

JRPP No:	2010SYE066
DA No:	2010/125
PROPOSED DEVELOPMENT:	Demolition, construction and alteration to existing school buildings (includes works to a local heritage item) - 20 Exeter Road, Homebush West
APPLICANT:	David Whiting, Department of Education and Training
REPORT BY:	Warwick Stimson, Planning and Development Consultant

Assessment Report and Recommendation

SUMMARY

PROPERTY:	Homebush West Public School, Exeter Road, Homebush West.
DA NO.:	2010/125
APPLICATION TYPE:	Crown Application - Proposed New Administration and Homebase Buildings and internal refurbishment of existing building block A.
REPORT BY:	Warwick Stimson – Consultant Planner
RECOMMENDATION:	APPROVAL
SUBMISSIONS:	No written submissions were received.
ZONING:	Residential 2(b)
DATE APPLICATION LODGED:	5 August 2010
APPLICANT:	NSW Department of Education and Training
OWNER:	NSW Department of Education and Training

INTRODUCTION

A Crown application has been received seeking approval for the construction of new administration and homebase buildings and the internal refurbishment of existing building block A.

The application is recommended for approval.

DESCRIPTION OF THE SITE AND LOCALITY

Homebush West Public School is located on approximately 1.155ha of land surrounded by primarily residential development that is presently zoned either Residential 2(a) or Residential 2(b). The site is bound on the north by Exeter Road, on the west by Eastbourne Road and on the south by Tavistock Road.

Development in the locality is characterised by both single detached dwellings, as well as low rise residential flat buildings dating from the early 1960's. There are a small number of more recent developments present as well.

The formal school address and main pedestrian access is from Exeter Road, with secondary access available from Tavistock Road. Vehicular access is primarily provided from Eastbourne Road at the south western corner of the site.

The school itself currently consists of the main administration building – a heritage listed (local significance) building near the corner of Exeter and Eastbourne Roads – and a number of single storey kit and demountable buildings. No on site car parking is currently available.

The school is currently undergoing a number of changes with the construction of various buildings under the Nation Building BER Program.

PROPOSAL

The application seeks Council approval for a new administration building and internal refurbishment of existing buildings.

The elements of the proposal are:

- Demolition of three (3) existing timber buildings (Blocks B, C and D)
- Construction of two (2) new two (2) storey buildings (new Blocks B and C) to include:
 - New administration offices;
 - Lift and two (2) homebase rooms with associated Practical Activity Areas;
 - Withdrawal spaces and stores (Block B); and
 - Four (4) x homebase rooms with associated Practical Activity Areas, withdrawal spaces and stores, a bridge link connecting both new blocks at first floor level.
- Back conversion of the existing administration spaces in Block A to a core 14 library and additional homebase rooms with support facilities; and
- External works and landscaping to new buildings.

The footprint of the proposed buildings are similar in area to those intended to be demolished however the two storey nature of the proposed buildings provides better utilisation of space and improved facilities. The recent construction of buildings under the Nation Building BER Program has however reduced the available open space on site by approximately 630m².

ASSESSMENT - Pursuant to Section 79C of the Environmental Planning and Assessment Act, 1979

The application has been assessed pursuant to the heads of consideration of Section 79C of the Environmental Planning and Assessment Act and the relevant matters described in Sub-section (1)(a), (b), (c), (d) and (e) of Section 79C have been considered within this report.

(a) (i) Environmental Planning Instruments:

State Environmental Planning Policy (Infrastructure) 2007

Part 3 Division 3 of the SEPP describes the circumstances under which development in connection with an educational establishment is permissible either as:

- Exempt or complying development,
- Development without consent, or

- Development with consent requiring the lodgement of a development application.

As the works are more than one (1) storey high, they do not qualify for consideration as 'development without consent'.

State Environmental Planning Policy No 55 – Remediation of Land

A preliminary site investigation was conducted by an appropriately qualified consultant to determine the suitability of the site in respect of the proposed use. The report concluded that the current conditions on site did not pose a risk to the environment or to human health.

Strathfield Planning Scheme Ordinance, 1969

The subject site is identified as being within the Residential 2(b) zone under the Strathfield Planning Scheme Ordinance, 1969 (SPSO). *Educational establishments* are identified as a permissible use within the 2(b) zone. The following clauses of the SPSO are relevant to the proposal.

Clause	Requirement	Compliance/Comment
41B	<p>The Council shall not grant consent to development allowed in Zone 2(b) unless it is satisfied that:</p> <p>a) any proposed buildings will be compatible with any other development that is proposed or likely to be carried out in the vicinity; and</p> <p>b) where any proposed buildings will be on land within or adjoining a heritage conservation area, the buildings will be compatible with the particular characteristics of the heritage conservation area, including building height, scale, character and external detailing; and</p> <p>c) any proposed buildings will be unlikely to adversely affect the amenity of existing residential development by way of overshadowing, overlooking, noise, hours or operation or otherwise.</p>	<p>Yes. The proposed development is consistent with existing development on site within the school.</p> <p>Whilst not being within a heritage conservation area, the subject site is listed as a heritage item in the SPSO as an item with local significance. The application was accompanied by a Statement of Heritage Impact which has been subsequently reviewed by a further independent heritage consultant. No issues have been raised that would warrant refusal of the application in this regard.</p> <p>The proposed works are within the existing school site and will not negatively impact on the amenity of adjoining development.</p>
59A	<p>1) A person shall not, in respect of a building, work, relic, place or tree that is a heritage item:</p> <p>a) demolish or alter the building or work...</p> <p>except with the consent of the Council</p> <p>2) The Council shall not grant consent referred to in subclause 1) unless it has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the item and any stylistic or horticultural features of its setting.</p>	<p>Yes. The impact of the works on the heritage item has been considered in a Statement of Heritage Impact submitted by the applicant. This has been independently reviewed with no significant issues of concern being raised.</p>

Clause	Requirement	Compliance/Comment
59B	The Council shall not grant consent to an application for consent to the carrying out of development on land in the vicinity of a heritage item unless it has made an assessment of the effect the carrying out of that development will have on the heritage significance of the item and its setting.	The application was accompanied by a Statement of Heritage Impact. This was reviewed by an independent heritage consultant who did not raise any issues with the application.
59D	<p>1) The Council shall not consent to the carrying out of development referred to in clause 59A, 59B or 59C unless a statement is submitted with the application-</p> <p>a) demonstrating that consideration has been given to the heritage significance and the conservation of the building, work or land to which the application relates; and</p> <p>b) setting out any steps to be taken to mitigate any impact of the development on the heritage significance of that building, work or land; and</p> <p>c) describing the significance of that building, work or land as part of the environmental heritage of the Municipality of Strathfield.</p>	A Statement of Heritage Impact accompanied the application. This has been independently reviewed with no significant concerns being raised.

The proposed development satisfies each of the relevant Clauses of the SPSO and overall is considered satisfactory.

(ii) Draft Environmental Planning Instruments:

Draft Strathfield Local Environmental Plan 2008

The proposed development is situated within the proposed Special Uses A zone, which would continue to permit the existing use. This application is therefore considered to be consistent with the future zoning intended for the property.

The site is proposed to continue being listed as an item of local heritage significance.

(iii) Development Control Plans:

Strathfield Development Control Plan 2005 – Part M – Educational Establishments

DCP 2005 contains a section relating specifically to educational establishments. Accompanying the application, the proponent has provided a comprehensive response on how the proposal addresses the DCP and this is appended to this report.

With the exception of matters relating to traffic, parking and access (section 4.15 – discussed later in this report), there is agreement with the proponents response to the DCP. This includes the variation sought for the setback controls.

The DCP calls for a setback of 9m to be provided whereas the proposal provides for a setback of 5.71m. This is considered acceptable for the following reasons.

- The proposed setbacks maximise play areas for students;

- Compliance with the setback requirements would create two (2) distinct open areas which is undesirable for reasons relating to supervision and security;
- An existing stand of trees would be able to be retained;
- There would be no negative impact arising on the heritage item as a result;
- The second level of the building is further set back; and
- There is no uniform setback in the locality.

Other than the issue of building setbacks, the proposed development generally complies with the requirements of the DCP.

iiia) PLANNING AGREEMENTS (OR DRAFT AGREEMENTS)

The proposed development is not subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979.

(b) Likely Impacts:

Context and Setting

The proposed works are sympathetic to the existing school. They represent the evolution of the school in the area, both by providing contemporary learning facilities for students as well as a built form that is consistent with modern places of education.

The surrounding locality is also evolving with more medium and higher density residential development being constructed. This increase in density is consistent with the strategic planning undertaken in the area by Council.

The proposed works will enhance the school's role in the local community by providing needed improved facilities for students and staff.

Visual Impact

It is considered that the proposed works would not result in a negative visual impact on the locality. Through the design process, the proponent has considered adjoining land uses, their setbacks and how the proposed works would relate.

Heritage

Council's LEP lists the school's main administration building as being a local heritage item. Accordingly, the proponent submitted a Statement of Heritage Impact for consideration. This report was independently reviewed by a heritage consultant engaged by Council. The conclusions made by the consultant were:

This work program is obviously an important one for the school, with great importance for its future, and similarly it is an important one for the heritage building which is arguably the key cultural element of the site. Some considered amendments to the proposal would in my opinion, greatly improve the adaptation of the heritage building's interiors, through reducing the loss or disturbance of its fabric, and similarly, reconsideration of the placement (and detail) of the closest new building to the heritage item might quietly improve its success.

The independent advice received by Council does not suggest a significant need to address the issue of relocating the building. Additionally, reasons of safety, security and supervision for the location of the proposed buildings have been given in this report above.

It is however considered appropriate to attempt to retain some of the original internal features of the main administration building through this process. A condition of consent has been recommended for the applicant to continue to look at ways of retaining internal doors, and windows. Existing external windows that contribute to the fabric of the building should be retained.

Overshadowing

Shadow diagrams were submitted with the application that demonstrate adjoining dwellings will not be unreasonably impacted on as a result of this development.

Access

An accessibility report was submitted with the application that concludes that the proposed works and new building can comply with the BCA in terms of providing access to all areas required to be accessible.

Acoustic Impact

An acoustic report was submitted with the application that considered the acoustic impacts of the proposal on adjoining residential dwellings. It concludes that

The proposed design satisfies Strathfield Council's DCP guideline recommendations due to its orientation and layout in relation to surrounding noise source and receivers.

Given the compliance achieved, no additional acoustic measures are recommended.

Parking and Traffic Impact

There are significant issues relating to the management of parking and movement of vehicles as a result of pick up and drop off times at the school.

In terms of parking, whilst the recent work undertaken as part of the Nation Building BER program has resulted in one (1) on site disabled parking space being provided, no other on-site parking is available, with staff needing to use on-street spaces.

As part of the assessment process, the proponent was requested to clarify the staff and student numbers at the school, both existing and future, in order to gauge the potential long term traffic and parking impact of the school. The proponent was also requested to reconsider the provision of some on-site car parking. The following response was received:

- *The overall site area is 11,559m² (DET current standard for a school this size is 30,000m²) and the current DET standard for student free play area is 10,000m².*
- *Current staff numbers are 21 with an enrolment of 363 students. It is anticipated that by 2015 enrolment may reach 565 (based on current demographic study for the school) with a potential staff of 34.*

- *Permanent buildings (inc this DA) on site will have a footprint of approx 2565m². Nine (9) existing demountable classrooms that will remain on site add another 685m². These figures do not allow for existing circulation space and paving (say approx 3950m²). It is anticipated that in the future additional permanent buildings will be required to be built on the site, subject to a DA,(replacing demountable buildings) to accommodate the increased enrolment. These figures leave approx 4350m² for the current landscaping (some of which is 'out of bounds' to students) and for 'free play'.*
- *The BER project is providing an onsite disabled access parking space and onsite garbage collection.*

As this is such a restricted site and the provision of any onsite parking will be to the detriment of the already limited facilities available for the students, I concur with your suggestion that DET provide a traffic management plan as a condition of consent and prior to occupation of the new facilities.

It is important to note that in the case of this school, it is considered small against contemporary requirements. As a result the school will always struggle to provide sufficient space for its students, let alone any on-site parking.

The anticipated increase in students is noted, as is the fact that this current application will not result in an increase of students on the site. It is considered that the amenity provided for the students is the highest priority and that whilst this application may not see a rise in student numbers, the school will need to address the issue more comprehensively as student numbers and capacity in the school increases. This consideration may require a master plan to be produced for the school.

To improve the current situation however, a condition has been recommended that will require the proponent to engage the services of a traffic engineer to formulate a comprehensive traffic and parking management plan for the school. This management plan should not only address the issue of day time parking for staff, but obviously the management of vehicles in the locality during peak times (drop off and pick up). The traffic engineer should also provide some preliminary advice as to the potential solutions available to the school to accommodate anticipated future demand.

This is considered a reasonable response to the current situation and it is noted that the proponent has already agreed to provide such a plan.

Flora and Fauna

Whilst some vegetation is proposed to be removed from the site, additional replacement landscaping is proposed. An arborist's report submitted with the application concluded that:

Most of the trees proposed for removal are not valuable, being small and immature, of short-lived species, weed species or individuals with structural defects. They would be replaced by new plantings in the landscape plan. Retained trees would require protection during construction. Street trees in Eastbourne Rd and Exeter Rd would be unaffected by the proposed development, although those in the vicinity of accessways may require trunk protection during construction.

A condition of consent has been included to ensure the recommendations of the arborist are incorporated into the project.

Social Impact

Given the role that the school plays in the community, the proposed works are considered to be positive. The works that are proposed to the heritage item are also considered to be of benefit, ensuring that the item is maintained appropriately.

Of greater benefit are the proposed works themselves. Students attending the school would, as a result of the development, receive an enhanced educational experience and improved learning environment.

Economic Impact

There would be no negative impact arising as a result of the proposed development.

(c) Suitability of the Site:

The proposed development results in the continuation of the use of the site as an educational establishment. The impacts arising as a result of the proposal are considered acceptable in the context and do not warrant refusal of the application. It is therefore considered that the site is suitable to accommodate the proposed development.

(d) Submissions:

DCP Part L - Public Notification Requirements for Development and Complying Development Applications.

The application and plans were notified in accordance with Part L of the Strathfield Development Control Plan (SCDCP) 2005 from 26 August 2010 to 9 September 2010. A site notice was also placed on site. There were no submissions received.

(e) Public Interest:

It is considered that the proposal is not contrary to the public interest.

INTEGRATED DEVELOPMENT

There are no approvals required by other authorities pursuant to the Integrated Development provisions, of the Environmental Planning and Assessment Act, 1979.

INTERNAL REFERRALS

The proposal was referred to Council's Environment Officer and Council's Development Engineer. No objections were received subject to the inclusion of conditions, which have been included within the recommendation.

CONCLUSION

The proposed development generally complies with the numeric controls of the DCP and is permissible in the zone pursuant to the SPSO and the Draft LEP. The proposed works at the school will provide an improved facility and in turn, an enhanced learning experience for students. It is considered that the proposed works would not significantly compromise the amenity of adjoining owners.

RECOMMENDATION

That DA2010/125 for the construction of new administration and homebase buildings and the internal refurbishment of existing building block A at Homebush West Primary School, Exeter Road, Homebush West, be approved subject to the following conditions as may be revised and ultimately agreed to by the NSW Department of Education and Training (being the Crown in this instance):

CONDITIONS OF CONSENT

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:

Plan No/s. CV01, 0101, 0102, 0201, 1001, 1010, 2211, 2601, 1202, 1203, 1211, 2201, 1201, 2602, 2603, 5000, 5001, all Revision A01, drawn by DEM and dated 14.7.2010.

Landscape Plan No/s. La-0101, La-0501, Revision 02, drawn by DEM and dated 13.7.2010.

Statement of Environmental Effects by DEM, Report No 4106.00, dated July 2010.

Engineering details by C&M Consulting Engineers – Stormwater Drainage Concept Plan Ref 00512_DA01-03, Sheets 1 and 2 Revision D, Sheet 3 Revision B, all dated 12.7.2010.

Acoustic Report by Heggies, Report No 10-8418-R1 dated 9 July 2010.

Tree Report by Treescan dated July 2010.

Statement of Heritage Impact by Perumal Murphy Alessi Heritage Consultants, Report No PM-10005 dated July 2010.

Access Report by Accessibility Solutions Pty Ltd dated 13.7.2010.

BCA Report by Davis Langdon, dated 6 May 2010.

A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction/demolition associated with this consent.

The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.

2. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

3. Prior to the commencement of construction, a traffic and parking management plan undertaken by an appropriately qualified traffic engineer shall be submitted to and

approved in writing by Strathfield Municipal Council. The management plan is to address the way in which on-street car parking is managed, as well as vehicular movements around the site at peak drop off and pick up points. The management plan is to also identify potential options available to the school to cater for the expected increase in demand in the future.

4. The Statement of Heritage Impact shall be revised to include details on how the fabric of the heritage item can be enhanced through the retention of external windows and doorways. The Statement shall also detail how internal joinery and doorways can be retained or re-used throughout the proposed refurbishment.

Details of the above measures shall be submitted to the Principal Certifying Authority for approval **prior to the commencement of work.**

General

5. The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
6. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit must be retained on site at all times.
7. **Prior to the commencement of work,** photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
8. 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.

Drainage/Stormwater

9. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans **AND/OR** the requirements of Council's Stormwater Management Code and approved by the Principal Certifying Authority **prior to the commencement of work.**
10. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system. The storage system shall be designed in accordance with the endorsed concept stormwater plans **AND/OR** Council's Stormwater Management Code. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority **prior to the commencement of work.**
11. 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.

12. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.

13. Where necessary an easement in favour of the allotment undergoing development shall be obtained over any downstream properties traversed by the gravity drainage line connecting to Council's drainage system. The cost of creating the easement shall be at no cost to Council.

For pipes less than 350mm diameter, the easement width shall be a minimum of 1.0m. Easements for larger diameter pipes shall be the pipe diameter plus 1.0m with a minimum width of 2.4m.

Registration of the easement shall be effected before completion of the development and evidence shall be furnished to the Principal Certifying Authority **prior to the use of the building.**

14. Easements in favour of upstream lots shall be provided over the lots traversed by any existing/proposed underground services, including stormwater, electricity, water, gas, telecommunication and sewer. The minimum width of any easement shall be 1.0m. Registration of the easement shall be effected before completion of the development and evidence shall be furnished to the Principal Certifying Authority **prior to the use of the building.**

15. An easement in favour of Council shall be created over any existing drainage line for the purpose of constructing and maintaining stormwater drainage structures. The wording of the dedication shall be approved by Council prior to lodgement at Land & Property Information NSW. Proof of lodgement is to be provided to the Principal Certifying Authority **prior to the commencement of work.**

Proof of registration of the easement shall be furnished to the Principal Certifying Authority prior to completion of the development and **prior to the use of the building.**

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

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

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

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

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

18. A physical barrier (nominally 150mm high and wide) shall be constructed along the site frontage, except at vehicular and pedestrian access points, to prevent surface runoff onto the road reserve.
19. Grated drains shall be provided along the property boundary at the vehicular crossing(s) and are to connect to the internal drainage system.
20. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:
 - (a) surface flow path **AND/OR**
 - (b) finished pavement and ground levels **AND/OR**
 - (c) prevent erection of structures or fencing **AND/OR**
 - (d) on-site stormwater detention system;

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

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

21. 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.
22. The connection to Council's street drainage system shall consist of a pipeline across to the street kerb with the pipeline then continuing under the kerb and gutter to Council's pipe.

The applicant shall construct the pipeline and any pits at no cost to Council **prior to the commencement of work.**

23. Special footings shall be provided where the proposed/existing structure is adjacent to a drainage easement. The footings shall be taken down to the invert of the drainage structure or to solid rock, whichever is the lesser.

The footing may be reduced in depth by 500mm for every 1000mm increment in distance the proposed/existing structure is from the easement boundary.

The footings shall be located clear of the easement and designed by a practising structural engineer (holding membership with Engineers Australia). Details are to be submitted to and noted by the Principal Certifying Authority **prior to the commencement of work.**

Landscaping/Tree Matters

24. The trees not proposed for removal shall be protected by the establishment of a **protection zone** before any site works begin (including any demolition/excavation). The protection zone shall be maintained for the duration of works and implemented as follows:
 - A minimum 1.2m high barrier (made of hardwood/metal stakes with suitable hessian or canvas material) shall be erected around the perimeter of the stated

Protection Zone as measured from the base of the tree (or where practical). The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.

- No concrete slurry or wash, building materials, builders' rubble, excavation spoil or similar shall be placed or stored within the tree protection zone.
 - The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
 - The tree protection zone shall be regularly watered.
 - Any major structural roots which are encountered shall be pruned by a qualified Arborist.
 - **No excavation or construction shall be carried out** within the stated Excavation Zone distances from the base of the trunk surface.
 - Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.
25. All noxious weeds on the site shall be removed and destroyed as per their classification under the Noxious Weeds Act.
26. A minimum of one (1) replacement tree shall be provided for each tree removed as a result of the proposed development:
- Replacement trees shall be minimum 50 litre container size. Plants shall be vigorous and well established, free from disease and pests, of good form, consistent with species or variety, hardened off, not soft or forced, with large healthy root systems with no evidence of root curl, restriction or damage. Trees are to have a single leader and clear straight trunk.
 - 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.
 - Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius from the base of the tree.
27. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).
28. All landscaped areas including all planters are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and all relevant Australian Standards.

Site Operation

29. 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.

Construction Matters

30. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the commencement of work**.
31. 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).
32. If the soil conditions require it retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and adequate provision must be made for drainage.
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) car park/garage level prior to placement of concrete or pavement;
 - (c) ground floor and first floor levels;
 - (d) roof ridge height;
 - (e) all floors of the building, roof eaves and all roof ridges;
 - (f) wall setbacks from property boundaries and street alignment;
 - (g) dimensions and areas of balconies/courtyards;
 - (h) vehicular ramp gradients.

Copies of the surveyor's certificates must be submitted to and accepted by Council at the stages nominated above.

34. The existing ground levels shall not be altered except in accordance with the levels shown on the approved plans as part of this consent. Finished ground surface levels shall match the existing levels at the property boundary. Any survey plan shall also show the extension of these levels in relation to adjoining properties.
35. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
36. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.
37. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the building from damage; and
- If necessary, must underpin and support the building in an approved manner, and
- Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- There are built structures which may be in the zone of influence of the proposed works and excavations on the site. A qualified practicing geotechnical engineer must prepare a Construction Methodology Report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure.

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

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

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

38. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
39. All temporary buildings shall be removed from the site at the completion of the development.

Building Matters

40. The materials to be used in the external finish shall be such as to match as closely as possible the finish of the existing building.
41. Where building intruder alarms are installed in the building they shall be fitted with an automated "cut-off" timing device and operated as per the Protection of the Environment Operations (Noise Control) Regulation 2008.

Sustainability

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

- Toilet flushing;
- Clothes washing;
- Garden irrigation;
- Car washing and similar outdoor uses;
- Filling swimming pools, spa pools and ornamental ponds; and
- Fire fighting.

Demolition

43. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
44. 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.**
45. 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.**
46. Prior to any works occurring on the site, the building and garden shall be recorded and colour photographs shall be taken of each room in the building including hallways, external verandahs, and the external elevations of the building and the garden.

The photographs shall be appropriately titled and one (1) hardcopy set, provided in a folder, and one (1) CD copy, shall be submitted to Council **prior to demolition of the building or issue of Construction Certificate, whichever occurs first.**

47. 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.

Air Quality

48. As required by the Protection of the Environment Operations (Noise Control) Regulation 2008, air-conditioning units or heat pump water heaters shall not be audible in the habitable rooms of any other residential premises before 8am or after 10pm on any Saturday, Sunday or public holiday, or before 7am or after 10pm on any other day.
49. Dust emissions from the stockpiles shall be suppressed by a permanently installed irrigation system and details shall be submitted to the Principal Certifying Authority for approval **prior to the commencement of work.** Any irrigation system shall be

installed in accordance with the approved details prior to the work/use commencing and maintained at all times to Council's satisfaction.

Disabled Access

50. 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 commencement of work.**
51. 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.**
52. A carparking space for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the commencement of work.**

Waste Management

53. Submission of a comprehensive Waste Management Plan to the Principal Certifying Authority for approval **prior to the commencement of work.** Such plan shall address demolition, construction and operation waste arising from the development and shall include:-
 - type and likely quantity of waste arising from the demolition and construction activities;
 - storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;
 - type and likely quantity of trade and operational waste arising from the proposed development, including storage and collection details. Note: Strathfield Council does not provide a trade waste service;
 - provision for a suitable number of 240 litre garbage bins and 240 litre recycling bins for the residential development;
 - storage, disposal, collection and recycling arrangements for all trade and operational waste; and
 - fitout details of any garbage/waste enclosures and storage areas.

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