking the park and reducing exposure to railway noise.

The development is successful in its activation by orientating private open spaces, openings and articulating building components to enhance passive surveillance opportunities, particularly to Memorial Park.

2.2: Streetscape

2.2.1	Objectives	Satisfactory
A.	<i>To ensure that all development contributes positively to the street and locality.</i>	Yes
B.	<i>To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.</i>	Yes
C.	<i>To increase the legibility of streetscapes and urban spaces so that the interrelationship between development and the Public Domain is visually coherent and harmonious.</i>	Yes
D.	<i>To maximise opportunities for buildings to define the Public Domain.</i>	Yes
E.	<i>To encourage attractive street frontages and improve pedestrian amenity</i>	Yes
2.2.2	Development Controls	Complies
.1.	<i>Building height at the street frontage and building alignment must maintain a compatible scale with adjacent development, whilst having regard to this Plan's height controls;</i>	Yes

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.2.	<i>Buildings and fences must be designed to complement and/or visually improve existing streetscapes</i>	Yes
.3.	<i>Development must respond and sensitively relate to the broader urban context including topography, block patterns and subdivision, street alignments, landscape, views and vistas and the patterns of development within the area (refer Figure 1a)</i>	Yes
.4.	<i>Building design and landscaping must be in harmony with the form, mass and proportions of the streetscape.</i>	Yes
.5.	<i>New buildings must recognise and reinforce the elements of facades within the street. Designs must have regard to the horizontal and vertical proportions of building elements which create the visual scene</i>	Yes
.6.	<i>New buildings must recognise and reinforce the elements of facades within the street. Designs must have regard to the horizontal and vertical proportions of building elements which create the visual scene</i>	Yes
.9.	<i>Buildings must be constructed of suitably robust and durable materials which contribute to the overall quality of the streetscape</i>	Yes
.11.	<i>Where side setbacks are an important part of the local streetscape character, these are to be maintained</i>	Yes

Comments: The proposed building has been orientated to street frontage (The Crescent) and to the Memorial Garden in response to the Design Review Panel's recommendations, creating a transition from the B4 Mixed Use of the subject site and the R3 Medium Density Residential zone. This is achieved through façade treatment of the western elevation being treated as a street frontage with the private open space areas of the lodger rooms creating building articulation and a sense of openness. The nil setback to the street frontage is consistent with the building alignment of the adjoining commercial buildings and other buildings within the B4 Mixed Use zone. A condition of consent requires room G.06 to be replaced with a neighbourhood shop and this is considered to assist with providing the day-to-day needs of surrounding residents and also providing activation to the street at ground floor level.

The colour palette and external finishes is reflective of the numerous heritage items and the Homebush Retail Conservation Area located within the immediate vicinity of the subject site.

2.3: Siting

2.3.1	Development Controls	Complies
.1.	<i>Development must respond to the scale of surrounding buildings and definition of the street networks and public spaces.</i>	Yes
.2.	<i>The distinctive and valued character of the surrounding area, particularly those elements that contribute to a sense of place and identity, must be protected and enhanced.</i>	Yes
.3.	<i>Building forms (including heights and massing) are to be arranged to reinforce the future desired structure and character of the area</i>	Yes
.4.	<i>Buildings must address the street, laneway, new through-site link or open space.</i>	Yes
.5.	<i>Street edges must be defined with low rise buildings or appropriately scaled podiums to create a pedestrian scale and active frontages at street level.</i>	Yes
.6.	<i>Appropriate building separation must be provided to protect privacy and solar access to private property and the Public Domain.</i>	Yes
.7.	<i>Building corners on key streets must be emphasised to signify key intersections and enhance Public Domain legibility.</i>	Yes

Comments: It is noted that the streetscape is undergoing a transition with recently constructed residential flat buildings, larger in scale than the existing low-rise medium density residential flat buildings and detached dwelling houses. The western elevation of the building is treated as a main building façade, reinforcing a sense of place in the Memorial Garden and enhancing the legibility of the adjoining future open space. The street edge is activated through the ground floor awning, nil front setback, neighbourhood shop (by condition) and a clearly identified entrance (required by condition).

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2.4: Building Envelope

2.4.1	Objectives	Satisfactory
A.	To ensure the scale and bulk of future development is compatible with site conditions, surrounding development and the existing and desired future character of the streetscape and locality.	Yes
2.4.2	Development Controls	Complies
.1.	The bulk and scale of any development must reflect the existing and future character of the existing street and surrounding locality	Yes
.2.	The bulk and scale of any development must be compatible with the amenity of the immediately and surrounding locality.	Yes

Comments: The proposed building envelope is appropriate, taking into consideration the easement traversing the rear of the site and providing adequate setbacks to the adjoining residential flat building under construction to the east and south. The compatibility of the proposed building envelope with the future character of the streetscape has been previously discussed.

2.5: Building Massing and Scale

2.5.1	Objectives	Satisfactory
A.	To ensure buildings are compatible in form relative to the spatial characteristics of the local area.	Yes
B.	To ensure building mass and form reinforces, complements and enhances the visual character of the street.	Yes
C.	To ensure the building height and mass preserves and enhances the Public Domain, neighbourhood amenity, and site characteristics.	Yes
D.	To ensure that where changes in building scale, mass and/or height is proposed, it occurs in a manner that is sensitive to amenity issues of surrounding or nearby development.	Yes
2.5.2	Development Controls	Complies
.1.	Buildings must be of a height that responds to the topography and shape of the site.	Yes
.2.	Buildings, or their individual elements, must be appropriately scaled to reinforce the surrounding character	Yes
.3.	Building heights are to be reduced and setbacks increased to provided appropriate transitions to heritage buildings and places or sensitive uses such as public recreation areas and schools.	Yes
.4.	The proportion and massing of buildings must relate favourably to the form, proportions and massing of existing and proposed building patterns in the street.	Yes
.5.	Building height and mass must not result in loss of amenity to adjacent properties, open space or the Public Domain.	Yes
.6.	The form and massing of buildings must provide a transition between adjoining land use zones and building types.	Yes
.7.	Building form and massing must support individual and communal entries.	Yes

Comments: The mass of the development is evenly distributed throughout the built form with the shape of the building diminishing nearing the rear of the site due to the easement. The orientation of the balconies towards the Memorial Garden creates a sense of openness and reduced mass along the western elevation; responding to the residential zoning of the streetscape to the west. The building adopts a nil front setback to The Crescent in keeping with the existing commercial character and built form of the current buildings to the east along The Crescent.

2.7: Building Frontages to the Public Domain

2.7.1	Objectives	Satisfactory
A.	To ensure the appearance of buildings complement and enhance neighbourhood and streetscape character.	Yes

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<i>B.</i>	<i>To encourage contemporary designs which integrate with the appearance of the streetscape.</i>	Yes
<i>C.</i>	<i>To provide attractive building facades which establish identity and contribute to the streetscape.</i>	Yes
2.7.2	Development Controls	Complies
<i>.1.</i>	<i>Building design and architectural style must interpret and respond to the positive character of the locality, including the dominant patterns, textures and compositions of buildings</i>	Yes
<i>.2.</i>	<i>Demonstrated design consideration must be given to the underlying building elements that contribute to the character of the area. Such things include roof shape, pitch and overhangs; entry porches, verandas, balconies and terraces; materials, finishes, fixtures, patterns, fenestrations, colours and detailing; the location and proportion of windows and doors.</i>	Yes
<i>.3.</i>	<i>Building facades must be modulated in plan and elevation and articulated to reduce the appearance of building bulk and to express the elements of the building's architecture</i>	Yes
<i>.4.</i>	<i>Alterations and additions must be compatible with design elements of the existing building.</i>	Yes
<i>.5.</i>	<i>Building frontages and entries must provide a sense of address and visual interest from the street. Stairwells must not be located at the front and in view of the Public Domain</i>	Yes
<i>.6.</i>	<i>Where security grilles/screens, ventilation louvres and car park entry doors are proposed, they must be integrated into facade designs. Solid security shutters will not be permitted.</i>	Yes
<i>.7.</i>	<i>New buildings and facades must not result in glare that causes discomfort or threaten the safety of pedestrians or motorists. A Reflectivity Report that analyses the effects of potential glare from the proposed new development on pedestrian and motorists may be required by Council</i>	??
<i>.8.</i>	<i>Large areas of blank walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, or a recognisable increased setback to the upper storey</i>	Yes
<i>.11.</i>	<i>For commercial and mixed-use development: – ground floor activities must activate the adjoining Public Domain to create a vibrant streetscape and promote a sense of community. Buildings shall be carefully designed to ensure active frontages contributes to the liveliness, interest, comfort and safety of the street for those who use it; and – awnings or colonnades for weather protection and shade must be provided along active frontages.</i>	Yes
<i>.12.</i>	<i>Site services and related enclosures (such as for waste disposal and recycling, mail and deliveries, water and energy metering and emergency services) are to be integrated into the design of the development and not detract from the streetscape.</i>	Yes
<i>.13.</i>	<i>Development must respond to the positive attributes of an area by incorporating dominant patterns, textures and compositions into the built form.</i>	Yes
<i>.14.</i>	<i>Development must provide a sense of address and visual interest from the street through the use of insets and projections that create interest and, where relevant, the appearance of finer grain buildings. Recesses that undermine the safety of the Public Domain are to be avoided.</i>	Yes
<i>.15.</i>	<i>Building materials, finishes and colours must be of a high quality and compatible with those qualities that are dominant in and contribute to the streetscape and locality.</i>	Yes

Comments: In accordance with the recommendations of the Design Review Panel, the orientation and facade treatment of the building expresses a corner building form that serves as a transition from the retail precinct of Homebush town centre and the residential zone to the west.

A significant portion of the façade is provided as facebrick, particularly to the front and western elevations so as to be in keeping with the dominant building material of the locality.

The ground floor creates an active frontage through the provision of an awning over the public domain and a neighbourhood shop at the street frontage (required by condition). The condition of consent also requires direct access to be provided from The Crescent to within the neighbourhood shop.

A condition of consent is also recommended to reorganise both of the pedestrian entryways by incorporating entry gates setback 1.5m from the street frontage. This will improve the security of the building, provide a clear entrance to the building and also provide standing room off the footway before entering the site. The entry stairs and accessibility lift could also be relocated behind the secure entry doors to accommodate this and improve the security of the site. The

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design of the front entry gates will also be secured by condition to ensure that the design is appropriate for the streetscape and provides a welcoming and legible entrance.

The waste storage and collection areas are integrated into the main ground floor plate so as not to be visible from the streetscape or necessitate the collection of kerbside bin collection.

2.8: Roof Forms

2.8.1	Objectives	Satisfactory
A.	To treat roof spaces and forms as an important element of the overall building appearance.	Yes
B.	To encourage roof forms that provide continuity and consistent character in the streetscape.	Yes
C.	To encourage roof designs that integrate with the building composition and form.	Yes
2.8.2	Development Controls	Complies
.1.	Plant and lift overrun structures must be incorporated into the roof design. Plant equipment, vents or lift over-runs or solar energy and stormwater collectors are to be designed to avoid visibility from the surrounding spaces and buildings.	Yes
.3.	The proposed roof form shall minimise the appearance of bulk and scale of the building and be treated as an important architectural element in the street, which can reinforce continuity and character	Yes
.4.	Roof forms are to respond to the neighbouring roofs, in particular in terms of scale and pitch. Roof forms should complement, but not necessarily replicate the predominant form in the locality and in particular those of adjacent buildings.	Yes
.5.	Roofs must be designed to avoid or minimise loss of views from adjacent and nearby properties and public spaces, however, this does not justify a roof form that is inconsistent with the prevailing streetscape character.	Yes

Comments: The proposal incorporates a flat roof form which is in character with the emerging contemporary design within the surrounding area. The rooftop communal open space has been removed in the amended design to assist with reducing the overall height of the building (and height of lift overruns). The lift overrun is positioned centrally within the roof and therefore it will not be visible from the streetscape.

3.2: Building Entries

3.2.1	Objectives	Satisfactory
A.	To create street entrances with a strong identity that provide a transition from the street to residential interiors.	Yes
B.	To ensure car park entries do not detract from the street	Yes
3.2.2	Development Controls	Complies
.1.	Legible entry/lobby areas accessed from a public street are to be provided to encourage surveillance and activation of the Public Domain, thereby increasing safety.	Yes
.2.	Strong visual and physical connections must be provided between the street and lobby spaces. Entries and foyers must be designed to be comfortable, sheltered, safe, convenient and visible at all times of day and night.	Yes
.4.	Pedestrian access must be incorporated with car park entrances to reduce the visual impact of the car park entrance. Car park entrances must be carefully designed to avoid unattractive or extensive gaps in street frontages.	Yes

Comments: The pedestrian entrance is suitably separated from the driveway for pedestrian safety.

It is noted that a reason for refusal of the previous application included:

- The pedestrian access into the building is poorly configured, potentially unsafe and creates privacy impacts to the adjacent rooms.

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The amended plans have not addressed the security concerns raised in the above reason for refusal. Therefore, a condition is recommended which requires the front entry security doors to be relocated 1m from the front boundary. The stairs and accessibility lift could then be positioned behind this and setback further into the site. This will improve the security of the building. The design of the entryway will be secured by condition to ensure that this is compatible with the street, legible and welcoming.

The orientation of the lodger rooms and amenity spaces towards the adjoining park improves the surveillance of this public space thereby assisting to provide a safer environment.

3.3: Visual and Acoustic Privacy

3.3.1	Objectives	Satisfactory
A.	<i>To ensure that development does not cause unreasonable overlooking of habitable rooms and principal private open spaces of dwellings.</i>	Yes
B.	<i>To ensure that visual privacy is provided both within a development and between a development and its neighbours.</i>	Yes
C.	<i>To ensure that the siting and design of development minimises the impacts of noise transmission between properties.</i>	Yes
3.3.2	Development Controls	Complies
.1	<i>New development must ensure adequate visual and acoustic privacy levels for neighbours and residents</i>	Yes
.2	<i>Development must be located, oriented and designed to maximise visual and acoustic privacy between buildings.</i>	Yes
.3	<i>The internal layout of buildings must be designed to minimise overlooking of living areas, private open spaces and adjoining school yards.</i>	Yes
.4	<i>Building elements such as balconies and decks must be designed to minimise overlooking of living areas, private open spaces of adjoining dwellings and adjoining school yards</i>	Yes
.5	<i>The windows of dwellings must be located so they do not provide direct and close views into the windows of other dwellings, particularly those of living areas (refer Figure 9).</i>	Yes
.6	<i>Building design elements shall be used to increase visual and acoustic privacy such as recessed balconies and/or vertical fins between adjacent balconies, oblique windows, fencing, vegetation and louvres and pergolas which limit overlooking of lower dwellings, private open space and adjoining school yards (refer Figure 10).</i>	Yes
.7	<i>The internal layout of buildings including windows must be designed so as to reduce the effects of noise transmission. For example, dwellings with common party walls should locate noise generating rooms such as living rooms adjacent the noise generating rooms of other dwellings</i>	Yes
.8	<i>Appropriate building materials shall be used to provide acoustic privacy.</i>	Yes

Comments: The private open spaces of the subject building are adequately separated from the private open spaces and windows of the adjoining residential flat building (under construction). To maintain visual privacy between rooms, the private open spaces of the lodger rooms on level 1 to 4 incorporate solid balustrading and the private open space of lodger rooms on the ground floor level incorporate fencing to ensure this area is private.

The accompanying information to this application has specified that 1.8m high fencing has been provided around the private open space of rooms G.04 and G.05. This is required to ensure that adequate privacy is provided to these rooms. A condition is recommended which secures this high fencing.

The circulation corridors on the eastern side of the building at the first floor level and above have been enclosed with walls and high level windows. This assists with protecting the acoustic amenity of the neighbouring property whilst maintaining sufficient levels of light to this space through the high level windows (Figure 6 and 7).

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Conditions are recommended to ensure appropriate noise attenuation measures are used in the construction of the building to provide acoustic privacy, particularly from the nearby railway line.

3.4: Acoustic Amenity and Air Quality

3.4.1	Objectives	Satisfactory
A.	To ensure that the siting and design of buildings minimises noise impacts from abutting roads, rail corridors and other noise-generating land uses.	Yes
C.	To ensure mitigation measures such as building layout and design and building materials are taken into consideration where poor air quality is likely to affect inhabitants.	Yes
3.4.2	Development Controls	Complies
.1	Where dwellings are proposed within proximity to noise-generating land uses such as major roads and rail corridors; entries, halls, storage rooms, bathrooms and laundries must be located on the noise affected side of each dwelling and should be able to be sealed off by doors from living areas and bedrooms where practicable.	Yes
.2	Where dwellings are proposed within proximity to noise-generating land uses, appropriate materials with acoustic properties shall be incorporated into the development	Yes
.4	Noise generating developments particularly those adjacent residential developments and residential developments adjacent to noise generating sources such as busy roads and rail corridors, must submit an Acoustic Report prepared by a suitably qualified acoustic consultant with a development application	Yes
.5	The provisions of State Environmental Planning Policy (Infrastructure) 2007 and Development near Rail Corridors and Busy Roads Interim Guideline must be taken into consideration, to minimise impacts of busy roads and railway corridors on residential and other sensitive development such as schools, child care centres, places of public worship and health services facilities when designing a development proposal	Yes
.6	For residential development: – internal habitable rooms of dwellings affected by high levels of external noise must be designed to achieve internal noise levels of no greater than 50dBA; – The internal layout of buildings/dwellings shall be designed so as to minimize the impacts of poor air quality on inhabitants.	Yes

Comments: The site is located opposite a railway corridor. In accordance with the Design Review Panel's recommendation in the original application, the re-orientation of the building to the west towards the Memorial Garden resulted in the originally north-facing units exposed to the rail and road noise to be positioned to the north-west, thereby significantly improving the acoustic amenity of the rooms. Conditions of consent have been recommended to ensure the development is acoustically treated to achieve acceptable interior noise levels as recommended by "Development near Rail Corridors and Busy Roads – Interim Guideline" (and in accordance with the conditions of concurrence from Sydney Trains of the current application).

3.5: Solar Access and Cross Ventilation

3.5.1	Objectives	Satisfactory
A.	To provide thermal comfort for occupants.	Yes
B.	To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site.	Yes
C.	To ensure that sunlight access is provided to private open space and habitable rooms to improve amenity and energy efficiency.	Yes
D.	To ensure sufficient volumes of fresh air circulate through buildings to create a comfortable indoor environment and to optimize cross ventilation.	Yes
E.	To ensure that sunlight access is provided to the Public Domain.	Yes
3.5.2	Development Controls	Complies
.1	Development must be designed and sited to minimise the extent of shadows that it casts on: - private and communal open space within the development; - private and communal open space of adjoining dwellings; - significant areas of the Public Domain, such as main streets, open space and plaza areas, main pedestrian links etc; - solar collectors of adjoining development; and - habitable rooms within the	Yes

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	development and in adjoining developments. Note: Building setbacks may need to be increased to maximise solar access and to minimise overshadowing from adjoining buildings. Building heights may also need to be stepped to maximise solar access.	
.2	Generally, dwellings within the development site and adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9am and 3pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced. In order to demonstrate that this can be achieved, shadow diagrams may be required with the development application.	Yes
.3	Living areas of dwellings such as kitchens and family rooms shall be located on the northern side of dwellings and service areas such as laundries and bathrooms to the south or west.	Yes
.4	In habitable rooms, head and sill heights of windows must be sufficient to allow sun penetration into rooms.	Yes
.7	Buildings must be orientated to benefit from prevailing breezes.	
.8	All rooms must contain an external window to provide direct light and ventilation. Exceptions may be considered for non-habitable rooms where this cannot be achieved practicably and mechanical ventilation can be provided.	Yes

Comments:All lodger rooms are provided with a private open space to optimise solar access and natural ventilation (Figure 13).

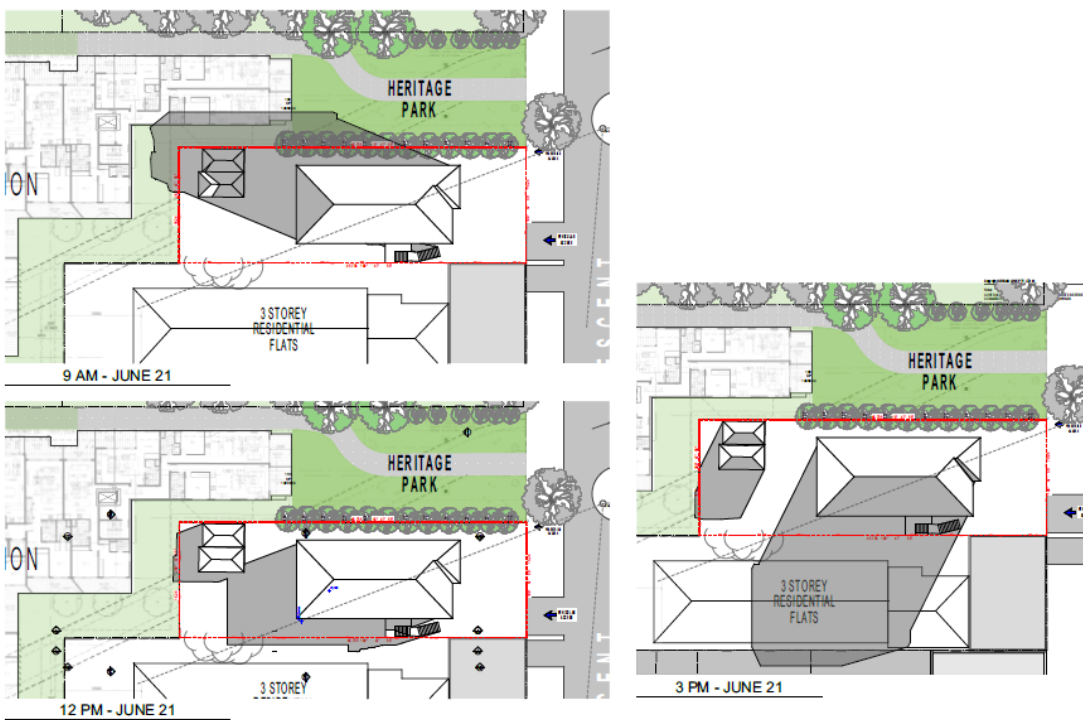


Figure 13: Shadow diagrams of the proposed development.

3.6: Safety and Security

3.6.1 Objectives	Satisfactory
A. To ensure a safe physical environment by promoting crime prevention through design.	Yes
C. To create a balance of uses that are safe and easily accessible	Yes
D. To ensure there is adequate lighting and signage.	Yes
E. To reduce crime risk and minimise opportunities for crime.	Yes
F. To increase and contribute to the safety and perception of safety in public and semipublic spaces.	Yes
G. To encourage the consideration and application of crime prevention principles when designing and siting buildings and spaces.	Yes

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H.	<i>To encourage dwelling layouts that facilitate safety and encourage interaction and recognition between residents.</i>	Yes
3.6.2	Development Controls	Complies
.1	<i>Development must be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting, and the appropriate landscaping of public areas (Refer Figure 11).</i>	Yes
.2	<i>Development must be designed to minimise opportunities for crime through suitable access control. Physical or symbolic barriers should be used to attract, channel and/or restrict the movement of people. Landscaping and/or physical elements may be used to direct people to destinations, identify where people can and cannot go and restrict access to high crime risk areas such as car parks.</i>	Yes
.3	<i>Development must incorporate design elements that contribute to a sense of community ownership of public spaces. Encouraging people to gather in public spaces through appropriate design techniques, helps to nurture a sense of responsibility for a place's use and condition.</i>	Yes
.4	<i>Building entrances must be clearly identified and accentuated. Entries and associated elements including signs, street numbers, post boxes, landscaping etc. must be designed to emphasise their visible presence from various locations or approaches to the building.</i>	Yes
.5	<i>Entrances must serve as points of orientation or way-finding within the development, and providing clear sightlines and visual connections between the street, the entry, foyers and residential interiors.</i>	Yes
.7	<i>The incorporation of crime prevention measures in the design of new buildings and spaces shall not detract from the quality of the streetscape. Subtle design techniques must blend into façades and places and be integrated with the overall design of the development.</i>	Yes

Comments: The neighbourhood shop (required by condition) faces The Crescent which activates this frontage and assists with passive surveillance opportunities of The Crescent. Similarly, the orientation of communal and private amenity spaces towards the adjoining park assists with passive surveillance of this space.

A condition of consent is recommended which requires the front entry pedestrian security doors to be relocated 1.5m from the front boundary. The stairs and accessibility lift would then be relocated behind the front doorway entry. This will improve the security of the building. The design of the entryway will be secured by condition to ensure that this is compatible with the street, legible and welcoming.

A condition of consent has been recommended for A Plan of Management to be prepared and submitted to the Council for approval.

3.9: Landscaping

3.9.1	Objectives	Satisfactory
A.	<i>To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings</i>	Yes
B.	<i>To ensure developments make an equitable contribution to the landscape setting of the locality</i>	Yes
C.	<i>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade</i>	Yes
3.9.2	Development Controls	Complies
.1	<i>The design, quantity and quality of open space must respond to the character of the street and surrounding area and contribute to the garden character of Strathfield.</i>	Yes
.2	<i>Existing trees within the front setback shall be retained. Front setback areas must contain at least two (2) canopy trees adjacent the front boundary and comprise at least 50% of the setback is to be for deep soil planting.</i>	No
.4	<i>In higher density areas the provision of adequate private open space and landscaped areas must maximise residential amenity. Site works must be minimised to protect natural features.</i>	Yes
.5	<i>Landscaping must be designed to protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties including noise and vibration impacts.</i>	Yes

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.6	Where the landscape pattern in the prevailing streetscape and surrounding locality is desirable, this must be retained.	Yes
.8	In relation to conservation and energy efficiency, plant species must be retained, selected and planted to achieve: - shaded buildings in summer; - reduced glare from hard surfaces; - sunlight access into living rooms in cooler months; - cooling air currents channelled into the dwelling in summer; and - windbreaks where desirable.	Yes
.10	Landscaping must enhance the visual setting and accentuate the design qualities of the built form. Landscaping solutions shall be used to create a screening effect for visually obtrusive land uses or building elements	Yes
.11	Trees must be planted at the front and rear of properties to encourage tree canopy, to soften the built environment and to encourage the continuity of the landscape pattern	Yes
.12	Landscaping is to be designed so as to minimise overlooking between properties.	Yes
.13	The amount of hard surface area shall be minimised to reduce run-off. Run-off from hard surfaces is to be directed to permeable surfaces such as garden beds.	Yes

Comments: The site is currently occupied by a two storey residential flat building with a landscaped front setback and trees. The amended design necessitates the removal of the existing trees within the front setback. Council’s Tree Officer does not object to the proposed removal of the trees, subject to replacement planting on the site. The proposed development provides an opportunity to improve the deep soil landscaping and vegetation currently on the site.

No amended landscape plan incorporating the rooftop communal open space was submitted to Council. A condition of consent has been recommended for an amended landscape plan to be provided.

3.10: Private and Communal Open Space

3.10.1 Objectives		Satisfactory
A.	To ensure that private open space is designed to provide residents with quality usable private outdoor living areas for recreational and outdoor activities.	Yes
B.	To ensure that private open space is designed for privacy, solar access, and is well integrated with living areas.	Yes
C.	To provide low maintenance communal open space areas for residents that facilitate opportunities for recreational and social activities, passive amenity, landscaping and deep soil planting	Yes
3.10.2 Development Controls		Complies
.1.	Private open space must be: - Provided for all dwellings (with the exception of secondary dwellings, which are able to share the private open space of the principal dwelling). Open space within the front setback does not constitute private open space. - Directly accessible from the living area of the dwelling and capable of serving as an extension of the dwelling for relaxation, entertainment and recreation. Designed to ensure visual and acoustic privacy of the occupants of adjacent buildings and within the proposed development. - Located so as to maximise solar access. - Designed to focus on the quality of the space in terms of its outlook, orientation, relationship to the dwelling, size and shape and its enclosure and landscape treatment.	Yes
.2.	Communal open space must be: - Located where it is highly visible and directly accessible to the maximum number of dwellings. - Designed with an integral role in the site and include uses such as circulation, BBQ or play areas, and areas of passive amenity, but excludes swimming pools. - Integrated with the deep soil zone to provide a landscaped setting with opportunities for large and medium size tree planting - Located adjacent to surrounding public open spaces such as reserves and public through site links where appropriate.	Yes

Comments:All rooms are provided with private open space, including the manager’s room. The proposal will provide a soft landscaping area to the rear of the site and the communal open space

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area exceeds the minimum requirements for open space under the ARH SEPP 2009. Access to the communal amenity space is provided through the communal lounge and directly from the circulation spaces within the building on the east and west side.

4.1: Car Parking and Vehicular Access

4.1.1	Objectives	Satisfactory
A.	Vehicular access points are to be minimised and should not break the continuity of the streetscape. Landscaping should be used to minimise the visual intrusion of vehicular access points.	Yes
B.	Garages and parking structures are not to dominate the building facade and front setback	Yes
C.	To ensure that the location and design of driveways, parking spaces and other areas used for the movement of motor vehicles are efficient, safe, convenient and are integrated into the design of the development to minimise their visual impact.	No
4.1.2	Development Controls	Complies
.1.	Vehicle access points and parking areas must: - be easily accessible and recognisable to motorists; - not disrupt pedestrian flow and safety; - be located to minimise traffic hazards and the potential for vehicles to queue on public roads; and - minimise the loss of on street car parking, and to minimise the number of access points.	No
.2.	Car parking and service/delivery areas must be located so that they do not visually dominate either the development or the Public Domain surrounding the development.	Yes
.7.	Driveways must be designed to avoid a long and straight appearance by using landscaping and variations in alignment.	Yes
.8.	Car parking areas and vehicle access ways shall be landscaped to integrate sympathetically with the development and the landscape character of the locality.	No
.9.	The area between property boundaries and driveways, access ways and parking spaces must be of sufficient width to enable landscaping and screen planting.	No
.10	All parking provision must be designed and sited to respond to and respect the prevailing streetscape. The visual impact of parking within the front setback is to be minimised.	Yes

Comments: The initial proposal of the original application sought to retain the existing driveway crossing. Due to the close proximity of the driveway to the roundabout at the T-intersection of The Crescent and Subway Lane, Council's Traffic Engineer did not support the initial design. Consequently, the location of the driveway to the proposed boarding house was relocated to the eastern side boundary to increase the separation between the driveway and the roundabout. However, the re-location conflicts with the traffic island which is recommended to be resolved by recommended conditions and this has been detailed earlier in the report.

As detailed above, a condition of consent is also recommended requiring a private waste contractor to be used, and minimum areas provided for the bin store and collection area.

4.15 (1)(a)(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*.

4.15 (1)(a)(iv) 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.

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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 involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Conditions of consent are included within the recommendation to ensure compliance with any relevant regulations.

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 likely impacts of the development have mostly been addressed earlier in this report.

Streetscape Compatibility

The proposed boarding house achieves compliance with the development standards for boarding houses under the ARH SEPP 2000 and has been designed to consider the position of the subject site within its wider context.

Corner building form to The Crescent and the Memorial Park

The nil setback, incorporation of an awning over the pavement and provision of a neighbourhood premises (required by condition) at ground floor level activates The Crescent. The orientation of the rooms and the associated balconies to the Memorial Park takes opportunity to address this open space area whilst minimising the number of openings and private open space orientated towards the railway corridor (thereby reducing acoustic impacts to future occupiers).

The simplistic colour palette, exposed facebrick and rendered masonry on the contemporary style building form will result in a building outcome that balances traditional and contemporary styles so to contribute positively to the desired future character of the Homebush Precinct whilst respecting the existing heritage character in Rochester Street and the Homebush RSL Memorial Garden.

Traffic

During the assessment of the original application, the location of the driveway was re-located to the eastern side boundary due to the location of the roundabout at the T-intersection of The Crescent and Subway Lane. Council's Traffic Engineer has confirmed that the traffic islands in front of the site can be removed and replaced with line markings during the demolition and construction stage. The traffic island in between the two (2) lanes of traffic is to be reinstated once construction has been completed and prior to the occupation of the development. All modifications (including removal, line-markings and reinstatement) of traffic islands are to be at the developers' expense and at no cost to the Council. This is secured by condition, as well as vehicle movements during construction being from the eastern side of the Crescent only.

Integrated Development

Previously discussed the subject site is located within 25m of a railway corridor, therefore the application requires the concurrence of Sydney Trains under the Infrastructure SEPP 2008. Sydney Trains has granted concurrence subject to conditions, which have been included in the conditions of consent.

Additionally, the site is directly opposite a high voltage aerial line. A condition of consent has been recommended in accordance with Sydney Train's concurrence conditions, requiring construction works to be clear of the Sydney trains powerlines and also for the works to be earthed.

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

The proposed boarding house will provide affordable residential accommodation in an accessible location which is in walking distance to public transport and shops. The built form achieves a balance between the traditional and the contemporary, incorporating colour tones and external

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finishes sympathetic to the heritage items located within the vicinity of the site. Additionally, the proposed development has been appropriately designed for the constraints of the site and concurrence has been granted by Sydney Trains.

It is considered that the previous reasons for refusal have been addressed, or are appropriately and reasonably addressed by condition. Therefore, the site is considered suitable for the proposed development.

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

The application was notified and advertised in accordance with Part L of the SCDCP 2005 from **19 March 2019 to 9 April 2019**, with **five (5)** submissions received. One (1) of the submissions supported the application as it would provide additional affordable homes within the local government area. This submission however, raised concern regarding the enforceability of ensuring that this accommodation is provided as affordable housing. A condition of consent is imposed to ensure this and any non-compliance would be a matter for compliance. In regards to the four (4) objections received, the following concerns were raised:

1. Contribute to traffic congestion

Assessing officer's comments: The proposal will result in additional comings and goings from the site than existing development on the site. However, the proposal complies with the parking requirements under the Affordable Rental Housing SEPP (subject the conditions of consent) and subject to the conditions of the consent, the waste collection vehicles will be able to enter and exit the site in a forward direction and collect the waste on-site, thereby reducing congestion and disruption to vehicle flows of The Crescent. Furthermore, it is noted that the site is located in close proximity to Homebush Train Station and bus stops which may minimise vehicle ownership and vehicle comings and goings from the site.

2. Applicant has not demonstrated that requirements for vehicular access are met.

Assessing officer's comments: A Deferred Commencement condition is recommended requiring amended plans detailing necessary modifications to the driveway and traffic island (including swept path analysis complying with relevant Australian standards) to be submitted to the council and endorsed by the Strathfield Council Traffic Committee.

3. Cumulative impact on parking within the surrounding streets

Assessing officer's comments: Parking impacts have been addressed earlier in this report.

4. Cumulative strain on infrastructure, utilities and council services

Assessing officer's comments: Any approval will be subject to a condition requiring the payment of community infrastructure contributions in accordance with Council's Section 94 Contribution Plans.

5. Impact on nearby heritage listed items, particularly given the contemporary design

Assessing officer's comments: Impact on nearby heritage listed items have been addressed earlier in this report.

6. Privacy impacts to neighbouring properties

Assessing officer's comments: Privacy impacts have been addressed earlier in this report. The windows located on the eastern side elevation are high level only. The windows located on the rear and western side elevation are orientated away, and adequately setback from the openings on the residential flat building currently under construction of the south-western adjoining property.

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7. Overshadowing impacts

Assessing officer's comments: Overshadowing has been addressed earlier in this report. It is noted that the objector's property is located over 300m from the subject site and will not be affected by shadowing from the proposed development.

8. Increase antisocial behaviour in the area

Assessing officer's comments: Officers are not aware of any reasons why the proposal would result in an increase in antisocial behavior in the surrounding area.

9. Noise impacts to neighbouring area

Assessing officer's comments: Conditions of consent are recommended to ensure appropriate noise attenuation methods are incorporated in the construction of the proposed boarding house. Furthermore, it is noted that the previously open circulation corridors on the eastern side of the building have been enclosed with wall and high level windows to improve acoustic amenity of the eastern adjoining property (and address a previous reason for refusal).

10. Poor quality of accommodation

Assessing officer's comments: The rooms meet the minimum size requirements set out by the Affordable Housing SEPP. Appropriate noise attenuation from the railway line will be secured by condition. Conditions of consent are recommended in relation to high level fencing to ensure privacy of outdoor amenity space and also to replace room G.06 with a neighbourhood shop. Overall, the proposed boarding house is considered to achieve a good quality of accommodation for future occupants.

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 to be 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."*

STRATHFIELD DIRECT SECTION 7.11 CONTRIBUTIONS PLAN

Section 7.11 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030. On 7 May 2019 Council resolved to

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adopt changes to the Strathfield Direct Development Contributions Plan 2010-2030 to include specific contribution payment rates for boarding houses. These changes came into effect on 21 May 2019 and there are no savings provisions. As such, Section 7.11 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$75,620.59
Provision of Major Open Space	\$344,051.06
Provision of Local Open Space	\$145,535.68
Provision Roads and Traffic Management	\$23,908.79
Administration	\$6,520.58
TOTAL	\$595,636.71

The above calculations are based on the scenario that the recommendation is agreed. This includes the deletion of room G.05 to accommodate an enlarged waste store room and deletion of room G.06 and replacement with a shop. For clarity, the above calculations are based on the provision of 48 double rooms (including one manager's room).

If the recommendations are not agreed, the Direct Section 7.11 Contributions would need to be recalculated.

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, subject to the recommended conditions of consent.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

That Development Application No. 2018/067/01 for The demolition of the existing structures and construction of a boarding house containing 47 rooms and 1 manager's room above 3 levels of basement parking under the State Environmental Planning Policy (Affordable Rental Housing) 2009 at 31 The Crescent, Homebush be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. TRAFFIC ISLANDS

The two (2) existing traffic islands located in front of the site on The Crescent (and shown on Drawing No. 2003, Rev D and dated 1 March 2019) are to be removed and replaced with line markings prior to the commencement of any demolition and construction works.

The traffic island located between the two lanes of traffic on The Crescent is to be reinstated as per the original build on completion of the construction works and prior to the issue of any Occupation Certificate.

Prior to any works commencing on the site, details of the removal, interim traffic island and reinstatement of traffic islands in accordance with this condition are to be submitted to, and approved in writing by the Council. Details are to include the location, positioning, size, colour of line markings etc.

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All modifications to the traffic islands, including removal of platforms, new line-markings and reinstatement of the traffic islands are to be completely at the developers' expense and at no cost to the Council.

(Reason: To assist with road safety and access to the site during the construction period.)

2. DRIVEWAY SIGNAGE

The vehicle entry is to be fitted with signage and warning lights to alert traffic, cyclists and pedestrians of vehicle movements as follows:

- R2-210 AS- Left turn watch for pedestrians/ cyclists – erected on the western side of the vehicle egress at the site frontage;
- R2-6 AS – No right turn - erected on the western side of the vehicle egress at the site frontage; and
- Traffic signals and associated R6-6 AS 'Stop here on red signal' sign erected on the eastern side of the vehicle ingress, and at the base of the ramp (between ground floor level and Basement 1) on the Basement Level 1.

Amended plans demonstrating compliance with this condition is to be submitted to and approved by the Principal Certifying Authority.

An Occupation Certificate is not to be issued until the approved signals and signs have been installed.

The approved signage and signals are to be retained for the lifetime of the development.

(Reason: To assist with road and pedestrian safety.)

3. WASTE STORE AND DELETE ROOM G.05

Lodger room G.05 is to be deleted and the waste store room is to be enlarged by incorporating the floor area of deleted lodger room G.05.

(Reason: To ensure that a suitable capacity of waste can be accommodated on the site, and to reduce the frequency of servicing movements to the site).

4. WASTE COLLECTIONS

The property is to be serviced by a private waste contractor.

Waste collections are to occur on-site at ground floor level. The waste vehicle standing area is to be a minimum 3.6m in width, 3.6m in height and 14m in length and these dimensions are to be achieved for the entirety of the path of travel of the waste collection vehicle.

During collections no obstructions are to occur to the adjoining footpath and road.

Waste collection vehicles are to exit the site in a forward direction.

The warning light depicted on the Ground Floor Plan shall be moved so that whilst the waste collection vehicle is on site, vision of the warning light is not obstructed. Amended plans demonstrating compliance with the condition is to be submitted to, and approved by

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the Principal Certifying Authority, prior to the issue of a Construction Certificate.)

(Reason: To provide adequate amount of storage of waste on the site, to minimize obstruction to the road and to improve pedestrian safety.)

5. ADDITIONAL RESIDENTIAL LIFT

An additional lift is to be provided to service the habitable levels of the building.

Amended plans demonstrating compliance with this condition are to be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To improve the accessibility across the site and to improve the quality of the accommodation.)

6. ENTRANCE DOORS

An entry door setback 1.5m from the street frontage is to be provided to both of the pedestrian entries from The Crescent. The entry doors are to be secure and the entrance is to be covered, legible and well-lit.

The stairs and accessibility lift are to be repositioned behind the secure entry doors.

The security door located forward of the western facing garbage room entry and between the building and the western side boundary is to be deleted.

Amended plans demonstrating compliance with this condition are to be submitted to, and approved by the Principal Certifying Authority the Council prior to the issue of a Construction Certificate.

Reason: To provide a secure, welcoming and legible entrance to the building.

7. SECONDARY COMMUNAL LOUNGE

Lodger room G.06 is to be replaced with a neighbourhood shop. Direct pedestrian access from The Crescent to within the shop is to be provided. The western facing doorway between the shop and the communal circulation space of the boarding house is to be deleted.

The use and fit-out of this shop is to be the subject of a separate development application for Council's approval.

(Reason: To activate the street frontage and to remove the provision of poor quality residential accommodation).

8. LANDSCAPING – AMENDED LANDSCAPE PLAN (SC)

A landscape plan prepared by a 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 of the Principal Certifying Authority with the Construction Certificate application.

The plan must include the following information:

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- i) details demonstrating compliance with SCDCP 2005 in relation to landscaping requirements;
- ii) location of all existing and proposed landscape features including materials to be used;
- iii) all trees to be retained, removed or transplanted;
- iv) existing and proposed finished ground levels;
- v) top and bottom wall levels for both existing and proposed retaining and free standing walls; and
- vi) a detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity. A minimum of 25% of species shall be locally sourced indigenous species. Species shall be predominantly selected from Council's Recommended Tree List.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

(Reason: Landscape quality.)

9. GEOTECHNICAL REPORT (SC)

The recommendations of the following reports shall be complied with at all stages of development (including demolition and construction).

- Stage 1 Environmental Investigation prepared by Dirt Doctors Pty Ltd dated 10 May 2018, received by Council on 18 May 2018; and
- Geotechnical and Groundwater Report prepared by Morrow Geotechnics Pty Ltd, dated 10 May 2018, received by Council on 14 August 2018.

A written statement prepared by a suitably qualified geotechnical engineer confirming that all recommendations of the above reports have been complied with shall be submitted and approved by the Principal Certifying Authority.

(Reason: To ensure the site is suitable for the purpose of a boarding house and is appropriately constructed.)

10. FENCING (SC)

A minimum 1.8m high timber fencing is to be provided around the outdoor amenity spaces of the manager's room and rooms G.02 and G.04.

(Reason: To ensure privacy of this outdoor amenity space.)

SYDNEY TRAINS CONDITIONS

11. ENGINEERING (SC)

Unless amendments are required in order to obtain approval/certification/ compliance from Sydney Trains in relation to any of the Sydney Trains related conditions of consent, all excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations as detailed in the following documents:

- Geotechnical and Groundwater Report (Ref: P1461_01), prepared by Morrow

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Geotechnical Pty Ltd, dated 10 May 2018.

- Structural Report (Ref: A8210), Revision C, prepared by Alpha Engineering & Development P/L, dated 14 August 2018
- Structural Drawings A8210-S0, S0.1, S1.0, S1.1-S1.8 all revision B dated 7 February 2019 prepared by Alpha Engineering & Development P/L.

The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming which of the documentation listed in this condition are to now apply or are superseded as a result of the compliance with the Sydney Trains related conditions of consent. The measures detailed in the documents approved/ certified by Sydney Trains under this Condition are to be incorporated into the construction drawings and specifications prior to the issuing of the Construction Certificate. Prior to the commencement of works the Principal Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

12. SUPERVISION (SC)

Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects and who holds current professional indemnity insurance.

13. SURVEY (SC)

Prior to the issue of a Construction Certificate, the Applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site.

14. NOISE AND VIBRATION (SC)

The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.

15. ELECTROLYSIS (SC)

Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.

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16. DESIGN (SC)

The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the light rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

17. CONSTRUCTION (SC)

- No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
- No work is permitted within the rail corridor, or any easements which benefit Sydney Trains/RailCorp, at any time, unless the prior approval of, or an Agreement with, Sydney Trains/RailCorp has been obtained by the Applicant. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed into RailCorp/Sydney Trains property or easements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- Prior to the issuing of a Construction Certificate, the following rail specific items are to be submitted to Sydney Trains for review and endorsement:
 - Machinery to be used during excavation/construction.
 - Demolition, excavation and construction methodology and staging
 - Details as to how Sydney Trains power lines will be protected during demolition & excavation works
 - Construction Management Plan

The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

- If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- If required by Sydney Trains, a monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction

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Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.

- Prior to the issuing of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering Management Interfaces to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains Engineering Management Interfaces to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
- If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering Management Interfaces to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

18. CONSULTATION (SC)

- The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
 - oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains external party interface team. In this instance the relevant interface team is

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[central/Illawarra/west/north] and they can be contacted via email on
Central_Interface@transport.nsw.gov.au.

19. DOCUMENTATION (SC)

- Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into RailCorp property or easements, unless agreed to be RailCorp. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied
- Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains or RailCorp must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

20. INSPECTIONS (SC)

- If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.
- If required by Sydney Trains, prior to the issue of the Occupation Certificate a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any new damage and enable rectification works to be undertaken observed. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied
- Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

21. MAINTENANCE (SC)

Prior to the issuing of any Occupation Certificate the Applicant must provide to Sydney Trains for review and endorsement a plan of how future maintenance of the development facing the Sydney Trains powerlines. The Principal Certifying Authority is not to issue any Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. The maintenance plan must be implemented for the life of the approved development.

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22. POWER LINES (SC)

- All works within 6 metres of the nearest transmission line conductor must comply with:
 - ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure.
 - The Safe Approach Distances (SADs) in the Sydney Trains Document titled “SMS-06-GD-0268 – Working Around Electrical Equipment”.
 - Australian Standard AS7000.
- Prior to the installation of scaffolding, the Applicant is to confirm that a minimum 1.9m clearance is to be achieved from the Sydney trains powerlines. Prior to the installation of the scaffolding the Applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.
- The erection/removal of the scaffolding up to 4mtrs from the conductors (including blowout and sag) may be carried out with the feeder in service, ensuring all personnel, plant and equipment do not encroach the Safe Approach distances (SAD). Above this height work shall be undertaken under the conditions of an electrical permit until the scaffolding is in compliance to the conditions per the report.
- The scaffolding barriers are to extend up to 3.5m below and above the electrical equipment. Should the scaffolding extend above this then the scaffold shall have a perimeter barrier that is suitable to contain all equipment within the worksite per the Australian Standard scaffolding standard.
- The scaffold must not be constructed to create an accessible area to the electrical equipment.
- The scaffolding shall be earthed.
- Prior to the issuing of a Construction Certificate the Applicant must submit confirmation that the building elements (final completed state) comply with the requirements in AS7000. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- Mitigation measures (to be determined by the builder) are required to be in place as identified in the Overhead Power Mains Assessment, prepared by AA Power Engineering, dated 19 October 2018 prior to the commencement of works.

23. OTHER (SC)

- Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.
- Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation

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has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.

GENERAL CONDITIONS (GC)

24. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2018/067/01:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA1001	SITE ANALYSIS	Urban Link	Revision D	01 March 2019
DA1002	SITE ANALYSIS	Urban Link	Revision D	01 March 2019
DA2001	BASEMENT 3 & 2	Urban Link	Revision D	01 March 2019
DA2002	BASEMENT 1	Urban Link	Revision D	01 March 2019
DA2003	GROUND FL PLAN	Urban Link	Revision D	01 March 2019
DA2004	LEVEL 1 PLAN	Urban Link	Revision D	01 March 2019
DA2005	LEVEL 2-3	Urban Link	Revision D	01 March 2019
DA2006	LEVEL 4 & ROOF PLAN	Urban Link	Revision D	01 March 2019
DA2902	BUILDING HEIGHT PLAN DIAGRAM	Urban Link	Revision D	01 March 2019
DA3001	ELEVATIONS	Urban Link	Revision D	01 March 2019
DA3002	ELEVATIONS AND SECTION	Urban Link	Revision D	01 March 2019
DA6301	PHOTOMONTAGE	Urban Link	Revision D	01 March 2019
DA6302	FINISHES SCHEDULE	Urban Link	Revision D	01 March 2019
L/01	PROPOSED LANDSCAPE PLAN	Discount Landscape Plans	10/05/18	14 August 2018
A8210-COVER	SEDIMENT AND EROSION CONTROL PLAN	Alpha Engineering & Development	Revision D	14 August 2018
A8210-SW01	SEDIMENT AND EROSION CONTROL PLAN	Urban Link	Revision D	14 August 2018
A8210-SW02	BASEMENT 3 DRAINAGE PLAN	Urban Link	Revision D	14 August 2018
A8210-SW03	BASEMENT 2 & 1 DRAINAGE	Urban Link	Revision D	14 August 2018

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	PLAN			
A8210 SW04	GROUND FLOOR DRAINAGE PLAN	Urban Link	Revision D	14 August 2018
A8210 SW05	STORMWATER SECTIONS AND DETAILS	Urban Link	Revision D	14 August 2018
S.01, S1.0, S1.1-S1.8	STRUCTURAL DRAWINGS	Alpha Engineering & Development P/L	Revision B – 7 February 2019	18 April 2019

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2018/067/01:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Pragma Planning	22 August 2018	24 August 2018
Stage 1 Environmental Legislation	Dirt Doctors Pty Ltd	10 May 2018	18 May 2018
Geotechnical and Groundwater Report	Morrow Geotechnics Pty Ltd	10 May 2018	14 August 2018
Traffic Assessment	TDG	12 August 2018	14 August 2018
Accessibility Report	Access Link Consulting	18 May 2018	18 May 2018
Acoustic Report	Acoustic, Vibration and Noise Pty Ltd	17 May 2018	18 May 2018
Flood Study	SGC Engineering Value	18 May 2018	18 May 2018
Structural Report	Alpha Engineering & Development P/L	14 August 2018	18 April 2019

In the event of any inconsistency, the conditions of this consent shall prevail.

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

25. BOARDING HOUSE - APPROVED USE (GC)

- The boarding house must be operated in accordance with the Boarding Houses Act 2012.
- The boarding house is required to be registered on a register administered by NSW Fair Trading within 28 days where a proprietor takes over an existing, or begins operating a new, registrable boarding house.

Council will carry out initial (within the first 12 months) and ongoing inspections in accordance with the Boarding Houses Act 2012 subject to payment of inspection fees as detailed in Council's Fees and Charges schedule.

- The boarding house is to comply with the approved Plan of Management required by this consent.
- The use of the premises as a boarding house must comply always with the following:
 - a) A copy of the Plan of Management and House Rules must be annexed to every tenancy/occupation agreement for a room;
 - b) A copy of the approved Plan of Management and House Rules must be clearly displayed within the common room in the building at all times;

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- c) All tenancy/occupation agreements for rooms within the premises must be for a minimum period of three (3) months;
 - d) The premises must be used exclusively as a boarding house containing a maximum total of **96** residents including **94 lodgers** and **2 residents** in the on-site manager's room, with **2** lodger(s) permitted per room;
 - e) The premises must not be adapted for use as backpacker's accommodation, serviced apartments or a residential flat building;
 - f) All common rooms/areas and recreation rooms/areas must be maintained at all times for the use of the lodgers;
 - g) Each self-contained room be fitted out with washing up facilities, a cooktop, microwave oven, fridge and storage space with such utilities being maintained in working order at all times;
 - h) All rooms within the boarding house must be connected to a centralised electricity, water and gas (if installed) service and room tariffs must not include a separate charge for these services; and
 - i) The communal room shall be provided with an oven and cooktop.
- The Plan of Management must be updated to reflect the requirements outlined within this condition.
 - Any proposed amendments to the Management Plan are to be submitted to Council for consideration and approval prior to any amendments being made.
 - If the operator of the boarding house alters from the operator nominated in the Plan of Management, a new Plan of Management is to be submitted to Council within 28 days of the change in operator unless it is confirmed in writing that the new operator will comply with the Plan of Management approved as part of this consent.

(Reason: To ensure the development is the permanent place of residence for occupants and ensure occupants abide by the rules and regulations identified in the Plan of Management.

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

The height of the building measured from Australian Height Datum (AHD) must not exceed Relative Level (RL) 23.8 AHD to the top of the lift of the building.

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

27. CONSTRUCTION HOURS (GC)

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

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

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

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

28. CONSTRUCTION WITHIN BOUNDARIES (GC)

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

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not open onto any footpath or adjoining land.

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

29. DEMOLITION – GENERALLY (GC)

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

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

30. DEMOLITION - SITE SAFETY FENCING (GC)

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

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

- payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and
- provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

31. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

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

(Reason: To ensure compliance with this consent.)

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

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

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

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

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

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(Reason: Statutory requirement.)

33. 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. Protection pads are to be installed to the kerb, gutter and nature strip where trucks and vehicles enter the site.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) A site plan including temporary waste storage locations, construction material storage areas and vehicular access to and from the site must be included with application.
- xii) 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.
- 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 and must be presented to Council and/or Principal Certifying Authority upon request.
- xiv) 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.
- xv) 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.
- xvi) Public footways, include nature strips 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.
- xvii) 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.
- xviii) 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.

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- xix) Any work must not prohibit or divert any natural overland flow of water.
- xx) Toilet facilities for employees must be provided in accordance with WorkCover NSW.

(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.)

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

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

(Reason: To ensure appropriate landscape maintenance.)

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

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

Tree Species	Height x width	Location
5 x <i>Chamaecyparis obtusa</i>	4-6m spread x 8m height	Front setback

All trees permitted to be removed by this consent shall be replaced (2 trees for each tree removed) by species selected from Council's Recommended Tree List and must have a minimum mature height of 10 metres.

Replacement trees shall be a minimum 50 litre container size. Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self supporting; and shall be maintained until maturity.

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

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

Soil conditioner/fertilizer/moisture retention additive/s are to be applied in accordance with manufacturer's recommendations, and mixed into the backfilling soil after planting tree/s.

A minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the 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.)

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

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Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along the side and rear boundaries, except where the building incorporates a nil setback to the side or rear boundary, in order to provide suitable privacy screening. Screen planting shall be maintained at all times. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

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

37. LIGHTING (GC)

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

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

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

38. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

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

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

39. SYDNEY WATER - TAP IN™ (GC)

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

(Reason: Compliance with Sydney Water requirements.)

40. UTILITIES AND SERVICES - PROTECTION OF (GC)

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

- i) all footings and excavation must be located wholly within the site and clear of any easement boundaries;

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

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

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

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

(Reason: To ensure protection of Council assets.)

WATER NSW CONDITIONS

41. WATER NSW GENERAL TERMS OF APPROVAL

The following conditions are to be complied with:

- i) A Water Supply Work Approval from WaterNSW must be obtained prior to commencing dewatering activity on the proposed site. Please complete an Application for approval for water supply works, and/or water use.
- ii) An application for a Water Supply Works Approval will only be accepted upon receipt of supporting documentation, and payment of the applicable fee (see Application fees for New or amended Works and/or Use Approvals). The information required for the processing of the water supply work application may include preparation of a dewatering management plan. Please refer to checklist attached.
- iii) If approved, the Approval will be issued for a period of up to 24 months to cover the dewatering requirements during the construction phase. It will include conditions to ensure that impacts are acceptable and that adequate monitoring and reporting procedures are carried out. The Approval will be issued subject to the proponent meeting requirements of other agencies and consent authorities. For example, an authorisation by either Sydney Water or the local Council, depending where the water will be discharged. If contaminants are likely, or are found to be present in groundwater, and are being discharged to stormwater, including high salinities, a discharge licence under the Protection of the Environment Operations Act 1997 (NSW) may also be required.
- iv) WaterNSW prefers "tanking" (ie. total water proofing below the seasonal high water table) of basement excavations, and avoids the ongoing extraction of groundwater after the initial construction phase. It is also advised to adopt measures to facilitate movement of groundwater post construction (eg. a drainage blanket behind the water-proof membrane).
- v) If the basement is not "tanked", the proponent will require a Water Access Licence (WAL) and need to acquire groundwater entitlements equivalent to the yearly ongoing take of groundwater. Please note: Acquiring groundwater entitlements could be difficult, and may cause delay in project completion. If a WAL is required, please complete an Application

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for a new water access licence with a zero share component.

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

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

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

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

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

43. ACCESS - DISABLED TOILETS (CC)

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.)

44. BICYCLE STORAGE PROVISION (CC)

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

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

45. BOARDING HOUSE - CONSTRUCTION OF (CC)

The construction of the boarding house shall comply with all applicable legislation/regulation and standards, including:

- i) Boarding Houses Act 2012;
- ii) Boarding Houses Regulation 2013;
- iii) Local Government Act 1993; and
- iv) Local Government Regulation 2005.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to occupation of the premises.

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(Reason: To ensure compliance with relevant legislation.)

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

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

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

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

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

47. CAR PARKING - BASEMENT CAR PARKING REQUIREMENTS (CC)

Details demonstrating compliance with the following is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate:

- i) Minimal internal clearance of the basement is 2.2m in accordance with BCA requirements.
- ii) Driveways shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and achieve a maximum gradient of 1:4.
- iii) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.
- iv) Provision of pump-out systems and stormwater prevention shall be in accordance with Council's Stormwater Management Guide.

(Reason: To ensure suitable development.)

48. CAR PARKING - DISABLED CAR PARKING SPACES (CC)

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 2.4m wide x 5.4m long and located near pedestrian access routes designed for disabled persons. Each space shall be clearly marked as such. A shared area 2.4 m wide x 5.4m long shared area should be provided. Bollard shall be placed in this shared area.

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.)

49. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to

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be submitted shall contain the following details:

- i) Longitudinal section along the extreme wheel paths of each driveway/access ramp at a scale of 1:25 demonstrating compliance with the scraping provisions of AS/NZS 2890.1:2004. It shall include all levels and grades, including those levels stipulated as boundary levels, both existing and proposed. It shall extend from the centre-line of the roadway through to the parking area.
- ii) Sections showing the clearance to the underside of any overhead structure (minimum headroom requirements 2200mm minimum for standard headroom clearance or 2400mm where disabled access provisions are to be provided) demonstrating compliance with the provisions of AS/NZS 2890.1:2004.
- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

The certification referred to in (vi) above shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate (for the design) and to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the 'as-built works'.

(Reason: To ensure adequate vehicular access can be achieved.)

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

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

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

51. CAR PARKING - VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS (CC)

The aisle widths, internal circulation, ramp widths and grades of the car park shall comply with the Roads and Traffic Authority Guidelines and AS/NZS 2890.1:2004 - Off-Street Car Parking Code.

Vehicular manoeuvring paths are to be prepared demonstrating that all vehicles can enter or depart the site in a forward direction without encroaching on required car parking spaces.

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

52. 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 4.19 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.

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(Reason: To ensure compliance with statutory provisions.)

53. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

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

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
 - No heavy vehicles construction movements are to arrive or depart the site during the signposted school zone periods.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
 - Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au

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- 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 Safely 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.)

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

Works Permit

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

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

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other

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plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding/Fencing Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement.)

55. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and

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these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

(Reason: To ensure no damage to adjoining properties occurs.)

56. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

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

- i) Compliance with the approved Soil and Water Management Plan.
- ii) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

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

(Reason: Environmental protection.)

57. EXCAVATION - AFFECTING ADJOINING LAND (CC)

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

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

The condition referred to in subclause (i) does not apply if the person having the benefit of

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the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

58. EXCAVATION – DEWATERING (CC)

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- i) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Council for compliance with ANZECC Water Quality Guidelines.
- ii) If tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- iii) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- iv) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

(Reason: To ensure compliance with legislation and to protect the surrounding natural environment.)

59. EXCAVATION – SHORING (CC)

Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings and specifications certifying the shoring will be adequate for their intended purpose and must be submitted to the Council/Principal Certifying Authority for approval with the Construction Certificate. The documentation prepared and certified by an appropriately qualified and practicing structural engineer is to show all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements. A copy of this documentation must be provided to the Council for record purposes at the time of Construction Certificate application.

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

60. FIRE SAFETY SCHEDULE (CC)

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

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

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

61. FLOODING - COMPLY WITH FLOOD IMPACT REPORT (CC)

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The applicant shall comply with the flood recommendations provided in the Flood Impact Report prepared by S & G Consultants Pty Limited. A certificate from a suitably qualified Engineer shall be submitted to the Certifying Authority stating compliance with these recommendations, prior to the issue of a Construction Certificate.

(Reason: To mitigate flood risk and associated damage.)

62. LANDSCAPING - MAINTENANCE STRATEGY (CC)

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

(Reason: Ensure landscape survival.)

63. LANDSCAPING ON SLAB (CC)

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

(Reason: Ensure landscape survival.)

64. NOISE – CONSTRUCTION CC)

All works carried out on site during construction/demolition/excavation/earthworks shall comply with the NSW Protection of the Environment Operations Act 1997, the Department of Environment and Climate Changes “Interim construction noise guideline” and AS 2436-2010 – “Guide to noise and vibration control on construction, demolition and maintenance sites” for the control of construction noise which specifies that:

- Construction period of 4 weeks and under – The L90 Level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 20 dB(A) at the boundary.
- Construction period greater than 4 weeks but not exceeding 26 weeks – The L90 level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 10 dB(A) at the boundary.
- Construction period exceeding 26 weeks – The L90 level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 5 dB(A) at the boundary.

Should complaints of a noise nuisance be substantiated, Council may require the acoustic treatment of the premises to ensure compliance with the NSW Department of Environment and Climate Changes “Interim construction noise guideline” and AS 2436-2010 – “Guide to noise and vibration control, demolition and maintenance sites” for the control of construction noise. A further acoustic assessment and report will be required to be provided to Council assessing the premises in working order.

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(Reason: Noise attenuation.)

65. RAILWAY NOISE REPORT (CC)

Due to the close proximity of the Railway Corridor to the proposed development the subject building(s) are to be acoustically treated in order to achieve acceptable interior noise levels as recommended by "Development near Rail Corridors and Busy Roads – Interim Guideline" or any subsequent replacement guideline as published by the NSW Department of Planning. The dwellings must demonstrate that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- in any bedroom in the building: 35 DB(A) at any time 10pm – 7am;
- anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40 DB(A) at anytime.

A report shall be provided to Council or the nominated Accredited Certifier by a suitably qualified acoustic consultant confirming that the recommended standards can be achieved. Such report is to be submitted prior to the release of the Construction Certificate.

(Reason: Noise attenuation.)

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

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

(Reason: Privacy amenity.)

67. SECTION 7.11 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 7.13 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	\$75,620.59
Provision of Major Open Space	\$344,051.06
Provision of Local Open Space	\$145,535.68
Provision Roads and Traffic Management	\$23,908.79
Administration	\$6,520.58
TOTAL	\$595,636.71

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 7.11 Direct Development Contributions Plan may be downloaded from Council's website.

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

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

A security (damage deposit) of **\$27,000** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the Building Code of Australia.

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

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

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

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

(Reason: Protection of Council infrastructure.)

69. STORMWATER DRAINAGE (CC)

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

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

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

70. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

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

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

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network. The routes are to show the route of modest transportation vehicles with turning paths (in/out of the building site and along the planned route). **Access to the site must be gained via the eastern side of The Crescent;**
- 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 (noting that Council will not grant a Work Zone at the front of the site) 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;
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways; and
- xxi) details of traffic control provided at all times of the demolition/ construction works.
- xxii) Appropriate permits must be obtained via Council and shown to rangers during operations (after hours/ night works if needed).

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

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

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

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

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

72. BIN ALLOCATION (CC)

(a) The bin store must be capable of accommodating the following:

- Domestic Waste – 13 x 240L mobile bins.
- Domestic Recycling – 4 x 240L mobile bins.
- A minimum area of 11.5m² for the storage of the bins.
- A minimum area of 20m² for the storage of bulky goods waste.

Applicants requesting 660L bins must provide onsite collection and have a large hardstand for bin presentation.

(Reason: To ensure sufficient space and waste collection containers provided.)

73. WASTE AND RECYCLING STORAGE ROOMS AND WASTE MANAGEMENT PLAN (CC)

Waste (including grease arrestor rooms) and recycling storage rooms must meet all of the following conditions:

- i) The waste and recycling storage room must be of adequate dimensions to comfortably accommodate the required number of waste and recycling bins
 - 240L bin must have 1.1m² of space per bin
 - 660L bin must have 2.03m² of space per bin
- ii) The layout of the waste and recycling storage room must allow easy unobstructed access to all bins (stacked bin arrangements are not acceptable) and allow the bins to be easily removed for servicing purposes.
- iii) A smooth concrete floor graded and drained to a floor waste connected to the sewer of the Water Board.
- iv) The walls being cement rendered with the intersection of the walls and floor being coved to a radius of not less than 25mm.
- v) The door being close fitting to prevent the access of rats and mice.
- vi) A cold water hose cock being provided for the cleaning of containers and the room itself.
- vii) Ventilation being provided by means of direct connection to the outside air to the satisfaction of Council.
- viii) The ceiling of all waste storage rooms must be constructed of a rigid smooth faced non-absorbent material. The ceiling must be a minimum of 2.4m high to accommodate Councils standard bins. This enables access for use, cleaning and enables the lids of bins to be fully opened.
- ix) Contain a sign, minimum size 600mm x 600mm, directing residents not to place recyclables in garbage carts and encouraging residents to recycle. Sample artwork and signs available from Council.
- x) Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities.
- xi) A caretaker or individual(s) shall be nominated as being responsible for transferring the bins to the collection point and back into the waste storage room/area.
- xii) Detailed plans of waste and recycling storage rooms must be submitted along with an updated Waste Management Plan and Waste and Recycling Storage Room/Area Design Checklist to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate. A copy of these documents and plans are also to be provided to the Council.

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

74. ONSITE WASTE COLLECTION

Onsite waste and recycling collection is to be provided, all onsite collection areas must meet the following conditions:

At-grade collection

- A waste collection point is to be provided:
 - behind the front building line,
 - alongside the driveway into the site.
 - Collection vehicles may access the at grade collection point in a forward or backwards direction and exit in a forward direction only (waste vehicles must not reverse along a main road).
- i) Collection vehicles must not impede access to, within or from the site for other users.
- ii) The path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area) should be clearly identified.
- iii) The waste collection point shall be no more than 15m from the property boundary at the street.
- iv) There should be convenient and step free access between the waste storage room/area and the collection point.
- v) The collection area must be designed so that the bin standing area, and the standing area for the vehicle, is level.
- vi) The collection area must be designed so that there is sufficient room for the standing and manoeuvring of all waste receptacles as well as standing room for the collection vehicle.
- vii) Any shutter or roller door providing access to the site/waste collection point must be fitted with a master key to Council's requirements to allow access.

(Reason: To ensure an efficient and effective collection system.)

75. WATER SUSTAINABILITY – GENERALLY (CC)

Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:

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

(Reason: To promote sustainable water management practice.)

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

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

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under Part N of the SCDCP 2005, and be prepared by a suitably qualified professional engineer.

(Reason: To promote Water Sensitive Urban Design.)

77. WORKS WITHIN THE ROAD RESERVE (CC)

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

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

Pruning of the branches and roots of Council trees is prohibited unless approved by Council in writing.

All Council trees are to be protected in accordance with Australian Standard AS4970 - 2009 , Protection of Trees on Development Sites.

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

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

All civil engineering works adjacent/near/outside 31 The Crescent, Homebush are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

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

78. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE (CC)

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

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

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(Reason: Council requirement.)

79. DUST CONTROL (CC)

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

(Reason: Environmental amenity.)

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

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

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

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

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

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

(Reason: Statutory requirement.)

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81. NOTICE OF COMMENCEMENT (CW)

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

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

(Reason: Statutory requirement.)

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

82. CONTAMINATED LAND UNEXPECTED FINDS (DW)

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

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

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

(Reason: To ensure compliance with statutory requirements.)

83. FILL MATERIAL (DW)

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

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

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

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

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

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

(Reason: To maintain public access and safety.)

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85. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

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

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

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

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

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

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

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

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

87. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

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

(Reason: Maintenance of public infrastructure.)

88. ENGINEERING WORKS (CERTIFICATION OF)

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

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

**DA2018/067/01 - 31 The Crescent, Homebush
Lot A in DP 391764 (Cont'd)**

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

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

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

(Reason: Asset management.)

89. FIRE SAFETY CERTIFICATION (OC)

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

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

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

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

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

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

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

90. OCCUPATION OF BUILDING (OC)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- i) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) any preconditions to the issue of the certificate required by a development consent have been met.

DA2018/067/01 - 31 The Crescent, Homebush
Lot A in DP 391764 (Cont'd)

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

91. RAINWATER TANKS (OC)

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- i) Australian/New Zealand Standard AS/NZS 3500:2003;
- ii) NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR); and
- iii) Council's rainwater tank policy.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To protect public health and amenity.)

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

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

(Reason: Adequate stormwater management.)

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

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility on-site detention and water sensitive urban design components.

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

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

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

94. BOARDING HOUSES - OPERATIONAL PLAN OF MANAGEMENT (OU)

An Operational Plan of Management is to be formulated and submitted to Council for approval, prior to the issue of any Occupation Certificate.

The Plan of Management must include the minimum criteria as stipulated in Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation, 2005 under the Local Government Act 1993, the Public Health Act, 1991, Boarding Houses Act 2012 and Boarding Houses Regulation 2013.

**DA2018/067/01 - 31 The Crescent, Homebush
Lot A in DP 391764 (Cont'd)**

The plan shall be dated and the name and signature of the author of the document shall be included. The Plan of Management shall be displayed in prominent locations within the premises and a copy of the Plan shall be provided to all residents of the boarding house. The on-site Caretaker shall be responsible for ensuring that the terms of the Plan are adhered to at all times.

This Operational Plan of Management must incorporate the following:

- i) All the measures to be implemented on the premises in terms of safety & security, amenity and health including but not limited to matters relating to curfews and after-hours access, bringing of visitors on to the site, drug and alcohol policy (including smoking), and use of communal areas etc.
- ii) All the responsibilities of the Caretaker/Manager.
- iii) An Incident Register to be maintained by the Caretaker. This Register must be produced upon demand by any Council officer or NSW Police Officer. The Register must contain a direction that all incidents of a criminal nature are to be reported to the Police immediately.
- iv) Prior to commencement of the boarding house use, a notification letter shall be forwarded to Council, the Police and neighbours providing contact details for the Caretaker/Manager so that any issues regarding the operation of the premises etc can be addressed promptly. Evidence of this letter being forwarded as required in this condition shall be provided to the Principal Certifying Authority, prior to the issue of any Occupation Certificate and commencement of the use.

(Reason: To minimise the impact of the use on surrounding residences.)

95. BOARDING HOUSE - ONGOING USE OF (OU)

Ongoing operation of the approved use for the purpose of a boarding house shall comply with the following:

- i) Use of the premises shall remain consistent with the definition of 'boarding house' as defined under Strathfield Local Environmental Plan 2012 as a building that:
 - is wholly or partly let in lodgings, and
 - provides lodgers with a principal place of residence for 3 months or more, and
 - may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers but does not include "backpackers" accommodation, a group home, a serviced apartment, seniors housing or hotel or motel accommodation.
- ii) Subdivision of the approved boarding house under strata or community title is prohibited.
- iii) The use and operation of the boarding house shall comply with all applicable legislation/regulation and standards, including:
 - Boarding Houses Act 2012;
 - Boarding Houses Regulation 2013;
 - Local Government Act 1993; and
 - Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation 2005.
- iv) The maximum number of persons accommodated in a bedroom, or in a cubicle of a dormitory, must not exceed the number determined by allowing a minimum floor area within the bedroom or cubicle in accordance with the relevant provisions under the Public Health Act 1991 for each person.
- v) No speakers or music is permitted outdoors or in the communal areas.

**DA2018/067/01 - 31 The Crescent, Homebush
Lot A in DP 391764 (Cont'd)**

- vi) The Boarding house is required to be registered on a register administered by NSW Fair Trading.

(Reason: To minimise the impact of the boarding house on surrounding residences.)

96. FIRE SAFETY ANNUAL STATEMENT (OU)

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- i) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- ii) Prominently displayed in the building.

(Reason: Fire safety.)

97. WASTE AND RECYCLING COLLECTION (COMMERCIAL AND INDUSTRIAL) (OU)

- i) The collection of waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm on weekends and public holidays, to avoid noise disruption to the surrounding area.
- ii) The garbage and recyclable storage area and bins must be adequate to contain the volume and type of garbage and recyclable matter of the food premises.
- iii) 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.)

98. MAINTENANCE AND PROTECTION OF LANDSCAPING AND SOFT LANDSCAPED AREAS (OU)

The applicant and property owner/s are to maintain and enhance the completed landscape works in all private and strata areas, in accordance with the approved landscape design and conditions of development (inclusive of the maintenance and protection of all retained and planted trees).

In this regard the applicant is to provide an annual statement to Council, on or by the 1 July of each calendar year, for the first 5 years after the issue of the occupation certificate, from an AQF Level 5 Landscape Designer or Landscape Architect certifying that;

- All plants (including planted and retained trees) are in a healthy safe condition.
- The turf areas are well maintained.
- The landscaped area is free of all notifiable weeds, pests and diseases as detailed in the NSW Biosecurity Act 2015.
- The landscaped area is free of hazards.
- The mulched areas are well maintained.
- The irrigation systems, sub soil drainage and lighting systems are in a good condition and operating according to both design and manufacturers specifications.
- That all missing plants have been replaced and are establishing well.

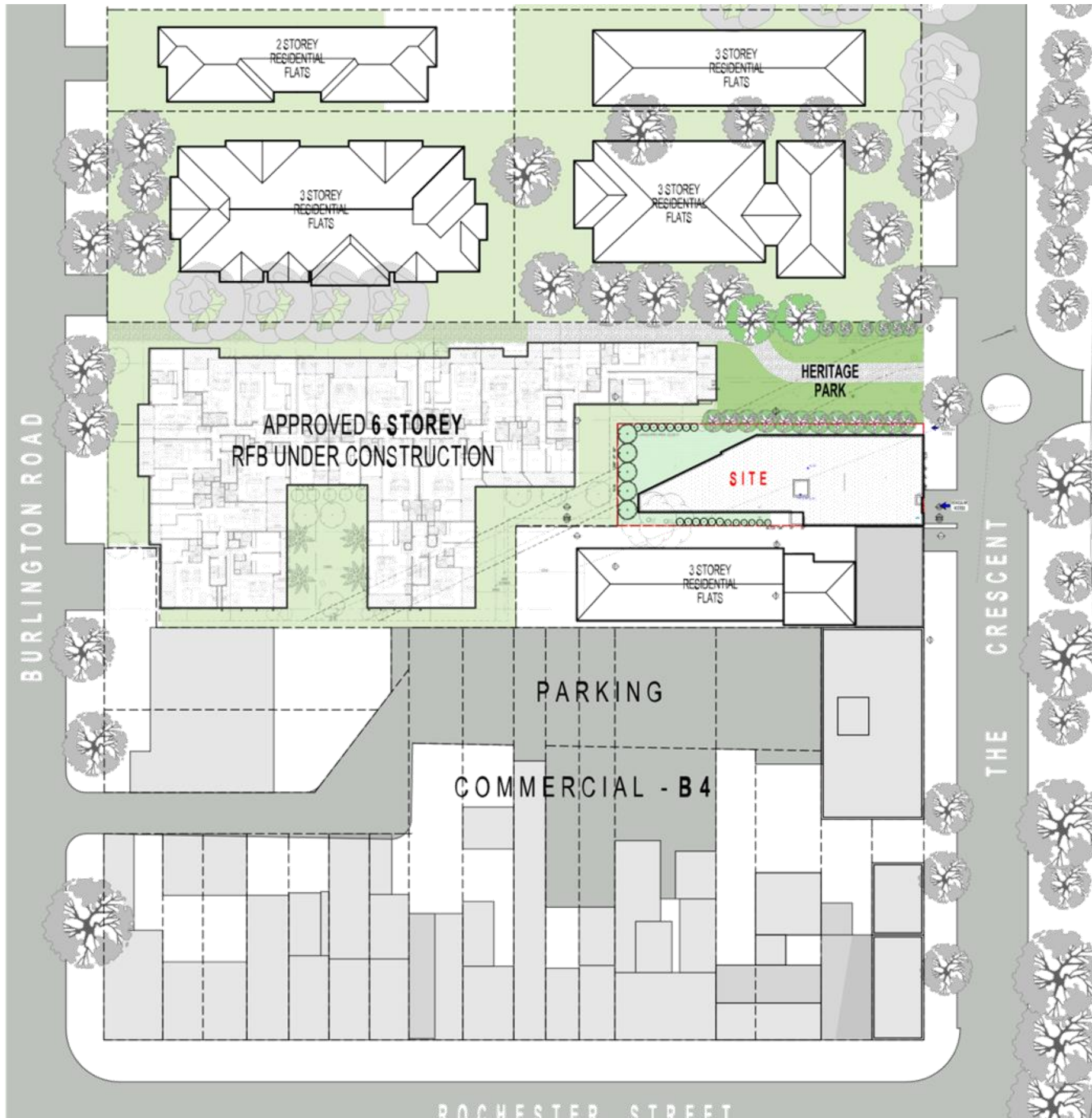
This annual statement shall also include reports and information from relevant expert consultants, in support of the statements made and as evidence of proof, in the annual statement.

DA2018/067/01 - 31 The Crescent, Homebush
Lot A in DP 391764 (Cont'd)

(Reason: To protect landscape amenity and community environmental values).

ATTACHMENTS

1. [↓](#) DA2018.067.01 - s8.2 - Architectural Plans (Issue D) - 31 The Crescent, Homebush



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

31 THE CRESCENT, HOMEBUSH BOARDING HOUSE DEVELOPMENT APPLICATION

CALCULATION TABLE		
TOTAL SITE AREA	697 m ²	
NOTE: ALLOWABLE FSR: 3:1 PLUS 0.5		
CONTROL	MAX ALLOWABLE	PROPOSED
GROSS FLOOR AREA (GFA)	2439.5	1667.08
FLOOR SPACE RATIO (FSR)	3.5 : 1	2.39 : 1
BUILDING HEIGHT	16m	17.34m (with Lift Over-run)
COMMUNAL OPEN SPACE	25m ²	147 m ²
COMMUNAL OPEN LOUNGE		23 m ²
LANDSCAPE		234 m ²
DEEP SOIL		126 m ²

CAR PARKING			
CONTROL	ROOMS	MIN REQ	PROPOSED
ROOMS/ 0.5 CAR SPACES	48	24	25
MANAGER'S UNIT (1 BED / 1 CAR SPACE)		1	1
TOTAL CAR SPACES		25	26
DISABLE SPACE		2	2
MOTOCYCLES		9.8	8
BICYCLES		9.8	10

STRATHFIELD COUNCIL
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DA2018/067/01
4 March 2019

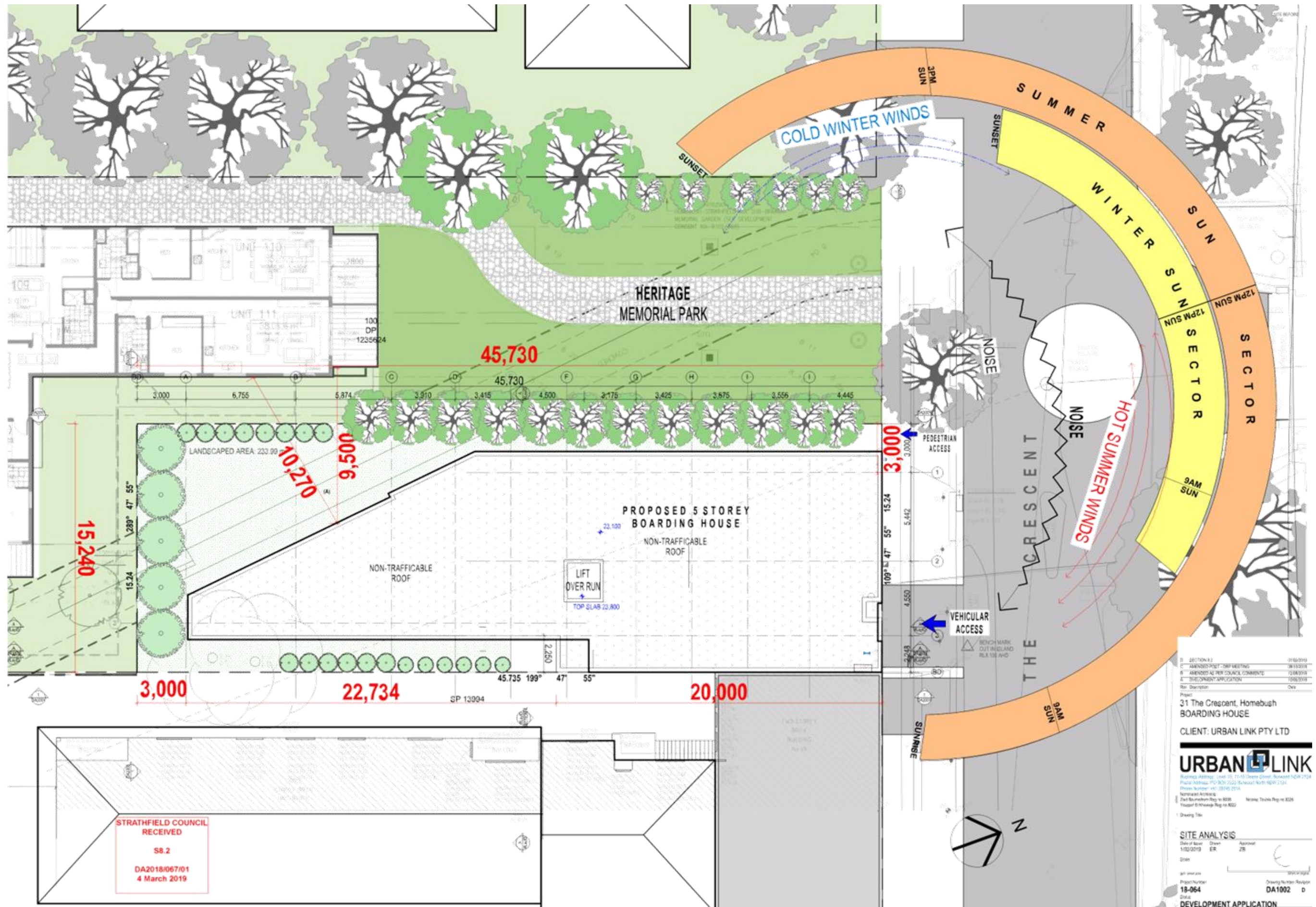
D: 28/10/2018	01/10/2018
E: AMENDMENTS SUBMITTED	08/10/2018
F: AMENDMENTS FOR COUNCIL COMMENT	12/10/2018
G: PRELIMINARY APPROVAL	15/10/2018

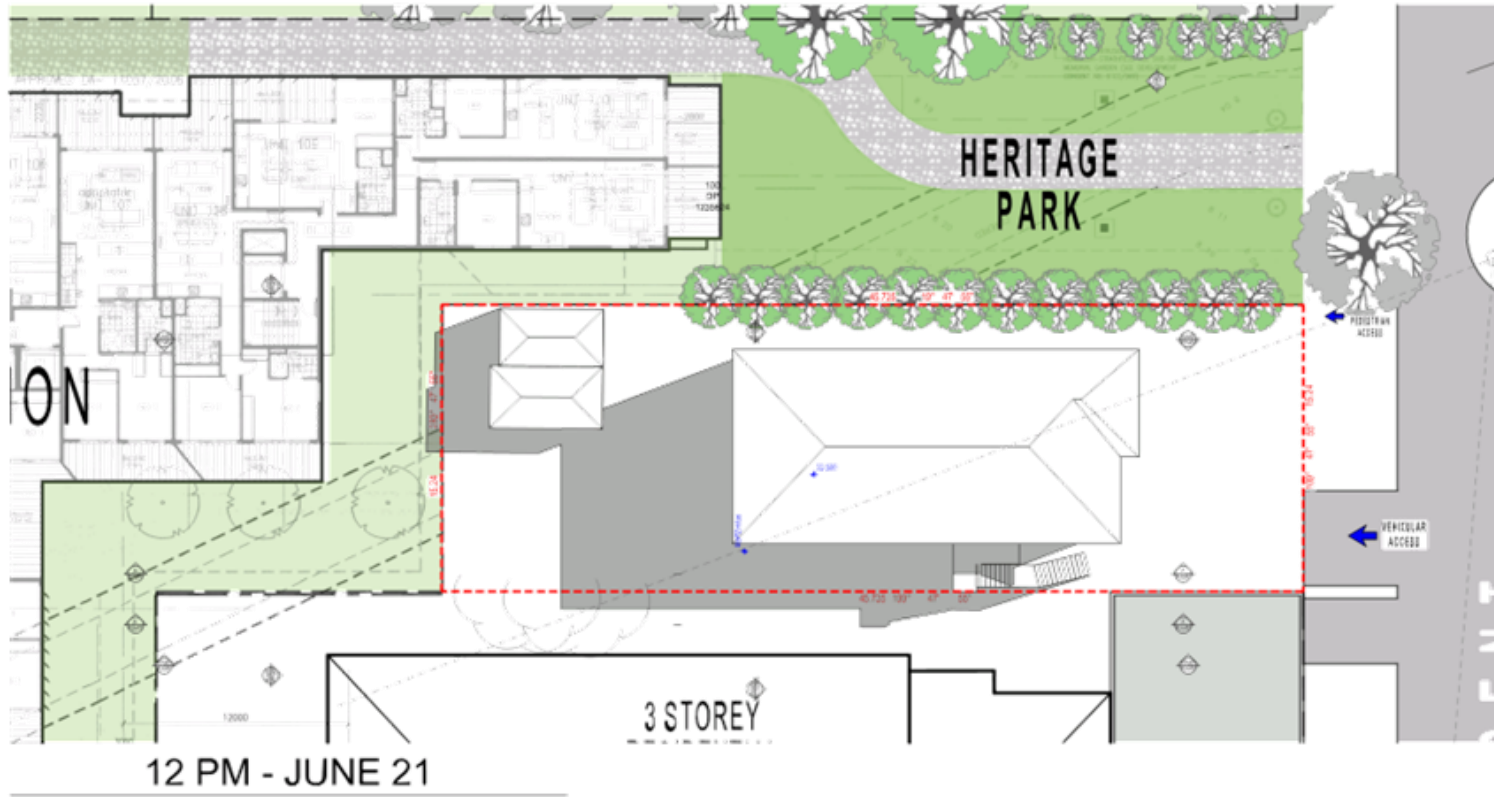
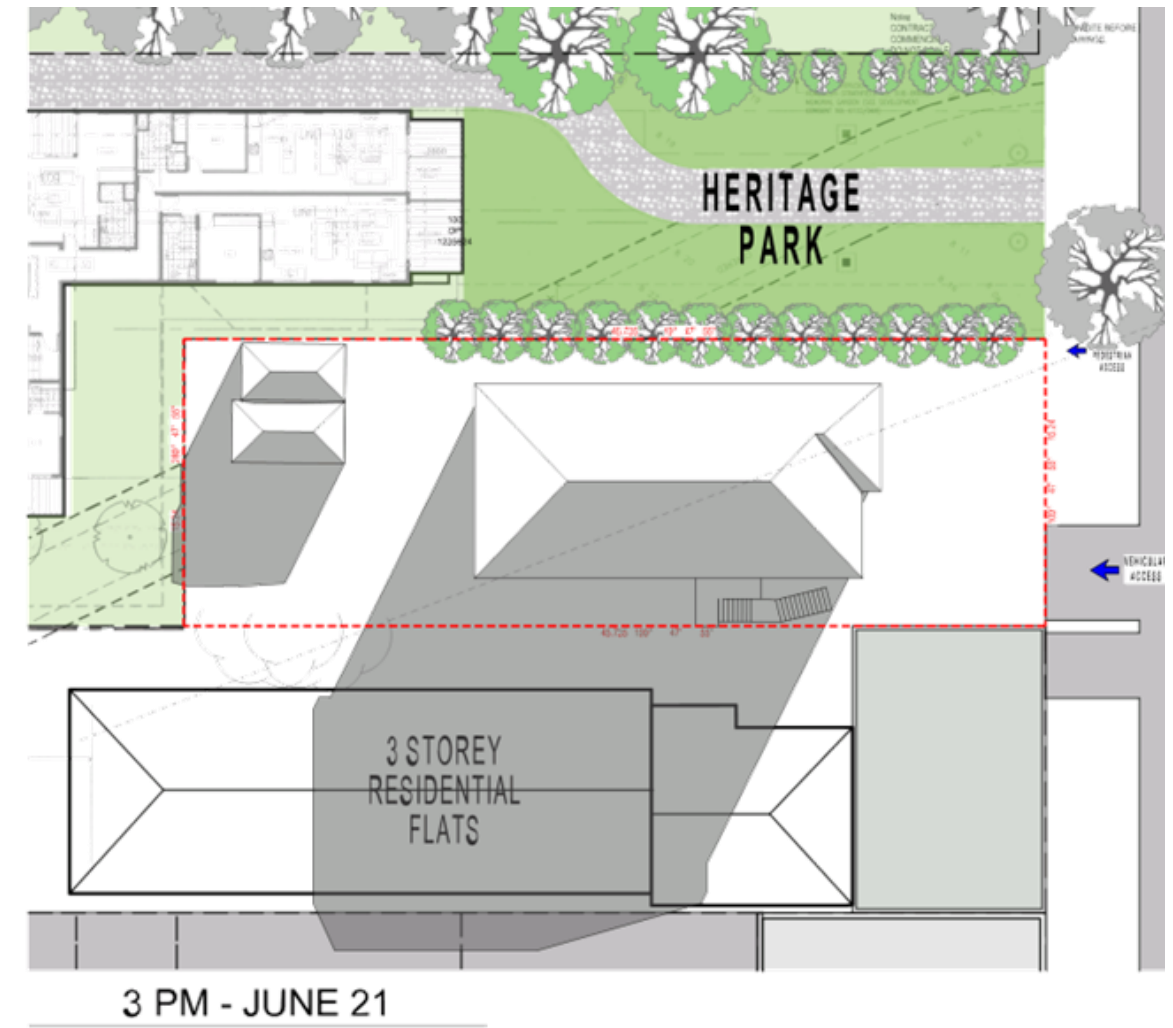
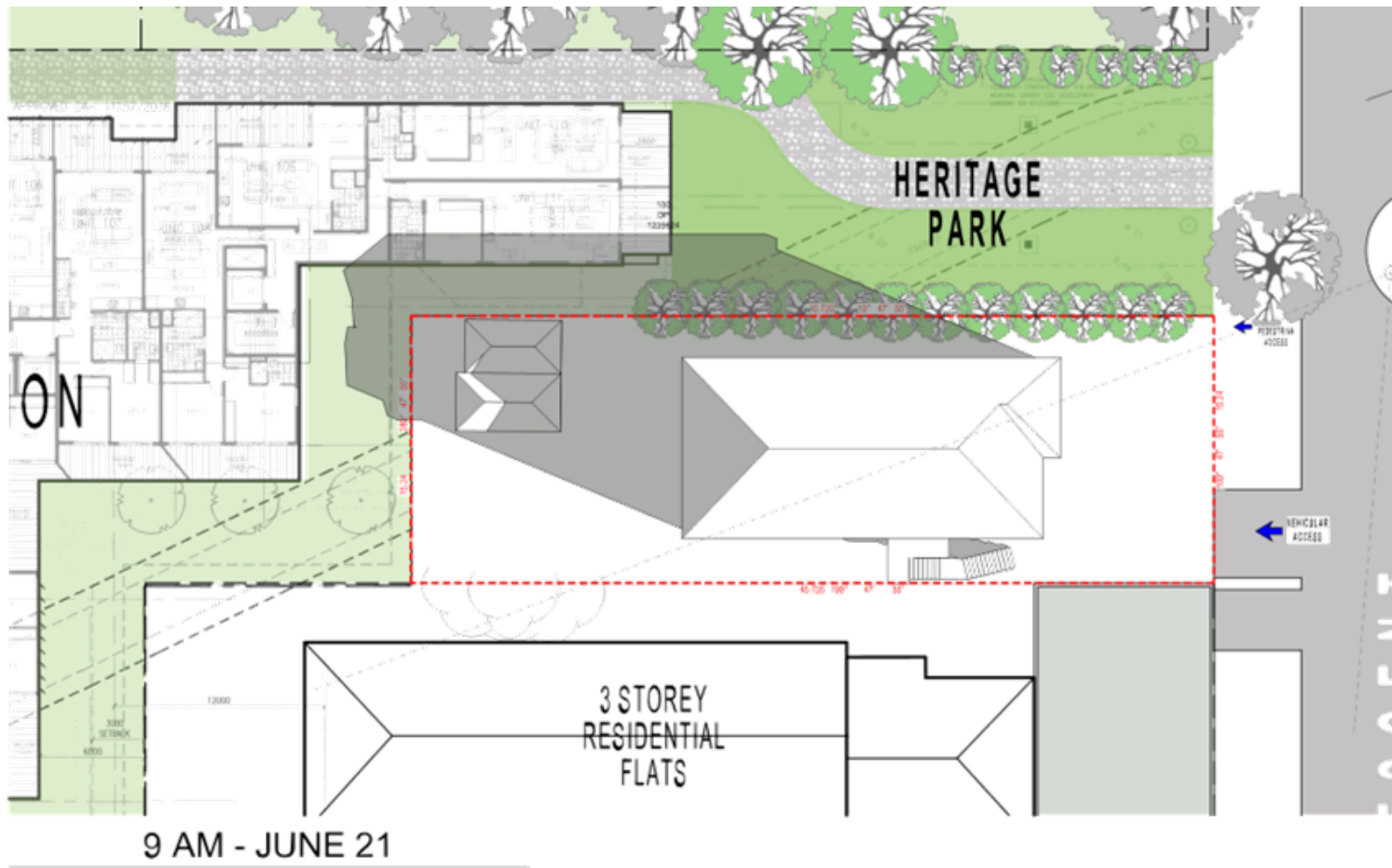
Project:
31 The Crescent, Homebush
BOARDING HOUSE
CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Business Address: Level 10, 11-15 Green Street, Broadway NSW 2124
 Postal Address: PO BOX 222 Broadway NSW 2124
 Phone Number: +61 (0)2 9240 2014
 National Toll-free: 1800 100 100
 Website: www.urbanlink.com.au
 Sydney Office: Level 10, 11-15 Green Street, Broadway NSW 2124
 Drawing Title:



CONTEXTUAL PLAN 1:300
 SITE ANALYSIS
 Date of Issue: 15/02/2019
 Drawn: ER
 Approved: ZB
 Date: 15/02/2019
 Project Number: 18-064
 Drawing Number: DA1001
 Drawing Title: DEVELOPMENT APPLICATION





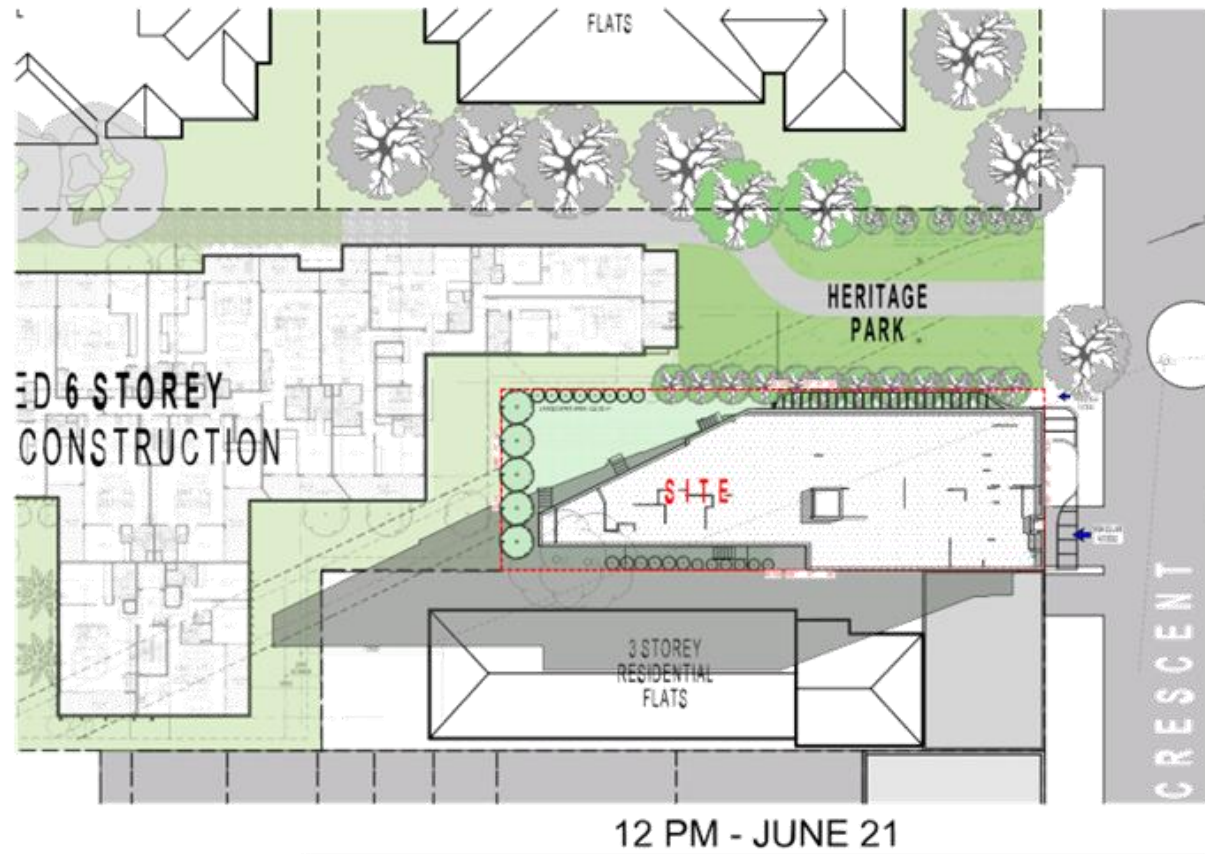
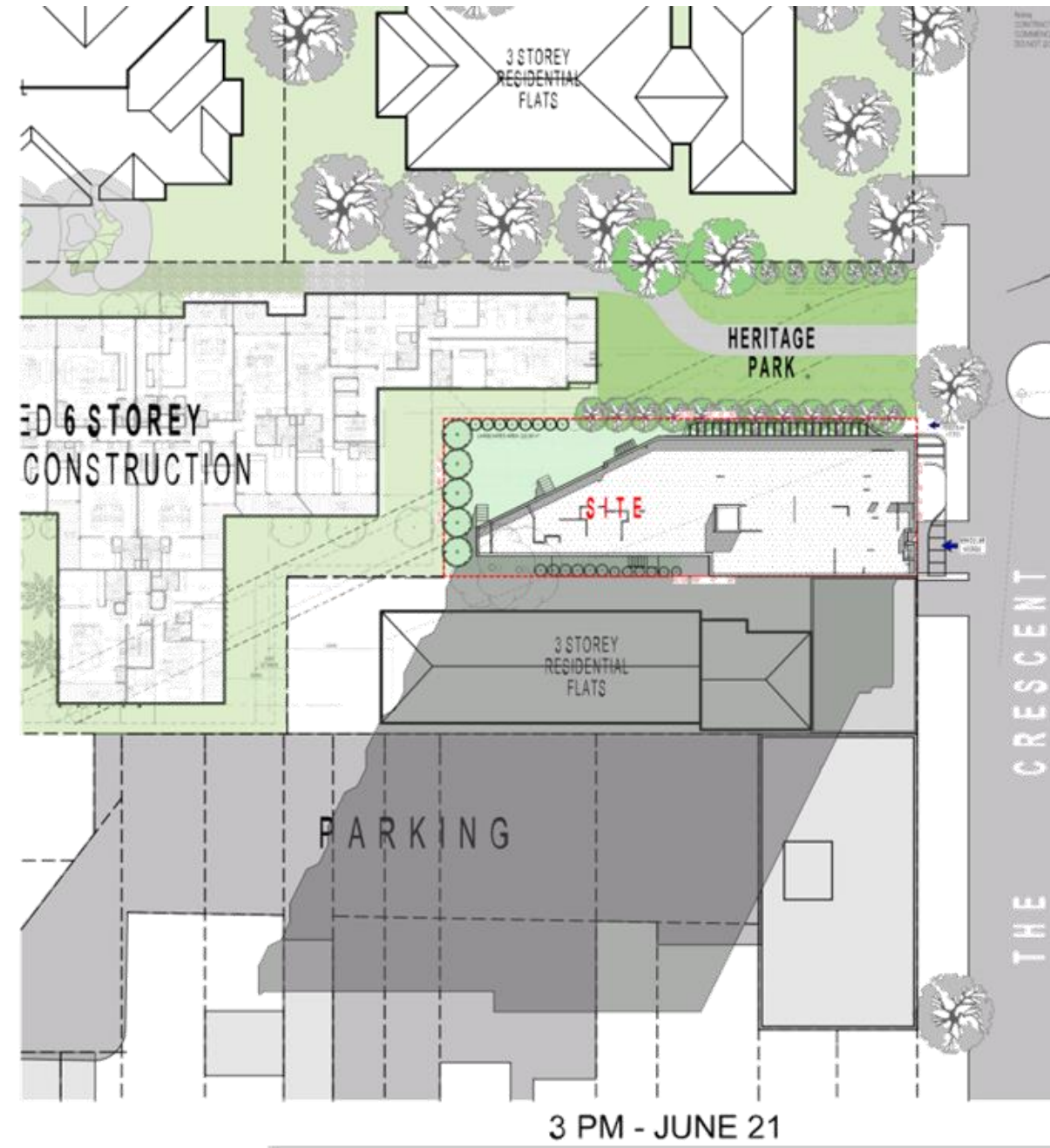
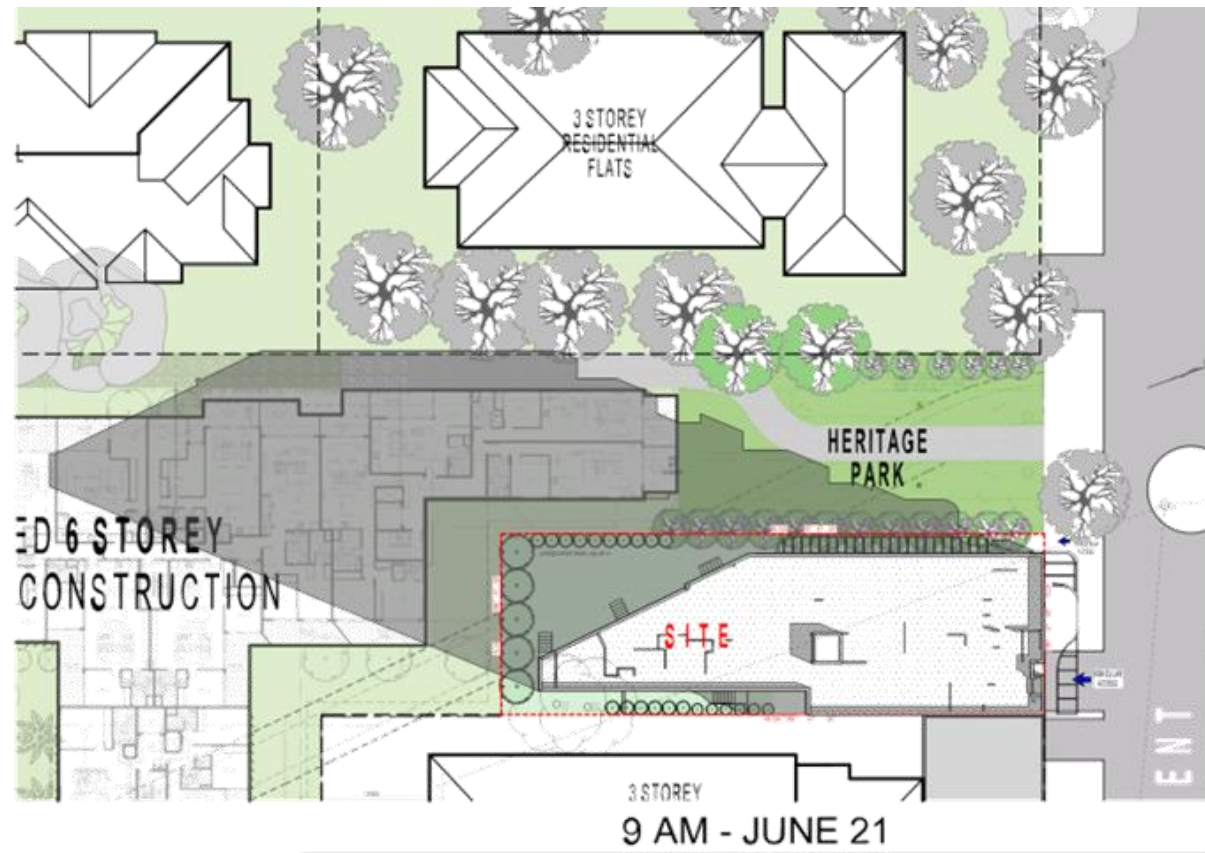
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DA2018/067/01
4 March 2019

D - SECTION 8.2	01/10/2018
E - AMENDS POST-DRAWING	08/10/2018
F - AMENDS AS PER COUNCIL COMMENTS	12/08/2018
G - PRELIMINARY APPROVAL	13/08/2018
H - Description	Date

Project:
31 The Crescent, Homebush
BOARDING HOUSE
CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Business Address: Level 10, 11-15 Green Street, Sydney NSW 2014
 Postal Address: PO BOX 1222, Rozelle NSW 2059
 Phone Number: +61 (0)2 942 2014
 Website: www.urbanlink.com.au
 NSW Planning Reg No: 8338
 NSW Building Reg No: 8338
 Drawing Title:

SHADOW DIAGRAMS - EXISTING
 Date of Issue: 1/10/2018
 Drawn: ER
 Checked: ZB
 Date: 1/10/2018
 Project Number: 18-064
 Drawing Number/Revision: DA1003 D
 Title: DEVELOPMENT APPLICATION



NOTE: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS TO FIT EXISTING DRAWINGS.

D	REVISIONS	01/10/2018
C	AMENDED POST-DEVELOPMENT	08/10/2018
B	AMENDED AS PER COUNCIL COMMENTS	12/08/2018
A	PRELIMINARY APPROVAL	10/08/2018
Rev	Description	Date

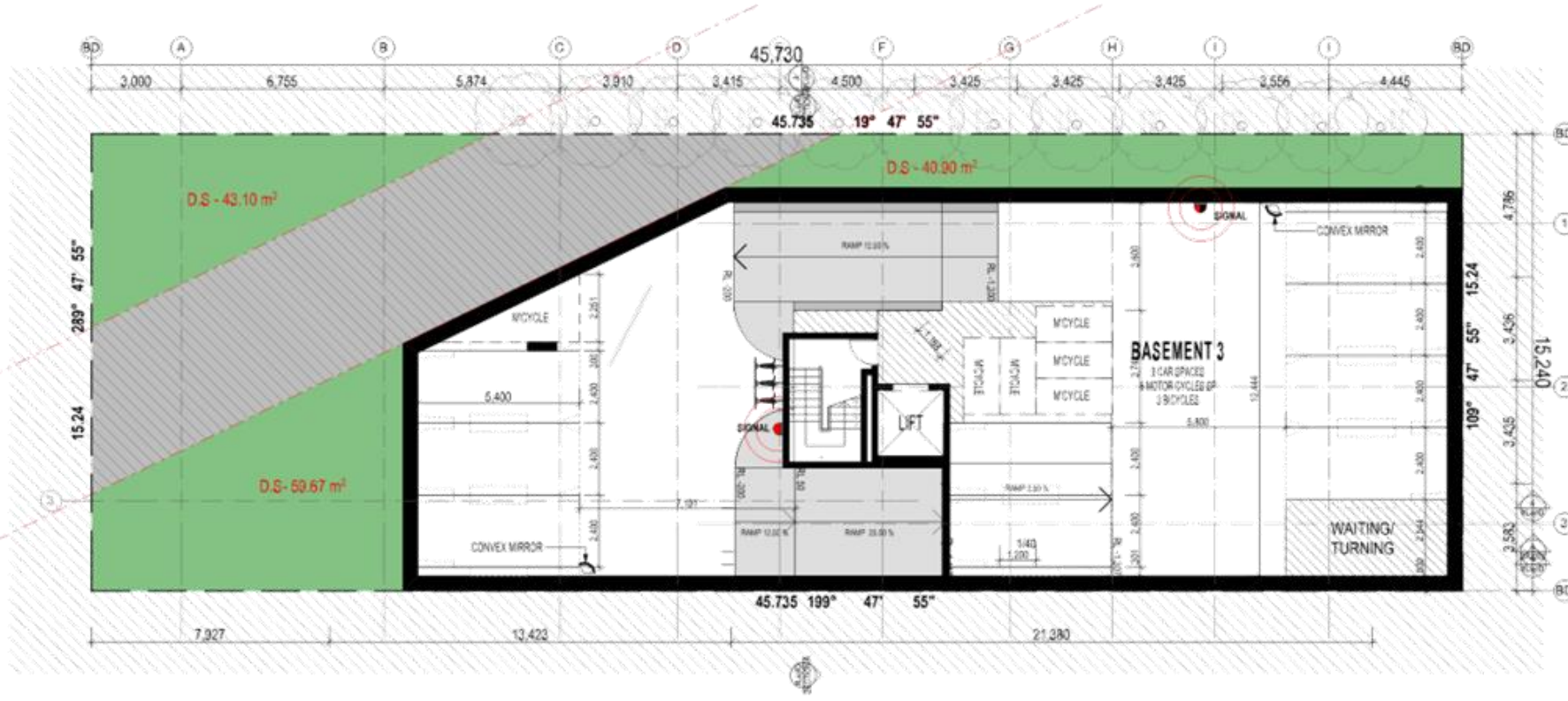
Project:
31 The Crescent, Homebush
BOARDING HOUSE
CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Building Address: Level 10, 11-15 Street (2nd), Strathfield NSW 2157
 Postal Address: PO Box 1222 Strathfield NSW 2157
 Phone Number: +61 (0)294 2014
 National Australia Bank: 2nd Floor, Reg 10 850
 Westpac: 2nd Floor, Reg 10 850
 Drawing Title:

SHADOW DIAGRAMS - PROPOSED
 Date of Issue: 10/02/2019
 Drawn: ER
 Checked: ZB
 Date: 10/02/2019
 Project Number: 18-064
 Drawing Number/Revision: DA1004 D
 Date: 10/02/2019
DEVELOPMENT APPLICATION

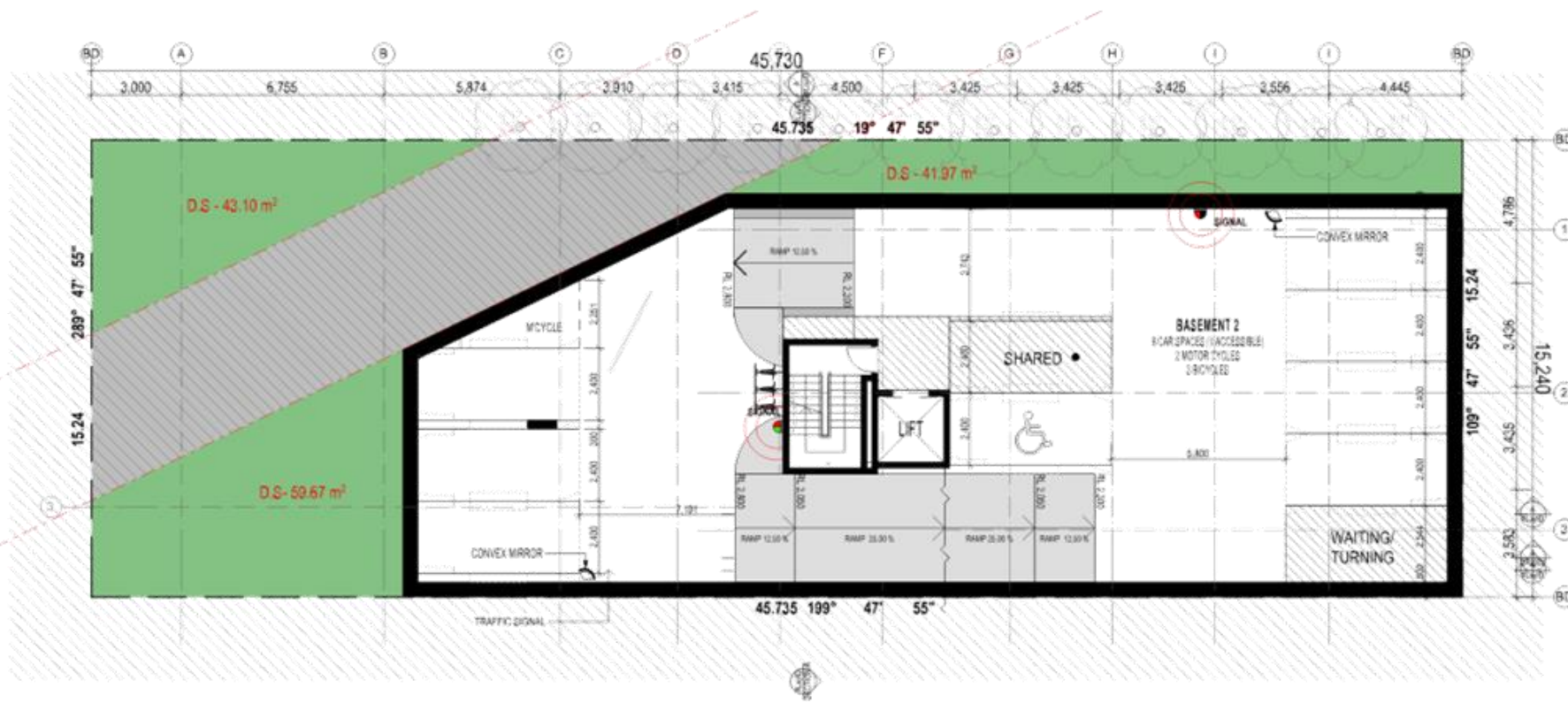
STRATHFIELD COUNCIL RECEIVED
 S8.2
 DA2018/067/01
 4 March 2019

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



BASEMENT 3

1:100



BASEMENT 2

1:100

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DA2018/067/01
4 March 2019

D	SECTION 3	01/10/2018
C	AMENDED POST-DEVELOPMENT	08/10/2018
B	AMENDED AS PER COUNCIL COMMENTS	12/08/2018
A	PRELIMINARY APPROVAL	10/08/2018

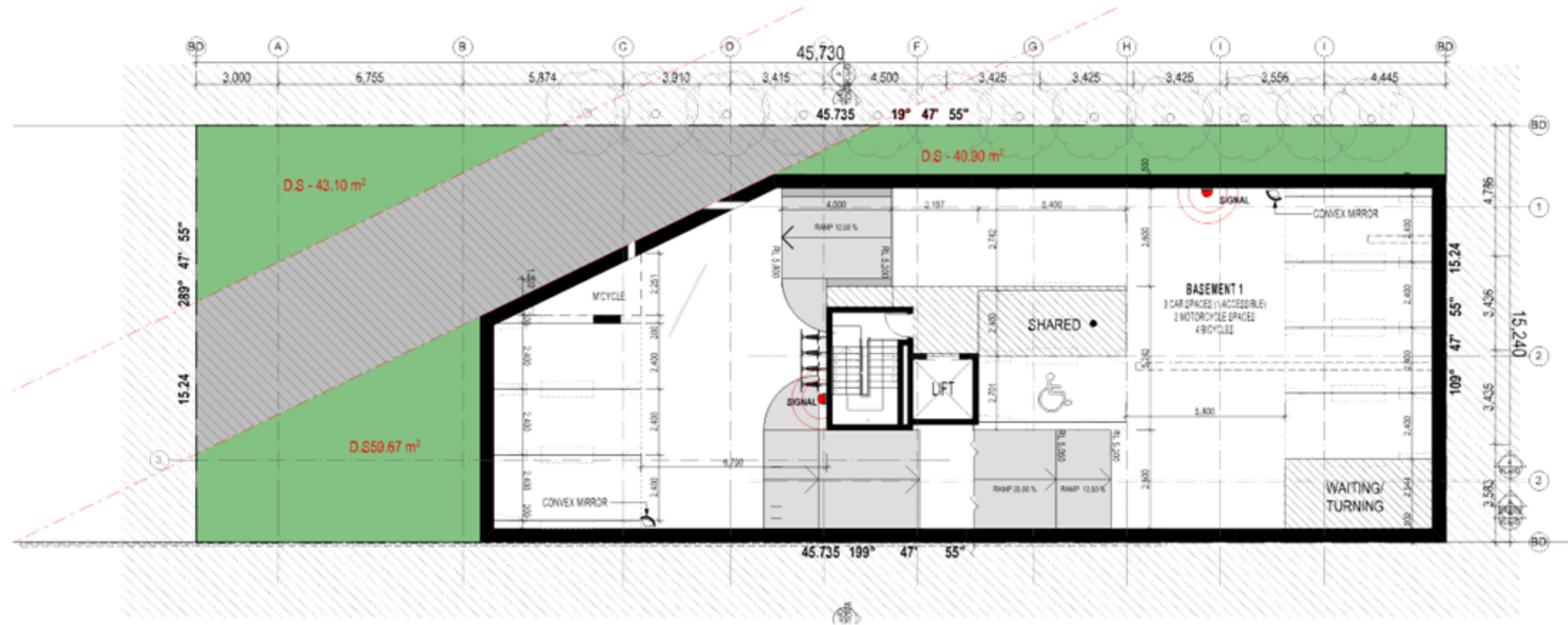
Project
31 The Crescent, Homebush
BOARDING HOUSE

CLIENT: URBAN LINK PTY LTD

URBAN LINK
Business Address: Unit 10, 11-13 Green Street, Strathfield NSW 2157
Postal Address: PO BOX 2222 Strathfield NSW 2157
Phone Number: +61 (0)2940 2014
National Australia Bank
2nd Floor, 31 The Crescent, Homebush NSW 2148
Website: www.urbanlink.com.au

BASEMENT 3 & 2
Date of Issue: 10/02/2019
Drawn: ER
Approved: ZB
Scale: 1:100
Project Number: 18-064
Drawing Number: DA2001
Disc: 0
DEVELOPMENT APPLICATION

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



BASEMENT 1

1:100

CAR PARKING				
CONTROL	ROOMS	MIN REQ	PROPOSED	
ROOMS/ D.S. CAR SPACES	48	24	25	
MANAGER'S UNIT (1 BED / 1 CAR SPACE)		1	1	
TOTAL CAR SPACES		26	26	
DISABLE SPACE		2	2	
MOTOCYCLES		9.8	8	
BICYCLES		9.8	10	

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DA2018/067/01
4 March 2019

D - SECTION 8.2	01/10/2018
E - AMENDS POST - DRP MEETING	08/10/2018
F - AMENDS AE PER COUNCIL COMMENTS	12/08/2018
G - PRELIMINARY SPECIFICATION	13/02/2018

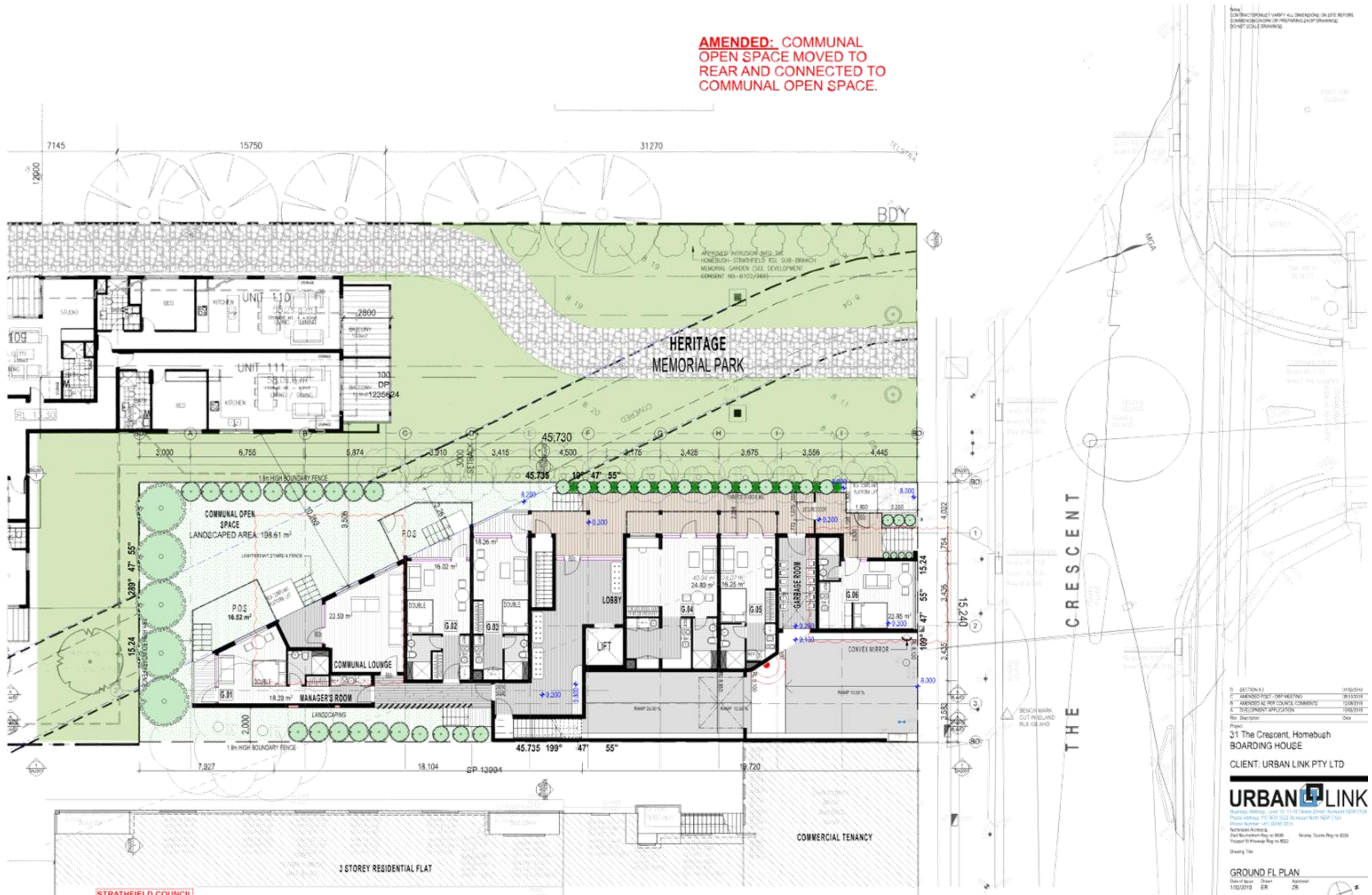
Project:
31 The Crescent, Homebush
BOARDING HOUSE

CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Sydney Address: Level 10, 11-13, Davis Street, Sydney NSW 2014
 Perth Address: PO Box 2222, Riverside North NSW 2124
 Phone Sydney: +61 (0)2 9420 2014
 Perth Office: +61 (0)8 9420 2014
 Website: www.urbanlink.com.au
 Sydney: 2nd Floor, 31 The Crescent, Homebush NSW 1585
 Perth: 1st Floor, 11-13, Davis Street, Perth WA 6000

BASEMENT 1
 Date of Issue: 1/10/2018
 Drawn: ER
 Approved: ZB
 Project Number: 18-064
 Drawing Number: DA2002
 Date: 04/03/2019
 Drawing Title: DEVELOPMENT APPLICATION

AMENDED: COMMUNAL OPEN SPACE MOVED TO REAR AND CONNECTED TO COMMUNAL OPEN SPACE.



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DA2018/067/01

GROUND FLOOR PLAN 1:100

D	SECTION 3	01/10/2018
E	AMENDED POST-DRAWING	08/10/2018
F	AMENDED AS PER COUNCIL COMMENTS	12/08/2018
G	PRELIMINARY APPROVAL	10/08/2018

Project:
31 The Crescent, Homebush
BOARDING HOUSE

CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Building Address: Unit 10, 11-15 Green Street, Sydney NSW 2054
 Postal Address: PO Box 2222, Sydney NSW 2054
 Phone Number: +61 (0)2 945 2014
 National Building: 2nd Southern Region NSW
 You can't miss it! Reg no 852

Drawing Title:
GROUND FL PLAN

Date of Issue:	Drawn:	Approved:
10/02/2018	ER	ZB

Scale:
1:100

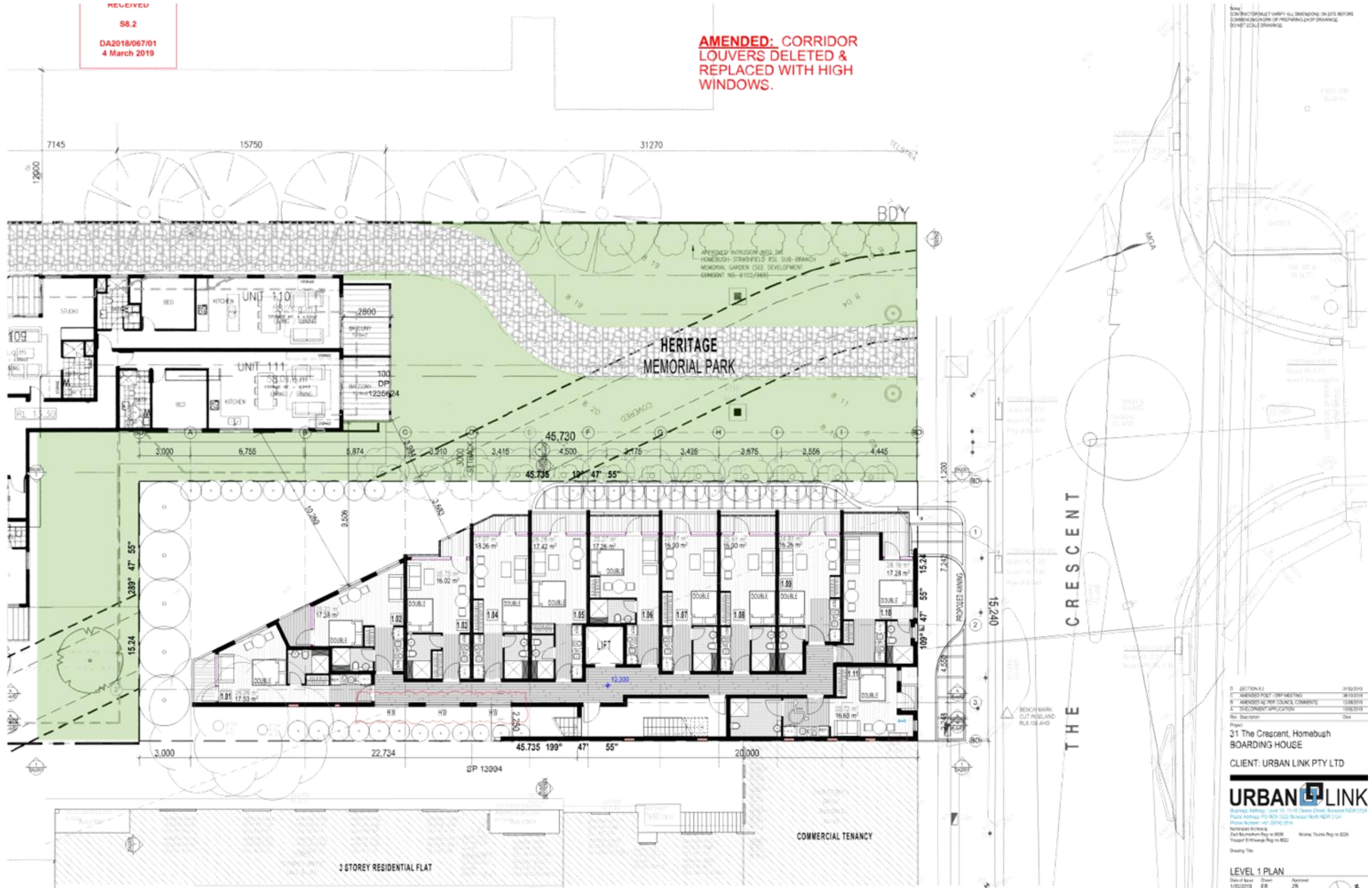
Project Number:
18-064

Drawing Number/Revision:
DA2003 D

DATE:
DEVELOPMENT APPLICATION

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S8.2
DA2018/067/01
4 March 2019

AMENDED: CORRIDOR
LOUVERS DELETED &
REPLACED WITH HIGH
WINDOWS.



D: SECTION 3.3	01/10/2018
E: AMENDED POST-DEVELOPMENT	08/10/2018
F: AMENDED AS PER COUNCIL COMMENTS	12/08/2018
G: PRELIMINARY APPROVAL	13/08/2018
Rev: Description	Date

Project:
31 The Crescent, Homebush
BOARDING HOUSE

CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Business Address: Level 10, 11-15 Green Street, Broadway NSW 2007
 Postal Address: PO BOX 2222 Broadway NSW 2007
 Phone Number: +61 (0)2 942 0214
 National Tollfree: 1800 100 100
 Website: www.urbanlink.com.au
 Sydney Office: Level 10, 11-15 Green Street, Broadway NSW 2007
 Phone: +61 (0)2 942 0214

Drawing Title:
LEVEL 1 PLAN

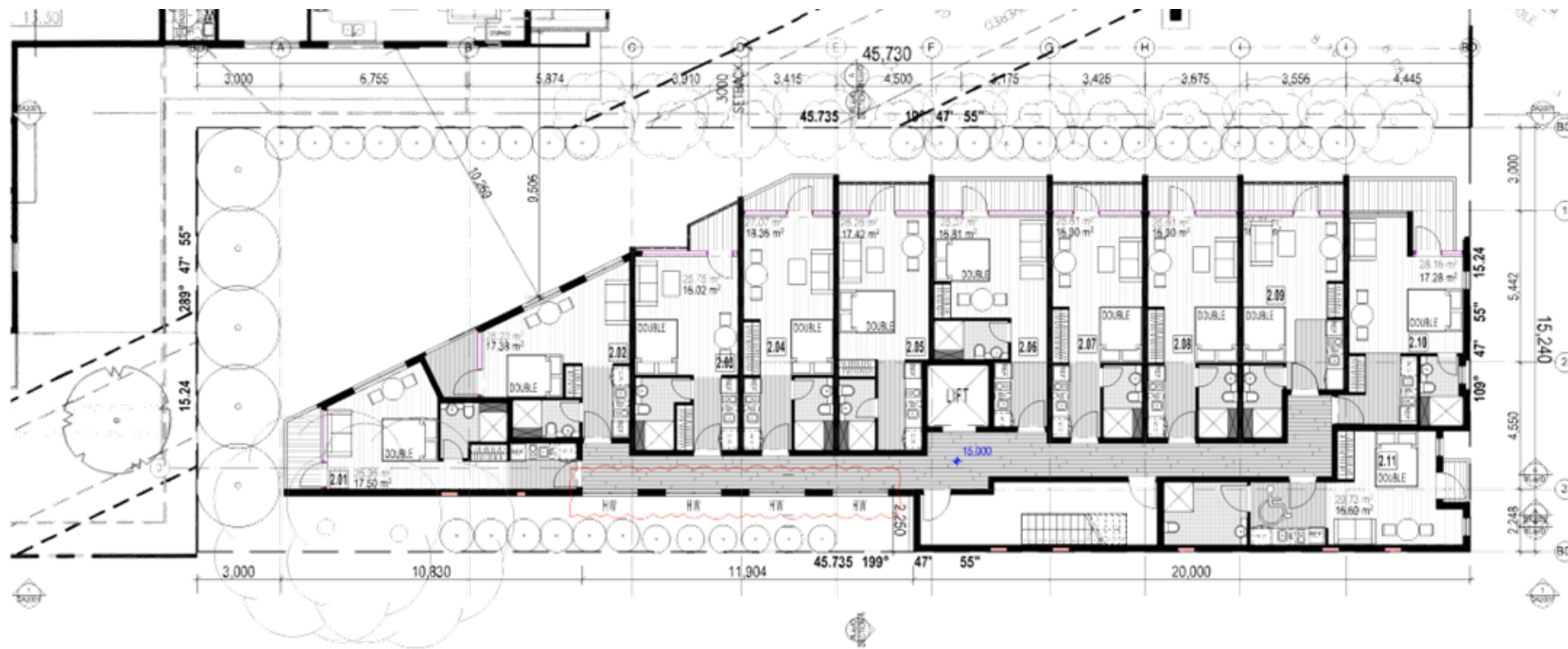
Date of Issue: 10/02/2019
 Drawn: ER
 Approved: ZB

Scale: 1:100

Project Number: 18-064
 Drawing Number: DA2004

DEVELOPMENT APPLICATION

LEVEL 1 1:100



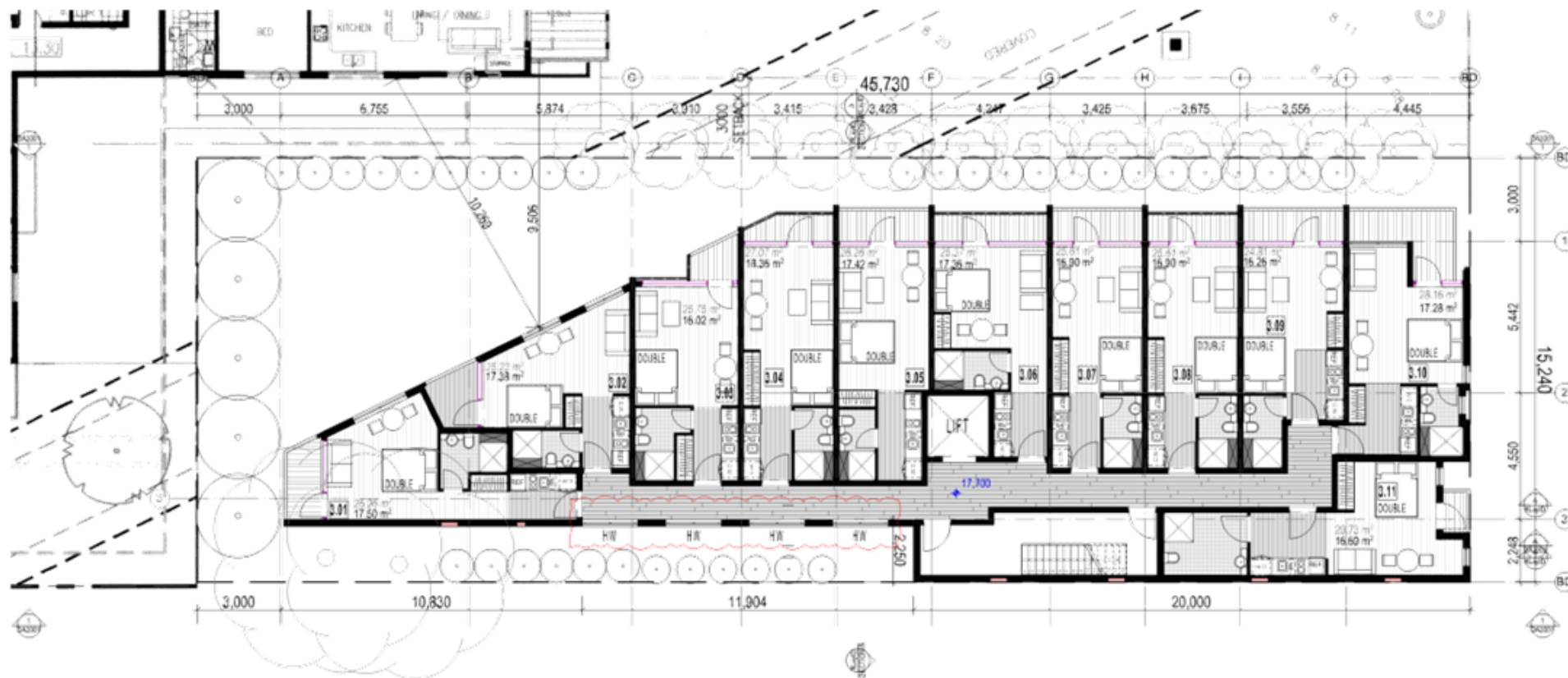
AMENDED: CORRIDOR LOUVERS DELETED & REPLACED WITH HIGH WINDOWS.

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

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S8.2
DA2018/067/01
4 March 2019

LEVEL 2

1:100



LEVEL 3

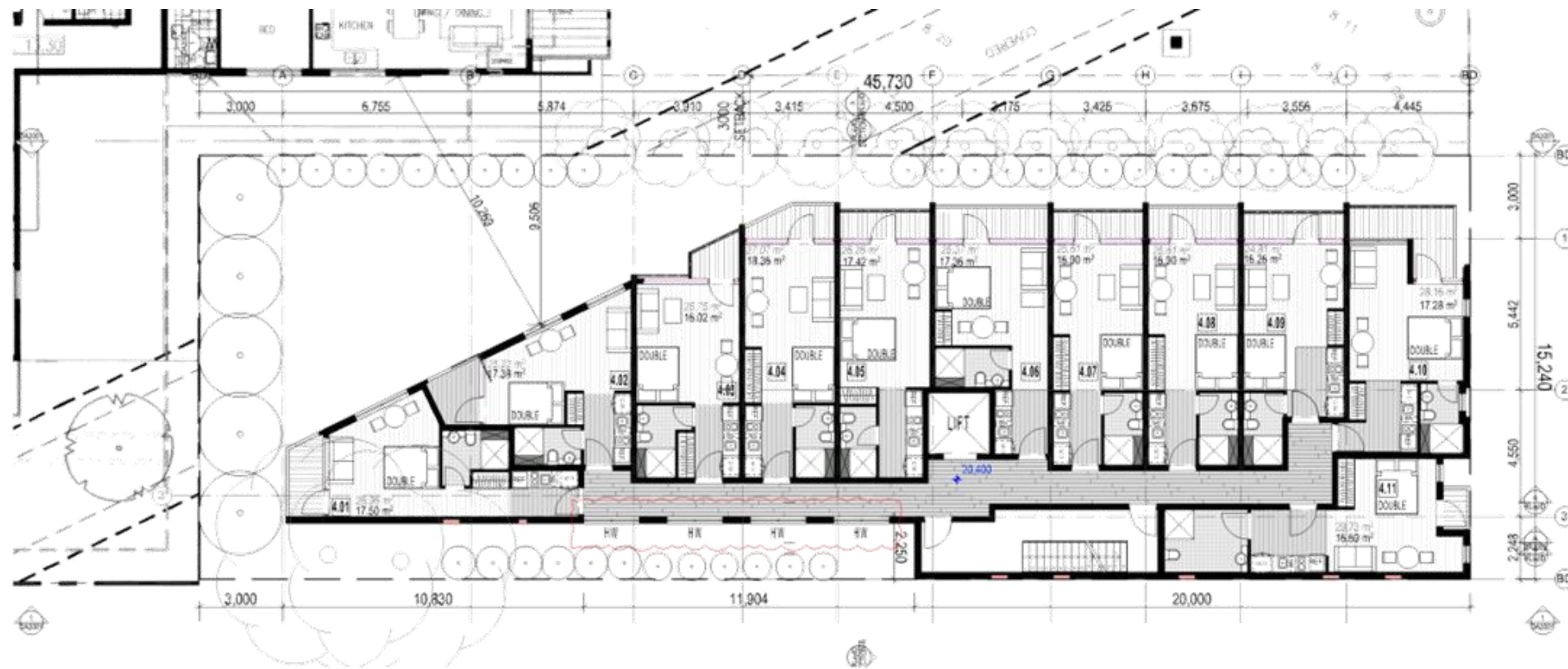
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D	SECTION 3.2	01/10/2019
E	AMENDED POST-DRAWING	08/10/2018
F	AMENDED AS PER COUNCIL COMMENTS	12/08/2018
G	PRELIMINARY SPECIFICATION	13/02/2018
Rev	Description	Date

Project:
31 The Crescent, Homebush
BOARDING HOUSE
CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Building Address: Level 10, 11-15 Drive Street, Strathfield NSW 2154
 Postal Address: PO BOX 1222 Strathfield NSW 2154
 Phone Number: +61 (0)2 942 2014
 Website Address: 2nd Strathfield Reg no 8338 Website: Urban Link Reg no 8338
 Transport & Knowledge Reg no 8322
 Drawing Title:

LEVEL 2 - 3	
Date of Issue:	1/10/2019
Drawn:	ER
Approved:	ZB
Scale:	1:100
Project Number:	18-064
Drawing Number/Revision:	DA2005 D
DEVELOPMENT APPLICATION	

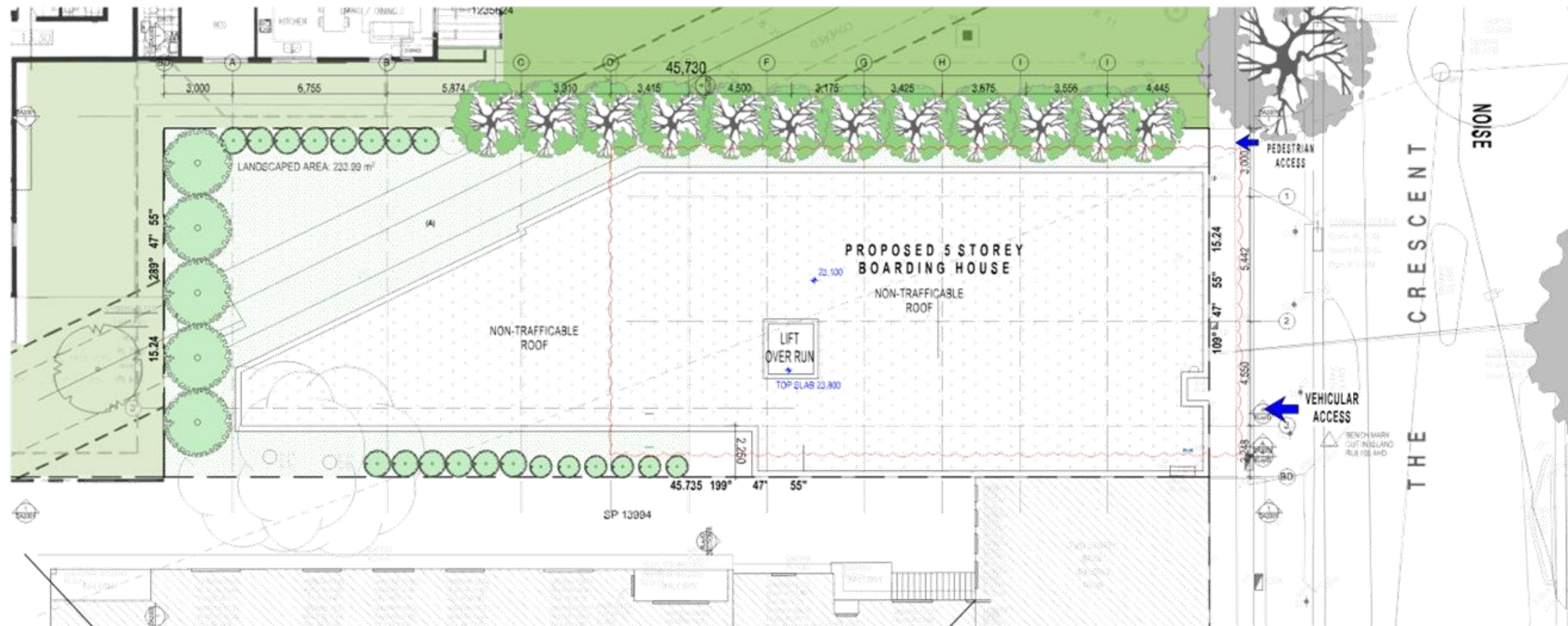


AMENDED: CORRIDOR LOUVERS DELETED & REPLACED WITH HIGH WINDOWS.

STRATHFIELD COUNCIL RECEIVED
S8.2
DA2018/067/01
4 March 2019

LEVEL 4

1:100



AMENDED: COMMUNAL OPEN SPACE OMITTED FROM THE ROOF AVOID THE LIFT ENCROUCHING INTO THE MAX. BUILDING HEIGHT PLANE,

D	SECTION 3	01/10/2018
E	AMENDED POST-DEVELOPMENT	08/11/2018
F	AMENDED AS PER COUNCIL COMMENTS	12/08/2018
G	REVISIONS/REVISIONS	12/08/2018
H		
I		
J		

Project:
31 The Crescent, Homebush
BOARDING HOUSE

CLIENT: URBAN LINK PTY LTD

URBAN LINK
Building Address: Level 10, 11-15 Green Street, Strathfield NSW 2154
Postal Address: PO Box 2222, Strathfield NSW 2154
Phone Number: +61 (0)2 942 2014
Non-Residential Building
2nd Floor, 31 The Crescent, Homebush NSW 2154
Project ID: 18-064

Drawing Title:
LEVEL 4 & ROOF PLAN

Date of Issue: 10/02/2019
Drawn: ER
Checked: ZB

Project Number: 18-064
Drawing Number: DA2006

DEVELOPMENT APPLICATION

ROOF PLAN

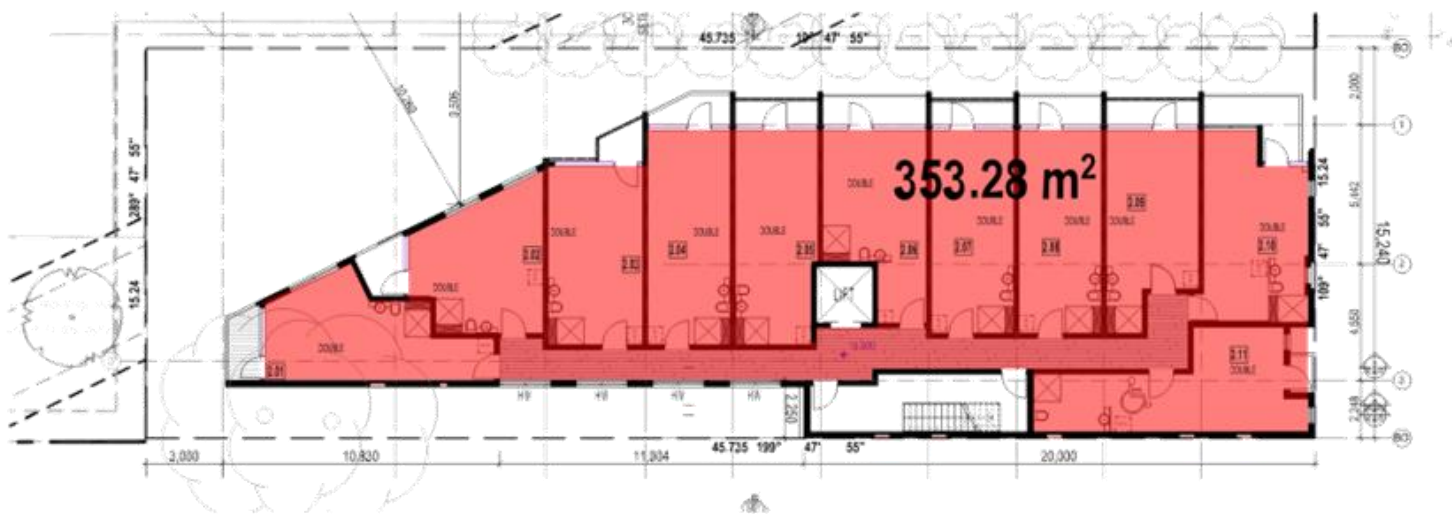
1:100



GROUND FLOOR PLAN



LEVEL 1



LEVEL 2 - 4

GFA CALC		
ROOMS		
GROUND	5	253.96
1	11	353.28
2	11	353.28
3	11	353.28
4	11	353.28
TOTAL	49	1667.08

SITE AREA	697
FSR	2.39 : 1

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

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DA2018/067/01
4 March 2019

D - SECTION 3	01/10/2018
E - AMENDS POST-DEVELOPMENT	08/10/2018
F - AMENDS AS PER COUNCIL COMMENTS	12/08/2018
G - PRELIMINARY APPROVAL	10/08/2018

Project:
31 The Crescent, Homebush
BOARDING HOUSE

CLIENT: URBAN LINK PTY LTD

URBAN LINK

Business Address: Level 10, 11-15 Green Street, Strathfield NSW 2154
Postal Address: PO BOX 2122 Strathfield NSW 2154
Phone Number: +61 (0)294 2014
Nominating Authority:
Zof Sandomir Reg no 8338 Nominating Reg no 8338
Yusef El-Khazip Reg no 8520
Drawing Title:

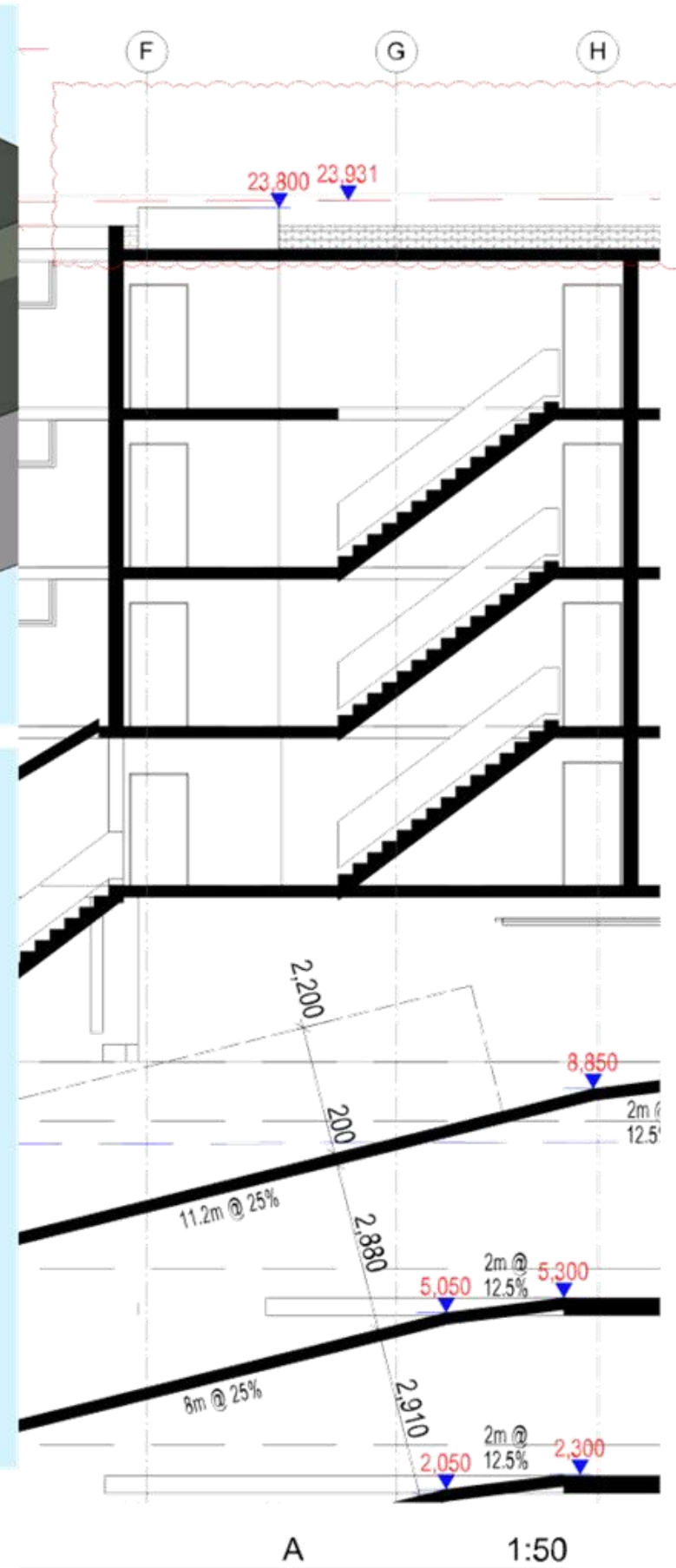
GFA DIAGRAMS

Date of Issue: 15/02/2019
Drawn: ER
Checked: ZB
Scale: 1:100

Project Number: 18-064
Drawing Number: DA2901
Date: 01/03/2019
DEVELOPMENT APPLICATION



HEIGHT PLANE 1:100



AMENDED: REDUCED HEIGHT

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DA2018/067/01
4 March 2019

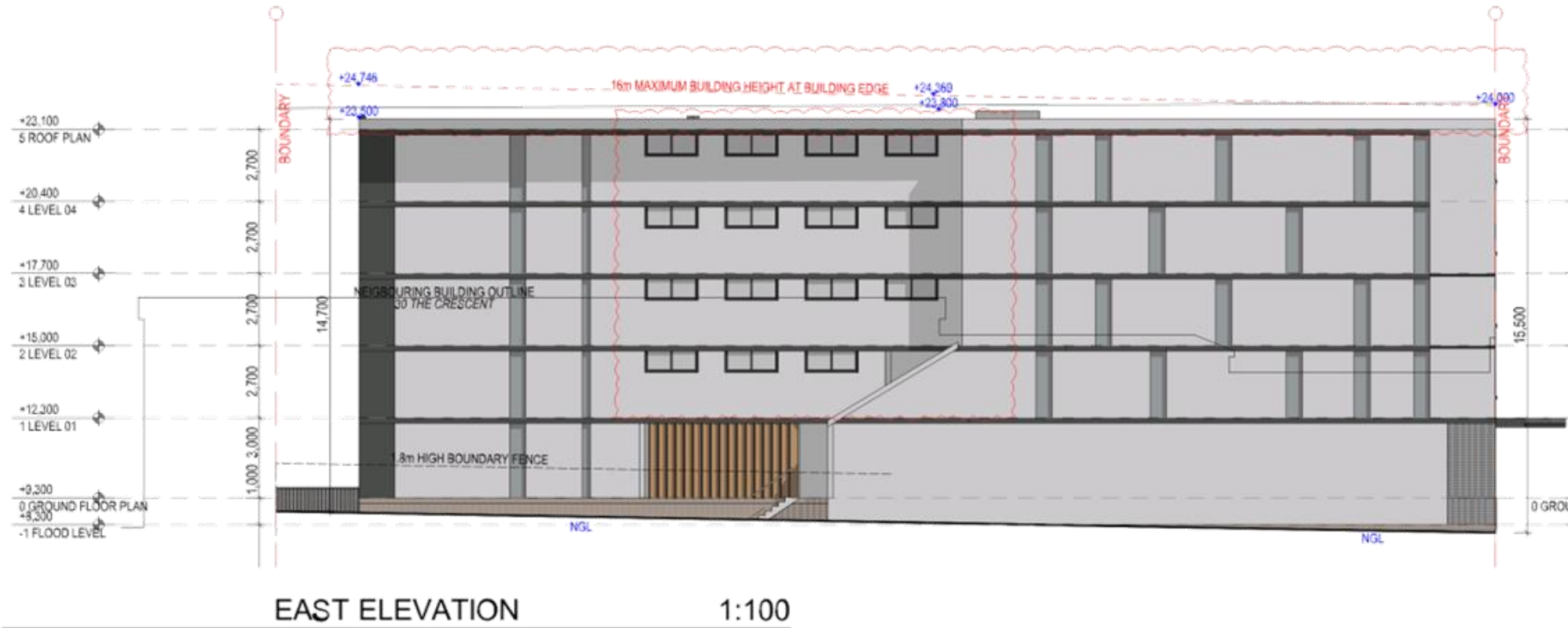
D - SECTION 3.3	01/09/2018
E - AMENDED PLOT DEVELOPMENT	08/10/2018
F - AMENDED AS PER COUNCIL COMMENTS	12/08/2018
G - DEVELOPMENT APPLICATION	10/08/2018
Rev. Description	Date

Project: 31 The Crescent, Homebush BOARDING HOUSE
CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Building Address: Unit 31, 11-15 Green Street, Homebush NSW 2148
 Postal Address: PO Box 1022, Homebush NSW 2148
 Phone Number: +61 (0)2 9512 2124
 National Australia Bank: 2nd Floor, Homebush Branch
 Website: www.urbanlink.com.au
 Drawing Title:

BUILDING HEIGHT PLAN DIAGRAM
 Date of Issue: 10/02/2019
 Drawn: ER
 Assessed: ZB
 Date: 10/02/2019
 Project Number: 18-064
 Drawing Number: DA2902
 Status: DEVELOPMENT APPLICATION

Note
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AMENDED: REDUCED HEIGHT

- HIGHLIGHT WINDOWS TO EASTERN FACADE.

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DA2018/067/01
4 March 2019

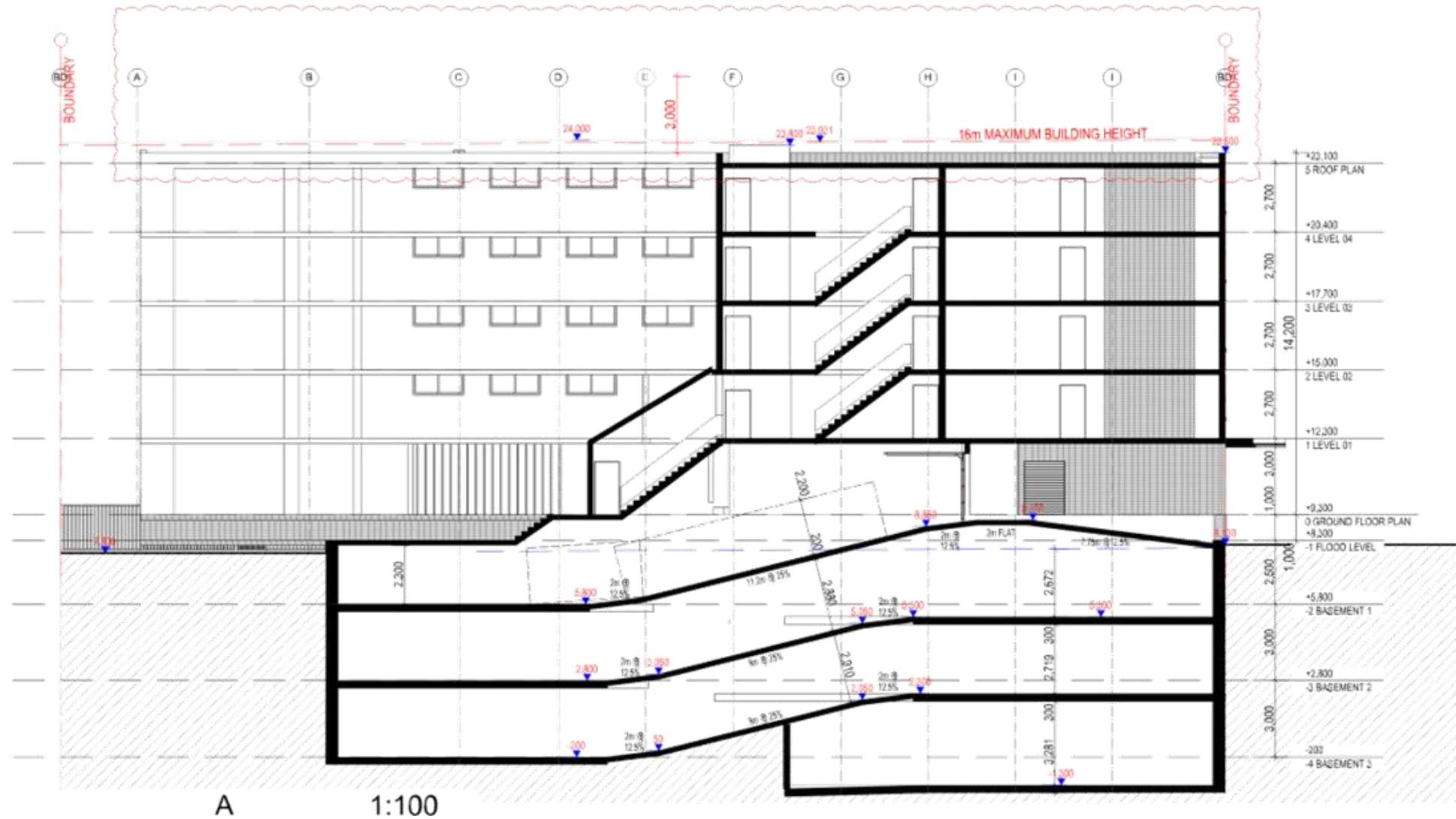


D: 28/10/18	01/10/2018
E: AMENDED POST-DEVELOPMENT	08/10/2018
F: AMENDED AS PER COUNCIL COMMENTS	12/04/2019
G: PRELIMINARY APPROVAL	10/03/2018

Project:
31 The Crescent, Homebush
BOARDING HOUSE
CLIENT: URBAN LINK PTY LTD

URBAN LINK
Business Address: Level 10, 11-15 Green Street, Sydney NSW 1504
Postal Address: PO Box 1022, Burwood NSW 1504
Phone Number: +61 (0)2 940 2014
Website Address:
2nd Floor, 150 Green Street, Homebush NSW 1504
Drawing Title:

ELEVATIONS
Date of Issue: 10/03/2019
Drawn: ER
Approved: ZB
Scale: 1:100
Project Number: 18-064
Drawing Number: DA3001
Drawing Title: DEVELOPMENT APPLICATION



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DA2018/067/01
4 March 2019

D: SECTION A-A 01/06/2019
 C: AMENDED POST-DEVELOPMENT 08/10/2018
 B: AMENDED AS PER COUNCIL COMMENTS 12/08/2018
 A: PRELIMINARY DEVELOPMENT 10/03/2018
 Rev: Description Date
 Project: 31 The Crescent, Homebush BOARDING HOUSE
 CLIENT: URBAN LINK PTY LTD
URBAN LINK
 Business Address: Level 10, 11-13 Green Street, Strathfield NSW 2154
 Postal Address: PO BOX 1222 Strathfield NSW 2154
 Phone Number: +61 (0)294 0014
 Nonprofit Accounting: Zed Foundation Reg no 83386 NSW State Reg no 83386
 Charitable Reg no 83386 NSW State Reg no 83386
 Drawing Title: ELEVATIONS AND SECTION
 Date of Issue: 01/06/2019
 Drawn: ER
 Checked: ZB
 Scale: 1:100
 Project Number: 18-064
 Drawing Number: DA3002
 Date: DEVELOPMENT APPLICATION



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DA2018/067/01
4 March 2019

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D	SECTION 3	01/10/2018
E	AMENDS POST-DEVELOPMENT	08/10/2018
F	AMENDS AS PER COUNCIL COMMENTS	12/08/2018
G	REVISIONS/REVISIONS	10/08/2018
H	DESCRIPTION	DATE









Project:
31 The Crescent, Homebush
BOARDING HOUSE
CLIENT: URBAN LINK PTY LTD

URBAN LINK
 Sydney Address: Unit 10, 11-15 Green Street, Sydney NSW 2014
 Perth Address: PO Box 1022, Perth WA 6001
 Phone Number: 61 (0)740 0124
 National Freecall: 1800 000 000
 Website: www.urbanlink.com.au
 GST: 152045833

PHOTOMONTAGE
 Date of Issue: 10/02/2019
 Drawn: ER
 Approved: ZB
 Scale: 1:100
 Project Number: 18-064
 Drawing Number: DA6301
 Drawing Title: DEVELOPMENT APPLICATION

VIEW FROM LOFTUS CRESCENT

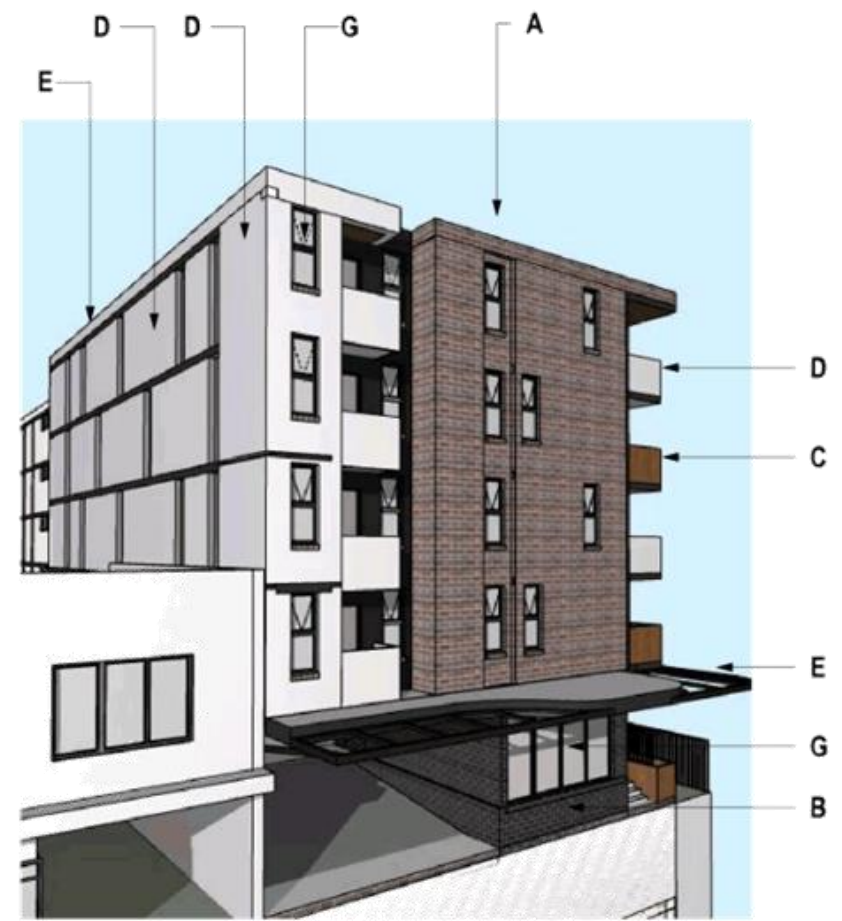


<p>FACEBRICK PGH BRICKS VELOUR BROWN OR SIMILAR</p>  <p>A</p>	<p>FACEBRICK PGH BRICKS ALTITUDE APOLLO OR SIMILAR</p>  <p>B</p>	<p>PAINT FINISH DULUX - AFRICAN AMBUSH OR SIMILAR</p>  <p>C</p>	<p>PAINT FINISH DULUX - VIVID WHITE OR SIMILAR</p>  <p>D</p>	<p>ALUMINIUM FRAMING & PAINT FINISH - POWDERCOAT FRAMES - PAINTED SLAB EDGE DULUX - MONUMENT BLACK OR SIMILAR</p>  <p>E</p>
<p>METAL BALUSTRADE MONUMENT BLACK OR SIMILAR</p>  <p>F</p>	<p>ALUMINIUM FRAMED WINDOW & DOORS MONUMENT BLACK OR SIMILAR</p>  <p>G</p>	<p>ALUMINIUM FENCE & LOUVERS MONUMENT BLACK OR SIMILAR</p>  <p>H</p>		

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DA2018/067/01
4 March 2019

FINISHES SCHEDULE



D - SECTION 3	01/03/2019
C - AMENDS POST-DEVELOPMENT	08/13/2018
B - AMENDS AE PER COUNCIL COMMENTS	12/08/2018
A - PRELIMINARY DEVELOPMENT	12/08/2018
Rev. Description	Date

Project:
31 The Crescent, Homebush
BOARDING HOUSE

CLIENT: URBAN LINK PTY LTD

URBAN LINK

Business Address: Unit 10, 11 & 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

FINISHES SCHEDULE

Date of Issue:	1/02/2019	Drawn:	ER	Approved:	ZB
Scale:					
Project Number:	18-064	Drawing Number:	DA6302	Revision:	0

DEVELOPMENT APPLICATION

TO: Strathfield Local Planning Panel Meeting - 6 June 2019
REPORT: SLPP – Report No. 4
SUBJECT: DA2018/174 - CHISHOLM STREET, BELFIELD
LOT 1 DP 556743
DA NO. DA2018/174

SUMMARY

Proposal: Construction of an acoustic enclosure
Applicant: Aussie Skips Waste Services NSW Pty Ltd
Owner: ISAS Pty Ltd
Date of lodgement: 19 December 2018
Notification period: 24 December 2018 to 8 February 2019
Submissions received: 60 individual submissions and a petition with 299 signatories
Assessment officer: GH
Estimated cost of works: \$497,300
Zoning: IN1 General Industrial - SLEP 2012
Heritage: N/A
Flood affected: Yes
Is a Clause 4.6 variation proposed? No
Reason for SLPP referral: Due to the number of individual submissions received
RECOMMENDATION OF OFFICER: REFUSAL

EXECUTIVE SUMMARY

This development application seeks council approval for construction of what is described by the applicant as an 'acoustic enclosure structure'.

The application was notified from 24 December 2018 to 8 February 2019 in accordance with the provisions of Strathfield Consolidated Development Control Plan 2005. 60 individual submissions and a petition with 299 signatories (all objecting to the proposal) were received as a result.

A common theme throughout the petition and submissions is that the current use of the site has been having a significant adverse impact on the amenity of local residents, particularly in terms of noise and dust nuisance and especially in the last few years. The petition and virtually all of the submissions question the adequacy of the design of the proposed building to reduce noise and dust emissions. Concerns are also raised over the suitability of the site for the current use given its close proximity to dwellings and noise and dust generating potential and the visual intrusiveness of the proposed building due to its height. Some residents query the permissibility of the current use under council's planning controls.

Whilst the application purportedly seeks to reduce noise and dust emissions from operations on the site, inadequate information has been submitted to demonstrate that this will be the end result. Having regard to the deficiencies in the information submitted and potential adverse residential amenity impacts, the application is unable to be supported and is recommended for refusal.

DA2018/174 - Chisholm Street, Belfield
Lot 1 DP 556743 (Cont'd)

BACKGROUND

- 17 April 2000** Council granted consent to Development Application No. 9899/452 for use of the subject premises as a waste transfer and recycling facility for solid inert building and demolition wastes.
- 18 June 2003** Council granted consent to Development Application No. 0203/040 for the erection of a wall along part of the site boundary adjacent to the Sydney Water channel.
- 19 July 2005** Council approved a proposed modification of the above development consent (DA0203/040) to enable an extension of the wall further along the site boundary adjacent to Cox's Creek and along the eastern site boundary.
- 24 February 2016** Council granted consent to Development Application No. 2015/144 for installation of two (2) vehicle weighbridges to be used in conjunction with the approved waste transfer station.
- 28 October 2016** Council refused a proposed modification of the earlier development consent (DA9899/452) to allow for receipt of new waste streams including household waste, green waste and electrical waste.
- 19 December 2018** Council received the current development application.
- 24 December 2018** Public notification of the application commenced, with the closing date for receipt of submissions being 21 January 2019. The closing date for receipt of submissions was subsequently extended to 8 February 2019 due to the conflicts with school holidays and following local resident requests.
- 11 January 2019** Council by way of written correspondence requested additional information from the applicant.
- 7 March 2019** Council received additional information from the applicant in response to the above request.
- 11 April 2019** Council received further information from the applicant in response to the above request.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located off the eastern side of Madeline Street, immediately to the north of Cooke Park. It is irregularly shaped and has an area of 4,648m². It has no formal street frontage, with vehicular access achieved from Madeline Street via a right of carriageway over Lot 3 in Deposited Plan 556743.

The site is currently occupied by a waste transfer and recycling facility operated by Aussie Skips. Existing structures on the site include an office, waste processing building, processing plants and shed.

Immediately surrounding the site to the north and west is industrial development. It is also bounded by an unmade portion of the road reserve of Chisholm Street to the east and the open stormwater channel of Cox's Creek to the south. Beyond the creek is Cooke Park. Residential development in the form of low density housing is located approximately 50m to the south east of the site.

A cadastral map and aerial images showing the subject site and surrounding locality are illustrated as follows in figures 1, 2 & 3.

DA2018/174 - Chisholm Street, Belfield
Lot 1 DP 556743 (Cont'd)

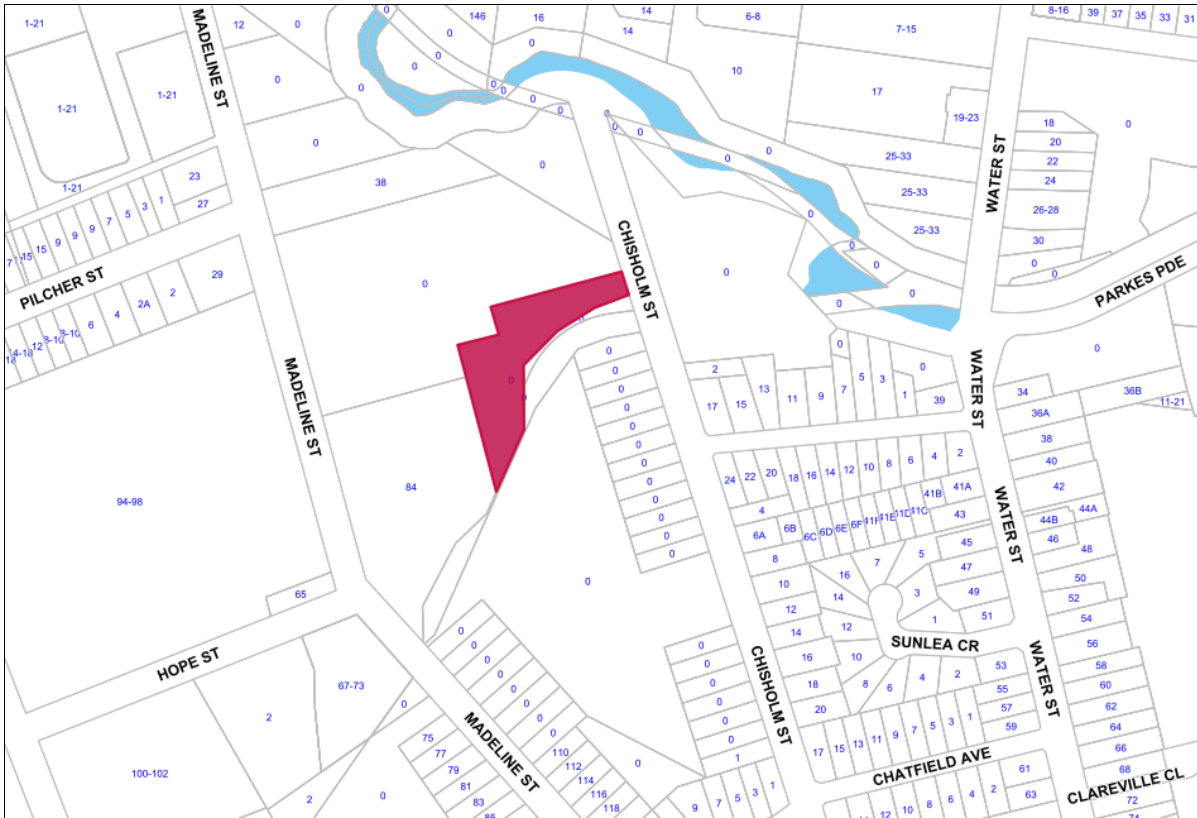


Figure 1: Locality plan including subject site highlighted in mauve

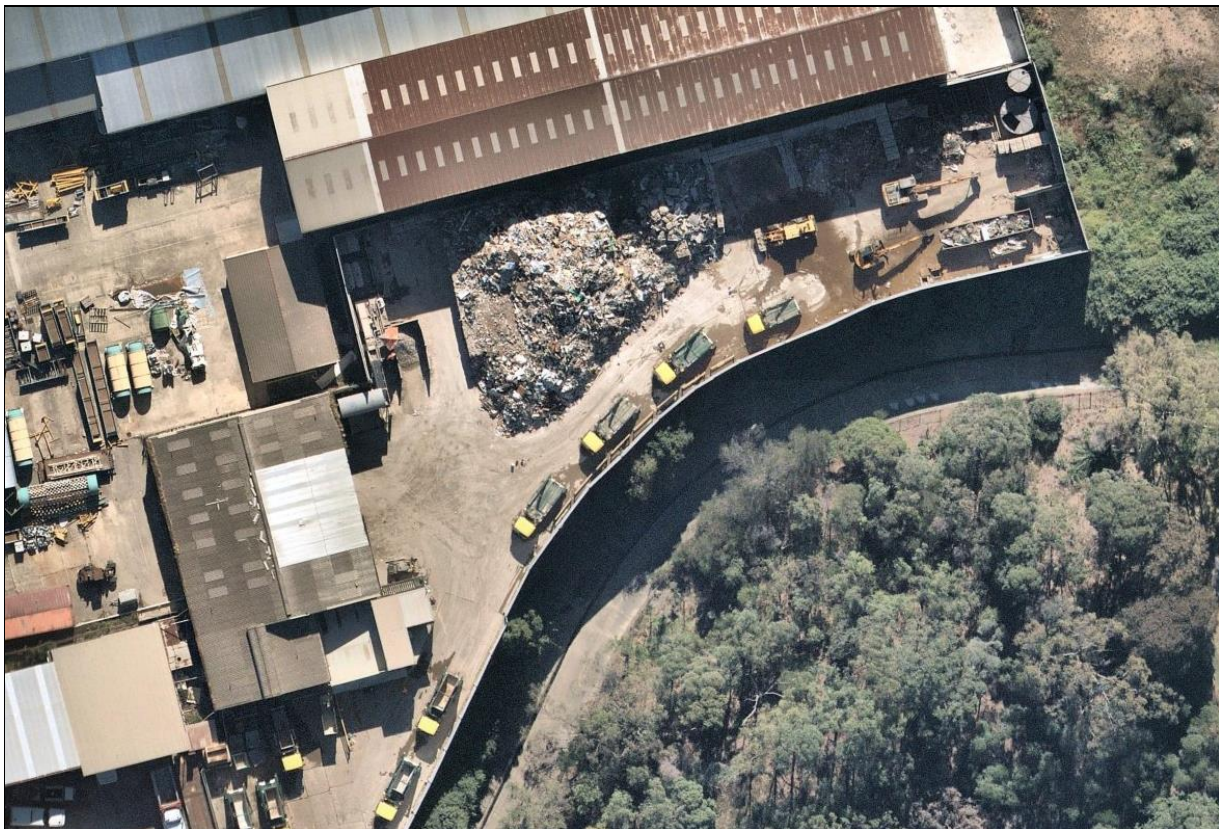


Figure 2: Aerial photograph of site and immediate surrounds (dated 12 May 2019)

DA2018/174 - Chisholm Street, Belfield
Lot 1 DP 556743 (Cont'd)



Figure 3: Aerial photograph of wider locality (dated 12 May 2019)

PROPERTY BURDENS AND CONSTRAINTS

Cox's Creek (in the form of an open concrete-lined channel) traverses the far southern end of the site. An 'easement for stormwater channel' coincides with the extent of this channel. The proposed building is well removed from this open channel and the associated easement.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

This development application seeks council approval to *construct a suitably designed acoustic enclosure structure over the existing processing and storage space of the existing approved recycling facility* (as described by the applicant).

The statement of environmental effects submitted with the application elaborates in more detail on the proposed development as follows:

The acoustic enclosure structure is of steel and sheet metal construction, lined internally with sound absorbing material and will be some 1300m² in size and some 12m in height. The acoustic enclosure will cover the present outdoor processing and storage areas of the recycling facility. The enclosure will be used to manage any environmental consequences of the recycling operations and contain the operational aspects of the recycling to within the boundaries. The main objective of the acoustic enclosure construction will be to manage dusts and noise and will provide the added benefit of reducing the volume of any sediment laden stormwater. The acoustic enclosure will be constructed to comply with all relevant Council Codes, Building Codes and Australian Standards.

This application does not seek to change the hours of operation, the types of waste materials accepted at the facility nor does it seek to change the approved and licensed volume of waste material received and processed.

In support of the application, the following documentation was submitted upon its lodgment:

- Statement of environmental effects prepared by Manny Roussakis;
- Site survey prepared by RHC Surveying & Development Consultants;

DA2018/174 - Chisholm Street, Belfield
 Lot 1 DP 556743 (Cont'd)

- Site plan, ground floor plan, roof plan, section and elevations prepared by Cornerstone Design;
- Shadow diagrams prepared by Cornerstone Design.

In response to council’s written request for additional information, the following documentation was submitted:

- Written correspondence from Aussie Industries dated 5 March 2019 including further acoustic and air quality advice from EMM Consulting, an amended development application form with updated details of the land to which the application relates and updated land owners consent;
- Written correspondence from Aussie Industries dated 11 April 2019 including responses to some of the items outlined in council’s request for additional information.

Extracts of the site plan, ground floor plan and elevations of the proposal, as submitted with the application, are illustrated as follows in figures 4, 5 & 6.

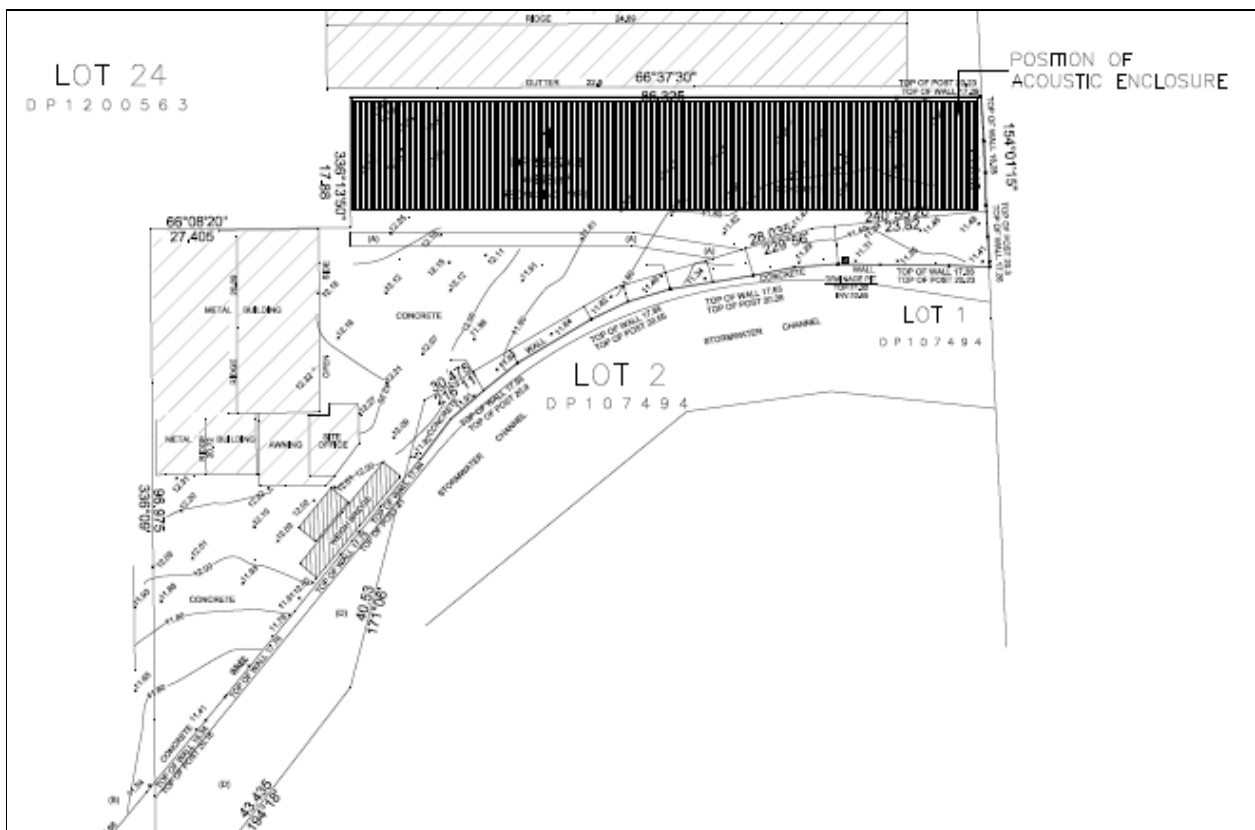


Figure 4: Extract of site plan of the proposal

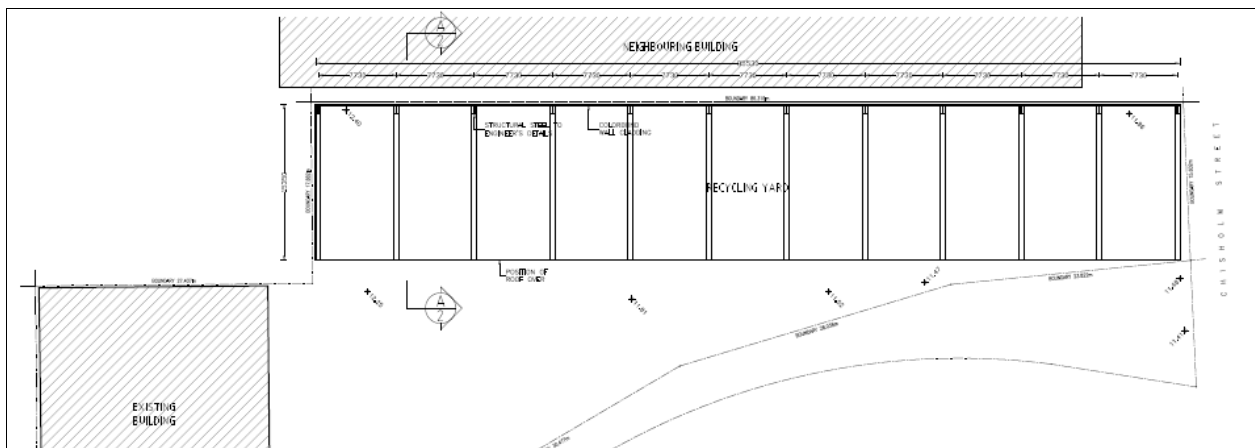


Figure 5: Extract of ground floor plan of the proposal

DA2018/174 - Chisholm Street, Belfield
 Lot 1 DP 556743 (Cont'd)

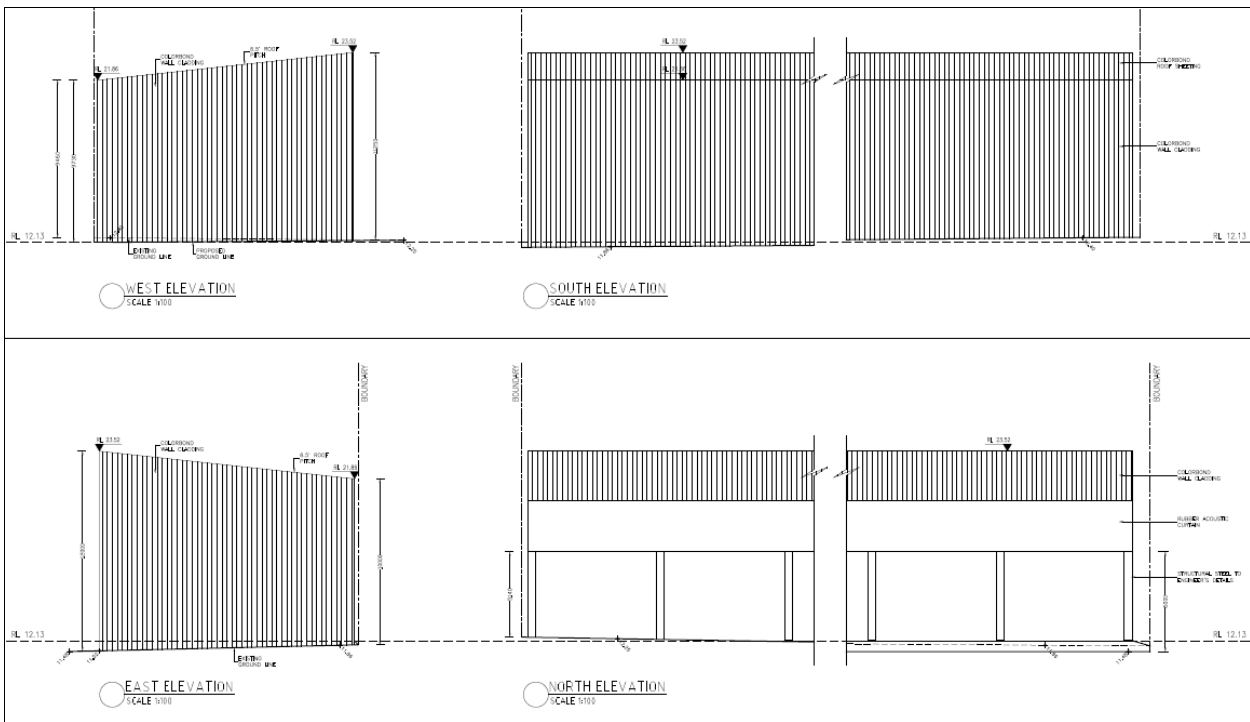


Figure 6: Extract of elevations of the proposal

REFERRALS

INTERNAL REFERRALS

Environmental Health Comments

The application was referred to Council’s Environmental Health Officers upon its lodgment and the following comments were received as a result:

I have read and reviewed the above application in respect to environmental health aspects; Protection of Environmental Operations Act 1997, and Noise Policy for Industry 2017.

I am making this referral to cover aspects which the applicant must include for the proposal in question.

The application is to install what appears to be a large metal structure over the processing and storage space of an existing recycling facility. The structure is rectangular with a roof pitching up 12 metres high on one of the long sides. Three walls are enclosed with sheet metal. The high side of the pitched roof is open. The Statement of Environmental Effects notes the structure will be lined internally with sound absorbing material, noting that the main objective is to manage dust and noise.

The proposed structure faces/opens to the south/southeast, the direction of the nearest residential receivers in Chisholm Street, Belfield. Council has received numerous complaints from residents in this area regarding noise from the proposed site.

While it is stated to be an acoustic enclosure I have concerns that it will increase noise from the site. The structure provides additional reflective sources, and with the pitch opening towards the residential area, the structure has the potential to amplify the noise emitted from the site. Careful design of noise attenuation would be needed to ensure there is no noise impact to the nearest residential receivers.

DA2018/174 - Chisholm Street, Belfield
Lot 1 DP 556743 (Cont'd)

The application does not provide any further detail on how the structure will reduce noise from the subject site. The application does not include a noise report demonstrating the impact (positive or negative) the proposed structure will have on the surrounding receivers and there is insufficient information to make an adequate assessment on the development.

While it states that the structure will reduce waste it doesn't demonstrate how. Like the potential to increase noise, the proposed structure has the potential to increase dust if it blocks or mitigates existing dust mitigation measures such as automated sprinklers. The application does not contain any technical information or reports on how dust will be reduced from the site.

Recommendation

The application fails to demonstrate that the proposed development will reduce noise or dust pollution from the site. A determination cannot be made without provision of additional information demonstrating the impacts on noise and dust pollution.

The following items below must be address before this proposal can be further assessed;

1. *The applicant must include an acoustic assessment of the proposed enclosed structure in accordance with Noise Policy for Industry 2017, which is to include but not limited to;*
 - a. *Background noise measurements within the subject site, and surrounding residential receivers,*
 - b. *Noise measurements within the subject site, and surrounding residential receivers, whilst the business is in standard operation, including noise descriptors as specified in the Noise Policy for Industry 2017,*
 - c. *Estimated noise measurements with the proposed metal structure, within the subject site, and surrounding residential receivers,*
 - d. *Comments on how the metal structure is to reduce noise nuisances to nearby residents, specifically using the measurements from points a-b and the estimated measurement from point c above.*
 - e. *Detailed specification of the "sound absorbing material" and detailed location and installation within the metal structure.*
 - f. *Make comment on the amount of reflective surfaces on site which can potentially increase noise nuisances to neighbouring properties, taking into consideration the proposed metal structure.*
2. *It is assumed that the metal structure is to minimize dust nuisance as the processing of waste is to be enclosed. The proposal must indicate the location of each waste type and where and how it is to be processed within the structure. The proposal must provide details on the ventilation and how frequently the access to the structure is to opened and closed during waste processing operation and outside waste processing operation. How often is the access to the metal structure going to be opened and closed?*
3. *Considering point 2 above, the proposal must include the specific estimated reduction in dust from the use of the metal structure. A report must be compiled by a suitably qualified person to include, but not limited to;*
 - a. *Measure and comment on the current levels of dust produced within the site,*
 - b. *Measure the current levels of dust transferred off-site to neighbouring properties, with particular attention to nearby residential properties, and*
 - c. *Measure the estimated dust expected to be transferred off-site with the proposed metal structure implemented, to neighbouring properties, with particular attention to nearby residential properties.*
 - d. *Comments on how any dust escaping the metal structure is to be mitigated.*

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4. *Will the site continue to use the current sprinkler system to control dust from other sources such as vehicle movements and any potential dust produced from processing waste?*

In summary, inadequate information was provided upon lodgment of the development application to demonstrate that the proposed building would achieve its main objective of managing noise and dust (as noted by the applicant in the statement of environmental effects submitted with the application). Concerns are also raised over the proposed building potentially having the opposite effect in terms of increasing dust and particularly noise emissions from the site, given that the structure provides additional reflective surfaces and is open sided in the direction of the nearest residential areas, with its roof also pitching upwards in that direction.

The additional information submitted by the applicant (including the further acoustic and air quality advice from EMM Consulting) does not fully address the deficiencies outlined above. In particular, the specialist advice is not accompanied by any detailed assessments (including survey data) that quantify the air quality and noise impacts of the proposed building and its use. The intended effect of the proposed building (i.e. to reduce noise and dust emissions) cannot be quantified adequately in the absence of the information requested by Council's Environmental Health officers.

DESIGNATED DEVELOPMENT PROVISIONS - EP&A Regulation 2000

Clause 4(1) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000) prescribes as follows, with respect to what constitutes 'designated development':

Development described in Part 1 of Schedule 3 is declared to be designated development for the purposes of the Act unless it is declared not to be designated development by a provision of Part 2 or 3 of that Schedule.

Part 1 of Schedule 3 includes, amongst other things, *waste management facilities or works* that meet certain locational and threshold criteria, as follows:

32 Waste management facilities or works

- (1) *Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:*
- (a) *that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:*
 - (i) *that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
 - (ii) *that comprises more than 100,000 tonnes of "clean fill" (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or*
 - (iii) *that comprises more than 1,000 tonnes per year of sludge or effluent, or*
 - (iv) *that comprises more than 200 tonnes per year of other waste material, or*
 - (b) *that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:*
 - (i) *that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
 - (ii) *that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or*

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- (iii) *that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or*
- (c) *that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or*
- (d) *that are located:*
 - (i) *in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or*
 - (ii) *in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or*
 - (iii) *within a drinking water catchment, or*
 - (iv) *within a catchment of an estuary where the entrance to the sea is intermittently open, or*
 - (v) *on a floodplain, or*
 - (vi) *within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.*
- (2) *This clause does not apply to:*
 - (a) *development comprising or involving any use of sludge or effluent if:*
 - (i) *the dominant purpose is not waste disposal, and*
 - (ii) *the development is carried out in a location other than one listed in subclause (1) (d), above, or*
 - (b) *development comprising or involving waste management facilities or works specifically referred to elsewhere in this Schedule, or*
 - (c) *development for which State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas requires consent.*

The existing waste management facility meets the criteria set out in clauses (1)(b)(iii) and (1)(d)(vi) above. The facility has a handling capacity of 100,000 tonnes per year of building and demolition waste. The facility is also located 25m from a residential zone and 60m from the nearest dwelling not associated with the facility and is likely to significantly affect the amenity of the neighbourhood by reason of noise and air pollution (including dust) and having regard to topography and local meteorological conditions. Accordingly, the existing waste management facility is declared to be designated development for the purposes of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979).

Part 2 of Schedule 3 prescribes as follows, with respect to development involving alterations or additions to existing or approved development:

35 Is there a significant increase in the environmental impacts of the total development?

Development involving alterations or additions to development (whether existing or approved) is not designated development if, in the opinion of the consent authority, the alterations or additions do not significantly increase the environmental impacts of the total development (that is the development together with the additions or alterations) compared with the existing or approved development.

36 Factors to be taken into consideration

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In forming its opinion as to whether or not development is designated development, a consent authority is to consider:

- (a) the impact of the existing development having regard to factors including:*
 - (i) previous environmental management performance, including compliance with the conditions of any consents, licences, leases or authorisations by a public authority and compliance with any relevant codes of practice, and*
 - (ii) rehabilitation or restoration of any disturbed land, and*
 - (iii) the number and nature of all past changes and their cumulative effects, and*
- (b) the likely impact of the proposed alterations or additions having regard to factors including:*
 - (i) the scale, character or nature of the proposal in relation to the development, and*
 - (ii) the existing vegetation, air, noise and water quality, scenic character and special features of the land on which the development is or is to be carried out and the surrounding locality, and*
 - (iii) the degree to which the potential environmental impacts can be predicted with adequate certainty, and*
 - (iv) the capacity of the receiving environment to accommodate changes in environmental impacts, and*
- (c) any proposals:*
 - (i) to mitigate the environmental impacts and manage any residual risk, and*
 - (ii) to facilitate compliance with relevant standards, codes of practice or guidelines published by the Department or other public authorities.*

As the proposed development involves alterations and additions to the existing waste management facility, the above provisions are relevant to the application.

The environmental impacts of the existing waste management facility are wide ranging, with the most notable impacts being its noise and dust emissions (based on the submissions received from local residents and previous resident complaints). There has also been a history of non-compliance with development consent and environmental protection licence conditions, particularly over more recent years. Council has commenced proceedings against the applicant in relation to various non-compliances with the development consent and environmental protection license, many of which are ongoing.

Based on the information currently before Council, the potential noise and air quality impacts of the proposed building and its use cannot be predicted with adequate certainty to a significant degree, particularly given the limited acoustic and air quality information submitted by the applicant. The waste management facility is located adjacent to public parkland used for a variety of recreational activities and in close proximity to low density residential areas occupied by families including children, both receiving environments of which have minimal capacity to accommodate changes in noise and dust impacts.

Based on the above commentary, it cannot be concluded that the proposed building and its use will not significantly increase the environmental impacts of the waste management facility (including the proposed building and its use) compared with the existing waste management facility. On this basis, the proposed development is declared to be 'designated development' for the purposes of the EP&A Act 1979.

Section 4.12(8) of the EP&A Act 1979 prescribes as follows, with respect to designated development:

A development application for State significant development or designated development is to be accompanied by an environmental impact statement prepared by or on behalf of the applicant in the form prescribed by the regulations.

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The subject development application is not accompanied by an 'environmental impact statement' and hence fails to satisfy the above provision.

Part 3 of Schedule 3 prescribes in part as follows, with respect to exceptions from designated development:

37A Ancillary development

- (1) *Development of a kind specified in Part 1 is not designated development if:*
- (a) *it is ancillary to other development, and*
 - (b) *it is not proposed to be carried out independently of that other development.*
- (2) *Subclause (1) does not apply to development of a kind specified in clause 29(1)(a).*

The above provisions are irrelevant in this case, as the proposed building and its use is not ancillary to other development. The building and its use is ancillary to the existing waste management facility.

ADEQUACY OF INFORMATION SUBMITTED

The application upon its receipt by council was deemed inadequate in several respects such that it did not allow for its full and proper consideration. Despite council's written request and the ample opportunity afforded to the applicant to provide further information to address the application's deficiencies, the majority of the information requested remains outstanding. The matters detailed in council's written request are outlined as follows, along with comments on the applicant's response to each of those matters.

1. Acoustic Report and Dust Report

The Development Application indicates that the purpose of the enclosure is to reduce noise and dust emissions from the site.

The Development Application does not include an Acoustic Report or a Dust Report that provides technical information to demonstrate and explain how the enclosure will achieve this.

An assessment of the Development Application cannot be made without provision of additional information demonstrating the impacts on noise and dust pollution.

The following items below must be addressed before this proposal can be further assessed:

1. *The applicant must include an acoustic assessment of the proposed enclosed structure in accordance with NSW Environmental Protection Authority's Noise Policy for Industry 2017, which is to include but not limited to:*
 - a. *Background noise measurements within the subject site, and surrounding residential receivers;*
 - b. *Noise measurements within the subject site, and surrounding residential receivers, whilst the business is in standard operation, including noise descriptors as specified in the Noise Policy for Industry 2017,*
 - c. *Estimated noise measurements with the proposed metal structure, within the subject site, and surrounding residential receivers;*
 - d. *Comments on how the metal structure is to reduce noise nuisances to nearby residents, specifically using the measurements from points a-b and the estimated measurement from point c above;*
 - e. *Detailed specification of the "sound absorbing material" and detailed location and installation within the metal structure;*

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- f. *Make comment on the amount of reflective surfaces on site which can potentially increase noise nuisances to neighbouring properties, taking into consideration the proposed metal structure.*
 - g. *The Statement of Environmental Effects make reference to an existing Development Consent regarding the hours of operation, the types of waste materials accepted at the facility, approved volumes of waste material being received and processed on the Premises. As such, the Acoustic Report should refer to any relevant acoustic level requirements in related Development Consents for the Premises such as DA 9899/452, DA 203/40 and DA2015/144.*
 - h. *There are no details as to how noise associated with the movement of waste to and from the Property will be managed, and how activities associated with the current land-use on the Property being carried out on any adjoining Lots will be managed. Any Acoustic Report should also include or consider a Traffic Management Plan which manages:

 - (a) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (b) *any potential traffic safety, road congestion or parking implications of the development.**
2. *It is assumed that the metal structure is to minimize dust nuisance as the processing of waste is to be enclosed. The proposal must indicate the location of each waste type and where and how it is to be processed within the structure. The proposal must provide details on the ventilation and how frequently the access to the structure is to be opened and closed during waste processing operation and outside waste processing operation. This should also include details on how often is the access to the metal structure going to be opened and closed. Any report on managing dust being generated and emitted from the Property should include or consider a Traffic Management Plan which manages:*
- (a) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (b) *any potential traffic safety, road congestion or parking implications of the development.*
3. *Considering point 2 above, the proposal must include the information regarding the specific estimated reduction in dust from the use of the metal structure. A report must be compiled by a suitably qualified person to include, but not limited to:*
- (a) *Measure and comment on the current levels of dust produced within the site;*
 - (b) *Measure the current levels of dust transferred off-site to neighbouring properties, with particular attention to nearby residential properties;*
 - (c) *Measure the estimated dust expected to be transferred off-site with the proposed metal structure implemented, to neighbouring properties, with particular attention to nearby residential properties; and*
 - (d) *Comment on how any dust escaping the metal structure is to be mitigated. This should include information on whether the Applicant will continue to use the current sprinkler system to control dust from other sources such as vehicle movements and any potential dust produced from processing waste.*

Comments:

The further acoustic advice from EMM Consulting as submitted by the applicant on 7 March 2019 does not fully address the above information requirements in the following respects:

- It does not provide any data or analysis of any measurements taken on the site to support its findings;
- It does not provide any information on what design materials or design input would be considered appropriate in the design of the 'acoustic enclosure' to reduce noise impacts;
- It relies upon the existing unauthorised boundary wall being maintained at its current position and height;

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- It does not refer to any plans that have been viewed or any particular design that has been reviewed;
- It is general in nature and does not support the proposed development. It simply says that an acoustic enclosure will undoubtedly reduce potential noise impacts on surrounding noise receptors; and
- It is inadequate to allow any third party to review the information upon which its conclusions are based and how its conclusions have been reached.

The further air quality advice from EMM Consulting as submitted by the applicant on 7 March 2019 does not fully address the above information requirements in the following respects:

- It does not refer to any particular plans;
- It does not provide any operational plans to support its conclusions;
- It does not provide any data or measurements taken on site to support its statements;
- It is general in nature and not clear as to whether it applies to the application or to the idea generally that an acoustic enclosure would have positive results; and
- It is inadequate to allow any third party to review the information upon which its conclusions are based and how its conclusions have been reached.

2. Information regarding how structures will amend existing Development Consents and existing development on the Property

The Statement of Environmental Effects states that the enclosure will be used to manage any environmental consequences of the recycling operations and contain the operational aspects of the recycling to within the boundaries. The main objective of the acoustic enclosure construction will be to manage dust and noise and will provide the added benefit of reducing the volume of any sediment laden stormwater.

There is no plan which shows which of the existing structures on the Property form part of the Development Application, and which structures will form part of other applications such as Building Information Certificates.

For example, the structure titled "awning" on the Survey Plan is referred to as a Carport Structure, and it is attached to a building identified as "Site Office" on the Survey Plan. It is not clear whether this "carport" structure is attached and supported by the "Site Office".

Council is not aware of any development consent for the "Site Office".

The Development Application also seeks consent for a "driveway screening fence" along part of the Property and part of Lot 3 of DP 556743. It is not clear what part of the "driveway screening fence" development consent is sought, and whether any additional works or development related to this "driveway screening fence" will need to be undertaken.

The following items below must be addressed before this proposal can be further assessed:

4. The applicant must provide a plan that:

- a. *shows all of the existing structures that have been built on Property and on any adjoining Lot for which development is sought which clearly identifies that development that forms part of this Development Application, and that which does not; and*
- b. *shows a comparison of approved development on the site compared to existing structures for which no development consent has been obtained. This should include a comparison from the approved plans of DA 9899/452, DA 203/40 and DA 2015/144.*

5. As part of the structures for which development consent is being sought is being constructed over development that was approved under other development consents, for example the

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construction of the "carport" structure over the parking that was required to be provided under DA 9899/452, any structures that are required to be demolished should be shown on the plans. In addition, any parking that is required to be provided on the Property which has or will be built over should be shown as provided elsewhere on the Property.

6. *Any condition of any consent that applies to the Property that would need to be modified as a result of the development on the Property under section 4.17(5) of the Environmental Planning and Assessment Act 1979 (EP&A Act) should be identified and considered by the applicant in a further report, for example, Part B conditions 3-5, 6, 7-8, 12-19 of DA 9899/452 so that the interaction and effect of the development sought under this Development Application can be properly considered and assessed along with any consent in operation on the Property.*

Comments:

The applicant's response does not fully address the above information requirements in the following respects:

- The plans submitted with the application do not show which structures would have to be demolished on the site to allow for the "acoustic enclosure" to be constructed. Further, the air quality advice from EMM Consulting refers to certain operations being carried out within the 'acoustic enclosure', but there is no plan or description explaining the operations that will occur in the area that was formerly shown as the yard area, nor does it show how vehicles will manoeuvre within the structure.
- The plan that the applicant purports to grant approval for the site office is not the endorsed plan for the development consent DA 9899/452. The plan has hand written annotations on it and its origin is unclear. It is not a plan that is referred to in the development consent DA 9899/452 and hence does not provide any consent for the construction of the site office.
- The applicant has not provided any other plans that address the information deficiencies above.
- The applicant has not addressed any of the conditions in development consent DA 9899/452 that would need to be amended as a result of the subject development application.

3. Owners consent

The Development Application form only relates to Lot 1 of DP 556743 and development consent is sought for part of a "driveway screening fence" that has been constructed along part of Lot 3 of DP 556743, no owners consent has been obtained from the owner of that land for development on that land.

The Development Application includes a plan titled Ground Floor & First Floor Plan for the "acoustic enclosure". It shows some of the bays being separated up to the boundary of the Property. It appears that access across Council's property which is classified as Community Land will be required to access these bays. No owner's consent from Council has been obtained.

Comments:

The owner's consent for Lot 3 DP 556743 has now been provided. However, no owner's consent has been obtained for the use of the council land (which is required to allow for the proposal to function).

4. Environmental Protection Licence

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The Statement of Environmental Effects refers to dust and noise control measures and does not consider or refer to any requirements of the Applicant under the Environmental Protection Licence that applies to the licensed Premises on the Property. A report needs to be prepared considering the relevant conditions of the Environmental Protection Licence, and whether any conditions of that licence would need to be modified or additional conditions imposed as a result of the proposal.

Comments:

This matter has not been addressed.

5. Stormwater and Drainage

There is no report that provides an assessment of how stormwater runoff and drainage will be managed on the Property, in particular the runoff from the "acoustic enclosure", what existing drainage arrangements exist and how this proposed development will be connected to the infrastructure, and how the "driveway screening fence" will affect drainage and runoff from the Property into the adjoining waterway.

In particular this report should address current runoff from the Property and any measures that need to be implemented to prevent stormwater runoff and sediment from the Property from entering the adjoining waterway. Or any mitigation measures that can be employed to prevent this from occurring.

Comments:

This matter has not been addressed.

6. Plans and other documentation accompanying the Development Application

The Development Application does not provide all of the information that is required to accompany a development application under the EP&A Regulation.

In particular, the Development Application does not have and needs to provide the following information that is required to accompany a development application under Part 1 of Schedule 1 of the EP&A Regulation:

1. *An adequate description of the development to be carried out.*
2. *The site plan is deficient as it does not:*
 - a. *show the location and uses of existing buildings on the land;*
 - b. *the location and uses of buildings on sites adjoining the land.*
3. *The plans provided with the application do not indicate the following matters:*
 - a. *the location of all proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,*
 - b. *floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,*
 - c. *elevations and sections showing proposed external finishes and heights of all proposed buildings or buildings for which development consent is sought,*
 - d. *elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in clause 7 of the Schedule 1 of the EP&A Regulation),*
 - e. *proposed finished levels of the land in relation to existing and proposed buildings and roads,*

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- f. proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),*
- g. proposed landscaping and treatment of the land (indicating plant types and their height and maturity),*
- h. proposed methods of draining the land and the run-off from the proposed structures; and*
- i. the address, and formal particulars of title, of the land on which the development is to be carried out.*

It is also noted that the elevations drawing is incorrectly annotated. The south elevation as depicted on the drawing (DA 03 Issue A) is in fact the north elevation and vice versa.

- 4. The Statement of Environmental Effects is deficient in that it does not address the following:
 - a. The environmental impacts of the development,*
 - b. How the environmental impacts of the development have been identified,*
 - c. The steps to be taken to protect the environment or to lessen the expected harm to the environment.**
- 5. A list of any approvals of the kind referred to in section 4.46(1) of the Act that must be obtained before the development may lawfully be carried out. The proposal will be carried out on Premises that are subject to an Environmental Protection Licence. As such, modification to that licence would have to be sought from the Environmental Protection Authority.*
- 6. Evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by this Regulation. This deficiency is addressed separately above.*
- 7. There is no list of the documents accompanying the application.*
- 8. There is no site analysis plan despite this having being checked as being provided by the Applicant.*
- 9. The Development Application includes a plan titled Ground Floor & First Floor Plan for the "acoustic enclosure". It shows some of the bays being separated up to the boundary of the Property. It appears that access across Council's property which is classified as Community Land will be required to access these bays. There are no vehicular movements of equipment shown on the plan which show how these bays will be used and how access to the "acoustic enclosure" will be obtained.*
- 10. In the case of development that involves the erection of a building, an A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site (as referred to in clause 56 of the EP&A Regulation).*
- 11. If the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building.*
- 12. Documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.15(4) of the EP&A Act.*
- 13. Copies of any compliance certificates to be relied on. The "carport structure" certificate is inadequate as it does not sufficiently identify what structure and which parts it is certifying. There are no other certificates for any other structures for which retrospective approval is sought.*

Comments:

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The applicant's response does not fully address the above information requirements in the following respects:

- Items 1, 2, 3, 4 & 5 have not been addressed.
- Item 6 has not been addressed, in relation to the council land that the proposal relies upon in order to function.
- Item 7 has not been addressed to the extent that the list in the statement of environmental effects does not adequately describe all of the information submitted with the application.
- Item 8 has not been adequately addressed in that no site analysis plan has been submitted.
- Item 9 has not been adequately addressed in that detail and information is lacking in the plans. The plans are unclear and the development for which approval is sought also lacks clarity. Better quality plans are required to be submitted in accordance with the requirements of Part 1 of Schedule 1 to the EPA Regulation.
- Item 10 has not been addressed in that the required plan has not been submitted.
- Item 11 has not been addressed in that some existing structures will have to be demolished or incorporated into the design, but this detail has not been provided.
- Item 12 has not been addressed in that documentation describing the acoustic screening properties of the construction materials of the proposed building has not been provided.

7. Additional Matters

Lastly, it is noted that:

1. *The Statement of Environmental Effects for the Acoustic Enclosure seems to state that the Development Application is being lodged on the basis of existing use rights. This appears to be erroneous. Council requests that you reconsider and confirm the basis upon which development consent for the proposal is being sought.*
2. *Council notes that the Development Application appears to comprise alterations and additions to development that is designated development. No Environmental Impact Statement has been provided with the Development Application. Please provide an Environmental Impact Statement or otherwise advise if you do not propose to provide one and the basis for this. In this regard, Council refers to clauses 32, 35 and 36 of Schedule 3 to the EP&A Regulation.*
3. *The Development Application has been lodged by Aussie Skips Waste Services NSW Pty Ltd. As far as Council is aware, this business name is no longer current. Council requests that the Development Application be amended to reflect the current organisation details (including name) of the applicant.*

Comments:

The applicant's response does not fully address the above information requirements in the following respects:

- Item 1 has not been addressed in that the statement of environmental effects has not been amended to remove the erroneous statement regarding the legislative context of the proposal.
- Item 2 has not been addressed in that no environmental impact statement has been submitted and the applicant has not provided sufficient information on the proposal and its impacts to

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enable council to conclude that it does not constitute designated development for the purposes of clause 35 of schedule 3 to the EP&A Regulation.

SECTION 4.15 CONSIDERATIONS – EP&A Act 1979

In determining a development application, the consent authority is to take into consideration the following matters within Section 4.15 of the Environmental Planning and Assessment Act 1979 as relevant to the application.

4.15(1)(a) The provisions of any environmental planning instrument

The following environmental planning instruments are relevant to the assessment of the proposal:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Strathfield Local Environmental Plan 2012

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND (SEPP 55)

Clause 7(1) of SEPP 55 prescribes as follows, with respect to consideration of contamination and remediation in determining development applications:

A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Council's records do not indicate that the subject site is contaminated. Notwithstanding, it may potentially be contaminated due to its industrial zoning and long term use for commercial/industrial purposes. As the proposal involves no change to the current use of the site for industrial purposes and more specifically as a waste management facility, no issues arise in terms of the suitability of the site in the context of the above provisions.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 121 of the State Environmental Planning Policy (Infrastructure) 2007 prescribes in part as follows, with respect to 'waste or resource management facilities':

- (1) Development for the purpose of waste or resource management facilities, other than development referred to in subclause (2), may be carried out by any person with consent on land in a prescribed zone.*
- (2) Development for the purposes of a waste or resource transfer station may be carried out by any person with consent on:*
 - (a) land in a prescribed zone, or*
 - (b) land in any of the following land use zones or equivalent land use zones:*
 - (i) B5 Business Development,*
 - (ii) B6 Enterprise Corridor,*

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- (iii) IN2 Light Industrial,
- (iv) IN4 Working Waterfront, or

(c) land on which development for any of the following purposes is permitted with consent under any environmental planning instrument:

- (i) industry,
- (ii) business premises or retail premises,
- (iii) freight transport facilities.

For the purposes of the above clauses, the 'IN1 General Industrial' zone (as applies to the subject site) is a prescribed zone. Accordingly, the proposed development is permissible with consent.

Clause 8 of this state policy prescribes as follows, with respect to the relationship of the policy to other environmental planning instruments:

- (1) *Except as provided by subclause (2), if there is an inconsistency between this Policy and any other environmental planning instrument, whether made before or after the commencement of this Policy, this Policy prevails to the extent of the inconsistency.*
- (2) *Except as provided by subclauses (3) and (4), if there is an inconsistency between a provision of this Policy and any of the following provisions of another environmental planning instrument, the provision of the other instrument prevails to the extent of the inconsistency:*
 - (a) *clauses 10, 11 and 19 of State Environmental Planning Policy (Coastal Management) 2018,*
 - (b) *all of the provisions of State Environmental Planning Policy (State Significant Precincts) 2005.*
- (3) *Clause 48B of this Policy prevails over clauses 10 and 11 of State Environmental Planning Policy (Coastal Management) 2018 to the extent of any inconsistency.*
- (4) *A provision of this Policy that permits development for the purpose of emergency works or routine maintenance works to be carried out without consent, or that provides that development for that purpose is exempt development, prevails over clauses 10 and 11 of State Environmental Planning Policy (Coastal Management) 2018 to the extent of any inconsistency, but only if any adverse effect on the land concerned is restricted to the minimum possible to allow the works to be carried out.*
- (5) *For the avoidance of doubt, development to which subclause (3) or (4) applies is not declared designated development for the purposes of the Act.*

The effect of the above provision in this case is that Strathfield Local Environmental Plan 2012 will be overridden to the extent that its land use zoning provisions prohibit the proposed development.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012

An assessment of the proposal against the provisions of this local environmental plan is as follows.

Permissibility

The subject site is located within the 'IN1 General Industrial' zone wherein development for the purpose of a 'waste or resource management facility' is prohibited under the local environmental plan. Notwithstanding, development for this purpose is permissible with consent under clause 121 of State Environmental Planning Policy (Infrastructure) 2007 and the state policy prevails in the case of this inconsistency, as noted above.

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An extract of the relevant land use zoning map depicting the zoning of the subject site and properties in the surrounding locality is illustrated in Figure 6 as follows.

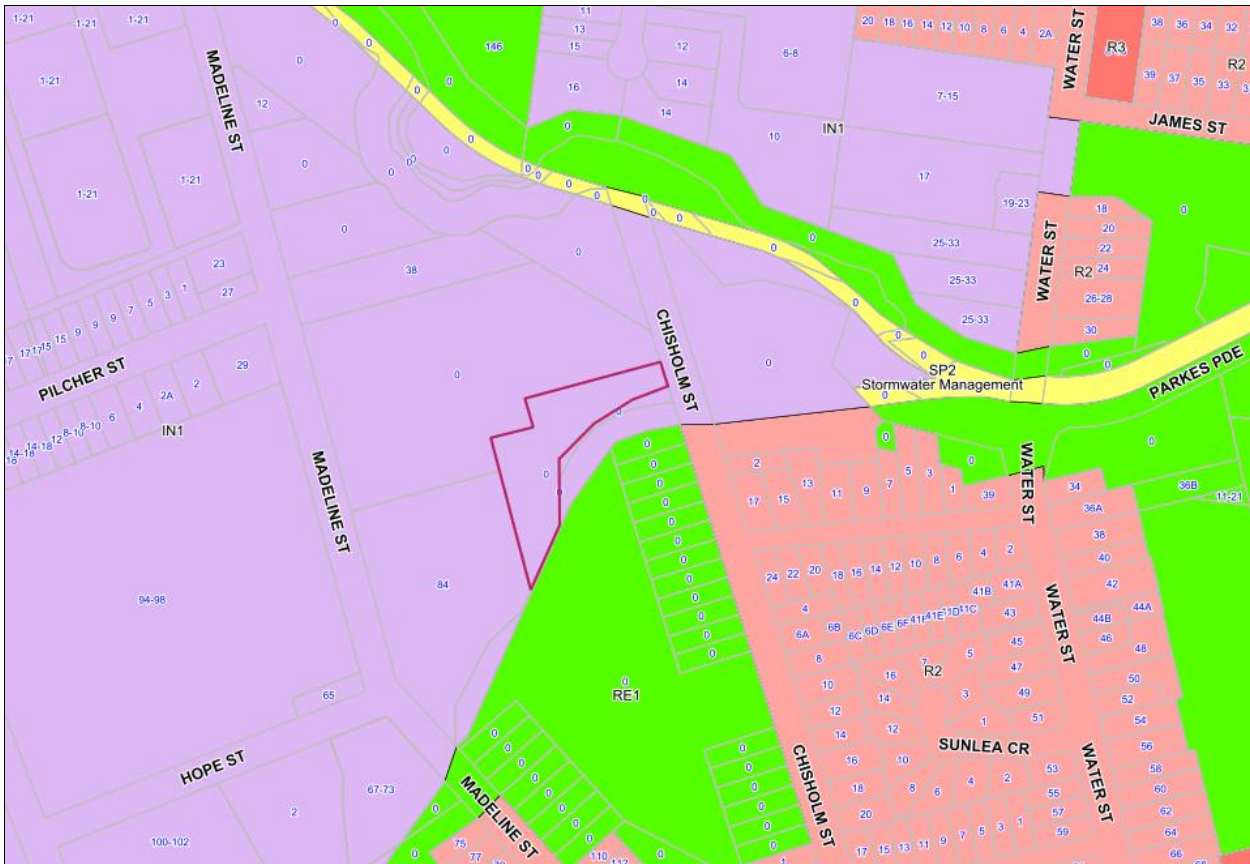


Figure 7: Zoning map including the subject site (as outlined in mauve)

Zone Objectives

Clause 2.3(2) prescribes as follows, with respect to the land use zone objectives:

(2) *The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.*

The objectives for development in the 'IN1 General Industrial' zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.*

The proposal is not inconsistent with all but one (1) of the above zone objectives. As discussed throughout this report, the information submitted with the application does not fully substantiate the air quality and noise impacts of the proposed building and its use. Accordingly, it is not possible to determine if the proposal satisfies the above objective to *minimise any adverse effect of industry on other land uses*, the other land uses being primarily the low density residential housing to the southeast of the site.

Principal development standards

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Clause 4.3 - Building Height

A maximum building height of 12m applies to the subject site. The proposed building is up to 12m in height above the existing levels of the site and thus complies with this development standard.

Clause 4.4 - Floor Space Ratio

A maximum floor space ratio of 1:1 applies to the subject site. The proposed development has a floor space ratio of 0.48:1 and thus complies with this development standard.

Local Provisions

Clause 6.1 - Acid sulfate soils

The entirety of the site is located within an area that is designated as class 4 acid sulfate soils (AS soils). Within this class of AS soils, development consent is required for the carrying out of works more than two (2) metres below the natural ground surface (but subject to the works involving the disturbance of at least 1 tonne of soil and/or being likely to lower the water table). It is unclear from the information submitted as to the extent of excavation works required for the floor level and footings associated with the building, as well as ancillary works such as stormwater drainage pipelines and the like. Accordingly, it is not possible to determine accurately whether an acid sulfate soils management plan for the proposed works is required pursuant to this clause.

Clause 6.2 - Earthworks

The proposal includes ancillary earthworks, although there is a lack of clarity regarding the extent of these works (as noted above). Accordingly, it is not possible to determine accurately the impacts of these works in terms of the matters for consideration under this clause.

Clause 6.3 - Flood planning

A minor portion of the site is located at or below the 'flood planning level'. This affectation is generally confined to the extent of the open stormwater channel that traverses the site. The proposed building is located outside of that portion of the site affected by the flood planning level. The provisions of this clause are therefore not relevant in this case.

Clause 6.4 - Essential services

Essential services including water, electricity, sewage and stormwater drainage services are available to the site.

4.15(1)(a)(ii) The provisions of any draft environmental planning instrument

There are no provisions of any exhibited draft environmental planning instruments of relevance to the proposal.

4.15(1)(a)(iii) The provisions of any development control plan

The Strathfield Consolidated Development Control Plan 2005 is relevant to the assessment of the proposal. The key provisions relating to development of land in industrial zones as prescribed in Part D of this development control plan are addressed as follows.

Section 2.1 - Site Analysis and Design Principles

The proposal does not satisfy the relevant objectives and guidelines. A site analysis demonstrating that the existing characteristics, opportunities and constraints of the site and surrounds have been

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taken into consideration in the design of the proposal has not been submitted. A site analysis is intended to inform the design process and there is no evidence that this has occurred in this case.

Section 2.4 - Development Adjoining Residential Zones

The proposal does not satisfy the relevant objectives and guidelines. As discussed throughout this report, the information submitted with the application does not properly and accurately establish the noise and dust emission effects of the proposed building and its use. It is not possible to determine conclusively if the proposed development will not unreasonably impact or intrude upon the adjoining residential areas, consistent with the objectives.

Section 2.5 – Density, Bulk and Scale

The proposal does not satisfy the relevant objectives and guidelines. The proposed building has wall heights ranging from 9.46m to 12m above natural ground level, contrary to the maximum 10m wall height requirement. The bulk, scale and design of the proposed building do not enhance the streetscape and visual quality of the Strathfield Municipality, contrary to the relevant objective. The building is 'boxy' in appearance and lacking in articulation and a mix of external materials.

Section 2.6 - Setbacks

The proposal does not satisfy the relevant objectives and guidelines. The site has frontage to an unmade portion of Chisholm Street. The proposed building has almost no setback from this boundary, contrary to the minimum 10m setback requirement. Coincidentally, the adjacent building on the adjoining property immediately to the north of the site is setback approximately 10m from its frontage to Chisholm Street. A variation to this requirement is not justified in this case as the relevant objectives are not satisfied. In particular, the proposed setback is not consistent with surrounding industrial development and does not provide adequate space for landscaping to soften the built form and amenity of the streetscape.

Section 2.7 – Building Requirements and Materials

The proposal does not satisfy the relevant objectives and guidelines. As discussed earlier, the building is 'boxy' in appearance and lacking in articulation and a mix of external materials. The wall facing Chisholm Street is wholly steel clad and lacking in fenestration and no screen planting or architectural design features are provided to reduce its visual impact, contrary to the guidelines. The proposal is not of a high standard of design and appearance and does not contribute to the enhancement of the Strathfield Municipality, contrary to the relevant objective.

Section 2.10 – Landscaping and Fencing

The proposal does not satisfy the relevant objectives and guidelines. No landscape plan has been submitted and no landscaping including tree, shrub and groundcover planting to complement and soften the built form is proposed, contrary to the guidelines. This is particularly an issue adjacent to Chisholm Street and along the southern boundary of the site adjacent to the open channel.

Section 2.12 – Site Drainage and Water Management

The proposal does not satisfy the relevant objectives and guidelines. No stormwater drainage concept plan addressing the relevant requirements has been submitted. In the absence of this information, council is unable to determine if the proposal reduces stormwater runoff and improves the water quality of this runoff. The issue of water quality is particularly important given the location of the site adjacent to the open channel formation comprising Coxs Creek.

Section 2.14 – Air, Noise and Water Pollution

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The proposal does not satisfy the relevant objectives and guidelines. As discussed throughout this report, the information submitted with the application does not properly and accurately establish the noise and dust emission effects of the proposed building and its use. It is not possible to determine conclusively that the proposed development will not create a pollution problem by the discharge of an unacceptable level of air and noise emissions, consistent with the objectives.

4.15(1)(a)(iia) The provisions of any planning agreement or draft planning agreement

Not applicable.

4.15(1)(a)(iv) The provisions of the regulations

The provisions of 'Australian Standard AS 2601-1991: The Demolition of Structures' are relevant to the application, as the proposal will require the demolition of existing structures. The requirements of this standard may be readily addressed by the imposition of suitable conditions of consent in the event of approval of the proposal.

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 environmental impacts of the existing waste management facility are wide ranging, with the most notable impacts being its noise and dust emissions (based on the submissions received from local residents and previous resident complaints).

The potential noise and air quality impacts of the proposed building and its use cannot be predicted with adequate certainty to a significant degree, particularly given the limited acoustic and air quality information submitted by the applicant. The waste management facility is located adjacent to public parkland used for a variety of recreational activities and in close proximity to low density residential areas occupied by families including children, both receiving environments of which have minimal capacity to accommodate changes in noise and dust impacts.

In the absence of substantive and detailed information on the air quality and acoustic effects of the proposed building and its use, council is unable to be satisfied that the proposal will not have any unreasonable adverse impacts on the amenity of residents in the locality of the site.

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

It is acknowledged that other locations more remote from residential areas, public open space and the like would be better suited to the use. However, the use is permissible with consent in the general industrial zone and the site benefits from a development consent enabling its use as a waste transfer and recycling facility. Where such uses are in the vicinity of sensitive land uses such as residential areas and parkland, the risks of environmental impacts are obviously much greater and dictate a greater focus on physical measures (as well as operational measures) so as to manage those impacts. Based on the noise and dust complaints received from local residents, it is evident that the current use has been deficient in this respect.

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

The development application was publicly notified from 24 December 2018 to 8 February 2019 in accordance with the provisions of Part L of Strathfield Consolidated Development Control Plan 2005. 60 individual submissions and a petition with 299 signatories (all objecting to the proposal) were received as a result.

A common theme throughout the submissions is that the current use of the site has been having a significant adverse impact on the amenity of local residents, particularly in terms of noise and dust

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nuisance and especially in the last few years. Some residents indicate that the business operations have expanded greatly over more recent years and noise and dust emissions became much worse around the end of 2016 and early in 2017. Concerns over truck traffic congestion and hazards in the vicinity of the driveway entry/exit in Madeline Street have also been raised by some residents. A few residents complain of vibration effects including their homes 'shaking' at the same time as hearing 'objects' fall onto the ground.

The key issues raised in the submissions received are outlined and addressed as follows:

1. The design of the building is inadequate in terms of controlling noise and dust emissions

The structure is an open awning, covering but not enclosing the processing areas. It will not stop the noise and dust that escapes the site and affects our homes and neighbourhood. The structure being of metal finish and open entirely on one side and having no insulation is more likely to echo and amplify the noise more loudly. A more substantial, fully enclosed building is needed to solve the noise and dust problems.

Comment: This issue is generally concurred with and has been addressed elsewhere in this report.

2. The boundary wall is unauthorised and visually intrusive

The 8m high fence constructed without approval does not act as an effective noise barrier and is unsightly and does not complement or improve the visual amenity of the Strathfield Municipality. It is not effectively screened by vegetation as claimed, but is clearly seen from multiple locations including homes in the adjoining area. It has a significant adverse visual impact. The community was not consulted about this visually significant structure.

Comment: The boundary wall concerned is the subject of a separate application for a building certificate and is being dealt with separately. The current application only seeks consent for the construction of the 'acoustic enclosure' (as noted on the relevant application form).

3. Suitability of site

The site is inappropriate for the use due to its close proximity to residential areas and parkland and given the nature of the operations including its noise and dust generation. Waste or resource management facilities should be prohibited in the general industrial zone. Such facilities have no place next to homes. There are many other appropriate locations in Sydney.

Comment: It is acknowledged that other locations more remote from residential areas, public open space and the like would be better suited to the use. However, the use is permissible with consent in the general industrial zone and the site benefits from a development consent enabling its use as a waste transfer and recycling facility. Where such uses are in the vicinity of sensitive land uses such as residential areas and parkland, the risks of environmental impacts are obviously much greater and dictate a greater focus on physical measures (as well as operational measures) so as to manage those impacts. Based on the noise and dust complaints received from local residents, it is evident that the current use has been deficient in this respect.

4. The use is prohibited in the relevant industrial zone

Waste or resource management facilities are prohibited in the IN1 General Industrial zone under Strathfield Local Environmental Plan 2012. The current business operation should be prohibited in accordance with this local environmental plan due to its failure to comply with the development consent.

Comment: Development for the purpose of a 'waste or resource management facility' is prohibited under the local environmental plan. Notwithstanding, development for this purpose is permissible

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with consent under clause 121 of State Environmental Planning Policy (Infrastructure) 2007 and the state policy prevails in the case of this inconsistency. The site also benefits from a consent enabling its use as a waste transfer and recycling facility. The failure of the current use to comply with the conditions of consent does not make it prohibited, but raises questions over its scale and intensity in the context of a residential/industrial zoning interface.

5. The amenity of the local residents has been adversely affected by the current use

As residents in the surrounding area, for many years we have constantly and increasingly suffered a deterioration of our residential amenity due to the operations of Aussie Skips, which generates unacceptable levels of noise and dust.

Comment: There is no reason to dispute these allegations based on the documented history of resident complaints held by council and the EPA. This concern is not isolated, but is shared by numerous residents in their submissions.

6. The proposed building is visually intrusive

The 12m height of the building will make it more visible and unattractive to residents.

Comment: The proposed building complies with the overall 12m height limit as prescribed in the local environmental plan and is of a similar scale as other buildings in the surrounding industrial area. The external walls of the building will also be finished in a dark grey tone, thus reducing the potential for glare nuisance and assisting in making the building blend into its surrounds.

4.15(1)(e) The public interest

The public interest is served through the detailed assessment of this application under the relevant local planning controls and legislation and including consideration of any submissions received.

Based on the submissions received and previous resident complaints lodged with council, the on-going use of the site and its operations has been a major source of detrimental noise and dust emissions for a large number of nearby residents and very much not in the public interest. The potential adverse human health effects from noise and dust emissions associated with waste management facilities are a matter of significant interest to the general public.

Inadequate information has been submitted with the application to demonstrate that the proposed building and its on-going use will reduce noise and dust emissions, let alone not result in any increase in these emissions. Accordingly, the proposed development is not considered to be in the public interest.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

Section 7.13 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. This section prescribes in part as follows:

A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

In the case of the subject application, Section 7.12 contributions would ordinarily be applicable. As the proposal is recommended for refusal, these contributions have not been calculated.

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CONCLUSION

The application has been assessed having regard to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal is considered to be unacceptable on its merits and is recommended for refusal.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

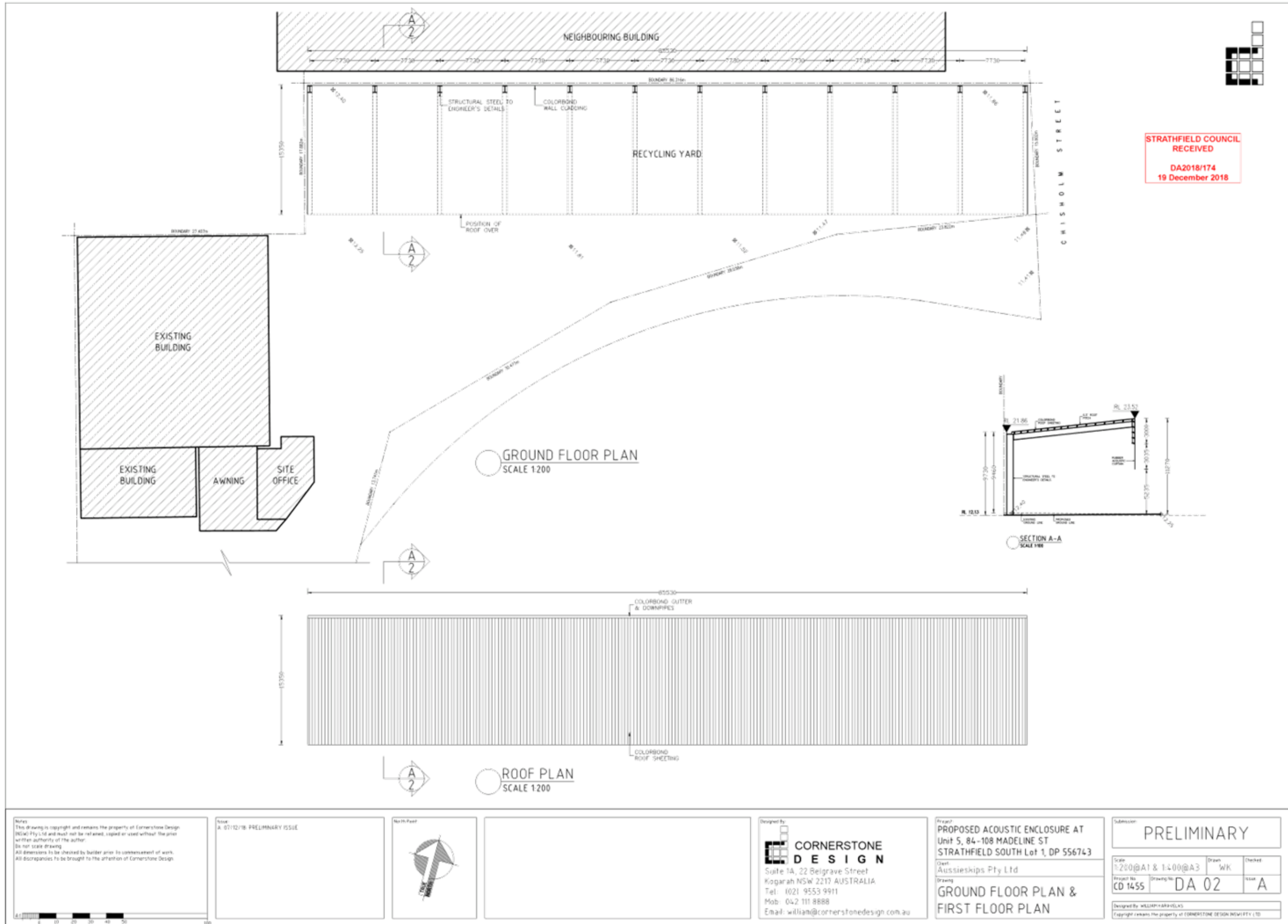
That Development Application No. 2018/174 for construction of an acoustic enclosure on Lot 1 DP 556743 adjacent to Chisholm Street, Belfield be **REFUSED** for the following reasons:

1. The information included in the application is inadequate having regard to the provisions of Part 1 of Schedule 1 of the Environmental Planning and Assessment Regulation 2000.
2. The documents accompanying the application are inadequate having regard to the provisions of Part 1 of Schedule 1 of the Environmental Planning and Assessment Regulation 2000.
3. The application is not accompanied by sufficient information as to the likely impact of the proposed development, such that it cannot be concluded that the proposed building and its use will not significantly increase the environmental impacts of the total development compared with the existing development. Accordingly, the proposed development is declared to be 'designated development' for the purposes of clause 4(1) of the Environmental Planning & Assessment Regulation 2000. No environmental impact statement accompanies the application.
4. The application is not accompanied by sufficient information as to the extent of excavation works proposed such that council is unable to properly assess the proposed development against the provisions of clauses 6.1 & 6.2 of Strathfield Local Environmental Plan 2012 relating to acid sulfate soils and earthworks (Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
5. The proposed development does not satisfy the objectives, guidelines and requirements relating to development in industrial zones as prescribed in Part D of Strathfield Consolidated Development Control Plan 2005 (Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979).
6. The application is not accompanied by sufficient information as to the likely impact of the proposed development, particularly with respect to noise and dust emissions as a result of the building and its use. Accordingly, council is unable to undertake a full and proper assessment of the proposed development (Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979).
7. The proposed development is not in the public interest having regard to the uncertainties as to its impacts on the amenity of surrounding residents, particularly its noise and dust impacts (Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979).

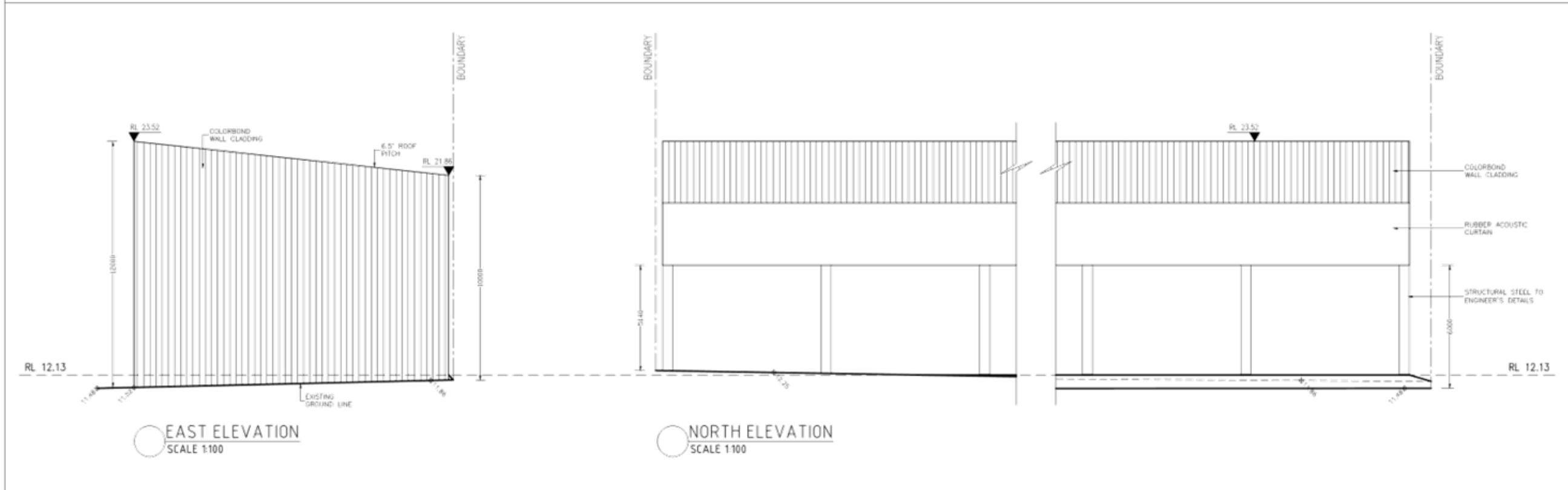
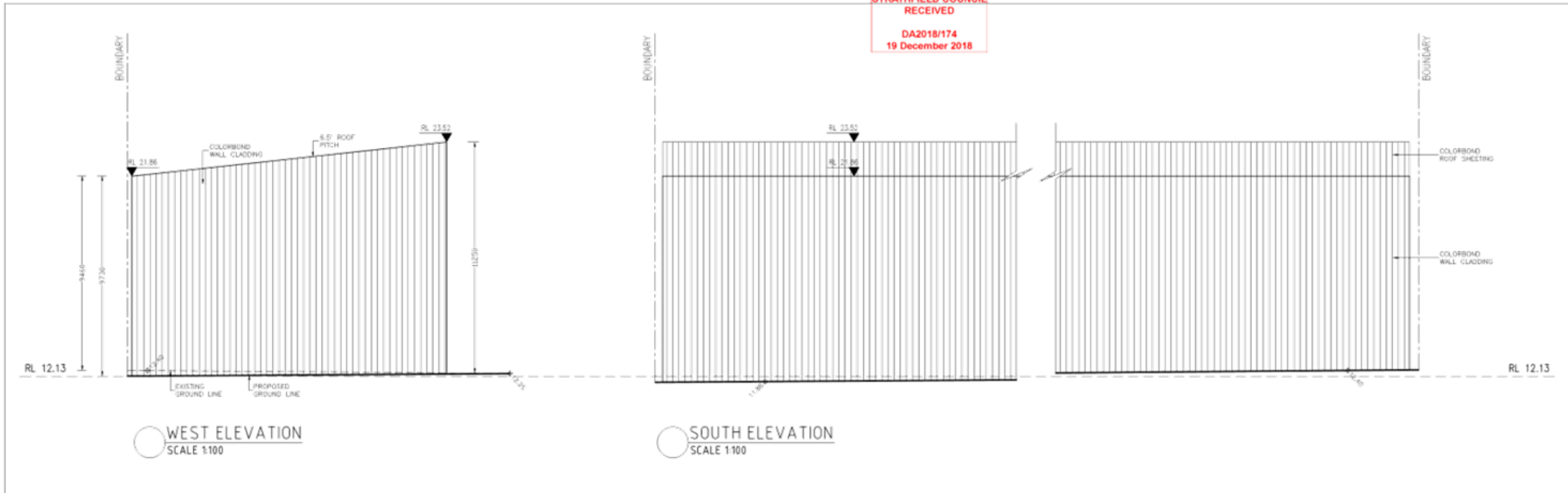
ATTACHMENTS

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1. [↓](#) Combined architectural plans



STRATHFIELD COUNCIL
RECEIVED
DA2018/174
19 December 2018



<p>Notes This drawing is copyright and remains the property of Cornerstone Design (NSW) Pty Ltd and must not be relied, copied or used without the prior written authority of the author. Do not scale drawing. All dimensions to be checked by builder prior to commencement of work. All discrepancies to be brought to the attention of Cornerstone Design.</p>	<p>Issue: A: 07/12/18: PRELIMINARY ISSUE</p>	<p>North Point</p>	<p>Designed by: CORNERSTONE DESIGN Suite 1A, 22 Belgrave Street Kogarah NSW 2217 AUSTRALIA Tel: 021 9553 9911 Mob: 042 111 8888 Email: william@cornerstonedesign.com.au</p>	<p>Drawn: PROPOSED ACOUSTIC ENCLOSURE AT Unit 5, 84-108 MADLINE ST STRATHFIELD SOUTH Lot 1, DP 556743 Client: Aussieskips Pty Ltd Drawing: ELEVATIONS</p>	<p>Submission: PRELIMINARY Scale: 1:100@A1 & 1:200@A3 Project No: CD 1455 Drawing No: DA 03 Drawn: WK Checked: A</p>
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