

# JOINT REGIONAL PLANNING PANEL (SYDNEY EAST)

## Assessment Report and Recommendation Cover Sheet

JRPP No	<b>2015SYE115</b>
DA Number	<b>2015/100</b>
Local Government Area	<b>Strathfield</b>
Proposed Development	Demolition of the existing clubhouse and structures, tree removal and Staged construction of (23) x two (2) 2 storey townhouses, (27) x three (3) storey townhouses and two (2) 2 x nine (9) 9 storey apartment buildings (178 dwellings) over two (2) levels of basement car parking for (321) cars
Street Address	<b>84 Centenary Drive, Strathfield</b>
Applicant/Owner	Alceon Group Pty Ltd – C/- Metro Property Group
Number of Submissions	<b>Six (6)</b>
Regional Development Criteria (Schedule 4A of the Act)	<b>CIV &gt; \$20m</b> \$81,203,834
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> <li>• <b>List all of the relevant environmental planning instruments: s79C(1)(a)(i)</b> <ul style="list-style-type: none"> <li>• SEPP 55 – Remediation of Land</li> <li>• SEPP 65 – Design Quality of Residential Flat Buildings</li> <li>• SEPP (Infrastructure) 2007</li> <li>• SEPP (Building Sustainability Index: BASIX) 2004</li> <li>• Strathfield Local Environmental Plan 2012</li> </ul> </li> <li>• <b>List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii)</b> N/A</li> <li>• <b>List any relevant development control plan: s79C(1)(a)(iii)</b> Strathfield Consolidated Development Control Plan 2005: <ul style="list-style-type: none"> <li>○ Part C – Multiple-Unit Housing</li> <li>○ Part H – Waste Management and Minimisation</li> <li>○ Part L – Notification</li> </ul> </li> <li>• <b>List any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F:</b></li> </ul>

	<p><b>s79C(1)(a)(iv)</b> N/A</p> <ul style="list-style-type: none"> <li>• <b>List any coastal zone management plan: s79C(1)(a)(v)</b> N/A</li> <li>• List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 N/A</li> </ul>
List all documents submitted with this report for the panel's consideration	<b>Supplementary report and amended architectural plans (in Dropbox)</b>
Recommendation	<b>DEFERRED COMMENCEMENT</b>
Report by	<p><b>Kerry Gordon – Planning Consultant</b></p> <p>Council contact</p> <p>Sophie Olsen, Acting Manager Planning and Development</p>

## SUMMARY

<b>PROPERTY:</b>	84 Centenary Drive Strathfield Formerly, Lot 1 and part Lot 2 in DP 854298 and Lot 1 in DP 130917, now Lots 300 and 301 of DP 1208910 (registered 12.1.2016)
<b>DA NO.:</b>	2015/100
<b>APPLICATION TYPE:</b>	Demolition, tree removal and construction of apartment buildings and townhouses, internal roads and landscaping – staged development
<b>REPORT BY:</b>	Consultant Town Planner
<b>RECOMMENDATION:</b>	DEFERRED COMMENCEMENT
<b>SUBMISSIONS:</b>	Four (4) submissions were received to initial notification, all objecting to the proposal. Three (3) submissions were received to the notification of amended plans, all objecting to the proposal. The final amended plans were not notified.
<b>ZONING:</b>	Part B4 – Mixed Use and part R3 – Medium Density Residential
<b>DATE APPLICATION LODGED:</b>	28 August 2015
<b>APPLICANT:</b>	Alceon Group Pty Ltd – C/- Metro Property Group
<b>OWNER:</b>	Strathfield Golf Club

## INTRODUCTION

Approval was sought for the demolition of the existing clubhouse and structures and tree removal and Staged construction of (23) x 2 storey townhouses, (27) x 3 storey townhouses and two (2) x 9 storey apartment buildings (178 dwellings) over two (2) levels of basement car parking for (321) cars. It was also proposed to construct an internal access road and associated landscaping. Stage 1 was to consist of the construction of the townhouses and Stage 2 was the demolition of the clubhouse and construction of the apartment buildings.

An assessment report was prepared for consideration of the JRPP at its meeting of 16 March 2016 which recommended refusal for a number of reasons. At this meeting the Panel resolved to defer the application as follows:

*The Panel resolved to defer the application in order to allow the Applicant to submit amended plans by 4 April 2016. The Applicant has agreed to review the following:*

1. *Landscape setting to the north of Building B;*

*A revised landscape plan is required to detail species with a vertical form which are able to be planted over the basement car parking. The landscape architect shall comment on the species selection to ensure sufficient root room is provided to allow the trees to reach maturity.*

*At least 2 x large trees are required and if necessary, the basement should be indented to provide sufficient space for the trees.*

**2. Landscape setting townhouses;**

*The North-South link roads shall be deleted and the courtyard spaces of the townhouses shall be extended and provided with trees. Additional visitor parking spaces shall be provided where each N-S connecting road has been deleted. Separation between townhouses can be reduced to 5.0m.*

*The single storey elements shall be deleted in order to break the continuous bulk of the north townhouses and replaced with tree to improve landscape setting. Alternatively, amended landscape plan shall be provided to demonstrate decent landscaping in between townhouses.*

**3. Access into parking spaces – southern townhouses (21 townhouses);**

*Modifications to provide 2 x B85 parking spaces by reducing the internal layout of the townhouses*

*Access to front door clear of vehicle (min 950mm)*

*Access from both sides of car must be provided.*

**4. Casual surveillance to south building;**

*Agreed glazing to front (southern elevation) adjacent to front door is appropriate*

**5. S1,S2, S3,S4 townhouses;**

*Increase Private Open Space to 35m<sup>2</sup> minimum.*

**6. Communal facilities in stage 2 to be accessible to residents in stage 1 via easement;**

*Condition will state that in the event stage 2 does not commence within 5 years of OC for townhouses, the communal facilities will be constructed.*

**7. Turning eastern portion of road to comply with NSW Rescue requirements;**

*Document is FRNSW Guidelines for Emergency Vehicle Access, Policy No. 4*

**8. Cross vent to comply with ADG**

**9. Living room/balconies to switch to comply with ADG**

**10. Cl 4.6 Objections;**

*(a) to be submitted for the height to lift overrun which exceeds Council's controls or additional information in the form of survey point and better sections*

*(b) to be submitted for 2.5m<sup>2</sup> FSR or reduce GFA to comply*

*10. Condition to be imposed re: private waste collection*

*11. Disabled parking to be addressed in amended plans*

*12. Drainage to be resolved without impacting landscaping;*

*Meeting to be coordinated between Council and Applicant's consultant.*

*13. Introduce more verticality to RFBs;*

*Introducing new materials/colours onto balcony blades which have been pulled forward in the central part of the north elevation of Building B and south elevation of Building A.*

*14. Boundary adjustment plan;*

*To be provided to resolve staging issue.*

*The Panel requests the Applicant provide Amended Plans be lodged with Council by 31 March 2016.*

*The Panel requests the Council to provide it with a Supplementary Report by 13 April 2016 which assesses whether the amended proposal complies with the above resolution.*

*Following receipt of the Supplementary Report the Panel will determine the matter a public meeting.*

Amended plans were submitted to Council on 31 March 2016 in response to the decision of the Panel.

This report has been prepared in three (3) sections:

- Firstly, this report will identify the changes made to the plans which are to be the subject of this report and will address each of the listed matters and state whether the amended plans satisfy the matters;
- The report will then address the additional matters identified in the original report as potentially being dealt with by conditions or other matters that arise from the assessment of the amended plans; and
- The report will then include a recommendation for the Panel based on whether the amended plans satisfactorily resolve the outstanding concerns raised in the matters.

Given the comprehensive assessment of the application against the relevant planning controls and policies contained within the original assessment report (see attached), such assessment will not be revisited as the plans are largely unaltered in terms of the bulk of that assessment. Where the amendments result in a variation from that assessment, the variation will be addressed in this report.

## **CHANGES TO PLANS CONSIDERED BY THE PANEL**

The amended plans the subject of this report contain the following changes from those originally considered by the Panel:

### Stage 1 – Townhouses

- Realignment of the eastern end of the loop road to provide satisfactory access for emergency vehicles, with subsequent reduction in width of landscaping adjoining the southern half of the eastern boundary from 1.7m to 1m (inclusive of fence and kerb);
- Removal of the north/south connections between the loop road and replacement with private courtyards for townhouses;
- Relocate two (2) visitor parking spaces to the area of the two (2) removed north/south connections between the loop roads;
- Reduce depth of Townhouses N2 and N3 and realignment of loop road to provide increased courtyard sizes for Townhouses S1-4, increasing them to 37m<sup>2</sup> in area;
- Altering dimensions of visitor parking spaces 4 and 5;
- Redesign of southern townhouses with single garage to provide wider open car space and improve accessibility to garages and car spaces, resulting in a reduction in landscape between the townhouses;
- Increased landscaping adjoining the northern half of the eastern boundary due to relocation of visitor parking space 8; and
- Provision of RLs on plans.

### Stage 2 – Apartment Buildings

- Provision of two (2) x large trees between the northern boundary and Building B, with amendment to the basement parking layout to allow sufficient root zone;
- Amendment of basement ramp to ensure basement aligns with proposed subdivision boundary adjustment;
- Reduction in basement footprint at north-western corner to allow retention of tree;
- Reduction in parking provision in Basement 1 to (128) spaces, retaining (170) in Basement 2 to provide a total of (298) spaces (including 30 accessible);
- Provision of an OSD tank in Basement 1;
- Relocation of some of the accessible spaces closer to the lifts;
- Provision of cross ventilation to Apartments B103, B203, B303, B403, A103, A203, A303 and A403 (an additional eight (8) apartments);
- Change to internal layout of Apartments A110, A210, A310 and A410 to provide balcony off living room and provide east facing living room rather than south facing;
- Provision of vertical blades to the north elevation of Building B and the southern elevation of Building A and introduction of some dark grey feature panels to facades to improve articulation;
- Reduction in width of Apartments B7.06 and 7.08 to reduce height to comply with height control; and
- Provision of RLs on plans.

The amendment also foreshadows a future application for community title and strata title subdivision at which stage it is indicated that it is proposed to modify the existing two (2) allotments to address concerns raised with the stages not corresponding to the allotment boundaries.

Concept stormwater plans provide a revised OSD design which includes interception of water from the adjoining school site along the southern loop road and redirecting it through a new pipe system to the golf course, resulting in the need for works on the school and amendment of the existing easement through the site which is in favour of the school.

## **RESPONSE TO MATTERS RAISED BY PANEL DEFERRAL**

### **1. Landscape setting to the north of Building B;**

***A revised landscape plan is required to detail species with a vertical form which are able to be planted over the basement car parking. The landscape architect shall comment on the species selection to ensure sufficient root room is provided to allow the trees to reach maturity.***

***At least 2 x large trees are required and if necessary, the basement should be indented to provide sufficient space for the trees.***

The plans have been amended to provide a root zone for the planting of two (2) large trees between to the northern boundary and Building B. The root zone is created by a combination of the previously proposed side setback and an amendment to the basement layout.

Whilst the accompanying Arborist advice provided by Lee Hancock Consulting Arborist indicates that a proposed 4m x 4m deep soil zone will provide suitable root area for the growth of a narrow growth habit tree to a height of up to 20m, referencing *Corymbia maculate* (Spotted Gum), the plans show only a deep soil zone of 4m x 3.5m.

Comments provided by Council's Landscape Architect indicate that a 4m x 4m deep soil zone would be sufficient to support *Corymbia maculate*, with the deeper roots having access to the adjoining golf course, however the trees are likely to only reach 10-15m, not 20m as indicated. However, the landscape plans show the trees as *Eucalytus haemastoma*, not *Corymbia maculate*.

Therefore, in order to appropriately address the requirement for the planting of 2 large trees it would be necessary to amend the basement carpark layout to increase the depth of the indent to 4m measured from the northern boundary and to replace the tree species identified in the landscape plans with *Corymbia maculate*. Conditions to this effect are included at **Condition D2**.

### **2. Landscape setting townhouses;**

***The North-South link roads shall be deleted and the courtyard spaces of the townhouses shall be extended and provided with trees. Additional visitor parking spaces shall be provided where each N-S connecting road has been deleted. Separation between townhouses can be reduced to 5.0m.***

***The single storey elements shall be deleted in order to break the continuous bulk of the north townhouses and replaced with tree to improve landscape setting. Alternatively, amended landscape plan shall be provided to demonstrate decent landscaping in between townhouses.***

The plans have been amended to remove the north/south link roads and courtyard spaces have been provided in this space, along with one (1) visitor parking space. The separation between the townhouses was not reduced and remains at 5.5m. Whilst the amended plans are generally acceptable in this regard, the amended design raises some concerns which are addressed as follows.

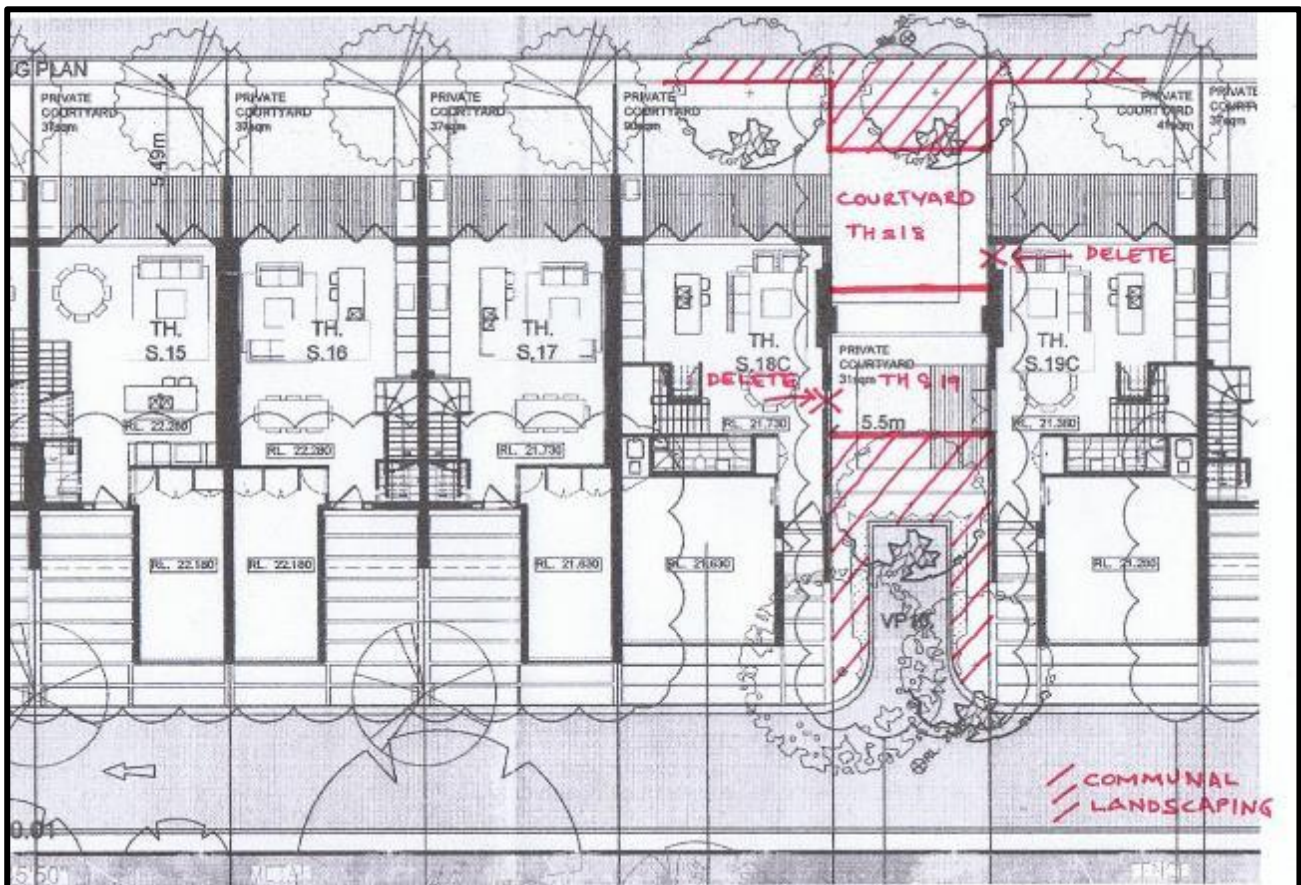


The intention of the removal of the north/south link roads was to provide for increased deep soil plantings and to provide a substantial improvement to the landscape setting of the development. The amendments incorporate the vast majority of this space into the private courtyards of the two (2) adjoining townhouses, which as a result has very limited visible improvement to the landscape setting of the townhouses.

Whilst the use of part of this space for private courtyards is reasonable, the size of this area should be reduced to improve the landscape setting of the development. An improvement in the landscape setting of the development could be achieved by providing a 3m deep common landscape area to either side of the private courtyards (i.e. adjoining the northern loop road and to the rear of the visitor parking space off the southern loop road), with 5m wide courtyards between.

The use of the courtyards also requires amendments to the layout and elevations of the adjoining townhouses (Nos. S10, S11, S18 and S19) to maintain privacy between the internal space of the townhouse and the adjoining courtyard where it is owned by another townhouse. It is therefore recommended that the window locations be altered such that no window of one townhouse adjoins the courtyard of another townhouse.

These amendments will require changes to the architectural and landscape plans and it is important for Council to ensure the desired landscape setting is achieved. It is therefore recommended that the amended plans be required by way of a deferred commencement condition. The amended landscape plan should incorporate a canopy tree to reach a height of 15m in the 3m landscaped area to either side of the private courtyards. **Condition D2** incorporates these requirements. The following sketch identifies the amendments that are sought by this condition.





In terms of increasing the landscape setting of the northern townhouses, the amended landscape plans show little change. Accordingly, it is recommended that a condition of consent include a requirement to amend the landscape plan to provide for a small tree (5-6m at maturity – can be deciduous) in the courtyard of each northern townhouse. In order to increase the landscaped setting of the area surrounding the single storey components and to allow the bulk to be broken in these locations, the tree to be planted in the courtyards of Townhouses N4, 5, 9, 10, 14, 15, 19 and 20 are to achieve a minimum maturity height of 10m. This requirement is addressed by **Condition D2**.

**3. Access into parking spaces – southern townhouses (21 townhouses);**

***Modifications to provide 2 x B85 parking spaces by reducing the internal layout of the townhouses***

***Access to front door clear of vehicle (min 950mm)***

***Access from both sides of car must be provided.***

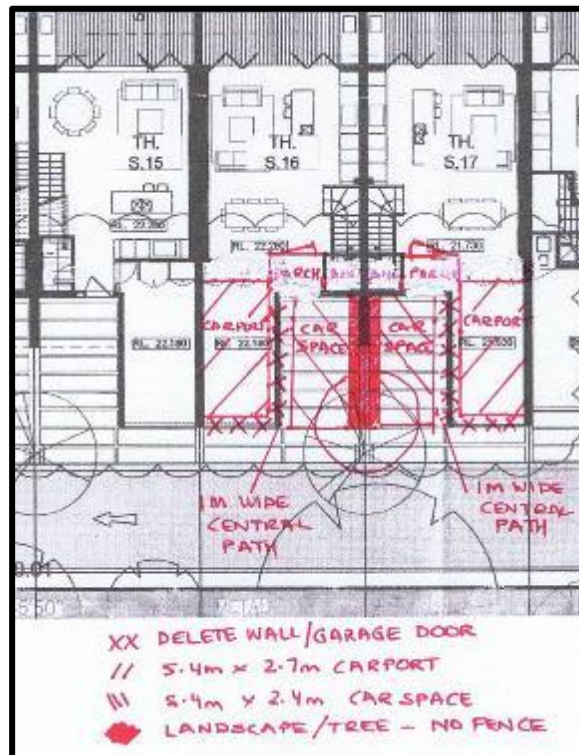
Amended plans have been provided which have increased the width of the open single parking space and increased the depth of that space and the garage to provide for improved manoeuvrability into the spaces along with allowing an access path to the front door clear of the parking space.

The amended plans do not provide sufficient space for appropriate manoeuvring into the space together with suitable access into the dwelling. Further, the modifications made to the plans are at the expense of the landscaped setting at the front of the townhouses. Whilst a tree has been retained forward of the parking spaces, its location inhibits manoeuvrability into the spaces and the spaces are only accessible by way of a three point turn.

Further, the distance from the southern edge of the loop road to the front door is only 11.1m, which is considered to be inappropriate, requiring the car to be parked immediately adjacent to the front door. The 11.1m distance from the southern edge of the road is required to include the roadway, footpath, parking area and front porch. As a result, this is very constrained, providing insufficient area around the front and side of the car for comfortable pedestrian access, particularly if the passengers of the car include children who need to be removed from car seats or capsules, as may be the case for such large townhouses.

The combination of poor accessibility, the proximity that the car would need to be parked to the front door and the loss of landscape setting demonstrate that at 6.8m wide, the townhouses are of insufficient width to provide an appropriate entrance pathway, single garage and open car space.

Accordingly, it is recommended that the plans (both architectural and landscape) be amended to achieve a better outcome for parking, access and the landscaped setting. The following amendments demonstrate an example of one way which this could be achieved:



- Replacement of the single garage with a carport 5.4m x 2.7m (cantilevered at the front corner where it adjoins the pedestrian path);
- A central pedestrian path 1m wide to a relocated front door;
- Provision of an open parking space on the other side of the path 5.2m x 2.4m;
- Recess of the entrance to the townhouse to allow a front porch which will not be overhung by the boot or bonnet of the car;
- Provision of an enclosed bin storage area for individual general, recycling and green waste bins;
- Provision of a more substantial landscaped setting between the townhouses, with no dividing fence (a privacy blade may be required at the entrance porches); and
- Relocation of the proposed tree 1m to the north so that it does not inhibit manoeuvring into or out of the spaces.

It is acknowledged that this will reduce the size of the living spaces to these townhouses. Should the above solution not result in an acceptable level of amenity, an alternative would be to delete one (1) townhouse and increase the width of the remaining southern townhouses, although this would have to be achieved within the permitted FSR for the site.

Given the complex nature of the changes required to result in a satisfactory outcome, it is recommended that these matters be included in the Deferred Commencement Conditions.

**Condition D2** addresses these modifications.

#### **4. Casual surveillance to south building;**

***Agreed glazing to front (southern elevation) adjacent to front door is appropriate***

The amended plans provide a glazing panel adjoining the front door.

**5. S1,S2, S3,S4 townhouses;**

***Increase Private Open Space to 35m<sup>2</sup> minimum.***

The private open space of Townhouses S1-4 has been appropriately increased to 37m<sup>2</sup>.

**6. Communal facilities in stage 2 to be accessible to residents in stage 1 via easement;**

***Condition will state that in the event stage 2 does not commence within 5 years of OC for townhouses, the communal facilities will be constructed.***

Condition 15 addresses the above requirement.

**7. Turning eastern portion of road to comply with NSW Rescue requirements;**

***Document is FRNSW Guidelines for Emergency Vehicle Access, Policy No. 4***

The amended plans appear to address this requirement based on the turning templates provided. However, the result of this change is an unsatisfactory reduction in the landscaped setting adjoining the eastern boundary of the site (southern portion). In order to address this concern a condition of consent (**Condition D2**) is recommended requiring the planting of *Eucalyptus sclerophylla* (Scribbly Gum) at minimum 8m centres along the southern half of the eastern boundary of the site.

**8. Cross ventilation to comply with ADG**

The amended plans result in the provision of cross ventilation to an additional eight (8) apartments, resulting in (107) of (178) apartments having natural cross ventilation, equating to 60.1%, complying with Part 4B of the Apartment Design Guide.

**9. Living room/balconies to switch to comply with ADG**

The amended plans have relocated the bedrooms and living rooms of Apartments A110, A210, A310 and A410 to provide a balcony off the living room and provide an east rather than south facing living room.

**10. CI 4.6 Objections;**

- (a) to be submitted for the height to lift overrun which exceeds Council's controls or additional information in the form of survey point and better sections**
- (b) to be submitted for 2.5m<sup>2</sup> FSR or reduce GFA to comply**

The amended plans have reduced the width of Apartments B7.06 and 7.08 to reduce the height to comply with the height control. Additional information (being overlaying the roof plan on the survey plan) was provided to show that the remainder of the development complies with the height control.

It is noted that Townhouse Type F is identified as having an option for a lift though the elevations do not show a lift overrun. The provision of a lift overrun would be likely to result in one townhouse breaching the height control and as such a condition of consent (**Condition D2**) deletes reference to the lift option. Should a lift be desired by a future purchaser they will need to modify the consent or seek approval for a lift.

The amended plans have been accompanied by plans identifying the proposed floor space, with the following information provided:

Stage 1		9,042m <sup>2</sup>
Stage 2	Building A	7,017m <sup>2</sup>
	Building B	8,262m <sup>2</sup>
Total		24,321m <sup>2</sup>

The above figures are those shown on the plans and comply with the maximum FSR of the site.

Given the development relies upon the FSR permitted across the entire site but does not propose consolidation of the sites, a covenant will be required to be placed across the allotment to contain the townhouse component of the development preventing future “double dipping” of floor space, consistent with Clause 4.5(9) and (10) of SLEP 2012. **Condition 15** includes this requirement.

**10. Condition to be imposed re: private waste collection**

**Conditions 86 and 87** have been imposed to address this concern.

**11. Disabled parking to be addressed in amended plans**

The amended plans relocate some accessible parking spaces within the basement of the apartment buildings, which improved their proximity to the lifts of the development. However, it is considered that two (2) of the parking spaces are still an unreasonable distance from the relevant lift to access the adaptable apartments. Accordingly, **Condition D2** requires the location of the two (2) northernmost accessible parking spaces off the east/west aisle next to the access ramp to be swapped with the three (3) southern-most non-accessible spaces located to the west of the bulk goods allocation room within Basement 1.

**12. Drainage to be resolved without impacting landscaping;**

**Meeting to be coordinated between Council and Applicant's consultant.**

Amended drainage concept plans have been submitted, which were peer reviewed by an independent consultant prior to lodgement. These plans have been reviewed by Council's Development Engineer who has provided the following comments.

*I have reviewed the submitted stormwater management plans prepared by **Cardno job no.80216033 revision 1 dated 31.03.2016**. The provision of onsite stormwater detention is required given the extent of new impervious area and development. Three (3) separate OSD systems have been designed for the whole site which will improve discharge for minor and major storm events. These systems consist of OSD tanks formed by cast insitu and precast systems. The applicant has designed a complicated system and has demonstrated that these systems can operate by the use of reinforced concrete pipes that will store runoff for all storm events. An existing piped system runs through the low side of the property which indicates that this system will be upgraded and discharges to Cooks River. They have also provided justification by a separate consulting firm that these systems are designed through engineering best practice and also generally comply with Council's Stormwater Management Code 1994. The provision of water sensitive urban will need to be provided given the nature of development and conditions will be imposed to ensure water quality measures are incorporated in the design. From an engineering perspective, there are no objections to the proposal subject to conditions.*

As is mentioned above, the design incorporates works within the adjoining school site to collect drainage from that site and dispose of it via the piped system proposed to be located adjoining the southern and eastern boundaries of Stage 1. This system is proposed to replace the existing pipes and easement running through the subject site. Whilst there is no engineering concern with this approach it involves works through an adjoining site and the altering of an existing easement in favour of the school. An owner's consent has been provided by NSW Education Manager of Property to "*Aleceon Group Pty Limited, its subsidiaries, agents, and consultants, to lodge or rescind any Development Application with Strathfield Council for works along the northern part of Strathfield South High School as part of its development proposal for the land at 84 Centenary Drive, Strathfield.*" This owner's consent would allow the works for the drainage infrastructure to be constructed as part of this consent, however, it does not appear to provide approval to extinguish the existing easement for drainage across the subject site and to create a new one across the proposed drainage infrastructure. In order to address this, **Condition D1** requires the provision of written approval from the adjoining owner consenting to the change to the easement. An additional condition (**Condition 11**) is required to ensure the existing drainage is rerouted to the new infrastructure prior to the demolition of the existing drainage easement.

Further, the landscape plans still show the old stormwater design which proposed detention basins within the adjoining golf course land. **Condition D3** requires the amendment of the landscape plan to delete the basins. Council's Landscape Architect has not raised any objection to the proposed stormwater design.

**13. Introduce more verticality to RFBs;**

*Introducing new materials/colours onto balcony blades which have been pulled forward in the central part of the north elevation of Building B and south elevation of Building A.*

The amended plans have provided vertical blades to the northern elevation of Building B and the southern elevation of Building A and have introduced dark grey panels to the facades. The combination of the amendments are considered to provide an appropriate degree of vertical articulation to the facades to provide reasonable visual relief to the bulk of the buildings as viewed from the public domain.

**14. Boundary adjustment plan;**

*To be provided to resolve staging issue.*

The applicant has indicated that the staging issues raised in the initial planning report can be addressed by a foreshadowed future application for community title and strata title subdivision at which stage it is indicated that it is proposed to modify the existing two allotments to address concerns raised with the stages not corresponding to the allotment boundaries. It is not considered that this approach provides sufficient certainty and it is therefore recommended that approval for the boundary adjustment be obtained and registered, including the required right-of-way in favour of Stage 2, prior to the issue of any construction certificates for Stage 1. **Condition 10** includes this requirement.



## **ADDITIONAL MATTERS**

### **Parking**

The amended plans reduce the parking provision within the apartment buildings to (298) spaces for the proposed development. Parking is required to be provided at the rate of 1 space per 1 bed, 1.5 spaces per 2 bed and 2 spaces per 3 bed apartment, with 1 visitor space per 5 apartments. As such the following parking is required:

29 x 1 bed	29 spaces
140 x 2 bed	210 spaces
9 x 3 bed	18 spaces
Visitor	36

Total required            293 spaces

An appropriate condition is recommended.

### **Additional Conditions**

The original assessment report identified the need for additional conditions to address the following matters. The recommended conditions to address these issues are noted as follows:

- |                                                                            |                     |
|----------------------------------------------------------------------------|---------------------|
| • Remediation of underground petroleum storage tank                        | <b>Condition 16</b> |
| • Storage requirements within apartment buildings                          | <b>Condition 19</b> |
| • Acoustic treatment of buildings                                          | <b>Condition 8</b>  |
| • Acoustic fence adjoining eastern boundary                                | <b>Condition D2</b> |
| • Privacy to dwellings to the east from easternmost townhouse side windows | <b>Condition D2</b> |

## **RECOMMENDATION**

That DA2015/100 for demolition of the existing clubhouse and structures and tree removal and Staged construction of (23) x 2 storey townhouses, (27) x 3 storey townhouses and two (2) x 9 storey apartment buildings containing a total of (178) dwellings comprising one (1) x studio, (28) x 1 bedroom, (140) x 2 bedroom and nine (9) x 3 bedroom apartments over two (2) levels of basement car parking for (298) cars at 84 Centenary Drive, Strathfield be granted a DEFERRED COMMENCEMENT consent subject to the following conditions:

## **CONDITIONS**

### **PART A – DEFERRED COMMENCEMENT CONDITIONS**

This consent will lapse six (6) months from the date of this consent, unless the matters below have been complied with and Council's written confirmation of the satisfaction of the below conditions has been issued:

- D1     Owner's consent shall be provided demonstrating that the owner of the southern neighbouring site (Minister for Education) agrees to the relocation of the existing stormwater drainage easement, extinguishment of the current easement for drainage across the subject site and the provision of a new easement over the proposed drainage infrastructure which transports stormwater from Strathfield South High School to the Cooks River.



D2 Amended architectural plans are to be provided incorporating the following changes:

- (a) Amendment to the basement design (Levels 1 and 2) under Apartment Building B to provide a deep soil planting area with dimensions of 4m x 4m in lieu of the proposed areas which have a dimension of approximately 4m x 3.5m. The landscape plans and architectural plans shall indicate the planting of *Corymbia maculate* in these deep soil areas in accordance with the recommendations of the Arborist Report.
- (b) Amendment to the parking provision and dwelling entry area for all of the southern townhouses which are proposed to have a single garage and open car parking space (i.e. Townhouses S2, 3, 4, 5, 6, 7, 8, 9, 12,, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25 and 26). The amendments are required to achieving the following:
  - (i) Two (2) car parking spaces meeting the required dimensions of AS2890.1;
  - (ii) A central pedestrian path aligning with the front door measuring at least 950mm;
  - (iii) A front porch to the townhouse to provide separation from the parking space to the dwelling entry. Note, porch must not be overhung by the boot or bonnet of the car;
  - (iv) A minimum setback of 5.8m between the end of the carport or car space and the southern side of the southern loop road; and
  - (v) The provision of a bin storage area for one (1) x garbage, recycling and greenwaste bin per townhouse.

NOTE: These amendments must be undertaken whilst complying with the FSR control of 1.2:1 applicable to the whole site the subject of the development consent.

- (c) Redesign of the proposed private courtyards located between the three (3) rows of southern townhouses (i.e. of Townhouses S10, 11, 18 and 18) to achieve the following:
  - (i) Increase to the landscaping on the northern side of the proposed courtyard fencing to 3m wide to improve communal landscaping visible from the northern link road;
  - (ii) Setback of the proposed courtyard fence adjoining the visitor parking space located off the southern loop road to provide a minimum 3m communal landscape setback to the north of the visitor parking space;
  - (iii) Divide the remaining space into two (2) private courtyards;
  - (iv) Deletion of any ground level opening in the wall of any townhouse that adjoins the courtyard of the opposite townhouse in order to overcome privacy concerns; and
  - (v) Provision of privacy treatments as necessary to the side windows at the upper levels of each townhouse with a side courtyard such that overlooking down into another townhouse's courtyard is not possible.
- (d) Deletion of the reference on the plans to an "optional lift" for Townhouse Type F to overcome a potential height non-compliance;
- (e) Provision of obscure glazing to the ground level openings of Townhouses S1 and S26 in the western and eastern facades respectively to a minimum height of 1.5m above the floor level to provide privacy from the loop road.

- (f) Provision of an acoustic fence, constructed of lapped and capped timber or colourbond fencing with no gap at the bottom, along the eastern boundary of the site to a minimum height of 1.8m.
- (g) The glazing within the eastern elevation of the easternmost townhouses at the first and second floor level shall be frosted and the windows shall either be fixed or awning style to ensure overlooking of the rear yards to the east does not occur.
- (h) Relocation of the two (2) northernmost accessible parking spaces within the basement which are located off the east/west aisle next to the access ramp. These two (2) spaces are to be swapped with the three (3) southernmost non-accessible spaces located to the west of the bulk goods allocation room within Basement 1.

D3 Amended landscape plans are to be provided to Council demonstrating the following:

- (a) The trees to be planted in the deep soil zones identified in Condition D2(a) above being *Corymbia maculate* of 400L pot size;
- (b) Provision of a small tree (5-6m at maturity, can be deciduous) in the courtyard of each northern townhouse, with the exception of the courtyards of Townhouses N4, N5, N9, N10, N14, N15, N19 and N20 where a tree to achieve a minimum maturity height of 10m is required in order to increase the landscaped setting of the area surrounding the single storey components of the townhouses;
- (c) Relocation of the trees proposed to be planted between the open car spaces of the southern row of townhouses 1m to the north to allow for improved vehicular manoeuvring into the car parking spaces;
- (d) Provision of one (1) of the proposed trees with each of the communal landscaped areas identified in Condition D2 (c) to reach a minimum mature height of 15m;
- (e) Provision of *Eucalyptus sclerophylla* (Scribbly Gum) at minimum 8m centres along the southern half of the eastern boundary of the site, increasing the size of the landscape area as necessary to accommodate the trees whilst still allowing compliant access for emergency vehicles under the provisions of *FRNSW Guidelines for Emergency Vehicle Access, Policy No. 4*;
- (f) Deletion of the stormwater detention basins shown on the adjoining golf course land which have been superseded by the approved concept stormwater plans;
- (g) Provision of a more substantial landscaped setting between the adjacent open car parking spaces of the townhouses identified in Condition D2 (b), with no dividing fence, other than a privacy blade between the entry porches if required;
- (h) Provision of trees to reach a mature height of at least 10m, planted at minimum 8m centres along the southern boundary of the southern loop road. Trees selected are to be capable of a slim growth habit; and
- (i) Replacement of the proposed cobbled surface of the loop road around the townhouses with a surface that will not cause acoustic issues for adjoining residents.

- D4 A revised BASIX Certificate, based on the above amendments to the architectural and landscape plans, shall be prepared for the development and submitted to Council in order to satisfy the provisions of SEPP Building and Sustainability Index (BASIX) 2004.

Upon written confirmation from Council that the above conditions have been satisfied, the consent will become operable subject to the following conditions.

## **Part B – Other Conditions**

### **Staging**

1. The development the subject of this consent is a staged development comprised of two (2) stages which must be constructed in the correct numerical order.

#### **Stage 1:**

- (a) Demolition of structures and removal of trees approved for removal within the land area shown as Lot 3001 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS;
- (b) Construction of approved works (inclusive of 50 townhouses) within land area shown as Lot 3001 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS;
- (c) Provision of infrastructure (inclusive of drainage works within Strathfield South High School) to support the approved works within land area shown as Lot 3001 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS;
- (d) Landscape works approved within land area shown as Lot 3001 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS; and
- (e) Alteration to the layout of the carpark used by Strathfield Golf Club on the subject site to remove car parking that conflicts with the approved works on the land area shown as Lot 3001 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS and provision of temporary fencing along the boundary of Lots 3001 and 3002 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS.

#### **Stage 2:**

- (f) Demolition of structures and removal of trees approved for removal within the land area shown as Lot 3002 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS;
- (g) Construction of approved works (inclusive of Apartment Buildings A and B) within land area shown as Lot 3002 on Drawing PR127780, Issue D, prepared by RPS;
- (h) Provision of infrastructure to support the approved works within land area shown as Lot 3002 on Drawing PR127780, Issue D, prepared by RPS; and
- (i) Landscape works approved within land area shown as Lot 3002 on Drawing PR127780, Issue D, prepared by RPS.

## **Plans**

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

### **Whole Development**

Masterplan, Drawing Nos. DA0.03, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council on 31 March 2016.

Staging Plan, Drawing No. DA0.04, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council on 31 March 2016.

Demolition Plan, Drawing No. 11.01, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council on 31 March 2016.

### *Landscape Plans*

Drawing Nos. 102-109 and 215-217, all Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

### *Engineering Works Plans*

Drawing Nos. 80216033-DA005, DA010, DA015, DA020, DA030-DA037, DA040, DA050, DA080-DA081, DA090-DA091 and DA100, Revision 01, prepared by Cardno, dated 31.03.16 and received by Council on 31 March 2016.

The revised BASIX Certificates endorsed under condition D4 above.

### **Stage 1**

#### *Architectural Plans*

Drawing Nos. DA1.06 and 12.01, all Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing Nos. DA1.00A, DA1.00B, DA1.01A, DA1.01B, DA1.02A, DA1.02B, DA1.03A, DA1.03B, DA1.04, DA1.05 and DA1.07-1.12, all Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing Nos. DA2.01A, DA2.01B, DA2.01C and DA3.01A, all Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA2.01D, Revision E, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. 5.03, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016 – only works within land area shown as Lot 3001 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS.

*Landscape Plans*

Drawing Nos. 110-114, 205-207 and 211-213 all Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing Nos. 115, 204, 209 and 210, all Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016 – only works within land area shown as Lot 3001 (inclusive of access handle) on Drawing PR127780, Issue D, prepared by RPS.

**Stage 2**

*Architectural Plans*

Drawing No. DA 14.01 and DA 14.03, Revision A, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 6.07, Revision A, prepared by Marchese Partners, dated 21/4/2016 and received by Council 19 April 2016.

Drawing No. DA5.08, DA 11.01, DA 16.00-16.01, DA 7.04, DA 8.01, DA 14.04-14.05 and DA 14.03, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA DA6.04, 6.05 and DA 6.06, Revision B, prepared by Marchese Partners, dated 21/4/2016 and received by Council 19 April 2016.

Drawing Nos. DA5.01-5.05, DA5.10, DA5.12, DA6.01-6.02, DA7.02-7.03, DA14.02, all Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing Nos. DA6.03, DA7.01, DA12.02 and DA12.03, all Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

*Landscape Plans*

Drawing Nos. 116-118, 208 and 211-213 all Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing Nos. 115, 204, 209 and 210, all Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016 – only works within land area shown as Lot 3002 on Drawing PR127780, Issue D, prepared by RPS.

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

5. A copy of the endorsed stamped plans and specifications for each stage, 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.
6. The construction of the drainage infrastructure on South Strathfield High School shall be constructed in a manner that does not detrimentally impact any tree on that property for which consent has not been granted to remove. In this regard such work shall be carried out under the supervision of a suitably experienced and qualified minimum AQF Level 5 Arborist who shall identify the method of construction to be used in order to ensure the long term health of the trees.

### Special Conditions

7. Any community title and/or strata subdivision of the proposed development shall be the subject of a separate application. The allocation of parking in any such subdivisions are to be consistent with the conditions of this consent.
8. The Acoustic Report, dated 25/8/2015, prepared by Wood & Grieve Engineers shall be reviewed and amended as required to address the amended design of the development and the recommendations within Table 14 of that report are to be amended as necessary. The architectural plans shall be amended to identify the provision of all acoustic measures identified in the amended acoustic report **prior to the issue of a Construction Certificate for either stage.**

### Stage 1

9. **Prior to the issue of a Construction Certificate for Stage 1** a plan is to be prepared showing how the Strathfield Golf Club car park is to be fenced off from the access handle shown in Drawing titled "Subdivision Diagram – Areas Approximate Only", PR127780, Issue D, prepared by RPS. The plan is to show a single gated access from the access handle to the golf club car park and is to show how parking spaces that are currently partially located within the access handle will be reline-marked. The fencing and reline-marking works are to be completed **prior to commencement of any works for Stage 1** and shall be certified to comply with AS2890.1.
10. A separate application is to be made and consent obtained for the subdivision shown in Drawing titled "Subdivision Diagram – Areas Approximate Only", PR127780, Issue D, prepared by RPS and the subdivision shall be registered **prior to the issue of a Construction Certificate for Stage 1.**
11. The existing drainage system draining stormwater from Strathfield South High School shall not be demolished until an alternative system is constructed (whether that system is a temporary or permanent system). The permanent drainage works shown to be carried out within the grounds of South Strathfield High School and all downstream connections of those works to the drainage system within Strathfield Golf Course are to be completed **prior to the issue of an Occupation Certificate for Stage 1.** The drainage works shall not encroach more than 10% into the Tree Protection Zone of any tree which is listed for retention.



12. The drainage works identified by the above condition are to be covered by an easement for drainage in favour of the owner of Strathfield South High School. Evidence of the registration of the easement with LPI shall be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate for Stage 1.**
13. **Prior to an Occupation Certificate for Stage 1** all building works, infrastructure and landscaping works identified as being within Stage 1 of this consent must be completed and all conditions of consent relating to Stage 1 must be satisfied.
14. **Prior to the release of any Construction Certificate for Stage 1 or the release of any community or strata title Subdivision Certificate for Stage 1** a covenant shall be placed on the entire property identified as Lot 3001 in Drawing titled "Subdivision Diagram – Areas Approximate Only", PR127780, Issue D, prepared by RPS. The covenant shall have the effect of identifying that the site is fully developed in conjunction with Lot 3002 in the same plan to the maximum FSR of 1.2:1.

The covenant shall have the effect of preventing "double dipping" (ref: Clause 4.5(9) Strathfield LEP 2012) and shall state that Lot 3001 is a "restricted lot" by identifying that no further floor space beyond the approved 9,042m<sup>2</sup> is able to be placed on the lot. Council shall be a signatory to the covenant.

Evidence of the creation and registration of the covenant with LPI shall be provided to Council and the Principal Certifying Authority **prior to the release of any Construction Certificate for Stage 1.**

15. **Within 5 years of the issue of an Occupation Certificate for Stage 1,** the communal open space identified in the legend as 01 and 03, shown within Stage 2 identified on Drawing No. 115, Issue B, prepared by Arcadia Landscape Architects and dated March 2016, with design detailed on Drawing Nos. 203 and 204, Issue B, prepared by Arcadia Landscape Architects and dated March 2016 shall be completed to the satisfaction of Council.

## Stage 2

16. **Prior to the commencement of any works in relation to Stage 2,** other than demolition works, the underground petroleum storage tank shall be removed and the excavated area shall be validated to determine if the surrounding soil is impacted with petroleum hydrocarbons. Validation certificates shall be submitted to the Principal Certifying Authority and Council. If any significant leakage is confirmed to have occurred then further ground water sampling shall be performed and any required remediation shall be completed **prior to the issue of a Construction Certificate.**
17. **Prior to the issue of any Occupation Certificate for Stage 2,** an easement for use and access to the communal open space established under Condition 15 above shall be prepared in favour of the allotment of land identified as Lot 3001 in Drawing titled "Subdivision Diagram – Areas Approximate Only", PR127780, Issue D, prepared by RPS permitting access to and use of the communal open space by the occupants and guests of all townhouses in Stage 1. Details of the registration of the easement with LPI are to be provided to Council and the Principal Certifying Authority **prior to the issue of any Occupation Certificate for Stage 2.**

18. Accessible and functional bicycle storage shall be provided within the basement for use by residents and visitors to the site **prior to the issue of any Occupation Certificate for Stage 2.**
19. Purpose built storage compartment(s) shall be provided to and within each of the resident car parking bays and/or associated dwellings at the following rates:
- 6m<sup>3</sup> for each one (1) bedroom unit
  - 8m<sup>3</sup> for each two (2) bedroom unit, and
  - 10m<sup>3</sup> for each unit with three (3) bedrooms or more.

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

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

20. **Prior to the issue of any Occupation Certificate for Stage 2** the Principal Certifying Authority shall be satisfied that all building works, infrastructure and landscaping works identified as being within Stage 2 of this consent have been completed and all conditions of consent relating to Stage 2 have been satisfied.
21. No Occupation Certificate for Stage 2 shall be issued until an Occupation Certificate for Stage 1 has been issued.
22. Each set of tandem parking spaces located in the basement shall only be allocated to the same apartment in any future strata subdivision.

#### **General**

23. Each stage of the development shall not be occupied or used until all of the development within that stage 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.
24. 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.
25. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works for each stage on public/Council-controlled areas. The permit must be retained on site at all times.
26. **Prior to the issue of a Construction Certificate for each stage**, 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.
27. Storage of goods or the use of portable clotheslines on balconies visible from a public place is strictly prohibited.
28. 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.
29. 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.
30. An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee **prior to the commencement of any site work (including demolition)**.

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

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

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

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

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

## **Financial Matters**

32. 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	\$71,750.20
Provision of Major Open Space	\$345,327.80
Provision of Local Open Space	\$61,523.00
Provision Roads and Traffic Management	\$12,358.00
Administration	\$14,701.60
<b>TOTAL</b>	<b>\$505,660.60</b>

### **Stage 2**

Provision of Community Facilities	\$181,620.50,
Provision of Major Open Space	\$840,380.50
Provision of Local Open Space	\$155,732.50
Provision Roads and Traffic Management	\$25,136.00
Administration	\$35,734.00
<b>TOTAL</b>	<b>\$1,238,603.50</b>

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 1<sup>st</sup> 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.

33. 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
Non-refundable administration fee (\$127/bd)	\$127.00
<b>TOTAL</b>	<b>\$8,127.00</b>

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.
34. 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. Stage 1**

Each townhouse shall be provided with two (2) off street parking spaces  
Ten (10) visitor spaces shall be provided within Stage 1.

##### **Stage 2**

A minimum of **(293)** car parking spaces are to be provided within the basement of Stage 2 and are to be allocated on the following basis:

1 bed apartments	1 space
2 bed apartments	minimum 1 space, maximum 2 spaces
3 bed apartments	2 spaces
Visitors	36 (including 1 accessible space)
Accessible spaces	1 per adaptable apartment (total of 29)

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

The accessible parking spaces are to be allocated closest to the lift core to provide access to the relevant adaptable apartment.

21. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
22. The entry point to the basement carpark area shall be fitted with security gates/shutter to control the entry and exit of vehicles to and from the basement. Any security gates/shutter shall be designed in order to ensure it is able to be opened remotely by occupants of the building.
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 concrete kerb or similar.
26. The vehicle spaces must not be enclosed with walls or meshed security screens.
27. The footpath, kerb and gutter shall be reconstructed to Council's specifications for the full frontage of the development site **prior to the issue of an Occupation Certificate for each stage.**
28. One (1) car wash bay 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 for Stage 2.** This information shall also form part of any future development application for the Strata Subdivision of the development.

#### **Drainage/Stormwater**

29. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to a new trunk drainage system that services the proposed development and located at the rear via separate onsite stormwater detention systems. The onsite stormwater detention tanks will connect directly into this system. The **internal drainage system** has been designed generally satisfactory and is depicted on the **CONCEPT** drainage plans prepared by **CARDNO JOB NO.80216033 REVISION 1 DATED 31.03.2016.**



30. 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 engineering plans (identified in the above condition) 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 for each stage.**

31. 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 for each stage.**

32. An Operational Management and Maintenance Report is required to be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate for each stage** outlining the proposed long term operational management and maintenance requirements of the onsite stormwater detention systems on the subject site.

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

33. **Prior to the issue of an Occupation Certificate/use of the building for each stage,** 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.

34. 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 for each stage.**

35. 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.

36. All pits shall be constructed in accordance with Australian Standard AS3500.3.
37. All subsoil drainage must be designed to meet the requirements of AS3500.
38. 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.
39. The proposed basement pump out system is to be strictly in accordance with the requirements set out in Strathfield Council's Stormwater Management Code 1994. 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 for Stage 2.**
40. 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.
41. 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.
42. 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.
43. 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.
44. 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

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 for each stage.**

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.

45. 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 for each stage** 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.

46. 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.
47. 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.
48. An Operational Management and Maintenance Report is required to be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate for each stage** 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

49. **Prior to the issue of an Occupation Certificate for each stage** 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 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.

50. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.
51. 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 for each stage.**

#### **Landscaping/Tree Matters**

52. The trees listed below shall be retained at all times as identified in the Arborist Report prepared by Lee Hancock, Consulting Arborist, dated 25/1/2016:

<b><u>Tree</u></b>	<b><u>Tree No. and Location</u></b> <b><u>(Arborist Report)</u></b>	<b><u>Protection</u></b> <b><u>Zone (m)</u></b>	<b><u>Excavation</u></b> <b><u>Zone (m)</u></b>
<i>Liquidamber styraciflua</i> Liquidambar	Lot 300, N1	6.6	2.8
<i>Eucalyptus robusta</i> ( Swamp Mahogany)	Lot 300, N2	7.4	2.9
<i>Pinus taeda</i> ( Loblolly Pine)	Lot 300, N5	7.5	2.8
<i>Pinus taeda</i> ( Loblolly Pine)	Lot 300, N6	6.12	2.7
<i>Syncarpia</i> <i>glomulifera</i> (Turpentine)	Lot 300, N7	6.24	2.6
<i>Syncarpia</i> <i>glomulifera</i> (Turpentine)	Lot 300, N8	6.12	2.6
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N9	6.18	2.6
<i>Pinus taeda</i> ( Loblolly Pine)	Lot 300, N11	6.6	2.8
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N12	6.24	2.5
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N13	9.24	3.0
<i>Eucalyptus robusta</i> ( Swamp Mahogany)	Lot 300, N14	9.84	3.2
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N15	4.92	2.3

<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N16	9.24	3.0
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N18	3.96	2.3
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N20	7.56	2.7
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N22	5.88	2.5
<i>Lophostemon confertus</i> (Brushbox)	Lot 300, N24	8.04	2.8
<i>Pinus taeda</i> ( Loblolly Pine)	Lot 300, N25	6.36	2.7
<i>Pinus taeda</i> ( Loblolly Pine)	Lot 300, N27	6.48	2.8
<i>Pinus taeda</i> ( Loblolly Pine)	Lot 300, N28	6.84	2.8
<i>Pinus taeda</i> ( Loblolly Pine)	Lot 300, N29	6.0	2.7
<i>Sapium sebiferum</i> (Chinese Tallowwood)	Lot 301, Tree 22	6.9	2.8
<i>Eucalyptus teriticornis</i> (Forest Red Gum)	Strathfield South High School, Tree 96	7.5	2.8
<i>Corymbia maculate</i> ( Spotted Gum)	Strathfield South High School, Tree 101C	6.0	2.7

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 on each stage and implemented as follows:

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- (b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS 1319-*Safety signs for the occupational environment*.
- (c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- (d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- (e) The tree protection zone shall be regularly watered.
- (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- (g) **No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- (h) Only permeable surfaces (e.g. Decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

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

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>
1) Trees as noted for removal in the Arborist report prepared by Lee Hancock, Consulting Arborist, dated 25/1/2016:	Up to 15 m	As per tree removal plan page 41 of Arborist Report

54. Consent is given for the removal of trees as specified subject to the following:
- (a) A minimum of one (1) replacement native tree selected from Strathfield Council's recommended tree list is to be planted within the property boundary for each tree that is removed.
  - (b) Trees are to conform to the *NATSPEC guide* and *Guide for assessing the quality of and purchasing of landscape trees* by Ross Clarke, 2003.
  - (c) Replacement trees shall be minimum 50 litre container size. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting. Supplied trees are to have an appropriate stem taper. Roots shall generally grow in an outwards (radial) or downwards direction.
  - (d) All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.
  - (e) Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.
  - (f) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius from the base of the tree.
55. All noxious weeds on the site shall be removed and destroyed as per their classification under the *Noxious Weeds Act* 1993.
56. 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).
57. Manual excavation and manual sawing of all roots is required within the TPZ of trees to be retained.
58. All common and private landscape areas including all planters are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and all relevant Australian Standards.



59. **Prior to the issue of a construction certificate for each stage** the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape implementation report certifying that landscaping has been provided generally in accordance with the landscape plan prepared by **Arcadia Landscape Architecture** Issue B March 2016 and the Landscape provisions contained within section 10.0 of Part A of the Strathfield Council Development Control Plan.

### Construction Matters

60. **Prior to the commencement of any construction or demolition work for each stage**, 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.
61. 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 for each stage**.
62. 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).
63. 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.
64. 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.
65. 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.
66. 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.
67. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- (a) Must preserve and protect the building from damage; and
  - (b) If necessary, must underpin and support the building in an approved manner, and
  - (c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

68. 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.

69. The owners of the adjoining allotments 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.
70. 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 for each stage.**
71. 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.
72. Certification shall be obtained from a registered surveyor at the following stage(s) of construction for each stage 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) basement level prior to placement of concrete or pavement;
  - (c) ground floor and first floor levels;
  - (d) roof ridge height;
  - (e) all floors of the building, roof eaves and all roof ridges;
  - (f) wall setbacks from property boundaries and street alignment;
  - (g) dimensions and areas of balconies/courtyards;
  - (h) vehicular ramp gradients.

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

### Building Matters

73. 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

74. 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.
75. 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 for Stage 2.**

### Demolition

76. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
77. 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 for each stage.**
78. 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 for each stage.**
79. 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

80. 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 for Stage 2.**
81. 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

82. Access to the apartment buildings 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 for Stage 2.**
83. 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 for Stage 2.**

### Waste Management

84. 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.
85. 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 for each stage.**
86. **Prior to the issue of any Occupation Certificate for Stage 1,** detail of the agreement between the body corporate and a private waste collection agent for the regular collection and disposal of garbage, recycling and green waste bins from each of the townhouse dwellings shall be submitted to the Principal Certifying Authority **and** Council. Note, each dwelling must be provided with one (1) x garbage, one (1) x recycling and one (1) x green waste bin.
87. **Prior to the issue of any Occupation Certificate for Stage 2,** detail of the agreement between the body corporate and a private waste collection agent for the regular collection and disposal of garbage and recycling bins from the basement of the residential flat building shall be submitted to the Principal Certifying Authority **and** Council. This agreement shall confirm the size and height of the collection vehicle enables waste to be collected underground from within the basement.

88. Prior to the issue of a Construction Certificate a comprehensive Waste Management Plan shall be submitted to the Principal Certifying Authority addressing demolition, construction and operation waste arising from the development and shall include:-
- (a) type and likely quantity of waste arising from the demolition and construction activities;
  - (b) storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;
  - (c) provision for a suitable number of garbage bins and recycling bins for the residential development; and
  - (d) fitout details of any garbage/waste enclosures, storage and collection areas within the property including the required clearance within the basement and provision of turning areas to permit the collection of waste from within the basement.

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.

### **Land Contamination Stage 2**

89. 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.

### **Hoardings**

90. If 'A' type hoarding is to be erected about the building site, it is to comply with NSW Workcover's requirements; shall have a minimum height of 1.8 m and comply with AS1725-2003 (Galvanized Rail-Less Chain-Wire Security Fences and Gates) or AS 4687-2007 (Temporary Fencing and Hoardings). Inverted trench mesh is not an acceptable 'A' type hoarding and as such does not satisfy AS1725-2003 and as such shall not be installed to the building site.
91. An overhead 'B' type hoarding shall be constructed where buildings over 7.5 m in height above the footpath level and within 3.6 m of the street alignment are being erected or demolished or where the outer part of such a building adjoining a public way is being altered. Where the height of the building or the position of the site is such that danger is likely to occur from falling objects, additional safety hoarding shall be provided to the satisfaction of the principal certifying authority and Workcover NSW.
92. An overhead 'B' type hoarding shall be constructed where material is being hoisted over or across a public way.
93. The following additional requirements apply to the erection of a 'B' type hoarding:
- (a) No advertisement of any kind shall be affixed to hoarding with the exception of a board not exceeding 2400 –mm by 1800-mm on which may be shown the architects, builders and principal certifying authority company name / contact details or any particulars regarding the subject building, and notices regarding the existing or future occupancies in the building.



- (b) A sign reading 'Billposters will be Prosecuted' shall be attached or printed upon the front of the hoarding.
- (c) A hydrant or other footpath box shall not be covered in any way or access to it impeded.
- (d) Cranes shall not be placed upon the public way unless a permit has been obtained under section 68 Local Government Act, 1993.
- (e) The hoarding must be so constructed that it will not obstruct the view of traffic lights of motorists or pedestrians.
- (f) The use of the roadway for the storage of building materials is not permitted.
- (g) Where materials are being hoisted over a public way a sign shall be attached or printed upon the front of the hoarding at the decking level with the lettering 'Lifting Operation Above'. The lettering shall not be less than 300-mm in height.
- (h) Persons undertaking the work in accordance with this Approval must hold this Approval/Permit on-site for inspection.
- (i) Approval for a temporary protective structure does not permit use of the roadway for general loading and unloading from construction vehicles. This requires a separate Construction Zone Application.
- (j) An appropriate qualified practising structural engineer shall certify the structural stability / adequacy of the erected 'B' type hoarding. A copy of the certificate shall be forward to the principal certifying authority and to Council, where Council is not the principal certifying authority.

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

#### Acoustic

96. Full compliance shall be given to the recommendations contained in the endorsed acoustic consultant's report. Prior to the issue of an Occupation Certificate for each stage, a suitably qualified Acoustic Engineer shall certify that the buildings have been constructed in accordance with the minimum recommendations of the endorsed Acoustic Report and the requirements of Clause 102 of SEPP (Infrastructure) 2007 to ensure that the following LAeq levels are not exceeded:
- (a) in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,
  - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.
97. 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 for each stage.**



## **Office of Water General Terms of Approval**

### Prior to Construction

98. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in a report provided to the Consent Authority prior to the commencement of construction.

### Requirements for dealing with groundwater during excavation

99. If for any reason the take of groundwater during construction is expected to exceed 3ML in a 12 month period, then an authorisation shall be obtained for the take of groundwater as part of the activity.
100. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application.

### Requirements for dealing with the on-going take of groundwater post-construction

101. Monitoring (measurement and recording) of discharge volumes arising from groundwater extraction must be undertaken on a monthly basis for the life of the building using a method compliant with the NSW Water Extraction Monitoring Policy; (e.g. pumping diary, pump revolution meter, operating hour meter, electricity meter or flow meter). The design of the drainage system to isolate groundwater inflows from other sources is the responsibility of the proponent of the development (i.e. the developer).
102. Such records are to be maintained by the building management for the life of the development to demonstrate the negligible take of groundwater. Where sump pumps have not been operated during the calendar month this must nevertheless be identified in the monitoring record (e.g. as a 'nil' entry). Should the annual take of groundwater exceed 2.5 ML DPI Water should be contacted for advice.

## **Roads and Maritime Service Conditions**

103. A strip of land has previously acquired & dedicated as road along the Centenary Drive frontage of the subject property, as shown by grey colour on the attached Aerial – "X".
- All building and structures, together with any improvements integral to the future use of the site are wholly within the freehold property (unlimited in height or depth), along the Centenary Drive boundary.
104. All demolition and construction activity associated with the proposed development is to be contained on site before stopping. A construction zone or "Works Zone: will not be permitted on Centenary Drive.
105. All vehicles are to enter and exit the site in a forward direction.
106. All vehicles are to be wholly contained on site before being required to stop.

107. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Raw Square during construction activities.
108. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Roads and Maritime for determination prior to the issue of a construction certificate.
109. Should the post development storm water discharge from the subject site into the Roads and Maritime system exceed the pre-development discharge, detailed design plans and hydraulic calculations of any charges are to be submitted to Roads and Maritime for approval, prior to the commencement of works.

Details should be forwarded to:

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 Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

110. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage.
111. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

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

The report and any enquiries should be forwarded to:

Project Engineer, External Works  
Sydney Asset Management  
Roads and Maritime Services  
PO Box 973 Parramatta CBD 2124

Telephone 8848 2114  
Fax 8849 2766

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

## **LIST OF ATTACHMENTS**

1. Notification Map
2. Site plans and elevations.