

DA2014/035 - 17-35 PARRAMATTA RD AND 5 POWELL ST, HOMEBUSH

SUMMARY

PROPERTY:	17-35 Parramatta Road & 5 Powell Street, Homebush Lot 81 in DP 870786 & Lot 3 in DP 1002876
DA NO.:	2014/035
APPLICATION TYPE:	Mixed Use Development – Residential/Commercial
REPORT BY:	Sophie Olsen - Planning Officer
RECOMMENDATION:	APPROVAL
REFERRED TO JRPP:	Yes (Capital Investment Value - \$59,598,209)
SUBMISSIONS:	Five (5) written submissions were received.
ZONING:	B4 Mixed Use
DATE APPLICATION LODGED:	28 February 2014
APPLICANT:	Kay Li Lee Investments Pty Ltd
OWNER:	Nicodem Pty Ltd

INTRODUCTION

This Development Application is required to be determined by the Sydney East Joint Regional Planning Panel, as it has a Capital Investment Value of greater than \$20 million (\$59,598,209.00).

The proposal has undergone significant amendments throughout the assessment process. The amended proposal seeks consent for the demolition of the existing commercial building and associated structures, removal of seven (7) trees, retention of one (1) Hoop Pine, excavation and remediation works and the erection of an eight (8) storey mixed use development comprising (221) residential units, five (5) x ground floor commercial tenancies and three (3) levels of basement parking (accessed via a ramp from Powell Street), landscaping and drainage works.

The applicant has sought consent for a staged approval to permit the construction and occupation of Building A which fronts Parramatta Road, prior to the construction of Building B which extends along the northern boundary of the site. Approval is also sought for staged payment of the Section 94 Direct Development Contributions which are applicable to the development.

Together, the two (2) allotments form 'Key Site 33' within the Parramatta Road corridor. Under the Strathfield Local Environmental Plan 2012 'Key Site 33' is permitted an incentive floor space ratio of 2.7:1 and building height of up to 26m. As discussed further throughout this report, the proposal complies with these controls, providing an FSR of 2.7:1 and maximum height of 26m.

The proposed development is 'Integrated Development' pursuant to Section 91 of the Environmental Planning and Assessment (EP&A) Act 1979 given that the excavation works for the basement will require the removal of groundwater, a controlled activity under the Water Management Act 2000. The NSW Office of Water has issued General Terms of Approval for the

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development in accordance with Section 91A of the EP&A Act and these have been recommended for inclusion in the conditions of consent.

The proposal has also been forwarded to the NSW Roads and Maritime Services (RMS) for comment in accordance with Clause 104 of the SEPP (Infrastructure) 2007 as the proposal is deemed a 'Traffic generating Development' as it contains (221) apartments and has access to a road that connects to a classified road (Parramatta Road). RMS have indicated that they support the works, subject to the imposition of a number of conditions which have also been recommended for inclusion in any consent issued.

Considerable consultation has occurred between Council Officers and the Applicant throughout the assessment process. The finalised concept which is recommended for approval achieves a high quality architectural form with highly durable materials and finishes. The proposed development promotes the importance of architectural design excellence within the Parramatta Road corridor and is demonstrative of Council's desired future character for a medium to high density residential and mixed use precinct providing an attractive, affordable and enjoyable place to visit, live and work. The proposal will positively contribute to the renewal of the Parramatta Road precinct and will establish a high benchmark for mixed use development in the area.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the north eastern corner of Parramatta Road and Powell Street in Homebush. The subject site comprises one (1) allotment on the corner of Parramatta Road and Powell Street (Lot 81 in DP 870786) and one (1) allotment with a frontage to Powell Street and shared northern boundary with the M4 Motorway (Lot 3 in DP1002876).

Existing improvements on the site comprise a single storey commercial structure with hardstand parking area which currently contains three (3) commercial tenancies.

Site Area (approx.): 6,257m²

Dimensions (approx.): 99m (Parramatta Rd) x 94m (Powell St)

The surrounding streetscape presents a precinct which is undergoing transition from light industrial and commercial uses primarily characterised by car sale yards and mechanical workshops, to medium to high density residential development with some ground floor commercial/retail uses.

Photographs of the subject site and surrounding streetscape are provided below:

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Image 1: View of the site looking north east from the corner of Powell St and Parramatta Rd, Homebush



Image 2: View toward the site from the southern side of Parramatta Road

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Image 3: View looking south from the site's boundary with the M4 Motorway. Note the established Hoop Pine within the existing car park.



Image 4: Aerial photograph of the subject site.

PROPOSAL

The proposal seeks consent for the demolition of the existing commercial building and associated structures, removal of seven (7) trees, excavation and remediation works and the erection of two (2) x eight (8) storey mixed use buildings comprising a total of (221) residential units, five (5) x ground floor commercial tenancies and three (3) levels of basement parking accessed via a ramp from Powell Street, landscaping and drainage works.

The proposal comprises the following:

- Staged construction of two (2) x eight (8) storey buildings, identified as Building A (fronting Parramatta Road) and Building B (adjacent to the northern boundary of the site) as follows:

Stage 1

- Construction of Building A:
 - Four (4) ground floor commercial tenancies fronting Parramatta Road;
 - Seven (7) levels of residential units with a total of (127) units comprising (40) x 1 bedroom, (78) x 2 bedroom and nine (9) x 3 bedroom units;
 - Landscaping works to create a centralised area of common open space between the two (2) buildings.
- Construction of three (3) levels of basement parking with a total of (344) parking spaces comprising (230) residential parking spaces, (44) visitor parking spaces and (70) commercial parking spaces accessed via a driveway from Powell Street;

Stage 2

- Construction of Building B:
 - One (1) ground floor commercial tenancy;
 - Seven (7) levels of residential units with a total of (94) units, comprising (42) x 1 bedroom and (52) x 2 bedroom units

A site plan and elevations are attached (2).

BACKGROUND

The original proposal comprised the construction of (222) residential apartments and six (6) ground floor retail/commercial tenancies, associated parking (2 basement levels), landscaping, drainage and related works.

The primary differences between the original and amended proposals are as follows:

- Retention of the Hoop Pine, a significant tree listed on Council's Significant Tree Register and modification to the footprint of the building to provide a 10m setback from this tree in order to minimise disruption to the structural root zone;
- Reconfiguration of unit mix, unit numbers and parking arrangements;
- Provision of a ground floor podium providing a clear vista and physical connection from Powell Street to the future park to the east;
- Reconfiguration of units, (particularly the living areas) to maximise solar opportunities;
- Relocation of vehicular entrance further northwards along Powell Street, and
- Provision of an additional basement level car park (3 levels in total).

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:

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

- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Building and Sustainability Index - BASIX) 2004;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings;
- Strathfield Local Environmental Plan 2012;
- Strathfield Development Contributions Plan 2010-2030; and
- Strathfield Development Control Plan 20 – Parramatta Road Corridor.

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

State Environmental Planning Policy (State and Regional Development) 2011

Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 applies to "*development that has a capital investment value of more than \$20 million.*"

The Capital Investment Value (CIV) of the proposed development (\$59,598,209) is in excess of \$20 million and therefore, Part 4 of this SEPP applies to the proposal and the consent authority for the proposal is the Sydney East Joint Regional Planning Panel (JRPP).

State Environmental Planning Policy (Infrastructure) 2007

Clause 101(2) of State Environmental Planning Policy (Infrastructure) 2007 ("the ISEPP") states:-

- "(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*
- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to*

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ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road."

Vehicular access to the site is to be provided via Powell Street, a local road, and a suitable construction methodology has been recommended in the submitted Acoustic Report in order to ensure the noise sensitive residential component of the development is constructed so that an acceptable level of acoustic amenity is provided for residents. Therefore, through the submission of an Acoustic Report and Traffic Statement which address the requirements of Clause 101 of the ISEPP, the proposal is deemed acceptable.

Due to the total number of residential units proposed, Clause 104 of the ISEPP defines the application as a traffic-generating development, and requires a referral to the NSW Roads and Maritime Services (RMS). The RMS raised no objections to the proposal subject to standard conditions which have been incorporated within the recommendations of this report.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purposes for which development consent is being sought.

The applicant has undertaken research into the history of the site which indicates that the site was used for commercial/warehouse purposes between 1930 and 1951. From the 1960s, the site was used for commercial purposes including a petroleum company and car sales yard. After 1975, the majority of the site was acquired by one (1) company for commercial purposes and the use of the site changed once again to motorcycle sales in 1995 when buildings on site were renovated into one property consisting of three (3) adjacent building structures. The site was used for commercial purposes again from 2008 and was then acquired by the current owner in 2010.

A preliminary or "Phase 1" Environmental Site Assessment (ESA) was carried out by Aargus Laboratories Pty Ltd which determined that there may be potential areas of low and high contamination concern mostly attributed to the previous commercial and petroleum uses of the site.

Further investigations were carried out by Aargus in relation to the suitability of the site for the proposed development and a letter from Aargus dated 26 July 2014 has confirmed the subject site is suitable in its current state for the purposes for which consent is being sought and therefore satisfies SEPP 55.

Recommendations from the ESA relating to the classification of excavated soil taken from the site and an advisory note regarding the encountering of any unexpected material or odour during works have been recommended for inclusion in the conditions of consent.

State Environmental Planning Policy (Building and Sustainability Index - BASIX) 2004

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

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

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

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in New South Wales.

In determining development applications for residential flat buildings, the SEPP requires Council to take into consideration the advice of a Design Review Panel, the design quality of the proposal when evaluated against the ten (10) design quality principles in the SEPP and the 'rules of thumb' controls of the *Residential Flat Design Code*. Furthermore, written confirmation from a registered Architect is also required to be provided to Council confirming that the design is in accordance with the design quality principles of the SEPP.

A design verification statement in accordance with the requirements of SEPP 65 has been received from a registered Architect Squillace Architects.

It is noted that Strathfield Council is not subject to a Design Review Panel constituted under the SEPP however as the subject site is identified as a 'key site' within the Parramatta Road corridor, design excellence in the architectural aesthetic of the proposal has been sought by both Council Officers and the applicant.

Overall, it is considered that the proposed development will positively contribute to the activation of the Parramatta Road corridor and will be likely to be a catalyst for high quality, sustainable and contemporary residential and mixed use development within the Parramatta Road corridor and the wider Strathfield Municipality.

The following assessment of the proposal against the ten (10) design quality principles and the numeric controls of the 'Residential Flat Design Code' emphasises how the proposal achieves design excellence:

Principle	Objective	Proposed
Context	<p>Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.</p> <p>Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.</p>	<p>The site has two (2) street frontages to Parramatta Road and Powell Street, a frontage to the M4 motorway to the north and a frontage to a future public park to the east.</p> <p>The residential component is split into two (2) separate buildings with Building A fronting Parramatta Rd to the south and Building B fronting Powell St and the M4 to the north and west.</p> <p>Both buildings are aligned on an east-west axis with multiple lift cores that maximises the number of north facing apartments as well as opportunities for</p>

Principle	Objective	Proposed
		<p>cross ventilation with dual aspect apartments.</p> <p>The proposal responds well to the opportunities and constraints presented by this large, northerly orientated site.</p>
Scale	<p>Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.</p> <p>Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.</p>	<p>The proposed development presents an acceptable scale which satisfies the relevant statutory controls applicable to the site.</p> <p>The scale of the building is broken through modulated features to the façade which ensure the development responds well to existing and anticipated future development in Parramatta Road.</p>
Built Form	<p>Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>The building is well articulated to all elevations and does not present any long, unrelieved walls which work to break the built form of the development.</p> <p>The proposal provides a high level of amenity for residents by way of excellent solar access (min. 3 hours to 80% of units) and large, northerly orientated private open space/ balconies for each unit.</p>
Density	<p>Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).</p> <p>Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</p>	<p>The proposed development responds to the permitted density for the site and considers residential amenity by way of orientation, solar access, cross ventilation and unit size.</p> <p>The subject site is well located within walking distance to public transport (bus and rail), parks, bicycle tracks, community facilities and schools which will ensure the density of the development is sustainable.</p>
Resource, Water and Energy Efficiency	<p>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.</p> <p>Sustainability is integral to the design process. Aspects include demolition of</p>	<p>The proposal complies with the BASIX requirements for the development whilst the unit configuration ensures good solar access and cross ventilation, which will reduce the reliance on artificial cooling and heating in summer and winter. It is considered that the proposal presents a</p>

Principle	Objective	Proposed
	existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.	well considered, sustainable outcome for the site.
Landscape	<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</p> <p>Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.</p> <p>Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.</p>	<p>Areas of common and private open space incorporated into the development are considered somewhat undersized given the residential density proposed. This is further discussed under 'likely impacts' below where it is recommended that additional common open space be provided at the rooftop level of Building B.</p> <p>Notwithstanding this, the close proximity of the site to the proposed reserve further to the east will also encourage the use of the common area at ground level and interaction between residents.</p> <p>The proposal requires the retention of ten (10) trees and the removal of seven (7) trees. Tree removal is discussed in detail under 'likely impacts' below, particularly in relation to the retention of one (1) mature Hoop Pine which is listed on Council's Significant Tree Register.</p>
Amenity	<p>Good design provides amenity through the physical, spatial and environmental quality of a development.</p> <p>Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</p>	<p>The proposed development is highly responsive to the context of the site and provides a high level of internal amenity for future residents.</p> <p>Each unit is relatively large in area with large balconies or private courtyards, whilst the internal layout of units is efficient, rational and well considered.</p>
Safety and Security	Good design optimises safety and security, both internal to the development and for the public domain.	The proposed development provides good safety and security with pedestrian links through the site to the common entry which is easily identifiable.

Principle	Objective	Proposed
	This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.	<p>Conditions will be imposed to ensure this pathway is well-lit at night.</p> <p>East and west facing units are orientated to overlook Powell Street and the proposed reserve and maximise opportunities for passive surveillance of the public domain.</p> <p>Overall, the development is responsive to its site and sufficiently considers the safety of residents and the public domain.</p>
Social Dimensions	<p>Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.</p> <p>New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</p> <p>New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.</p>	<p>The proposal is responsive to the needs of the broader community by providing additional infill high density residential development in an appropriate location, close to public transport, parks, schools, community facilities and local shops.</p> <p>The proposal incorporates a good mixture of 1, 2, and 3 bedroom units including thirty three (33) adaptable units throughout the development to meet the housing needs of a variety of residents.</p>
Aesthetics	Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.	<p>The proposed development presents a quality architectural aesthetic incorporating feature areas of earthy coloured tones responsive to the desired future character of the locality.</p> <p>The development is considered a desirable outcome for the site which is responsive to the desired high quality aesthetic of the Parramatta Road Corridor.</p>

Further to the design quality principles discussed above, the proposal has been considered against the various provisions of the *Residential Flat Design Code* (RFDC) in accordance with Clause 30 (2) (c) of SEPP 65. An assessment of the development against the design guidelines of the RFDC is provided below:

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Development Guideline	Required	Proposed	Compliance
Building Depth	Max 10m – 18m	Building A with the Parramatta Rd frontage has a depth of 16m to 22m. Building B, to the northern portion of the site, ranges from 11m to 18m deep.	Acceptable.
Building Separation	12m between habitable rooms/balconies	The proposal provides a building separation ranging from 15m to 30m.	Yes.
Street Setbacks	Must be consistent with existing.	The nil front setback is consistent with Councils desired future character for the Parramatta Rd Corridor, which promotes a nil setback reinforcing the street edge & creating a strong urban response. The setback along Powell St is variable with a minimum setback of 3m, increasing to 4.5m at the lobby entrance. The setback along Powell Street is landscaped to help reduce the scale of the proposal in this quieter residential side street.	Yes.
Side and Rear Setbacks	Consistent with existing streetscape patterns.	The side setback to the proposed park on the east ranges from 0m to 9m which is acceptable given the likely nature of development on this adjoining property. The rear setback to the north ranges from 10m to 14m and is extensively landscaped to provide a buffer between residences and the M4.	Yes Yes
Deep Soil Zones	Min 25% (320m ²) of open space	44% (575m ²) of total open space is deep soil.	Yes.
Fences and Walls	Consistent with existing streetscape	No detail of fencing.	Not Applicable.
Landscape Design	Improve amenity, streetscape and energy	Acceptable landscape design.	Yes.

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Development Guideline	Required	Proposed	Compliance
	efficiency		
Open Space	Between 20-30% (1,251m ² to 1,877m ²) of site area	20.5% (1,286m ²)	Yes, however refer to discussion.
Building Entry	Provide physical and visual connection between building and street Provide safe and equitable entrance	The main pedestrian entrances to the two (2) buildings are accessed via the internal garden area. Safe entry for all residents is provided.	Yes.
Parking	Provide underground car parking and bicycle parking	Basement parking provided for vehicles and bicycles.	Yes.
Pedestrian Access	Barrier free access to at least 20% of dwellings	Barrier free access to all dwellings by way of lifts/ramps throughout the development.	Yes.
Vehicle Access	Max width of driveway is 6m	7m wide to permit vehicles to pass within the site.	Acceptable due to the number of vehicles serviced by the car park.
	Located vehicle entry away from pedestrian entry	Sufficiently separated to preserve safety.	Yes.
Apartment Layout	Single aspect max depth is 8m	The rear wall of all single aspect apartments is 8m from the living room window.	Yes.
		All apartments have kitchens within 8m from a window.	Yes.
	Max depth of cross through is 15m or more than 4m in width.	All cross through apartments are a minimum of 5m wide, with a depth of 16.5m.	Yes.
	Min apartment size: 1 bed – 50m ² 2 bed – 70m ² 3 bed – 90m ²	All apartments achieve the minimum areas.	Yes.
Apartment Mix	Provide an apartment mix	Good mix of apartment layout and size.	Yes.
Building Configuration	Balconies have a minimum depth of 2m	All apartments have balconies that are at least 2 metres deep.	Yes.

Development Guideline	Required	Proposed	Compliance
	Ceiling Heights 2.7m habitable 2.4 non habitable	2.7m for habitable and 2.4m for wet areas	Yes.
	Storage 1 bed – 6m ³ 2 bed – 8m ³ 3+ bed – 10m ³	Within basement – to be designated to units by way of condition of consent.	Yes
Acoustic Privacy	Like rooms together	Unit layout is well considered and like rooms share common walls.	Yes.
Daylight Access	70% of units to receive 3 hours between 9am – 3pm	80% (174) of units receive 3 or more hours direct solar access to living rooms, balconies and private open space.	Yes
Natural Ventilation	60% of units to be naturally cross ventilated	90% naturally cross ventilated.	Yes.

Strathfield Local Environmental Plan 2012

The site is zoned B4 Mixed Use under the Strathfield Local Environmental Plan (SLEP), 2012 wherein development for the purposes of a mixed use development is permissible with Council consent. The proposal is generally consistent with the objectives of the Mixed Use zone which seeks to provide a mixture of compatible land uses and residential development within close proximity of transport nodes.

The subject site complies with the minimum allotment size of 1,000m² which is required for residential flat development in accordance with Clause 4.1A of the SLEP, 2012. As previously discussed, the site achieves the consolidation pattern of 'Key Site 33' which provides an incentive height and FSR, as follows:

Clause	Development Standard	Required	Proposed	Compliance
4.3	Height of Building	26m	Maximum 26m	Yes
4.4	Floor Space Ratio	2.7:1	2.7:1	Yes

The subject site is identified as having Class 5 soils and is located within 800m of Class 2 and 3 soils, located west and north-west of the site, respectively. The proposal was accompanied by a Geotechnical report indicating that the proposal will likely require dewatering of the basement during excavation, which is a licensed activity requiring approval of the NSW Office of Water. In accordance with the requirements of Clause 91 of the Environmental Planning and Assessment Act, 1979, the proposal was forwarded to the NSW Office of Water. General Terms of Approval were received from the NSW Office of Water indicating that the impact of the proposal on the water table is deemed acceptable. Accordingly, the proposal has satisfied the requirements of Clause 6.1 of the SLEP, 2012 and the Integrated Development requirements of the Water Management Act 2000.

Overall, the proposed development has been assessed to satisfy the relevant development standards and Clauses of the SLEP, 2012.

Section 94 Contributions

As the proposal is to be constructed in two (2) stages, the Applicant has requested that the Section 94 Contributions also be staged. No objection is raised to this arrangement by Council Officers.

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

Provision of Community Facilities	\$204,160.30
Provision of Major Open Space	\$775,848.70
Provision of Local Open Space	\$310,811.90
Provision Roads and Traffic Management	\$47,467.82
Administration	\$33,047.40
TOTAL	\$1,371,336.00

The first stage of the development ('Stage 1') involves the demolition of existing structures, construction of three (3) levels of basement parking, four (4) x ground floor commercial tenancies (equating to a total floor area of 1,057m²) and seven (7) residential levels comprising (40) x 1 bedroom, (78) x 2 bedroom and nine (9) x 3 bedroom units. The applicable credit for existing commercial, industrial and retail floor area within the site has been applied to this Stage of the development.

The Direct Section 94 Contributions payable for Stage 1 are as follows:

Provision of Community Facilities	\$121,723.90
Provision of Major Open Space	\$374,997.10
Provision of Local Open Space	\$149,980.70
Provision Roads and Traffic Management	\$25,354.64
Administration	\$15,958.20
TOTAL	\$688,005.50

The second stage of the development ('Stage 2') involves the construction of one (1) x ground floor commercial tenancy (total floor area of 66m²) and seven (7) residential levels comprising (42) x 1 bedroom and (52) x 2 bedroom units. The Direct Section 94 Contributions payable for Stage 2 are as follows:

Provision of Community Facilities	\$82,436.40
Provision of Major Open Space	\$400,851.60
Provision of Local Open Space	\$160,831.20
Provision Roads and Traffic Management	\$22,122.18
Administration	\$17,089.20
TOTAL	\$683,330.60

A suitable condition of consent has been recommended in order to permit the staged payment of the Indirect Section 94 Contributions.

(ii) Draft Environmental Planning Instruments:

There are no Draft Environmental Planning Instruments applicable to the subject site.

(iii) Development Control Plans:
Development Control Plan No. 20 – Parramatta Road Corridor

The following table provides a detailed assessment of the proposed development against the current DCP 20 – Parramatta Road Corridor Area, which is currently under review as it contains a number of development controls which have been superseded by the gazettal of the SLEP, 2012. In summary, the proposed development is considered satisfactory with regard to DCP 20, the details of which are provided in the table below:

Section	Development Control	Required	Proposed	Compliance
2.2	Built form/footprint	Proposal to conform to the building footprint shown in figure 9.	The building footprint accords with pre-lodgement discussions with Council.	No longer applicable.
	Land Consolidation	Proposal to conform to the consolidation pattern identified in figure 12.	Conforms with consolidation pattern of SLEP 2012 (Key Site 33)	No longer applicable.
2.3	Building Height	Proposal to conform to building height identified in figure 12, which requires max. 3 storeys.	The proposal complies with the maximum building height permitted under SLEP 2012 (26m).	No longer applicable.
	Minimum Unit Sizes	Proposal to comply to the following min. unit sizes: 1 bed – 70m ² 2 bed - 85m ² 3 bed - 100m ² > 3 bed - 110m ²	 1 bed – 51m ² + 2 bed - 75m ² + 3 bed – 105m ²	All units are SEPP 65 compliant.
2.5	Roof Form	Lift and service plant concealed within roof structure.	The lift overruns are suitably concealed.	Yes.
		Provide an interesting skyline and enhance views from adjoining developments.	The proposed building will contribute positively to the skyline.	Yes.
2.6	Façade Composition	Entrance should be distinguishable in the façade.	Entrances are distinguishable.	Yes.
		Facades should	The proposal has an appropriate	Yes.

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Section	Development Control	Required	Proposed	Compliance
		maintain a human scale to the street by incorporating appropriate architectural features.	pedestrian scale.	
		Materials and finishes should blend together with min. 30% to incorporate face brickwork.	Materials and finishes are modern and highly durable and include pre-cast concrete, expansive areas of glass and metallic panels.	Yes.
		Consider the use of glass in facades on northern and western elevations in terms of glare impacts.	Glass will not contribute to an unacceptable level of glare.	Yes.
2.8	Visual and Acoustic Privacy	Visual privacy to be provided by separation or screening.	Balcony orientation is well considered to maintain privacy for future residents.	Yes.
		Main living areas oriented to the street or rear garden to prevent overlooking.	Main living areas are appropriately located to encourage passive surveillance of the public domain and common open space within the site.	Yes.
		Acoustic privacy must be considered in relation to proposal and surrounding environment.	Acoustic report submitted which indicates the proposal will provide an acceptable level of acoustic amenity for residents. This will be certified upon completion of construction.	Yes.
		Buildings designed and sited to minimize transmission of noise to adjoining developments.	The design will not transmit unreasonable level of noise to likely future adjoining developments.	Yes.
		Developments adjoining major road or railway line to consider potential noise impacts.	The construction methodology suggested by the acoustic report will be required to be used in accordance with relevant conditions of consent. Internal noise levels will be certified prior to construction.	Yes, subject to condition.
		Shared pedestrian entries shall be capable of being	Shared secured entrances are proposed.	Yes.

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Section	Development Control	Required	Proposed	Compliance
		locked and serve a limited no. of dwellings		
		Casual surveillance maintained of public streets and spaces with at least one habitable room window facing that area.	Development has been designed with balconies overlooking the street and into common open space.	Yes
2.9	Private Open Space	Proposal to provide 35% deep soil landscape area on the site.	The proposal complies with the RFDC and includes 20.5% of the site as open space, with 44% of that area provided as deep soil.	Yes.
		Retain and protect existing significant trees.	The floor plate of Building B has been modified to wrap the significant Hoop Pine to ensure this tree is able to be retained.	Yes.
		Each contiguous landscape area shall provide large trees.	Mass planting of canopy trees adjacent to the M4 Motorway will provide a landscaped buffer.	Yes.
		Trees and pergolas to shade external areas and control sunlight into buildings.	Trees are acceptable.	Yes.
		Proposal to provide common open space to the following dimensions: 10% of site or 100m ² (whichever is greater); Min dimensions of 7m; Positioned to receive sunlight, be conveniently located for residents with good opportunities for passive surveillance and contain durable	Common open spaces equate to 20.5% of the site. North facing common open space will achieve acceptable solar access.	Refer to discussion. Yes.

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Section	Development Control	Required	Proposed	Compliance
		children's play equipment; Located behind front setback.		
	Balconies	<p>Dwellings without ground level open space shall have balconies to the following requirements:</p> <ul style="list-style-type: none"> • 12m² up to 2 bed; and • 15m² for 3 or more bed; <p>Min. dimension of 2.0m;</p> <p>Located off living areas and with good solar access; and</p> <p>Balustrades designed to provide privacy and conceal service areas whilst allowing passive surveillance.</p>	<p>All balconies are compliant with SEPP 65:</p> <ul style="list-style-type: none"> - Minimum 9m² (1 bedroom), - Minimum 12m² (2 bedroom) - Minimum 15m² (3 bedroom) <p>Minimum dimension of 2m achieved to ensure balconies are usable.</p> <p>Balconies provided off living areas and mostly northerly orientated.</p> <p>Frosted glass balustrades proposed</p>	<p>Yes – compliant with SEPP 65, the accepted standard.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes.</p>
		Achieve required BASIX rating.	BASIX certification provided.	Yes.
	Solar Access	Main living and 50% of POS receive min. 3 hours solar access.	80% (174) of units achieve 3 or more hours of solar access.	Yes.
2.10.2		Min. 3 hours solar access maintained to habitable rooms and POS of adjoining development.	Due to the orientation of the site, the development will predominantly overshadow Parramatta Road.	Yes.
	Stormwater, Sewerage and Drainage	Site to be adequately serviced by	Stormwater plans submitted.	Yes.

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Section	Development Control	Required	Proposed	Compliance
		stormwater, sewerage and drainage in accordance with Council's Stormwater Management Code.		
2.11	Disabled Access	One main entrance barrier free and accessible.	Barrier free access to all units.	Yes.
2.12	Vehicle Access and Car Parking	Access to public areas should be convenient and without barriers.	Barrier free access to all units inclusive of ground floor commercial tenancies.	Yes.
		Adequate and convenient amenities for people with mobility accessibility.	Disabled access provided throughout.	Yes.
		Accessible parking provided with access to units above provided.	(33) accessible parking spaces proposed.	Yes.
		15% of units designed to allow occupation by older people and people with disabilities.	A suitable condition of consent will be imposed requiring a minimum of 15% (33) units to be 'adaptable' and compliant with AS4299 – Adaptable Housing.	Yes, subject to condition.
		Car parking to be provided on the following basis: Up to 2 bed – 1 space (212) spaces required 3 bed - 1.5 spaces required (13.5) spaces required Visitor – 1 space per 5 units (44.2) spaces required Total (271)	Basement parking for (230) resident vehicles plus (44) visitor parking spaces provided, total of (274).	Yes.

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Section	Development Control	Required	Proposed	Compliance
		residential spaces required		
		Provide bicycle parking	Bicycle spaces provided throughout.	Yes.
2.13	Site Facilities and Services	Comply with driveway ramp and gradient and dimension requirements.	Complies with relevant Australian Standard requirements.	Yes
		Garbage – refer to requirements of Part H of SCDP 2005.	Residential waste from Building A will be stored within ground floor storage room. Site Manager to arrange for waste bins to be relocated to the holding bay within the basement prior to collection. Residential waste from Building B will be similarly stored within ground floor storage area and relocated to the holding bay prior to collection. Commercial waste will be separately stored in the basement and collected by Private Contractor. All waste will be able to be collected from the loading zone in the basement level 1.	Yes. Yes – waste management reviewed by Council's Waste Management Supervisor and is acceptable.
2.14		Electricity and telecommunication supplies shall be undergrounded.	Condition will be imposed to require ABC as existing services within Parramatta Road make undergrounding unfeasible.	Yes, subject to imposition of condition.
	Excavation	Letterbox provision	Letter boxes provided in the lobby area of both buildings.	Yes.
		Master TV antenna provided.	No details provided.	No, but condition will be imposed to enforce compliance.
		Clothes drying facilities provided.	No detail.	Condition will be imposed to ensure fixed racks on balconies are not visible from public

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Section	Development Control	Required	Proposed	Compliance
				places.
		Comply with BCA	To be enforced by condition of consent.	Yes, by way of condition of consent.
2.16		Dilapidation report for all adjoining development.	No details provided.	Dilapidation report will be required to be prepared prior to CC. Compliance will be enforced by way of condition of consent.

Part I – ‘Provision of Off-Street Parking’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

Section	Development Control	Required	Proposed	Compliance
3.3.1	Commercial Premises	<u>Retail/commercial</u> (1 space per 50m ²) - Total (1,123m ²) Therefore, (22) spaces required.	Seventy (70) spaces proposed.	Yes.

Part H – ‘Waste Management’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

The proposal has been accompanied by a waste management plan detailing that demolition and construction waste generated throughout the proposed works will be satisfactorily managed.

As previously discussed, the application has also been accompanied by a detailed waste management concept which has been reviewed by Council's Waste Management Supervisor. Bins will be stored on Level 1 of the basement and collection will be able to occur from the loading dock.

Ongoing waste will be able to be managed within the site until such time as Council's proposed vacuum waste system is operational within the Parramatta Road Corridor. In order to ensure provision is made for the installation and connection to Council's proposed vacuum waste system, a suitable condition of consent has been recommended.

Overall, the proposal has satisfied the relevant requirements of Part H of the SCDP in relation to the management of construction waste and ongoing management of residential waste from the site.

Part N – ‘Water Sensitive Urban Design’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

The proposed development complies with Part N – ‘Water Sensitive Urban Design’ of the Strathfield Consolidated Development Control Plan (DCP) 2005 through the inclusion of features within the stormwater system for the site which will assist in filtering nitrates, phosphates and gross pollutant matter from the runoff from the site. The installation and maintenance of WSUD components will be subject to conditions of consent which have been recommended below.

Interim Planning Policy – Green Amenity Factor

The Green Amenity Factor has been developed to improve the provision of landscaping and common open space in new residential flat and mixed use development. It is a point based system that evaluates the quantity and quality of landscaped areas in new development and moves away from the traditional numeric provision of an area that is landscaped. The Green Amenity Factor was endorsed by Council as an Interim Policy in August 2013 and will be incorporated into a draft DCP in the coming months.

The Green Amenity Factor encourages the provision of a variety of usable open spaces for recreation, social and biodiversity purposes together with achieving a high level of amenity for people of all ages and life stages. The Green Amenity Factor requires the calculation of a primary and secondary factor. The primary factor is applied to all areas including open space, rooftops and balconies. It provides a quantitative measure of open space in new development. The secondary factor measures the quality of the design, amenity and use of these primary factor areas. The output is a factor which measures the overall quantity and quality of open space in new developments and minimum 75% is required to be achieved based on the use of 2/3 (60%) of each factor.

The proposal has achieved a Green Amenity Factor of 76%, which complies with the minimum 75% requirement. The Green Amenity Factor for the site has been achieved through the retention of existing significant trees, the planting of new canopy trees, provision of a green sedum roof to Building A and secondary factors such as indigenous plant species which will attract insects and birds, bird nesting boxes and a variety of tree and groundcover species.

As discussed further below, a condition has been imposed requiring an area of accessible rooftop common open space to be provided to Building B. This will improve the provision of common open space within the development, providing a large, practical area for social interaction/congregation of residents and will further assist in ensuring the proposal achieves the objectives of the Green Amenity Factor.

(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.

(iv) Matters Prescribed by the Regulations

Clause 92 of the Environmental Planning and Assessment Regulation requires Council to take into consideration the provisions of the Government Coastal Policy and the relevant

Australian Standard for the demolition of buildings in the determination of a development application.

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

(v) Any Coastal Zone Management Plan:

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

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

(b) Likely Impacts:

Site Design

The proposed landscaped central courtyard, setbacks, façade design, modulation and articulation result in a high-quality presentation to surrounding streets and to the proposed future park, located east of the site. Whilst the proposal is considered to be of a good architectural standard, the landscaped area at ground level is primarily decorative and impractical. The decorative area of landscaping is broken by a number of raised planters and does not contribute to the provision of practical and accessible communal open space for future residents, particularly given the relatively dense scale of the development.

In order to improve the provision of usable common open space, a condition of consent is recommended requiring the roof to Building B to be replaced with a trafficable green roof and communal BBQ facility for future residents. Due to the orientation of the site, this rooftop will receive good solar access and views toward the city and Homebush Olympic Park.

Subject to compliance with this condition of consent, it is considered that the proposed development will provide an acceptable level of amenity for future residents through the provision of sufficient common open space.

Parking & Traffic

The proposed development provides a total of (344) car parking spaces within the three (3) basement levels and designates (230) spaces for use by residents, (44) visitor spaces and (70) spaces for the retail/commercial component, in full compliance with Council's DCP 20 which requires (223), (44) and (32) spaces respectively (a total of (299) spaces).

Further, the subject site is located within very close proximity (400m) of the Homebush Train Station and a number of regularly serviced bus stops along Parramatta Road, linking Homebush with the employment and entertainment centres of Auburn, Burwood, Parramatta and the Sydney CBD. The site is also located within easy walking distance of Homebush

Town Centre and the mixed use precinct of George Street, North Strathfield where it is likely that the daily needs of residents with regard to entertainment, dining and shopping, along with access to a number of professional local services, will be met.

Tree Removal

The proposed development has undergone substantial modification in order to retain an existing mature Hoop Pine, which is approximately 25m in height with an expected age of about 80 to 100 years. This tree is listed on Council's Significant Tree Register and is located centrally within the site. Due to the considerable significance of this tree, the Applicant has cooperated with Council and has redesigned the proposal in order to retain the tree.

The footprint of Building B has been redesigned so as to wrap around the Hoop Pine as viewed from the northern elevation, maintaining a setback of 10m from the centre of the tree in order to minimise construction within the structural root zone. The layout of the basement and location of the driveway entry ramp has also been reconfigured to ensure the tree is able to be maintained.

Overall, the proposed development has appropriately responded to the context of the site and provides a high quality mixed use development with a good level of amenity for future residents which will positively activate the subject site and will positively contribute to the changing nature of the Parramatta Road streetscape.

(c) Suitability of the Site:

The site is considered suitable for the proposed development which has addressed the strengths of the corner allotment to provide a prominent landmark building which will enhance the streetscape and provide a clear vista and pedestrian connection to the future public reserve adjacent to the development.

Overall, the development is appropriate in scale and presents a modern, architecturally designed development which will provide an excellent level of amenity for future residents and a very good urban design outcome for this prominent corner.

(e) Submissions:

The current form of the proposal has undergone a number of revisions and is somewhat different to the original development. However, due to the reduction in scale of the development, the amendments are considered to have the same or a lesser effect on nearby residents. Therefore, re-notification of the amended development was not warranted in accordance with Section 2.5 of Part L of the Strathfield Consolidated DCP 2005.

Notwithstanding this, the original plans were notified for a period of (30) days in accordance with Part L of the Strathfield Consolidated DCP 2005 and the Integrated Development requirements of the EP&A Act from 11 March 2014 until 11 April 2014 and five (5) written submissions were received by Council relating to the following matters:

1. Traffic

Concerns were raised regarding the potential for the development to impact on the flow of traffic along Parramatta Road.

A Traffic and Parking assessment was submitted with the DA which examined traffic flows and the existing conditions along Parramatta Road. The report concluded that traffic flow along Parramatta road is largely controlled by circumstances at the busy M4 and Concord Road intersection however during peak periods Parramatta Road signal operations in the vicinity of the site, including the Underwood Road and Knight Street intersections are efficiently controlled by the Sydney Coordinated Adaptive Traffic System (SCATS) coordination. The assessment concluded that the proposed development would not interrupt traffic flows along Parramatta Road.

Notwithstanding this, the proposal was also referred to the RMS as the development is deemed a 'Traffic Generating Development' under the provisions of the ISEPP. RMS reviewed the development and recommended a number of conditions of consent which have been included in the recommendation below.

2. Noise

Whilst short term construction noise will be unavoidable, the occupation of the proposed development will not adversely impact the acoustic amenity of existing residents or likely future residential development in the Parramatta Road Corridor.

3. View Loss

There are no established natural or city views which will be adversely impacted by the proposed development. The high rise apartments opposite Parramatta Road and to the south of the site primarily have district views across the M4. Accordingly, the grounds of this objection are not considered to have merit.

(f) Public Interest:

The public interest is effectively served by the proposed development which will provide additional residential density within close proximity of established bus routes along Parramatta Road and Homebush Railway Station. The addition of ground floor commercial tenancies will activate the Parramatta Road frontage of the site, upgrade the pedestrian experience and will provide nearby residents with convenient access to goods and services which may be required on a daily basis. The residential density proposed is acceptable and has been suitably designed to provide a good level of amenity for future residents. Overall, the development is appropriate for the site and its approval would not be contrary to the public interest.

INTEGRATED DEVELOPMENT

The proposed development was forwarded to the NSW Office of Water pursuant to the Integrated Development provisions, of Clause 91 of the Environmental Planning and Assessment Act, 1979 as a Geotechnical Report prepared for the development indicated that ground water may be required to be removed from the site during excavation.

The removal of groundwater constitutes a 'controlled activity' under the Water Management Act 2000, and accordingly General Terms of Approval were sought from the NSW Office of Water. General Terms of Approval were received from the NSW Office of Water on 24 March 2014 and their conditions have been recommended for inclusion in any consent issued.

REFERRALS

External Referrals

NSW Roads and Maritime Services (RMS)

As stated previously, the proposal has also been forwarded to the RMS for comment in accordance with the provisions of the SEPP (Infrastructure) 2007. The RMS has indicated support for the proposed development subject to the imposition of a number of conditions which have also been recommended for inclusion in any consent issued.

Internal Referrals

The application was forwarded to Council's Drainage Engineer, Development Engineer, Building Surveyor, Traffic Engineer, Strategic Planner and Tree Coordinator for comment. Appropriate conditions of consent have been included below, as recommended by these Council Officers.

CONCLUSION

The proposed development is permissible in the subject zoning and accords with the relevant objectives of the Strathfield Local Environmental Plan 2012, the provisions of SEPP 65 and Council's Development Control Plan.

Overall, the proposed development presents a residential flat building of a high architectural merit which will provide a very good level of amenity for future residents. The interesting architectural form will define the subject site, which is an important corner site within the Parramatta Road Corridor.

RECOMMENDATION

That DA2014/035 for the demolition of the existing commercial building, removal of trees and the erection of a mixed use development across two (2) x eight (8) storey buildings comprising a total of (221) residential units, five (5) x ground floor commercial tenancies and three (3) levels of basement parking at 17-35 Parramatta Road and 5 Powell Street, Homebush, be **APPROVED as a Staged Development** pursuant to Section 83B of the Environmental Planning and Assessment Act, 1979 as follows:

- (a) Stage 1 comprising the construction of three (3) levels of basement parking, completion of On-Site Detention System, Stormwater Connection and installation of Water Sensitive Urban Design components and the construction of Building A comprising four (4) commercial tenancies, (40) x 1 bedroom units, (78) x 2 bedroom units and nine (9) x 3 bedroom units and the at-grade central courtyard, and
- (b) Stage 2 comprising the completion of Building B comprising one (1) commercial tenancy, (42) x 1 bedroom and (52) x 2 bedroom units and the mass planting of trees adjacent to the northern boundary of the site.
- (c) The construction of Stage 2 of the proposal shall commence within six (6) months from the date of issue of the Interim Occupation Certificate relating to Stage 1.

The development shall be completed subject to the following conditions:

CONDITIONS OF CONSENT

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:

Basement Level 3 Plan Drawing No. DA001A Issue G Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Basement Level 2 Plan Drawing No. DA001 Issue K Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Basement Level 1 Plan Drawing No. DA002 Issue J Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Ground Floor Plan Drawing No. DA003 Issue M Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

First Floor & Podium Plan Drawing No. DA004 Issue M Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Level 2 Floor Plan Drawing No. DA005 Issue L Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Level 3-4 Floor Plan Drawing No. DA006 Issue H Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Level 5-6 Floor Plan Drawing No. DA007 Issue H Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Level 7 Floor Plan Drawing No. DA008 Issue H Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Roof Floor Plan Drawing No. DA009 Issue E Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Elevations Plan Drawing No. DA150 Issue F Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014

Elevations Plan Drawing No. DA151 Issue D Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

Section A & B Drawing No. DA160 Issue F Job No. OMA1309 prepared by Squillace Architects received by Council on 7 July 2014.

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Section C Plan Drawing No. DA161 Issue D Job No. OMA1309 prepared by Squillace Architects received by Council on 13 June 2014.

Landscape Plan Drawing No. LA02 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Hardworks, Levels and Soil Depths Drawing No. LA03 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Planting Plans First Floor, Level 2 and Roof Drawing No. LA04 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Illustrative Sections Drawing No. LA05 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Green Amenity Factor Calculations Drawing No. LA05-1 Issue A Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Green Amenity Factor Calculations No. LA06 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Green Amenity Factor Calculations Drawing No. LA07 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Green Amenity Factor Calculations Drawing No. LA08 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Green Amenity Factor Calculations Drawing No. LA09 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Green Amenity Factor Calculations Drawing No. LA10 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Landscape Details Drawing No. LA11 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Materials and Finishes Colour Scheme Schedule prepared by Squillace Architects received by Council on 28 February 2014.

Amended Statement of Environmental Effects Report prepared by BBC Planners dated 13 June 2014 received by Council on 13 June 2014.

Preliminary Site Investigation Phase One Report dated 27 February 2014 prepared by Aargus Australia P/L received by Council on 28 February 2014.

Addendum to Phase One Preliminary Site Investigation report dated 26 June 2014 prepared Aargus Australia P/L received by Council on 26 June 2014.

Traffic and Parking Report dated June 2014 prepared by Transport and Traffic Planning Associates received by Council on 13 June 2014.

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BASIX Certificate No. 530599M_02, 530692M_02 and 530750M_02 dated 12 June 2014 received by Council on 13 June 2014.

NatHERS Certificate No. 1006397093 dated 12 June 2014 prepared by Association of Building Sustainability Assessors received by Council on 13 June 2014.

Stormwater Concept Plans prepared by Acor Consultants Pty Ltd Project No.SY130538 Drawings Nos. C1.01, 02, 03 and 04 issue A dated February 2014 received by Council on 28 February 2014.

BCA Assessment Report dated 24 February 2014 prepared by Blackett Maguire & Goldsmith received by Council on 28 February 2014.

Waste Management Plan prepared by The MACK Group dated 24 February 2014 received by Council on 28 February 2014;

Acoustic Report prepared by Acouras Consultancy dated 26 February 2014 received by Council on 28 February 2014.

Access report prepared by Morris Goding Access Consultants dated 26 February 2014 received by Council on 28 February 2014.

Preliminary Fire Engineering Statement prepared by RAW Fire dated 24 February 2014 received by Council on 28 February 2014.

Geotechnical Report prepared by Asset Geotechnical dated 27 February 2014 received by Council on 28 February 2014.

Arboricultural Assessment Report prepared by Redgum Horticultural dated 26 February 2014, received by Council on 28 February 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.

Special Conditions

5. The proposed development is approved in two (2) stages, as follows:
 - (a) **Stage 1** comprising the construction of three (3) levels of basement parking, completion of On-Site Detention System, Stormwater Connection and installation of Water Sensitive Urban Design components and the construction of Building A comprising four (4) commercial tenancies, (40) x 1 bedroom units, (78) x 2 bedroom units and nine (9) x 3 bedroom units and the at-grade central courtyard, and
 - (b) **Stage 2** comprising the completion of Building B comprising one (1) commercial tenancy, (42) x 1 bedroom and (52) x 2 bedroom units and the mass planting of trees adjacent to the northern boundary of the site.

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(c) The construction of Stage 2 of the proposal shall commence within six (6) months from the date of issue of the Interim Occupation Certificate relating to Stage 1.

6. The roof of Building B shall be redesigned and made accessible for use as common open space. Lift access and communal BBQ/outdoor kitchen facility for use by all future residents of the site shall be included in the design and the details submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**. The rooftop area may include a pergola, with a maximum height of 3.5m and maximum area of 25m², to improve the usability of the rooftop.
7. The strata subdivision of the proposed development shall be the subject of a further development application to Council.
8. Accessible and functional bicycle storage shall be provided within the basement for use by residents and visitors to the site.
9. The Stormwater Plans, Landscape Plans and BASIX endorsed under Condition 1 are acceptable as concept plans only and shall be updated to reflect the modified footprint of the building prepared by Squillace Architects and received by Council 7 July 2014.

General

10. Neither of the two (2) stages of the development shall be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
11. For residential flat developments which are subject to State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Development and required to be accompanied by a design verification from a qualified designer under Clause 50(1A) of the Environmental Planning and Assessment Act Regulation 2000, a certifying authority must not issue:
 - (a) a **Construction Certificate** unless the certifying authority has received a design verification statement from a qualified designer that verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 143A of the Regulations; and
 - (b) an **Occupation Certificate** to authorise a person to commence occupation or use of the residential flat building unless the certifying authority has received a design verification statement from a qualified designer that verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 154A of the Regulations.
12. A Works Permit shall be obtained from 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.

13. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
14. Storage of goods or the use of portable clotheslines on balconies visible from a public place is strictly prohibited.
15. All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.
16. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

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

Stage 1

Provision of Community Facilities	\$121,723.90
Provision of Major Open Space	\$374,997.10
Provision of Local Open Space	\$149,980.70
Provision Roads and Traffic Management	\$25,354.64
Administration	\$15,958.20
TOTAL	\$688,005.50

Stage 2

Provision of Community Facilities	\$82,436.40
Provision of Major Open Space	\$400,851.60
Provision of Local Open Space	\$160,831.20
Provision Roads and Traffic Management	\$22,122.18
Administration	\$17,089.20
TOTAL	\$683,330.60

The total amount of the contribution is valid as at the date of determination and is subject to annual indexation. If the contribution is paid after 1st July in any year, the amount of the contribution under this condition shall be indexed in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

18. A security payment of \$8,127.00 in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council **prior to the issue of a Construction Certificate**. The security payment is GST inclusive and comprises the following:

Refundable works bond	\$8,000.00
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Non-refundable administration fee (\$127/bd)	\$127.00
TOTAL	\$8,127.00

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

- (a) road and stormwater drainage works in roadways and public areas;
- (b) connection to Council's stormwater drainage system;
- (c) installation and maintenance of sediment control measures for the duration of construction activities, and
- (d) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.

19. 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.

Parking/Traffic Matters

20. A total of (344) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Residents	(197)
Resident Accessible	(33)
Visitors (residential)	(44)
Commercial	(70)
TOTAL	(344)

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

- 21. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
- 22. Where entry points to carpark areas are fitted with security gates/shutter and access to visitor parking is required to be provided a suitable communication systems shall be provided at the entry point to allow the security gates/shutter to be opened remotely by occupants of the building.
- 23. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
- 24. All vehicles entering and leaving the site shall be driven in a forward direction only.

25. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.
26. The vehicle spaces must not be enclosed with walls or meshed security screens without the prior approval of Council.
27. Reconstruction of the footpath, kerb and gutter to Council's specifications for the full frontage of the development site shall be undertaken at the completion of all building works.
28. A specific bay for car washing shall be provided within the basement for use by residents. This car wash bay shall be drained in accordance with the requirements of Sydney Water.

Plans demonstrating compliance with this requirement must be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate**. This information shall also form part of any future development application for the Strata Subdivision of the development.

29. Purpose built storage compartment(s) shall be provided to and within each of the resident car parking bays and/or associated dwellings at the following rate:
 - o 6m³ for each one (1) bedroom unit.
 - o 8m³ for each two (2) bedroom unit.
 - o 10m³ for each three (3) bedroom unit.

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

Drainage/Stormwater

30. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system kerb & gutter via the onsite stormwater detention systems and as depicted on the stormwater drainage concept plans prepared by Acor Consultants Pty Ltd project No.SY130538 Drawings No. C1.01, 02, 03 & 04 issue A dated February 2014 and the onsite stormwater detention volume is to be increased by 50% for landscaping purposes and amended plans are to be submitted to the certifying authority for approval **prior to the issue of a Construction Certificate for Stage 1**.
31. Stormwater runoff from all roof and paved surfaces of the development site shall be collected and discharged by means of a gravity pipe system to the Sydney Water's channel via On-site Stormwater Detention storage subject to the requirements of Sydney Water.
32. An easement in favour of the development site lot shall be obtained over any downstream properties traversed by the gravity drainage line connecting to Sydney Water's Channel. 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 2.5m.
33. The utility services within the area of effect of the proposed drainage line (i.e. gas, water, sewer, electricity, telephone, etc) shall be physically located **prior to the commencement**

of drainage works. The relevant authority's written consent for excavation adjacent to their services shall be obtained. Any adjustments required shall be at no cost to Council.

34. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans **AND** the requirements of Council's Stormwater Management Code.

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

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

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

36. **Prior to the issue of an Occupation Certificate,** 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.

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

38. 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.

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

40. All subsoil drainage must be designed to meet the requirements of AS3500;
41. Access to the basement car park, head room for basement entry, driveway ramp and turning circles shall be designed in accordance with AS 2890.1-2004.
42. The proposed basement pump out system is to be strictly in accordance with the requirements set out in Strathfield Council's Stormwater Management Code 2007. The rising main shall be connected to the OSD tank/basin. Final details of this system are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate**.
43. All surface inlet drains upstream of the on-site detention basin must be designed so that there is no overflow before the storage is full.
44. 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.
45. 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.
46. Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.
47. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:
- (a) On-site stormwater detention system **AND**
 - (b) All Water Sensitive Urban Design components

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

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

48. A detailed design of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate** and shall include, but not be limited to:

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

The design shall be prepared by a suitably qualified professional engineer experienced in Water Sensitive Urban Design in accordance with the approved plans, conditions of

consent, Strathfield Council's Development Control Plan Part N - Water Sensitive Urban Design 2005, Strathfield Council WSUD Reference Guideline and WSUD Technical Design Guidelines for South East Queensland (SEQ Healthy Waterways Partnership) Version 1 June 2006 or subsequent updated versions.

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

A schedule or timetable for the proposed regular inspection and monitoring of the devices, maintenance techniques, reporting and record keeping requirements and associated rectification procedure shall be included in the report.

Public Authority Matters

52. **Prior to the issue of an Occupation Certificate** all existing overhead electricity and telecommunication cabling adjacent to the development site shall be placed underground at the applicants' expense in accordance with the specifications of AusGrid and the telecommunications supplier and the following requirements:
- (a) Where the property is located on the **opposite side of the street** to the main power lines and telecommunication cables, the services are to be placed underground from the development site to the nearest location on the opposite side of the street for connection to the existing mains supply as directed by AusGrid and the telecommunications carrier. The method of construction across the road carriageway shall be by directional boring beneath the road pavement; **OR**
 - (b) Where the property is located on the **same side of the street** as the main overhead power lines and telecommunication cables, all services are to be placed underground for the full length of the frontage of the site. Any overhead powerlines and

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telecommunication cables that cross the road from the development site must also be placed underground and the cabling installed and distributed to properties in accordance with AusGrid and the telecommunications carriers' requirements.

53. **Prior to the issue of a Construction Certificate the applicant must contact** the Engineer Planning and Supply Negotiations (West) AusGrid on 131 535, to obtain a quotation to underground power supply lines and where appropriate a quotation to underground the main overhead power supply lines adjacent to the frontage of the subject property and the telecommunications carrier on 1100 advising that undergrounding of the telecommunication cabling is required.

If required, an easement shall be created in favour of electrical and telecommunications suppliers and comply with the following:

- (a) For the provision of underground services and above ground pillar boxes for access to their equipment;
 - (b) The easement is to be 3m wide abutting the property boundary at the point of entry and 1.5m within the property;
 - (c) Where the easement is to be enclosed, a minimum headroom of 2m is required above the floor level; and
 - (d) The wording of the easement shall be approved by AusGrid and the Telecommunications Carrier where applicable, **prior to the issue of a Construction Certificate.**
 - (e) Written evidence that the wording of the easement has been approved by the relevant service providers shall be provided to Council **prior to the issue of a Construction Certificate.**
 - (f) The required easement shall be created and registered **prior to the issue of an Occupation Certificate or use of the building.**
54. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.
55. Where undergrounding services, a plan indicating the depth and location of all services (i.e., gas, water sewer, electricity, telecommunication, traffic lights, etc) within the area affected by the development shall be submitted to Council **prior to the issue of a Construction Certificate.**

Furthermore, any adjustments required shall be at no cost to Council or any public authority. The relevant authorities' written consent for any adjustments or works affecting their services shall be obtained and a copy provided to Council **prior to the issue of a Construction Certificate.**

Public Domain Works

56. Works will be required to upgrade the Public Domain and footpath along Parramatta Road. **Council's Technical Services Section shall be consulted,** prior to undertaking works in order to confirm the required paving and street furniture for both street frontages.

Landscaping/Tree Matters

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57. The trees listed shall be retained at all times (please note that tree numbers correspond with *Arboricultural Impact Assessment* prepared by *Redgum Horticultural*):

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>	<u>Protection Zone (m)</u>	<u>Excavation Zone (m)</u>
6) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 7.0	As per Landscape Plan	As per report	As per report
8) <i>Araucaria cunninghamii</i> (Hoop Pine)	25.0 x 7.0	As per Landscape Plan	10.2m	3.09m
10) <i>Lophostemon confertus</i> (Brush Box)	8.0 x 6.0	As per Landscape Plan	As per report	As per report
11) <i>Lophostemon confertus</i> (Brush Box)	8.0 x 6.0	As per Landscape Plan	As per report	As per report
12) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 9.0	As per Landscape Plan	As per report	As per report
13) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 9.0	As per Landscape Plan	As per report	As per report
14) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report
15) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report
16) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report
17) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report
18) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report

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

- A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS 1319-*Safety signs for the occupational environment*.
- No concrete slurry or wash, building materials, builders' rubble, excavation soil 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.

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- (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- (g) **No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- (h) Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

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

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>
1) <i>Acmena smithii</i> (Lilly Pilly)	6.0 x 6.0	As per Landscape Plan
3) <i>Acmena smithii</i> (Lilly Pilly)	8.0 x 5.0	As per Landscape Plan
4) <i>Eucalyptus sp.</i> (Gum)	6.0 x 6.0	As per Landscape Plan
5) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 8.0	As per Landscape Plan
7) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 9.0	As per Landscape Plan
9) <i>Corymbia maculata</i> (Spotted Gum)	12.0 x 9.0	As per Landscape Plan

- 59. All trees permitted to be removed by this consent shall be replaced by species selected from Council's recommended planting list. Replacements shall be a minimum 50 litre container size and shall be maintained until maturity.
- 60. All noxious weeds on the site shall be removed and destroyed as per their classification under the *Noxious Weeds Act 1993*.
- 61. Consent is given for the removal of the existing *Lophostemon confertus* (Brush Box) street tree located on the Powell St frontage as per the Landscape Plan subject to the following:
 - (a) A minimum of one (10) replacement *Eucalyptus microcorys* (Tallowwood) shall be provided within Council's nature strip on Parramatta Rd and Powell St frontage as per the Landscape Plan.
 - (b) Trees are to conform to the *NATSPEC guide* and *Guide for assessing the quality of and purchasing of landscape trees* by Ross Clarke, 2003.
 - (c) Replacement trees shall be minimum 50 litre container size. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self supporting. Supplied trees are to have an appropriate stem taper. Roots shall generally grow in an outwards (radial) or downwards direction.
 - (d) Trees are to be installed using suspended pavements over non compacted soil utilising tree pit technology such as *City Green Strata Cells* or a similar product.
 - (e) 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.
 - (f) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius from the base of the tree.
- 62. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must

be carried out during the full period of all approved works (including any demolition and excavation).

63. Manual excavation and manual sawing of all roots is required within TPZ of all trees referred to in Condition No 57.
64. A minimum level 5 (AQF5) Consultant Arborist who is currently a member or is eligible for membership to the *Institute of Australian Consulting Arboriculturists* (IACA) or *Arboriculture Australia* (AA) is to be contracted by the applicant to undertake/supervise excavation (in accordance with *Arboricultural Impact Assessment* prepared by *Redgum Horticultural*) within the TPZ of the trees referred to in condition No. 57.

Green Factor

65. All landscaping works must be carried out in accordance with the stamped and approved Green Factor (landscape) plans, including stated species selection, stated soil profiles/materials, stated drainage, and stated soil depths.
66. The soil profile used must have the stated soil structure that supports water and nutrient retention that includes expanded shale, clay or similar at the bottom of the profile to absorb water, however, the design of the soil profile must ensure that the soil does not become water-logged.
67. The waterproofing membrane used must be certified to work with green roofs, and must have a lifetime guarantee.
68. Documentation of the construction demonstrating compliance with this condition must be carried out by the Registered Landscape Architect who prepared the plans, and submitted to the Principal Certifying Authority for approval **prior to the issue of an Occupation Certificate** for the development. This documentation is to include:
- (a) A written and photographic report that shows the process and details of construction so that it can be demonstrated that:
 - (i) The correct waterproofing membrane has been installed. This must be accompanied by a certification by the supplier;
 - (ii) The specified soil structure has been used. This will take the form of annotated construction photographs that show the detail of the soil profile being constructed close up and from a distance to ensure that the location within the project can be confirmed. The photographs are to be accompanied by plans showing the locations being documented. A minimum of four roof/podium locations and two ground level over structure locations must be documented;
 - (iii) The specified plant species have been used;
 - (iv) The specified tree sizes have been used;
 - (v) Any Community Garden has been planted, and any associated sheds have been built;
 - (vi) Any additional factors, such as bird nests, water features, outdoor kitchens, children's play structures or equipment have been installed in accordance with the plans and suppliers standards;
 - (vii) A certificate from the registered landscape architect who prepared the Development Application plans clearly stating that the works have been built as specified, and that the said landscape architect is satisfied that the standard of construction is such that the planting will have longevity.

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(viii) A maintenance agreement for a minimum of one year from completion from the developer to stating/ensuring that the landscape area is maintained and allowed to properly establish, with any plants that die replaced by the developer within this period.

69. Once the report and accompanying documentation has been received by the relevant Consent Authority, the landscape must be inspected by the Principal Certifying Authority together with the registered Landscape Architect to ensure that the report and what has been constructed are in agreement.
70. Two (2) hardcopies and two (2) softcopies of the full documentation provided under this condition must be provided to Strathfield Council, along with the certification by the registered Landscape Architect **prior to the issue of an Occupation Certificate**.

Construction Matters

71. **Prior to the commencement of any construction or demolition work**, the Applicant or principal contractor must, subject to obtaining permission from the respective property owners, provide dilapidation reports prepared by a suitably qualified person (such as a structural engineer), on the buildings located on any lot adjacent to the subject site, inclusive of ancillary structures. A copy of the respective report must be provided to the Principal Certifying Authority and neighbouring property owners that are the subject of that report.
72. 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**.
73. 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).
74. 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.
75. 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.
76. 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.
77. 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.
78. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
(a) Must preserve and protect the building from damage; and

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- (b) If necessary, must underpin and support the building in an approved manner, and
- (c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

79. 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.

80. 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.
81. The common access pathways, letterboxes and entry doorways to the building shall be provided with suitable low level artificial lighting systems to ensure safe and convenient access at night. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
82. To maintain pedestrian safety in common areas suitable lighting is to be provided on the development site adjoining each street frontage and near pedestrian main entrances to the site. Details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
83. 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;

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- (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.

Building Matters

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

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

Sustainability

85. Water collected in the rainwater tank must be roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:
- (a) Toilet flushing;
 - (b) Clothes washing;
 - (c) Garden irrigation;
 - (d) Car washing and similar outdoor uses;
 - (e) Filling swimming pools, spa pools and ornamental ponds; and
 - (f) Fire fighting.
86. Water heating systems to multi-unit residential developments shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Demolition

87. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
88. 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.**
89. 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.**
90. The cleared ground surface of the site shall be suitably stabilised to prevent the generation of dust and the erosion of soil on the site.

Fire Safety Measures

91. 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.**
92. 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.

Disabled Access

93. 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.**
94. 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.**
95. Carparking spaces for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Waste Management

96. 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.
97. The waste storage room shall be designed to comply with the relevant standards and details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Automatic Waste Collection System (AWCS)

98. (a) The Developer, **prior to the issue of an Occupation Certificate** must design and construct all buildings on the site to provide a conventional waste collection system, that is adaptable to an AWCS for each building that:
 - (i) Collects general, recyclables and food and organics (inc. garden waste) waste fractions separately; and
 - (ii) Complies with the requirements set out in Council's Waste Policy;

- (b) The Developer will make provision for a future connection of the AWCS to the building(s) by providing space for the AWCS collection pipe to be installed/retrofitted as follows:
- (i) An access space must be provided that makes provision to accommodate a minimum 600mm diameter pipe to Powell Street as agreed with Council;
 - (ii) The access space /pipe will terminate a minimum of 1.5 metres below the base of the building waste room, as determined by the centre of the pipe (point A);
 - (iii) The access space may be air space within the basement of the building or a trench set into the basement floor complete with gattic covers accessible from the basement floor;
 - (iv) The pipe will leave the property boundary between 1.5 and 2 metres below finished road level to the centre of the pipe (point B);
 - (v) The pipe access space must provide for continuous access from point A to point B (Pipe Access Space);
 - (vi) The pipe access space may provide for bends only with a turning radius greater than 2000mm and have an elevation no greater than 15 degrees;
 - (vii) The waste collection room is to be designed to withstand negative pressure of 2000N/m²;
 - (viii) The waste room must be no less than 24 square metres in area and a minimum of 2.4 metres in height. (Waste Collection Space);
 - (ix) Should an AWCS system be installed the Council (or the Council's service provider) will own AWCS equipment and pipework from the inlets, through the base of the waste chute to the property boundary (point B);
 - (x) A single phase general power outlet is to be provided in the waste collection room, adjacent to where the inlets and their collection pipes will be located.
- (c) The Developer must register an easement in favour of Council on the title of the Land with such terms that will provide Council (or Council's service provider) access to the AWCS collection pipe and the building waste room referred to in (b) above.
- (d) Council has the right to request and review detailed design drawings for the rooms, and connection spaces, from the inlets to the pipe in the street to:
- (i) Ensure that the development will meet the conditions as outlined in this approval;
 - (ii) Ensure that the building will be capable to be adapted when the building is integrated into the wider Parramatta Road Corridor/Strathfield Town Centre AWCS;
 - (iii) Provide detailed advice, either from Council, or from Council's service provider, in regard to whether the detailed design is suitable for the AWCS; and
 - (iv) Provide written feedback, either from Council, or from Council's service provider, which will form part of these conditions, detailing how the detailed design may need to change to ensure that it will enable the AWCS to be integrated into the building.

Integrated Development

99. Full compliance is required with the below conditions as required by the NSW Office of Water by letter dated 24 March 2014:

- (a) An authorisation shall be obtained for the take of groundwater as part of the activity;
- (b) Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified;
- (c) The design and construction of the structure shall preclude the need for permanent dewatering by waterproofing those areas that may be impacted by any water table (i.e. a fully tanked structure) with adequate provision for unforeseen fluctuations of water table levels to prevent potential future inundation;
- (d) Construction methods and material used in and for construction shall not cause pollution of the groundwater;
- (e) Prior to excavation, measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken and a report provided to the NSW Office of Water. A schedule and indicative plans of the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report;
- (f) Prior to excavation, a reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the calculation method shall be included in the report;
- (g) Prior to excavation, a copy of a valid development consent for the project shall be provided to the NSW Office of Water;
- (h) Prior to excavation, groundwater quality testing shall be conducted and a report supplied to the NSW Office of Water. Samples must be taken prior to the commencement of pumping, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria;
- (i) Prior to excavation, the method of disposal of pumped water shall be nominated (i.e. street drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (tailwater) must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority;
- (j) Prior to excavation, contaminated groundwater shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water (tailwater) that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site;
- (k) During excavation, piping or other structures used in the management of pumped groundwater (tailwater) shall not create a flooding hazard. Control of pumped groundwater (tailwater) is to be maintained at all times during dewatering to prevent unregulated off-site discharge;
- (l) During excavation, measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased;

- (m) During excavation, pumped groundwater (tailwater) shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater (tailwater) shall be complied with;
- (n) During excavation, dewatering shall be undertaken in accordance with groundwater related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulphate soils management plan or remediation action plan) shall not be compromised by the dewatering activity;
- (o) During excavation, the location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in the documentation;
- (p) During excavation, access to groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety precautions, and
- (q) Following excavation, all monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts.

100. Full compliance is required with the below conditions as required by the Roads and Maritime Service by letter dated 9 April 2014:

- i. All redundant driveways on Parramatta Road shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter works on Parramatta Road shall be in accordance with RMS requirements. Details of these requirements should be obtained from RMS Project Services Manager, Traffic Projects Section, Parramatta on 8849 2496.
- ii. The layout of the proposed car parking areas, loading docks and access driveway associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimension) should be in accordance with AS2809.1-2004 and AS2890.2-2002 for heavy vehicles accessing the loading dock.
- iii. The post development stormwater discharge from the subject site into the RMS drainage system shall not exceed the pre-development discharge. Detailed design plans and hydraulic calculations of any changes to the stormwater system are to be submitted to the RMS for approval, prior to the commencement of any works. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works. Details shall be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
PO BOX 973
PARRAMATTA CBD 2124
A plan checking fee will be payable and a performance bond may be required before the RMS approval is issued. With regard to the Civil Works requirement, please contact the RMS Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

- iv. The developer is to comply with the requirements of Technical Direction (GTD 2012/001). This will require the developer to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to the RMS for assessment. The developer is to meet the fill cost of the assessment by the RMS.
- v. The proposed residential component of the development should be designed such that road traffic noise from Parramatta Road is mitigated by durable materials in order to satisfy the requirements for habitable rooms under Clause 102 (3) of State Environmental Planning Policy (Infrastructure) 2007.
- vi. The swept path of the longest vehicle (including garbage truck) entering and exiting the subject site as well as manoeuvrability through the site, shall be in accordance with AUSTRROADS.
- vii. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council **prior to the issue of a Construction Certificate.**
- viii. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
- ix. All works associated with the proposed development shall be at no cost to the RMS.

Land Contamination

- 101. The site shall be remediated in accordance with the recommendations of the approved Environmental Site Audit prepared by Argus Consulting and copies of all weighbridge receipts must be provided to Council to ensure contaminated soil and waste is classified and disposed to suitable landfill in accordance with the *"Waste Classification Guidelines, Part 1: Classifying Waste" NSW DEC (2009)* **prior to the issue of a Construction Certificate.**
- 102. If during any site works, significant odours and/or evidence of gross contamination not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area and Council, the Principal Certifying Authority and a suitably qualified Environmental Consultant shall be immediately notified.
- 103. **Prior to the issue of a Construction Certificate,** a report from a suitably qualified Environmental Consultant must be provided to Council stating that the site has been remediated to a suitable level for its intended use.
- 104. All fill imported on to the site shall be validated by an appropriately qualified person/body to ensure the imported fill is suitable, from a contamination perspective, for the proposed land use. Fill imported onto the site shall also be compatible with the existing soil characteristics for site drainage purposes.
- 105. Details of the appropriate validation of imported fill material are to be submitted with any application for future development of the site. All fill imported onto the site is to be validated during remediation works by sampling and analysis of the fill material in accordance with the applicable guidelines to ensure that the material is not contaminated.

Hoardings

- 106. No advertisements of any kind shall be affixed to hoardings except for a board not exceeding 2.4m x 1.8m on which may be shown the architect's/builder's/demolisher's

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- names or any particulars regarding the subject building and notices regarding the existing or future occupancies in the building.
107. Hoardings/overhead protective structures at ground level shall have mesh wire or other such material fixed to the surface to a height at least 2 metres in order to preclude the fixing of posters.
108. A sign with the words "Billposters Will Be Prosecuted" shall be attached or printed on the hoarding/overhead protective structures at regular intervals so it is visible from the street or any adjoining public place.
109. Any hoarding, fence or awning is to be removed when the work has been completed.

Air Quality

110. Full compliance shall be given to the recommendations and suggested construction methodology contained in the endorsed acoustic consultant's report prepared by Acouras Consultancy dated 26 February 2014 received by Council on 28 February 2014. The construction methodology shall be modified/upgraded in order to ensure a suitable level of internal amenity is provided to all levels of the proposed development in accordance with AS2107:2000 and the requirements of Clause 102 of the SEPP (Infrastructure) 2007.
111. **Prior to the issue of an Occupation Certificate** a suitably qualified Acoustic Engineer shall certify that the building has been constructed in accordance with the minimum recommendations set out within in the endorsed acoustic consultant's report prepared by Acouras Consultancy dated 26 February 2014.
112. Air Conditioning plant and commercial ventilation details shall be submitted to a suitable Acoustic Consultant for review. A supplementary acoustic report shall be prepared and submitted to the Principal Certifying Authority for review and any recommendations shall be incorporated into architectural plans **prior to the issue of a Construction Certificate.**