

JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No	JRPP No. 2015SYW144 DA
DA Number	2015/87/1
Local Government Area	Holroyd City Council
Proposed Development	Subdivision and construction of Group Homes under Affordable Rental Housing SEPP 2009 in 2 Stages with Stage 1 seeking approval for site works including new public road and subdivision into 9 lots and Stage 2 seeking approval for construction of 4 x single storey dwellings as group homes on lots 1 to 4.
Street Address	Corner of Palmer and Parkes Street, Guildford West.
Applicant/Owner	Urban Growth c/o Department of Family and Community Services
Number of Submissions	No submissions received
Regional Development Criteria (Schedule 4A of the Act)	The proposal has a capital investment value of more than \$5M and the consent authority is the Joint Regional Planning Panel.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 (EP&A Act) • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX) • State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) • State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP) • Holroyd Local Environmental Plan 2013 (HLEP 2013) • Holroyd Development Control Plan 2013 (DCP 2013)
List all documents submitted with this report for the panel's consideration	AT-A Site Locality Plan AT-B Architectural Plans AT-C Draft Conditions of Consent
Recommendation	It is recommended that the application proposing subdivision and construction of Group Homes under Affordable Rental Housing SEPP 2009 in 2 Stages with Stage 1 seeking approval for site works including new public road and subdivision into 9 lots and Stage 2 seeking approval for construction of 4 x single storey dwellings as group homes on lots 1 to 4 be approved subject to conditions as outlined in Attachment "C" of this report.
Report by	Paul Anzellotti, Senior Development Planner Holroyd City Council

Assessment Report and Recommendation Cover Sheet

Proposal: Subdivision and construction of Group Homes under Affordable Rental Housing SEPP 2009 in 2 Stages with Stage 1 seeking approval for site works including new public road and subdivision into 9 lots and Stage 2 seeking approval for construction of 4 x single storey dwellings as group homes on lots 1 to 4; The proposal has a capital investment value of more than \$5M and the consent authority is the Joint Regional Planning Panel.

Location:

Lot 13, DP 1175686

Corner of Palmer and Parkes Street, Guildford West

Owner/

Proponent: Urban Growth c/o Department of Family and Community Services

**Capital
Investment**

Value: \$5,452,000

File No: DA 2015/87/1

Author: Paul Anzellotti – Senior Development Planner, Holroyd City Council

RECOMMENDATION

1. That the application proposing subdivision and construction of Group Homes under Affordable Rental Housing SEPP 2009 in 2 Stages with Stage 1 seeking approval for site works including new public road and subdivision into 9 lots and Stage 2 seeking approval for construction of 4 x single storey dwellings as group homes on lots 1 to 4 be approved subject to conditions as outlined in Attachment C of this report.

SUPPORTING DOCUMENTS

AT-A Site Locality Plan

AT-B Architectural Plans

AT-C Draft Conditions of Consent

EXECUTIVE SUMMARY

This development proposes subdivision and construction of Group Homes under Affordable Rental Housing SEPP 2009 in 2 Stages with Stage 1 seeking approval for site works including new public road and subdivision into 9 lots and Stage 2 seeking approval for construction of 4 x single storey dwellings as group homes on lots 1 to 4.

This report summarises the key issues associated with the development application (DA) and

provides an assessment of the relevant matters of consideration in accordance with the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Affordable Rental Housing) 2009 (AHSEPP), the Holroyd Local Environmental Plan 2013 (HLEP 2013) and Holroyd Development Control Plan 2013 (DCP 2013).

The original application was placed on public exhibition for 21 days from 1 April to 22 April, 2015. During this period no submissions were received.

The provision of 9 lots via land subdivision is numerically compliant with the Holroyd LEP and DCP controls. The subdivision layout is considered to take advantage of a northern orientation while the provision of a new road will create an east/west link through the site to provide physical and visual connectivity.

The provision of permanent group homes is generally compliant with the relevant development controls within the Holroyd Local Environmental Plan 2013 and Holroyd Development Control Plan 2013. The location of retaining walls and walkway/deck areas, while providing for numerical encroachments to a number of development controls within the DCP is considered an acceptable response to the nature of the subject site.

The application was considered acceptable by Council's internal departments during the referral process while Council's Heritage Consultant has advised that the work proposed will have minimal impact on the interpretation of the significance of the Guildford Pipeline Heritage Precinct.

There are some non-compliances with the numeric provision of DCP 2013. These are considered minor and are acceptable under the circumstances of the case and given that the objectives of the relevant provisions have been satisfied.

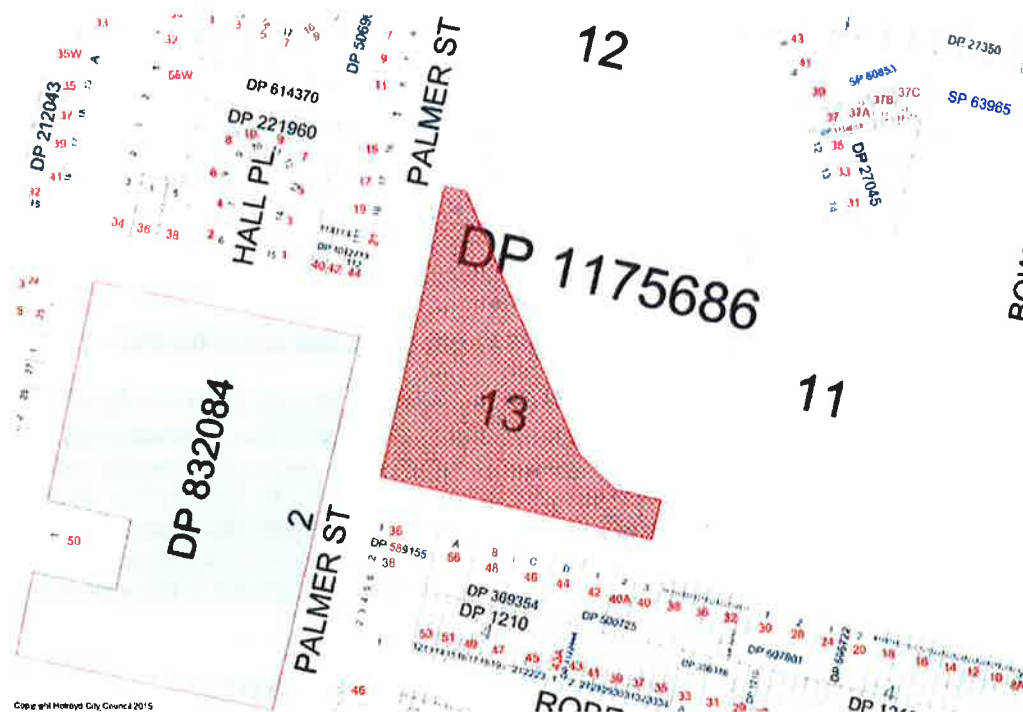
It is considered that the proposed development is appropriate for the site and for the locality and will have minimal impact on the surrounding environment. Based on an assessment of the application, it is recommended that the application be approved subject to conditions as outlined in Attachment C of this report.

SITE DESCRIPTION AND LOCALITY

The subject site forms an irregular shaped parcel of land with frontages to both Palmer Street and Parkes Street. The site has a frontage of around 235m to Palmer Street and extends east about 248m along Parkes Street. The subject site currently contains two single storey outbuildings associated with Sydney Water's former functions on the site, as well as some concreted areas, an at-grade car park and grassed areas with scattered trees. The majority of the southern half of the site comprises of bitumen surfaces, formerly car park areas and internal access roads.

The total area of the subject site is approximately 1.4 hectares.

Directly opposite the site along the western side of Palmer Street (to its intersection with King Street) is the Guildford West Public School. To the opposite side of this intersection along Palmer Street are a mixture of detached dwellings and dual occupancy dwellings. Directly opposite the site along the southern side of Parkes Street are detached dwelling houses. The site forms part of the existing Guildford Pipehead Precinct with the Sydney water Corporation Operational Land along the subject lands north-eastern boundary.



Site Plan

PROPOSAL

This application proposes land subdivision, early works and civil works to be approved in Stage 1 to enable these to be commenced, while concurrently undertaking the construction of a group home development of Lot 13 DP 1175686 in Stage 2, at the corner of Palmer Street and Parkes Street, Guildford West, specifically:

- As part of Stage 1, the creation of nine (9) residential lots, early works and civil works, including the full construction of a public road through the site connecting Palmer Street and Parkes Street with these works being undertaken concurrently with Stage 2. In this regard, the applicant UrbanGrowth on behalf of their client will be running these works concurrently with Stage 2 and therefore will be seeking approval for construction to be undertaken concurrently but separately for each stage; and
- As part of Stage 2, the construction of four (4) dwellings on Lots 1 - 4 created in the Stage 1 subdivision and associated works for the purpose of a group home development under *State Environmental Planning Policy (Affordable Rental Housing) 2009*. Stage 2 also seeks approval for landscaping for each of the group homes.

SECTION 79C OF THE EP&A ACT

The application has been assessed against the relevant matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act, 1979* as amended. The assessment is as follows:

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) Any environmental planning instrument

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Four (4) BASIX Certificates (No. 616118S_02, No. 616058S_02 and No. 616058S_02, all dated 11 March, 2015 and No. 616190S dated 12 March, 2015) have been submitted with the application and demonstrates that the proposed development meets the required water, thermal comfort and energy targets. The BASIX Commitments specified in the BASIX Certificate and nominated on the architectural drawings will need to be incorporated into the construction of the development. A condition to require the BASIX commitments to be implemented in the construction of the development has been included in the draft conditions of consent.

State Environmental Planning Policy No. 55 – Remediation of Land

Under the provisions of Clause 7 of SEPP 55 the consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. If the land is found to be contaminated, the Consent Authority must be satisfied that the land is suitable in its contaminated state or can and will be remediated in order for it to be suitable for the purpose for which the development is proposed.

A Site Audit Statement prepared by JBS Environmental Pty Ltd has accompanied the application with the recommendation that as the subject site is suitable for residential development no other site investigations are required under SEPP 55. Council's Environmental Health Unit have advised that all recommendations contained in the Site Audit Statement are to be implemented for the site.

State Environmental Planning Policy (Affordable Rental Housing) 2009

The State Environmental Planning Policy (Affordable Rental Housing) 2009 (AHSEPP) was introduced on 31 July 2009 to increase the supply and diversity of affordable rental and social housing throughout NSW for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation. The SEPP applies to group home developments and is applicable to the proposed development.

42 Definitions

(1) In this Division:

group home means a permanent group home or a transitional group home.

permanent group home means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and*
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,*

but does not include development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

prescribed zone means:

- (a) any of the following land use zones or a land use zone that is equivalent to any of those zones:
 - (i) Zone R1 General Residential,
 - (ii) Zone R2 Low Density Residential,
 - (iii) Zone R3 Medium Density Residential,
 - (iv) Zone R4 High Density Residential,
 - (v) Zone B4 Mixed Use,
 - (vi) Zone SP1 Special Activities,
 - (vii) Zone SP2 Infrastructure, and
- (b) any other zone in which development for the purpose of dwellings, dwelling houses or multi dwelling housing may be carried out with or without consent under an environmental planning instrument.

transitional group home means a dwelling:

- (a) that is occupied by persons as single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
 - (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people, but does not include development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.
- (2) In this clause:
- (a) a reference to **people with a disability** is a reference to people of any age who, as a result of having an intellectual, psychiatric, sensory, physical or similar impairment, or a combination of such impairments, either permanently or for an extended period, have substantially limited opportunities to enjoy full and active lives, and
 - (b) a reference to **people who are socially disadvantaged** is a reference to:
 - (i) people who are disadvantaged because of their alcohol or drug dependence, extreme poverty, psychological disorder or other similar disadvantage, or
 - (ii) people who require protection because of domestic violence or upheaval.

The applicant advises that the proposed development is for “permanent group homes” which has the same definition in the AHSEPP 2009 as it does in the **Dictionary** of the HLEP 2013. The subject site is also identified as being located in a “prescribed zone” as defined above, being zoned R2 Low Density Residential and part zoned R3 Medium Density Residential under the HLEP 2013.

43 Development in prescribed zones

- (1) Development for the purpose of a permanent group home or a transitional group home on land in a prescribed zone may be carried out:
 - (a) without consent if the development does not result in more than 10 bedrooms being within one or more group homes on a site and the development is carried out by or on behalf of a public authority, or
 - (b) with consent in any other case.
- (2) Division 1 of Part 2 of State Environmental Planning Policy (Infrastructure) 2007 applies in respect of development carried out by or on behalf of a public authority under subclause (1) and, in the application of that Division, any reference in that Division to that Policy is taken to be a reference to this clause.

The proposed development is for four (4) dwellings each containing five (5) bedrooms, in a permanent group home. As the subject site is on land in a prescribed zone, the proposed development is permissible with the consent of Holroyd City Council.

46 Determination of development applications

(1) A consent authority must not:

- (a) refuse consent to development for the purpose of a group home unless the consent authority has made an assessment of the community need for the group home, or*
 - (b) impose a condition on any consent granted for a group home only for the reason that the development is for the purpose of a group home.*
- (2) This clause applies to development for the purpose of a group home that is permissible with consent under this or any other environmental planning instrument.*

The applicant via the Statement of Environmental Effects has advised the following;

To construct four (4) dwellings containing five (5) bedrooms each on Lots 1 – 4 created in the Stage 1 land subdivision for the purpose of a group home development

As such, the proposed development and DA cannot be refused by the consent authority without first making an assessment of the community need for the proposed group homes and cannot impose a condition on an approval specifically as a result of the proposed land use being for group homes.

Holroyd Local Environmental Plan 2013

Holroyd Local Environmental Plan 2013 applies and the site is zoned part R2 Low Density residential and Part R3 Medium Density Residential. The proposal falls under the definition of a *Group homes*, which is permissible within each zone.

The objectives of the R2 zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow residents to carry out a range of activities from their homes while maintaining neighbourhood amenity.*

The objectives of the R3 zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The following definition of group home is provided for within the LEP;

group home (permanent) or permanent group home means a dwelling:

- (a) *that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and*
- (b) *that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,*

but does not include development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

*Note. Permanent group homes are a type of **group home**—see the definition of that term in this Dictionary.*

The group homes proposed will provide 4 dwellings on surplus land not required for current Sydney Water operations. The development is considered to be consistent with the zone objectives.

An assessment against the relevant LEP clauses is provided in the table below:

Standard	Required/Permitted	Provided	Compliance
2.6	Subdivision – Land to which this Plan applies may be subdivided, but only with development consent	The application seeks approval for a land subdivision, subdivision plans included in the architectural drawings.	Yes
4.1	Minimum Lot size 300m ² .	The application has provided for lot sizes respectively as follows, Lot 1: 1357m ² Lot 2: 1560m ² Lot 3: 1465m ² Lot 4: 1856m ² Lot 5: 1035m ² Lot 6: 990m ² Lot 7: 910m ² Lot 8: 900m ² Lot 9: 920m ²	Yes
4.3	Height of Buildings - Max. 9 metres	The proposed maximum building height for each dwelling is as follows, House 1: 6.3 metres House 2: 6.1 metres House 3: 6.1 metres House 4: 6.8 metres	Yes
4.4	Floor Space Ratio – 0.5:1 for R2 zoning and 0.7:1 for R3 zoning	The proposed floor space ratio for each lot is as follows <ul style="list-style-type: none"> House 1 – 298.9m² (FSR for subject lot; 298.9m² / 1357m² = 0.22:1) House 2 – 301.8m² (FSR for subject lot; 301.8m² / 1560m² = 0.19:1) House 3 – 301.8m² (FSR for 	Yes

		<p>subject lot; $301.8\text{m}^2 / 1465\text{m}^2 = 0.21:1$)</p> <ul style="list-style-type: none"> House 4 – 298.8m^2 (FSR for subject lot; $298.8\text{m}^2 / 1856\text{m}^2 = 0.16:1$) <p>The subject site is provided with 2 floor space ratio controls in line with the split zonings. The application provides for a total Floor space of $1201.3\text{m}^2 / 6238\text{m}^2 = 0.19:1$ which is considered compliant and consistent with the FSR objectives for each zoning in the LEP</p>	
5.9	Preservation of Trees or vegetation	An arborist report and architectural drawings identify existing trees to be retained and removed as part of the proposed development. In this regard, the application and subsequent amendments was referred to Council's Landscaping Department who have raised no objection to the proposal subject to the provision of appropriate conditions.	Yes
5.10	Heritage	The subject site is identified as an item of heritage significance under Schedule 5 of the Holroyd Local Environmental Plan. In this regard, the application and subsequent amendments was referred to Council's Heritage Advisor who has advised that the proposed works will have minimal impact on the interpretation of the significance of the Guildford Pipeline Heritage Precinct. In this regard, the application and subsequent modifications is recommended for approval.	Yes
6.1	Acid Sulfate Soils	The site is not affected by ASS.	Yes
6.2	Earthworks	The proposed earthworks allow for cut and fill to various areas of the site. The proposed earthworks are considered to not create a detrimental effect on surrounding land uses and responding to the topography of the site.	Yes
6.3	Essential Services	The proposal via the creation of new lots will be required to connect to existing water, electricity, stormwater and sewage services along Palmer and Parkes Street.	Yes

		Appropriate road access is provided by a new public road, the application if approved to be conditioned accordingly for each stage.	
6.4/6.7	Flood Planning and Stormwater Management	Council's records indicate that the site is not affected as flood prone land.	Yes
6.5	Terrestrial Biodiversity	There is no evidence of any terrestrial biodiversity on the site.	Yes
6.7	Stormwater Management	The application was referred to Council's Stormwater Engineer who have raised no objection to the proposal subject to the provision of appropriate conditions.	Yes
6.8	Salinity	The site is located on lands identified as being affected by moderate salinity. Standard conditions of consent shall be imposed to address this should consent be granted.	Yes

As demonstrated above, the proposal is considered to comply with the requirements of the Holroyd LEP 2013.

- (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

There are no draft environmental planning instruments affecting the proposed development

- (iii) *any development control plan*

Holroyd Development Control Plan 2013

The Holroyd Development Control Plan (DCP) 2013 came into effect on 5 August 2013 replacing the Holroyd DCP 2007. The DCP provides guidance for the design and operation of development within Holroyd to achieve the aims and objectives of *Holroyd Local Environmental Plan 2013*.

The purpose and status of DCPs is provided in Section 74AB of the Environmental Planning and Assessment Act (EP&A Act), 1979 as follows: -

- (1) *The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development:*
- (a) *giving effect to the aims of any environmental planning instrument that applies to the development,*
 - (b) *facilitating development that is permissible under any such instrument,*
 - (c) *achieving the objectives of land zones under any such instrument.*

The provisions of a development control plan made for that purpose are not statutory requirements...

Section 79C(3A) of the EP&A Act states:

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

(c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, standards include performance criteria.

Accordingly, Council's DCP 2013 provides guidance for developers and Council to use as benchmarks for development. In this regard, compliance with the controls within DCPs is not mandatory, and the controls may be varied based on the merits of the application.

The following table provides an assessment of the proposed development against the relevant controls under Holroyd Development Control Plan 2013:

Part A – General Controls			
Standard	Required/Permitted	Provided	Compliance
1.1	Subdivision In determining the suitability or otherwise of any subdivision application, consideration of the following matters will be taken assessed: a) Slope and orientation of land; b) Opportunities for solar and daylight access to future development; c) Design of roads, access ways and individual site access; d) Retention of special qualities or features of a site, such as trees and views; e) Availability of utilities; f) Evacuation controls as per flood risk precincts table in Section 8; g) Provision of adequate site drainage; h) Provision of public open space; i) Heritage conservation;	The subdivision layout is considered to take advantage of a northern orientation, allowing for an acceptable amount of solar access to be provided to each group home. The provision of a new public road will allow for vehicular access for each dwelling to not be located on the existing road system. This is considered an appropriate response to the location of the subject site and is considered an appropriate safety measure to minimise direct impact on surrounding residential properties and the school located opposite.	Yes

	<p>j) The adequacy of each site in achieving relevant development standards detailed within this control plan such as setbacks, car parking, landscaping, etc; and</p> <p>k) The relationship of the subdivision layout to adjacent land suitable for subdivision.</p>		
1.2	<p>Services</p> <p>To ensure the provision of public utilities to each allotment, within road reserves, in an efficient and cost-effective manner</p>	<p>The proposal is considered to allow for the necessary public utilities for each new lot created.</p> <p>A water supply system for domestic supply in dwellings is provided as part of the proposed development</p>	Yes
1.3	<p>Drainage</p> <p>To minimise impacts on the water quality and hydrology of natural watercourses.</p>	<p>The proposal was referred to Council's Development Engineering Section who have advised that approval is warranted subject to appropriate conditions</p>	Yes
2.1	<p>Road Design and Construction</p> <p>Construct and seal all driveways, accesses and car parking areas to Council's requirements.</p>	<p>The proposed roads forming part of the subdivision is to be provided with kerb and guttering, with sealed pavements and engineering works subject to appropriate conditions of consent should the application be approved</p>	Yes
2.4	<p>Vehicle Crossings, Splay Corners, & Kerb and Guttering</p> <p>Vehicle Crossing to be reconstructed if in poor condition, damaged or design doesn't comply</p> <p>Avoid services/facilities in road reserve, existing trees, pedestrian crossing, pram ramps etc. or condition their relocation</p>	<p>The proposal involves the provision of four new vehicle crossings, one for each group home.</p> <p>No items are to be located within the new public road and are to be mitigated by Council's Engineering Conditions of Consent.</p>	<p>Yes</p> <p>Yes</p>

	Corner sites require 3m x 3m (residential) and 4m x 4m (commercial) splay corner to be dedicated	Any approval granted will include a condition that the road design shall provide dedication to Council of a minimum 3m by 3m splay corners.	Yes
3.1	Car Parking: Minimum 2 car spaces per dwelling with 1 space to be covered	Each dwelling is provided with an enclosed garage and a separate parking space adjacent.	Yes
3.2	Parking areas should be readily accessible and provide for circulation and manoeuvring of vehicles	Parking areas provided are considered to be accessible	Yes
3.3	Dimensions of Car Parking Facilities, Gradients, Driveways, Circulation and Manoeuvring.	Carparking spaces comply with AS 2890. Council's Traffic Engineer has assessed the submitted plans & documentation.	Yes
3.5	Driveways Driveways shall be setback a minimum of 1m from the side boundary.	Each driveway is provided with a minimum setback of 1m to the side boundary	Yes
4.1	Preservation of Trees To conserve and retain trees and vegetation and to promote the retention and planting of trees	An amended arborist report has accompanied the application outlining trees to be retained and removed as part of the proposed development. The report was referred to Council's Tree Management Section who have advised that it is acceptable subject to appropriate conditions	Yes, subject to appropriate conditions
5.0	Biodiversity To promote measures to mitigate any adverse effects of the proposed development on the species, populations or ecological communities	The subject site has not been identified within the Holroyd Local Environmental Plan 2013 Biodiversity map as being applicable to these controls	Not Applicable
6.1	Retaining walls - Generally <1m in height.	The application provides for a number of retaining walls to be provided to the	No, but considered acceptable –

		<p>rear or side of primarily lots 1, 2 and 4. Located on a corner block, Lot 1 provides for retaining walls up to a height of 2.3m to the rear and 1.3m to the western side. Lot 2 provides for a retaining wall 1.5m high to the rear of the site while Lot 4, the second corner lot, provides for retaining walls along the southern side elevation up to 3.1m in height and to the rear.</p> <p>The retaining walls generally follow the topography of the site which falls noticeably to the south along Parkes Street. Noting the provision of landscaping and fencing, no amenity concerns are created by their positioning which does also serve to confine private open spaces.</p>	see discussion below.
6.2	Site Contamination and Land Filling	A Site Audit Statement has accompanied the application and has advised that the site is suitable for residential development. Council's Environmental Health Unit have advised that all recommendations contained in the Site Audit Statement are to be implemented for the site.	Yes
6.3	Erosion and Sediment Control	A detailed sediment & erosion control plan was submitted & is considered to be acceptable.	Yes
7.4	Stormwater Management	Council's Development Engineer has reviewed the Stormwater Drainage Plans & calculations & advises that the design is acceptable subject to the imposition of recommended conditions should consent be forthcoming.	Yes

		DCP.	
1.3	Views Minimise obstruction of views	No significant views will be affected.	Yes
1.4	Visual Privacy To provide a high level of visual and acoustic privacy for residents and neighbours in dwellings and private open spaces.	<p>Each dwelling to be provided is single level in height, which will minimise potential overlooking of adjoining living areas. The provision of 1.8m high boundary fencing between each new lot will assist in maintaining privacy for each new dwelling and future occupants.</p> <p>The location of rear patio and associated deck areas is considered suitably screened. Their position to the rear of each lot is appropriately landscaped with side fencing also assisting to maintain privacy between occupants of each group home. The location of these deck areas is also not considered to create any overlooking concerns for surrounding residents on Parkes and Palmer Street noting the separation between existing dwellings along Parkes Street, the location of front yards in this area and the location of Guildford West Primary School opposite along Palmer Street.</p>	Yes
1.5	Landscaping Min. 25% for lot >600m ² ; 2m wide; ground level where possible = 1559.5m ² . Max. 50% of provided landscaped area shall be forward of the front building line. Majority of landscaped area to be	<p>A total of 3,512.37m² landscaping has been provided in total for each lot maintaining a dwelling.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p>

	<p>at the rear of the building.</p> <p>Only hard paved areas for driveways/pathways to be in front setback area. Not to cover entire area.</p> <p>15% of the total site area is to be provided as private open space and this shall include a principal area of 25m². For a total of 4 dwellings equates to an average of 233.9m² for each lot.</p> <p>Ground level; max. 1:8 grade; can consider decks etc. <0.5m high on merit</p> <p>Directly accessible from a main living area of the dwelling (lounge/dining/rumpus room)</p>	<p>Only pathways and driveways provided in front setback area.</p> <p>House 1 – 243m² House 2 – 342m² noting this is provided with 2 private open space areas House 3 – 394m² House 4 – 277m² <u>NB</u> - not including covered outdoor areas, which could be included as these are a similar level to the FGL of the POS. Each dwelling is provided with a minimum 25m² principal open area.</p> <p>Achieved.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
1.6	<p>Safety and Security</p> <p>The front door of a development should either be visible from the street or internal roadway, or overlooked by a window, and should be clearly visible from the driveway.</p> <p>Blank walls along street frontages are prohibited.</p> <p>Landscaping that may allow would-be intruders to hide shall be avoided.</p>	<p>Each front door is visible from the street with the location of adjoining habitable windows considered to allow for passive surveillance of the new road and front setback area.</p> <p>The facades are considered appropriate.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
1.8	<p>Sunlight Access</p> <p>Design and orientate dwelling to maximise northerly aspect.</p>	<p>All dwellings and their private open space will receive an appropriate amount of northern sunlight.</p> <p>All dwellings are provided</p>	<p>Yes</p> <p>Yes</p>

	<p>1 main living area of new dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June</p> <p>1 main living area of existing adjacent dwellings to receive 3 hours direct sunlight between 9am and 4pm, 22 June.</p> <p>Min. 50% of required POS of new dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June.</p> <p>Min. 50% of required POS of existing adjacent dwellings to receive 3 hours direct sunlight between 9am and 4pm, 22 June</p>	<p>with living areas in a position to allow for acceptable solar access especially during the afternoon period.</p> <p>All dwellings are single storey and well set away from adjoining dwellings on either Palmer or Parkes Street to create any concern.</p> <p>All dwellings will receive in excess of the 3 hours to 50% to the POS.</p> <p>Proposed single storey dwellings do not adversely affect the adjoining properties POS.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
1.9	<p>Cut & Fill</p> <p>Cut: max. 1m; max. 0.45m within 0.9m of side/rear boundary. Cut controls are not applicable where basement parking is proposed.</p> <p>Fill: max. 0.3m within 0.9m of side/rear boundary; $\geq 0.6m$ to be contained within the building; if $> 0.15m$ shall occupy max. 50% of the landscaped area.</p>	<p>The application provides for a number of areas of cut and fill, especially along the southern boundary fronting Parkes Street and the side boundaries of lots 1 and 4 which are non-compliant with the numerical controls.</p> <p>While so, the cut and fill areas are not considered to have an adverse effect on the overland flow of the site and will maintain privacy for future occupants.</p>	<p>No, but considered acceptable – see discussion below.</p>
1.11	<p>Carparking & Roads</p> <p>Garages max. 6m wide or 50% of the buildings street elevation; integrate into design; if dwelling $> 12m$ wide garage can protrude max. 1.5m.</p> <p>At grade garages/carports to be min. 1m behind front wall of dwelling or 5.5m from street boundary, whichever is greater.</p>	<p>Garages are single in nature – 4.6m wide which are considered to appropriately integrate with the design of each dwelling.</p> <p>Garage is setback 6m, which is in line with the building line. The street frontage is considered</p>	<p>Yes</p> <p>No, but acceptable in this instance.</p>

	<p>adequately articulated and the garages does not dominate the streetscape. In this instance, the garage positions are therefore acceptable without setting back a further 1m.</p> <p>Triple garage not permitted to face the street.</p> <p>Garages max. 20m² (single); max. 40m² (double); include excess in floor space.</p> <p>Lockable storage required in garage</p> <p>Vehicle crossing/s shall be a minimum width of 3 metres (5 metres for single dwellings and dual occupancies that propose double or adjacent garages) and a maximum width of 5 metres at the boundary line.</p> <p>1 vehicle crossing permitted per site.</p> <p>Driveway to be 1m from side boundary and landscaped</p>	<p>No triple garage provided.</p> <p>Each garage is to be 40.48m². These generous garages are not considered a concern in this instance, noting that the space benefits future occupants. The additional area has not been included in the FSR as it would not add discernable FSR to the extremely low 0.19:1 FSR.</p> <p>Provided in garage for each proposed dwelling at an appropriate size.</p> <p>Each new lot is provided with varying driveway widths as follows: House 1 – 3m House 2 – 4.5m House 3 – 4.5m House 4 – 5.5m</p> <p>1 crossing proposed for each site</p> <p>Achieved.</p>	<p>Not applicable</p> <p>No, but acceptable in this instance.</p> <p>Yes</p> <p>No for House 4 but acceptable in this instance noting width of proposed lot</p> <p>Yes</p> <p>Yes</p>
1.12	<p>Universal Housing & Accessibility</p> <p>Developments should be designed to minimise any barriers to less mobile persons.</p> <p>All two storey residential dwellings (including single dwellings, dual occupancies, attached housing and multi dwelling housing) should provide one room capable of being used as a bedroom, kitchen, bathroom/toilet and living areas</p>	<p>Achieved.</p> <p>Each dwelling is single storey</p>	<p>Yes</p> <p>Yes</p>

	on the ground level.		
1.13	<p>Subdivision</p> <p>Allotment orientation should ensure that living and private open space areas of any dwelling can be orientated to the north and that dwellings can be positioned so that the possible overshadowing impact on existing or future adjoining buildings can be minimised.</p> <p>Council will consider the shape of the proposed allotment/s as it would allow a rectangular building envelope of approximately 12 metres x 10 metres behind the building line, leaving 6 metres to the rear boundary.</p> <p>A minimum frontage of 12 metres is required where it is proposed to erect a dwelling house on the allotment. An allotment shall be no less than 22 metres in depth.</p> <p>Each residential allotment shall have a satisfactory lot depth to frontage.</p> <p>Proposed corner allotments should have a minimum width of 14 metres to take account of a second building line to the secondary street frontage.</p>	<p>The orientation of each lot is considered to allow for an acceptable amount of solar access throughout the day. As each dwelling is single level in height, overshadowing impacts are considered to not be significant.</p> <p>The application has been accompanied by a subdivision plan (Drawing No. A100, Revision x, dated 29 September, 2015) for the 9 lots created by this development which have provided for a 12m x 10m building footprint envelope for each lot not proposed to be provided with a group home. The application is considered compliant with the control requirement and has appropriately indicated a potential future building footprint for each residential lot.</p> <p>The following frontages are proposed, Lot 1 – 23.941m Lot 2 – 46.283m Lot 3 – 46.638m Lot 4 – 37.369m</p> <p>In addition, each allotment is provided with a depth greater than 22m.</p> <p>Achieved.</p> <p>Corner lots are provided with a width greater than 14 metres.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>Where subdivision involves the existing allotments with new property boundary within 6 metres of an existing residential building envelope, the applicant shall establish a building envelope to show how future development can be accommodated on the proposed allotment.</p>	Not applicable in this instance.	Not applicable
	<p>Road layouts shall provide for access to bus routes within acceptable walking distance from all dwellings.</p>	The proposed new road will ensure that access to bus routes in the locality is acceptable.	Yes
	<p>Unless prescribed otherwise, no more than 10% of allotments shall be more than 400 metres walking distance from a proposed bus route.</p>	The proposed development is located within 400m of bus stops located on Albert Street (Bus routes 802, 810X, 820 to Merrylands Station) and McCredie Road (Bus route 804 to Merrylands Station) which is acceptable.	Yes
	<p>A combination of measures may be required to limit design speeds by:</p> <ul style="list-style-type: none"> • Limiting street length, • Introducing bends. 	The proposed new road is provided with two bends from entry via either Parkes or Palmer Street which will allow for a limit to vehicular speeds.	Yes
	<p>Introducing slow points, bends and other traffic management measures such as constriction of carriageway width, speed humps etc. These may not be appropriate in all situations.</p>	The proposed new road is provided with a two (2) bends from entry via either Parkes or Palmer Street which will allow for management of vehicular speeds.	Yes
	<p>On street parking shall be provided as part of the carriageway.</p>	On street parking is possible along the new road, the drive way crossings for each new group home adequately separated to allow for vehicular parking between.	Yes
	<p>An access place or street shall be provided with a 1.2 metre wide concrete footpath on all frontages.</p>	A pedestrian pathway is included with the proposed subdivision plan. Council's Engineering Department have advised that a new concrete	Yes, subject to conditions

		<p>footpath paving and associated works including kerb/pram ramps along all areas of the site frontage (Parkes and Palmer Street) is to be provided.</p> <p>The proposed public road has been assessed and considered acceptable by Council subject to appropriate conditions of consent.</p>	Yes
Part 2 – Dwelling Houses			
2.1	Lot Size and Frontage		
	The minimum allotment size for a dwelling house is 300m ² .	Each lot created maintaining a dwelling exceeds 300m ² .	Yes
	The minimum frontage for a dwelling house is 10 metres at the building line.	Each lot created maintains a minimum frontage over 10m for a dwelling.	Yes
2.2	Site Coverage		
	The maximum site coverage for a dwelling house is 60% of the site area	<p>House 1 – 339.38m² / 1357m² = 0.25:1</p> <p>House 2 – 342.28m² / 1560m² = 0.22:1)</p> <p>House 3 – 342.28m² / 1465m² = 0.23:1)</p> <p>House 4 – 339.28m² / 1856m² = 0.18:1)</p> <p>Total – 1363.22m² / 6238m² = 0.22:1</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
2.3	Setbacks		
	The minimum setback from the principal street frontage is 6 metres.	3 of the proposed dwelling houses provide for minor encroachments to the front setback.	No, but acceptable -see discussion below and compliance table.
	Setbacks from the side boundaries are to be a minimum of 900mm.	A setback of 900mm is provided for each dwelling.	Yes
	The minimum setback from the rear boundary shall be at least 3 metres for single storey dwellings or a single storey component of two storey dwellings.	A minimum setback greater than 3m has been provided to each dwelling.	Yes

	A minimum side setback to secondary streets shall be 4 metres.	Each corner dwelling (No. 1 – 4.52m and No. 4 – 7.5m to 14.5m) is provided with a compliant setback to a secondary street.	Yes
6.4	<p>Building Height</p> <p>A dwelling house shall be no more than 2 storeys in height. The height (in metres) of a single storey dwelling shall be a maximum of 7 metres.</p> <p>The minimum floor to ceiling height of dwelling house is 2.4 metres</p>	<p>Each dwelling is single storey. The overall heights are;</p> <p>House 1 – 6.2m House 2 – 6.0m House 3 – 6.0m House 4 – 6.07m</p> <p>The proposed development provides for 3m floor to ceiling heights for each dwelling.</p>	<p>Yes</p> <p>Yes</p>
6.5	<p>Building Appearance</p> <p>The design of a dwelling house shall have regard to the size, shape and orientation of the allotment the dwelling is to be located on in relation to:</p> <ul style="list-style-type: none"> • the type of dwelling house proposed, • the position of the dwelling on the allotment, • Opportunities for solar access, • The maximisation of private open space, and • Minimising the potential for overlooking. <p>Dwelling design and its architectural style is to interpret and respond and not be in strong visual contrast to the positive character of the locality, including setbacks, height, and dominant patterns, textures and compositions of buildings and their elements such as roof shape, pitch and overhangs, entry porches, verandas, balconies and terraces, materials, finishes, fixtures, patterns, fenestrations, colours and detailing and the location and proportion of windows and doors.</p>	<p>Achieved.</p> <p>The proposed dwellings are considered to be of an architectural style that is compatible with the nearest surrounding dwellings along Parkes and Palmer Street. The development will provide for a mixture of facebrick and roof tile colours between the group homes which is considered to allow for appropriate variety to the new road frontage.</p>	<p>Yes</p> <p>Yes</p>

	<p>Maximum length of walls along the first floor side boundaries shall be 10 metres without any indentations or offsets or other articulation features. Indentations or offsets shall be a minimum width of 1 metre.</p> <p>At a minimum, the front façade of a dwelling house (with the exception of battleaxe lots) shall orientate the front door and a window of a habitable room on the ground floor to address the principal street frontage.</p>	<p>Achieved.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p>
2.6	<p>Outbuildings</p> <p>The floor height shall not be more than 1m above existing ground level.</p> <p>If it is a roofed structure:</p> <ul style="list-style-type: none"> • That is attached to a dwelling, it shall not extend above the roof gutter line of the dwelling, and • The roof shall not be higher than 4.8m, at its highest point, above ground level (existing). <p>A carport shall be 2 or more sides open and not less than one-third of its perimeter open.</p> <p>A garage must:</p> <ul style="list-style-type: none"> • be at least 1m behind the building line, where the dwelling house has a setback from a road boundary of 4.5m or more, or • be at least 5.5m from a road boundary, where the dwelling house has a setback of less than 4.5m. <p>A minimum setback of 450mm from each lot boundary (rainwater tank), if the tank has a height of more than 1.8m above ground level (existing).</p>	<p>Each dwelling is provided with a rear walkway and deck which for lots 1 and 2 are in parts above 1m in height.</p> <p>Roof structure of covered outdoor areas are integrated into overall roof design and do not extend above roof gutter.</p> <p>All dwellings have 'carports' however may be defined as garages as they all have a minimum of 3 solid sides.</p> <p>All dwellings have 'carports as written' however may be defined as garages as they all have a minimum of 3 solid sides and roller door. Garage House 1 and 4 is 1.3m forward of the building line but is acceptable as it doesn't detract from streetscape.</p> <p>Achieved.</p>	<p>No, but acceptable -see discussion below.</p> <p>Yes</p> <p>Yes</p> <p>No, but acceptable -see discussion below.</p> <p>Yes</p>

	Rainwater tank shall be located behind the building line of any road frontage.	Achieved.	Yes
Part E – Public Participation			
1.3	To be advertised for 21 days	The original application was placed on public exhibition for 21 days from 1 April to 22 April, 2015. During this period no submissions were received.	Yes
Part O – Guildford Pipehead Precinct			
	Objectives Sub-Precinct C •Approximate area of 13,600m ² •Located at the intersection of Palmer and Parkes Streets. •Separated from SWC land by existing pipeline. •Land is generally flat, although sloping along Parkes Street. •Interface with existing low density, detached dwellings.	The subject site forms part of the Guildford Pipehead Sub Precinct C	Yes
1.0	Urban Design Create an east/ west link through the site to provide physical and visual connectivity. Create connections with the established residential area of Guildford West. Maximise pedestrian access and visual connectivity to the existing canal. Integrate new housing with housing forms in the existing area. Locate higher density housing types having regard for topography and significant visual	A new public road is to be provided connecting Palmer Street and Parkes Street which will create an east/west link through Sub Precinct C. The scale and bulk of the proposed group homes is considered an acceptable response to the surrounding built forms. The provision of a new public road will also provide for the provision of a pedestrian pathway adjacent the new group homes. Achieved. The application will provide for a total of 20 bedrooms over 4 dwellings	Yes Yes Yes Yes

	<p>corridors of the precinct.</p> <p>Facilitate pedestrian and vehicular access that allows connectivity within precinct.</p> <p>Design development to retain, as far as possible, the natural heritage features of the precinct.</p> <p>Maintain the landscape character of the precinct.</p>	<p>which is considered an appropriate management of density for the subject site.</p> <p>The provision of a new public road and adjoining pedestrian pathway is considered to facilitate pedestrian and vehicular access.</p> <p>The proposal is considered to provide for improved views of the Sydney Water Site as well as the provision of a separation buffer.</p> <p>The application has been accompanied by an Arborist Report and Landscape plans which are appropriately conditioned.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
2.0	<p>Lot Structure</p> <p>All lots shall have a primary frontage addressing a street.</p> <p>Lots in Sub-Precinct C shall have frontage to either Palmer or Parkes Streets, or New Road 2.</p> <p>Lots Sub-Precinct C may have a secondary frontage to New Road 2.</p>	<p>All lots created by the proposal are considered to maintain primary street frontages to either Parkes Street, Palmer Street or the new proposed road.</p> <p>Achieved.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
3.0	<p>Built Form</p> <p>All buildings shall address the relevant lots primary frontage to an existing or new road (or both) with appropriate articulation to provide interest to the public domain.</p> <p>The maximum height of buildings, in storeys, within the Guildford Pipehead Precinct for a detached dwelling shall be 2 storeys.</p>	<p>Each of the proposed group homes address the new road, their design considered to provide interest to this newly formed public domain.</p> <p>All proposed group homes are single storey in height.</p>	<p>Yes</p> <p>Yes</p>

	<p>The view corridors identified on Map 3 shall be a minimum of 10 metres in width and be free of all buildings and structures.</p> <p>Buildings shall respond to existing vegetation and heritage items, including those on the Sydney Water operational land, and the surrounding built environment through the use of:</p> <ul style="list-style-type: none"> •Dark tones of brick sympathetic to the dark tones of the existing landscape; •Light tones for metal roofs; •Low pitched roofs and generous eaves; and •Natural or painted timber detail to complement the dark shades of existing vegetation <p>Gable and hipped roofs are to have a pitch of 20 – 30 degrees, to match that of existing Building 25, while skillion roofs are to have a pitch of 10 degrees.</p> <p>Housing within Sub-Precinct C should include a mixture of multi dwelling housing, attached housing and detached houses.</p>	<p>Achieved.</p> <p>The proposed development is not considered out of character with the existing vegetation and heritage items on the subject site. The application has been considered acceptable by Council's Tree Management Section and Heritage Consultant.</p> <p>Each group home is provided with a roof pitch of 30 degrees.</p> <p>The application provides for only group homes. It is noted that each dwelling is provided with 5 bedrooms which is a high density for a dwelling house. In addition, the development of the remaining 5 lots will allow for increased occupation of Sub-Precinct C.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No, but acceptable -see discussion below.</p>
4.0	<p>Landscape and Open Space</p> <p>A variety of open spaces shall be provided. A number of areas have been identified by Council as suitable and are indicated on Map 4:</p> <ul style="list-style-type: none"> • Canal Park; • Community Reserve; and • Woodland Reserve. <p>Trees identified as high and moderate significance indicated on Map 5 must be retained.</p>	<p>No areas in Sub Precinct C are identified as being suitable for the provision of open space.</p> <p>The application has been accompanied by an Arborist Report which will be subject to appropriate conditions should the</p>	<p>Yes</p> <p>Yes</p>

	<p>All tree species shall be in keeping with Council's native tree list and be low water, low maintenance and suitable for use in urban environmental. Planting shall build upon the existing landscaped character of the precinct, and not be in direct conflict with existing historical plantings.</p> <p>Street trees shall be located in accordance with those indicated on Map 5.</p> <p>Appropriate street tree species to be planted</p>	<p>proposal be approved.</p> <p>The proposed tree list is in keeping with Council's native tree list and suitable within an urban environment.</p> <p>To be subject to appropriate conditions.</p> <p>To be subject to appropriate conditions.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
5.0	<p>Transport and Access</p> <p>The road structure within the precinct should be provided as shown on map G#6.</p> <p>Road (applicable to proposed development) shall be constructed to the following specifications: New Road 3</p> <ul style="list-style-type: none"> • 15m road reserve, • 8m carriageway, including provision for parking on one side and • 1.5m footpath on one side, and • Grass verges on both sides (3.5m or 2m where footpath is located) 	<p>Achieved.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p>
6.0	<p>Heritage</p> <p>Development shall be sited to maintain significant view corridors between the precinct and the established residential area, as identified on Map 4.</p> <p>Roads and residential development shall be located to maximise views into the operational Sydney Water site.</p>	<p>The proposed development is considered to maintain view corridors between the precincts.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p>

	Development in the precinct shall be designed to follow and not disrupt the topography of the landscape.	The application is provided with a number of retaining walls which are considered consistent with the existing topography of the subject site.	Yes
	Black palisade fencing shall be erected between the residential and operational lands within the Precinct.	To be subject to appropriate conditions.	Yes
	Housing within Sub-Precinct C should include a mixture of multi dwelling housing, attached housing and detached houses.	The application provides for only group homes. It is noted that each dwelling is provided with 5 bedrooms which is a high density for a dwelling house. In addition, the development of the remaining 5 lots will allow for increased occupation of Sub-Precinct C.	No, but acceptable -see discussion below.

As demonstrated above, the proposal is considered to comply with the requirements of the Holroyd DCP 2013, with the exception of the following:

i. Retaining Walls

Retaining walls are provided to the rear or side of primarily lots 1, 2 and 4. Located on a corner block, Lot 1 provides for retaining walls up to a height of 2.3m to the rear and 1.3m to the western side. Lot 2 provides for a retaining wall 1.5m high to the rear of the site while Lot 4, the second corner lot provides for retaining walls along the southern side elevation with a maximum height up to 3.1m as well as to the rear as it wraps around.

Taking into consideration the topography of the site which does provide a fall to the south along Parkes Street and the replacement of an existing bitumen car parking area on the subject site, their position and consequent variation in the drop of proposed finished levels is not considered inconsistent with the existing natural ground levels and considered an appropriate response to the existing nature of the site. The location of retaining walls along the side boundaries of lots 1 and 4 are not considered to create a direct impact on adjoining properties noting their location as corner blocks. The provision of appropriate landscaping is also considered to also assist in screening the location of retaining walls and minimise their impact.

Taking into consideration the position of proposed retaining walls, the existing site topography and relationship with surrounding neighbours, the location of the retaining walls is acceptable in this instance.

ii. Cut and Fill

Each lot provided with a group home is subject to either cut or fill on their respective lots. The respective corner lots 1 and 4 are subject to great variations in levels than other lots. DCP 2013 requires for residential development that;

Development should be designed and constructed to integrate with the natural topography of the site.

Cut and fill shall not create a detrimental impact on the overland flow of the site.

Fill, up to 300mm, is permitted within 900mm of side or rear boundaries.

Fill, 600mm or greater is to be contained within the building envelope.

Lot 1 is provided with fill up to 2.3m in height along the eastern elevation, cut of 1.5m to the northern elevation, cut of 2.2m to the south elevation and fill of up to 1.2m on the western elevation.

Lot 2 allows for cut of 1.4m to the southern elevation, lot 3 with fill all less than 500mm over the site.

Lot 4 allows for fill up to 3.4m to the western elevation, fill to the south 2.2m to 4.4m.

Lots 2, 3 and 4 are provided with a floor level of RL 47.50 with Lot 1 provided with a floor level of RL 48.3m. In this regard, the proposed cut and fill is not considered to create an amenity concern for the group homes between each other noting also the provision of dividing fences and landscaping. It is also noted that the fill provided for each group home does allow for a constant floor level (without variation) to be provided for each group home and associated principal open space area. Taking into consideration the nature of future occupants proposed, the provision of a design which will remove any stepped levelling for each lot is appropriate in this instance.

Cut to the rear of each lot also in line with the topography. The location of the group homes and elevated levels provided not considered to create any concerns for adjoining existing households located in either Parkes and Palmer Street.

It is also noted that each rear yard area is provided with a 'raingarden' feature which will serve for the collection of water and also allow for any overflow to be directed to the onsite detention storage area. The provision of cut to the rear portions and associated retaining walls for a number of lots noting the above is considered an appropriate design feature to allow for a proportionate separation of the 'raingardens' as distinct to the primary open space areas for each group home.

In this regard while it is accepted that the fill and cut provided to certain portions of the subject lots to be created is non-compliant with Council's DCP controls, as no amenity impact is created between group homes or adjacent neighbouring dwellings, levels provided are acceptable in this instance.

iii. Position of garage/carports

The DCP requires that a garage be *at least 1m behind the building line, where the dwelling house has a setback from a road boundary of 4.5m or more*. The provided plans indicate that the garages for Lot 1 and 4 are forward of the building line by 1.37m and 1.65m respectively. While numerically non compliant, the position of the garages for Lot 1 and Lot 4 are not considered to create any immediate streetscape impact noting their position at the end respectively of the new road to be create and negligible impact upon the surrounding streetscape which consists of a varied built form presentation.

In this regard, the location of garages is not considered an unacceptable street impact.

iv. Front Setback

DCP 2013 requires that for a dwelling house *the minimum setback from the principal street frontage is 6 metres*. The group homes provided for Lots 1, 2 and 4 provide for minor encroachments of this setback which are not considered unacceptable.

The group homes to Lots 2 and 4 provide for minor encroachments to the front left corner of the dwellings which is considered a response to the curvature to the new road provided and irregular lot sizes. For Lot 1, the encroachment is only provided to the porch area to the front of the main entry which is considered minor.

Taking into consideration the group home locations on each lot, the encroachments are not considered to create a detrimental impact upon the new road streetscape presentation and are considered to provide for a consistent presentation for the new built forms.

v. Height of Outbuildings

Each lot is provided with a walkway which will be placed in the rear yard area of each group home. For Lots 1 and 2, these walkways and respective decks are non-compliant in regard to the overall height that can be provided at 1m. The walkway/deck for Lots 1 and 2 respectively is provided with a maximum height of 2.0m and 1.5m. Taking into consideration the location of the deck for Lot 1 along the Palmer Street frontage and lack of residential properties opposite via the location of Guildford West Public School, no amenity concerns are created by its location.

The location of the deck area for lot 2 is centrally located and a distance of 10m from the group home for lot 1 and 18m from the group home of Lot 3. At an overall length of 6m the use of this deck is not viewed with concern noting its distance from adjoining group homes and provision of landscaping to the subject lot and adjoining lots.

The location of decks to the walkways are considered to create a potential visual amenity concern to any future development provided to the newly created corner lot on Parkes and Palmer Street. In this regard, it is considered appropriate to provide for appropriate screening and for lot 1, the repositioning of the deck and associated walkway so as to be a minimum 8m from the subject lot southern boundary. Conditions of this form are to be included with any consent granted.

vi. Housing mix within Sub-Precinct C

The DCP advises that *Housing within Sub-Precinct C should include a mixture of multi dwelling housing, attached housing and detached houses*

The subject site is provided with a R2 and R3 zoning. The R2 zoning wraps around the whole of the Parkes and Palmer Street frontages with the R3 zoning presenting as a medium sized pocket from the north western edge inwards of Sub-Precinct C.

The R3 zoning does allow for the provision of Multi Unit Housing as permissible under the Holroyd Local Environmental Plan 2013. Group Homes are permissible within each zoning. As group homes are permissible within each zoning, it is considered that the proposal is consistent with the objectives of the R2 and R3 provided within the Land Use Tables of the Holroyd Local Environmental Plan 2013.

The provision of group homes is considered an acceptable inclusion for the Guildford West area noting the increased number of occupants by 20 and appropriate low scale relationship with the adjoining R2 zonings opposite on Parkes and Palmer Street.

The subdivision will also provide for 5 lots for future redevelopment which will allow for additional housing mixes within Sub-Precinct C which is considered in line with the desired future character of the area.

Noting the above, the provision of group homes in this area is considered an acceptable response to the subject site and surrounds.

(iia) any 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, and

Not applicable

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

There are no specific matters prescribed by the Regulations that apply to this development.

b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Built Environment

The proposal will provide in part for the provision of four (4) group homes which are all single level in nature. Taking into consideration the nature of surrounding built forms along Parkes Street and Palmer Street and the location of Guildford West Public School to the west of the site, the size of the dwellings are considered compatible with its surrounds. The proposed built forms are not considered to be out of character with the existing neighbourhood context with the use of gable ends and hip roofs to single storey houses of an acceptable scale and portion to create a development which does blend in with its surrounds.

Natural Environment

With regards to environmental impacts on the natural environment, the applicant has submitted an Arboricultural Impact Assessment report, which indicates that there are a number of trees which are not viable for retention taking into consideration the required earthworks in association with the creation of the new road and group homes. A number of trees have been identified as hazardous or subject to declining health which are recommended for removal and a number identified for retention.

The application has provided for a number of retaining walls which are considered to retain the topography of the site.

The submitted landscape plan proposes significant landscaping of the site for each group home, with the accompanying Arborist Report provided for a listing of all planting and trees which is considered appropriate. In this regard, the proposed development is not considered to adversely affect the natural or built environments and will provide for an enhanced natural environment through landscaping proposed on site.

Environmental Impacts - Traffic & Parking

The amended development provides for the total number of parking spaces as required under DCP 2013. The number of car parking spaces also satisfies the AHSEPP provisions.

It is not considered that a development of this scale will have the potential to have an unacceptable impact on the local traffic network. While so, the applicant prepared a traffic impact assessment report to assess the likely traffic implications of the development, to determine whether the development is satisfactory, and recommend appropriate remedial measures if required. The report concludes that:

- i. *In accordance to the State Environmental Planning Policy (Affordable Rental Housing) 2009, the proposed development requires 8 spaces. The proposed supply of 8 spaces meets this requirement.*
- ii. *The proposed parking layout is consistent with the dimensional requirements as set out in the Australian/New Zealand Standard for Off Street Car parking (AS/NZS2890.1:2004) and the Holroyd City Council DCP 2013.*
- iii. *Sub Precinct C when fully occupied is likely to generate approximately 6-7 trips in the peak hour. Hence, the traffic generated by the proposed development could not be expected to compromise the safety or function of the surrounding road network. Therefore, no mitigation measures are proposed on the existing road network.*

Overall, it is concluded that the proposed traffic generations from sub-precinct C of the Guildford Pipehead Subdivision would not have any adverse effects on the performance or the safety of the adjacent road network.

Noting the above, the application was assessed by Council's Traffic Section and found to be satisfactory.

Environmental Impacts - Solar Access and Overshadowing

It is considered that the design has appropriately considered the issues of solar access for each of the proposed group homes within the development. The positioning of each group home is considered to allow for significant sunlight to living areas throughout the day, while the position of associated private open space areas is also appropriate.

Noting the location of the subject site and the single storey nature of the built forms, no overshadowing is created of any surrounding existing dwellings via the development.

Social Impact

In accordance with Council's *Social Impact Assessment Policy August 2012*, a Social Impact Assessment was prepared and submitted for Council's consideration. Council's Social Planner has assessed the report and found that the report followed Council's methodology by reviewing the proposal's potential impact on population structure, housing, mobility and access, community connectedness, health and wellbeing, crime and safety, and the local economy.

Council's Social Planner reported that, the major identified positive impacts are the provision of contemporary, purpose-built accommodation for people with a disability or social disadvantage that is both safe and supportive (being located with proximity to family and other supports), local employment opportunities (during demolition and building construction), improved safety via passive surveillance over the public domain and implementation of CPTED principles, improved community connectedness through the provision of shared on-site facilities (comprising living rooms and outdoor open space) and a modest but on-going boost to local shops and businesses from the higher population (of 20 new residents).

The negative impacts are confined to the short term impacts during demolition and construction, however, this is not significant and can be controlled through the

implementation of a Construction Management Plan (to address traffic control, noise and dust), which can form a condition of consent. A condition to this effect has been included within the draft conditions of consent.

Economic Impacts

The proposed development is not anticipated to have any adverse economic impacts.

(c) the suitability of the site for the development

The site is considered suitable for a proposed affordable rental housing development and associated infrastructure facilities as it is zoned R2 and R3, is large, accessible, and is close to public transport. The subject site generally allows for acceptable gradients to provide for group homes which will complement the area. The remaining 5 lots created have also been identified as allowing for future built forms.

(d) any submissions made

In accordance with the Holroyd Development Control Plan 2013, the application was notified to adjoining and surrounding owners and occupiers for a period of 21 days from the 1 April to the 22 April, 2015. During this time, no submission was received.

(e) the public interest

Long term positive benefits of the proposal include the provision of purpose built accommodation for people with a disability or social disadvantage, the provision of infrastructure via a new road and an appropriate increase in the population via a modest scale development which is considered to compliment the surrounding built forms. Short term benefits include the provision of employment for tradespersons, builders, landscapers and the like who will undertake physical construction of the development. The provision of 5 vacant lots will allow for future development which will increase the population base for this area which is considered will facilitate for future development compatible with its surrounds. It is acknowledged that there will be some short term disruption to the amenity of nearby residents (truck movements, deliveries, noise of construction work, etc.) but it is considered that the long term positive benefits outweigh the short term adverse impacts.

INTERNAL REFERRALS

During the original and the amended application assessment process, comments were sought from a number of sections within Council. Based upon the amended design, the following summarises Council Officer/Advisers' comments:

Building Services Section	No objection.
Development Engineering Section	No objection, subject to conditions.
Traffic Section	No objection, subject to conditions.
Landscaping Section	No objection, subject to conditions.
Environmental Health Unit	No objection, subject to conditions.
Waste Management Section	No objection.
Strategic Planning Section	No objection.
Community Services Section (Social Planning and Accessibility)	No objection as per Social Planner.
Heritage Advisor	No objection.

EXTERNAL REFERRALS

Comments were sought from Sydney Water who raised no objection subject to standard recommendations.

SECTION 94 CONTRIBUTIONS

Prior to the issue of a Construction Certificate, a monetary contribution imposed under section 94 of the *Environmental Planning and Assessment Act 1979* and Holroyd Section 94 Development Contributions Plan 2013, for 11 new lots is to be paid to Council. At the time of this development consent, the current rate of the contribution is **\$102,960**. The amount of the contribution will be determined at the time of payment in accordance with the relevant s94 Contributions Plan in force at that time.

RECOMMENDATION

It is considered that the development has provided for an acceptable response to the constraints of the site and is in line with the objectives and development controls for Sub Precinct C within the Guildford Pipehead Precinct section of the Holroyd DCP.

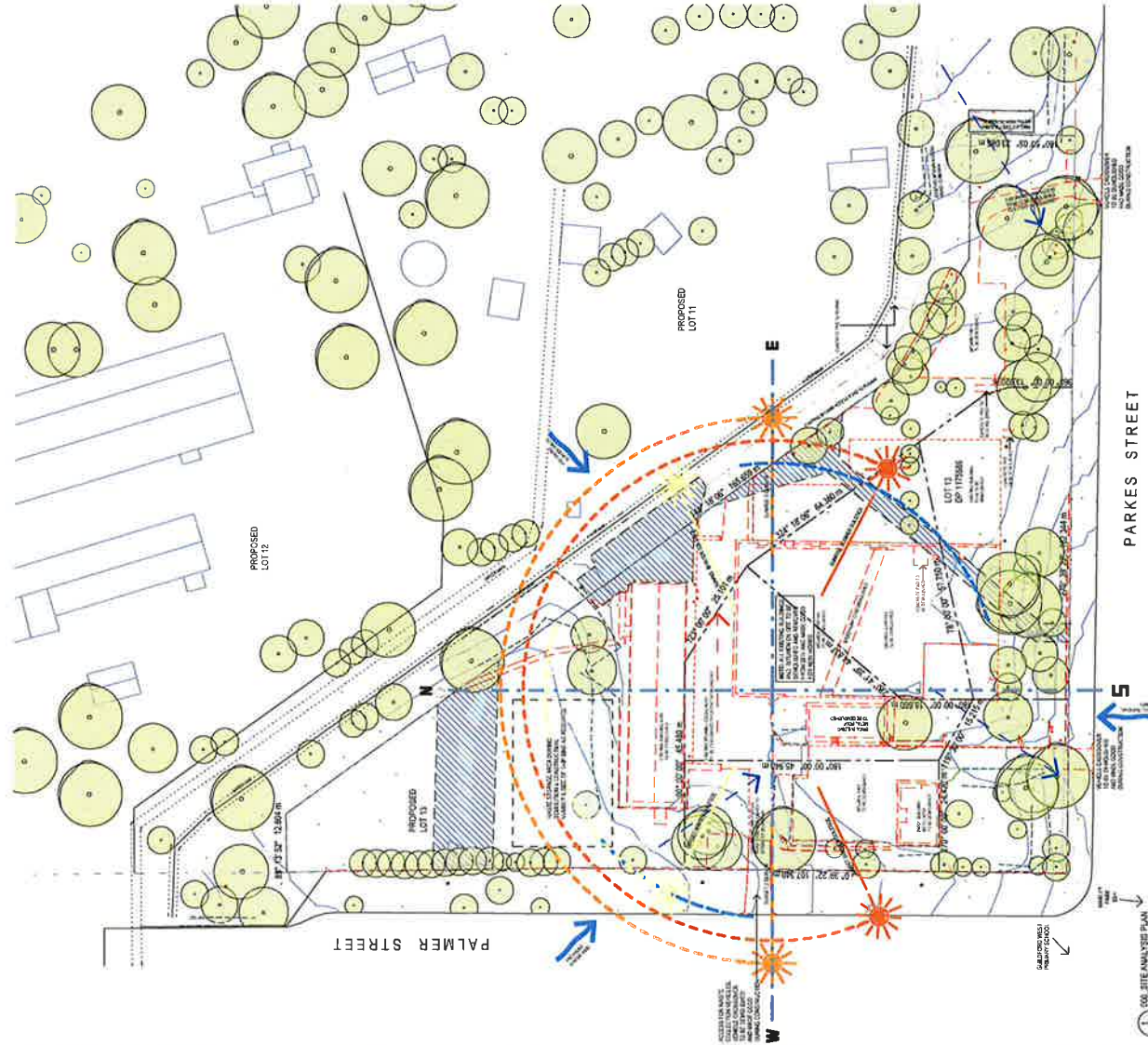
The provision of the proposed new road will provide for an acceptable east to west travel link as required by the DCP which will not create an undue burden upon the surrounding roadways in the area. The development will also provide for new pedestrian connections for future occupants and surrounding residents.

The creation of 9 new lots is numerically compliant with the LEP and DCP controls and is of an appropriate size to allow for future development upon the provided vacant lots. The provision of 4 new group homes is considered to maintain impacts in an acceptable manner between each other and surrounding residents. The single level nature of each built form along with associated landscaping is considered sympathetic to the existing surrounding low density development within Guildford West.

The application does provide for a number of significant retaining walls and fill, but while so taking into consideration the topography of the subject site and relationship to the existing residential dwellings is considered acceptable in this instance. The location of rear decks is not considered to create an amenity impact while the single level finish for each group home is an appropriate response to the future needs of occupants.

The development results in an increase in the supply of much needed housing for persons with a disability within purpose built homes. This is considered to allow for a stronger connection with the local community and a positive social impact for the community.

It is recommended that the application proposing subdivision and construction of Group Homes under Affordable Rental Housing SEPP 2009 in 2 Stages with Stage 1 seeking approval for site works including new public road and subdivision into 9 lots and Stage 2 seeking approval for construction of 4 x single storey dwellings as group homes on lots 1 to 4 **be approved subject to conditions as outlined in Attachment C of this report.**



Energy Rating Certificate Number: **14433242** L071

☒ single-family dwelling
 ☐ multi-unit development (apartment building or duplex)
 ☐ commercial building (retail store, school, etc.)
 ☐ industrial building (factory, warehouse, etc.)

Replaced conventional water heater ☐ Replaced with ☒ gas water heater
 Replaced conventional furnace ☐ Replaced with ☒ gas furnace

Account No. **14433242**
 District **00000**
 City **Albuquerque**
 State **NM**
 Zip **87104**

Assessor Signature _____
 Date **3/16/2017**

Energy Rating Certificate Number: 144323431

 single-dwelling rating

☒ Fully metered dependent on metering of energy use ☐ Fully metered independent of metering of energy use

heating 5.0 stars
cooling 3.0 stars
water heating 3.0 stars
hot water supply 3.0 stars

☒ Rotor with ☐ Rotor with

Registered draughts contractor David Sweeney

Assessor Name: *David Sweeney* VC/BA/1443

Assessor Signature: *[Signature]* Date: 21/04/15

[illegible]

LOT 4

Energy Rating Certificate Number: 443242

☒ Single-dwelling dwelling

☐ Multi-unit development (please bring all samples)

For more details on the Energy Rating process, please visit www.epr.gov.au

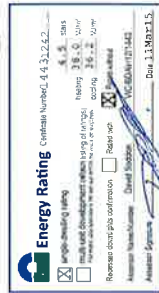
Maximum 39.2 M.J/m²
Rating 33.6 M.J/m²

Reduced design/energy confirmation ☐ Rated web ☒ **Energy rated**

Accession Number: 443242-13443

Assessor Signature: [Signature] Date: 20/04/2015

[illegible]

[illegible]

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Energy Rating Certificate No. EW-04-31243

☒ Single dwelling rating

☐ Multi-unit dwellings, premises, plant or equipment

Rating: 5.0 stars
 Energy: 50.9 MJ/m²/year
 Cooling: 12.9 MJ/m²/year

Reasons for upgrade: ☐ Related with ☒ Solar related

Assessor Name/Number: David Jenkins VCB00014443
 Assessor Signature: [Signature] Date: 21 May 2012





LOVED MAG 2009
ASPECT MAG 2010
PHONE IN 02 975 9000
www.kissmag.gov.au

Family & Community Services
Ageing, Disability & Home Care

delegates
www.delegates.com

dwpr
dwpr.com

LOVED MAG 2009
ASPECT MAG 2010
PHONE IN 02 975 9000
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www.delegates.com

dwpr
dwpr.com



SYMBOL LEGEND

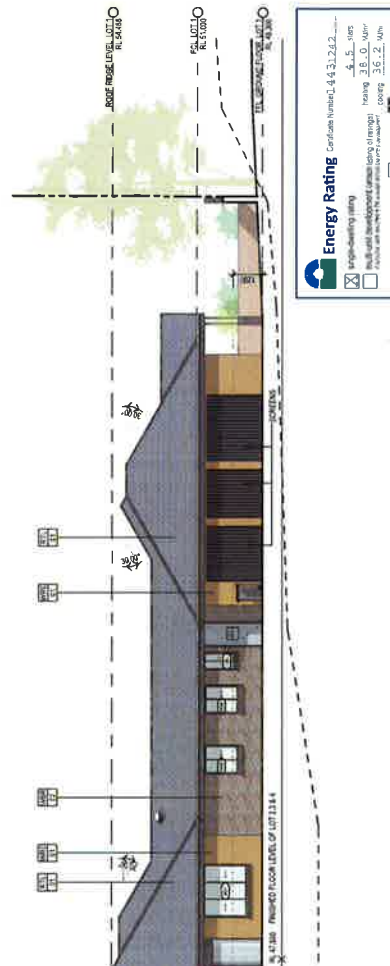
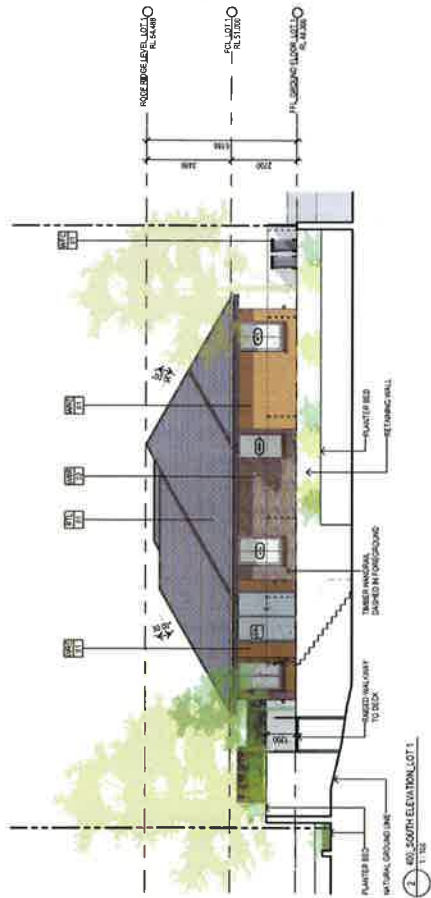
SYMBOL	DESCRIPTION
C	CENTRELINE
⊕	CEILING TAG
⊕	MATERIAL TAG
⊕	DOOR TAG
⊕	WALL TAG
⊕	WINDOW TAG
⊕	SETOUT POINT

MATERIAL LEGEND

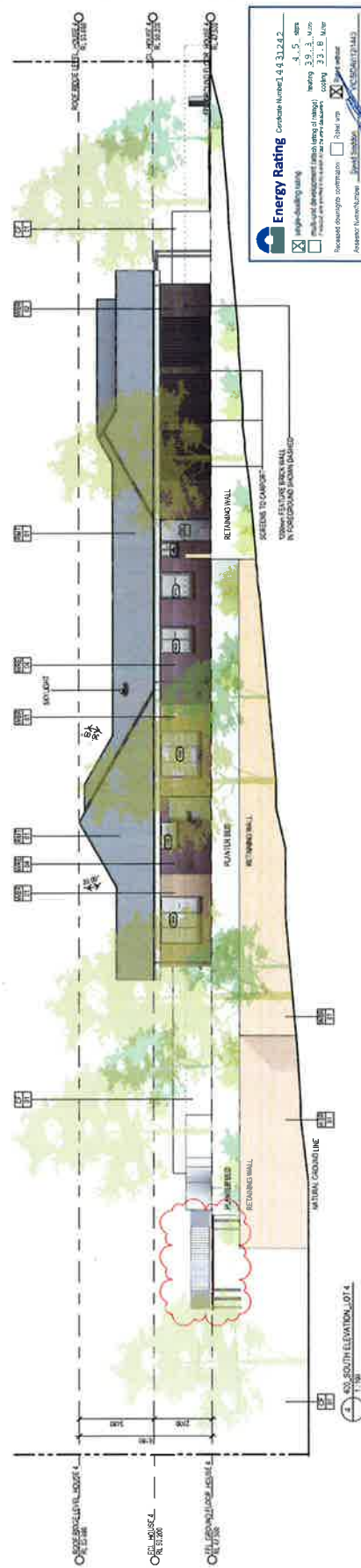
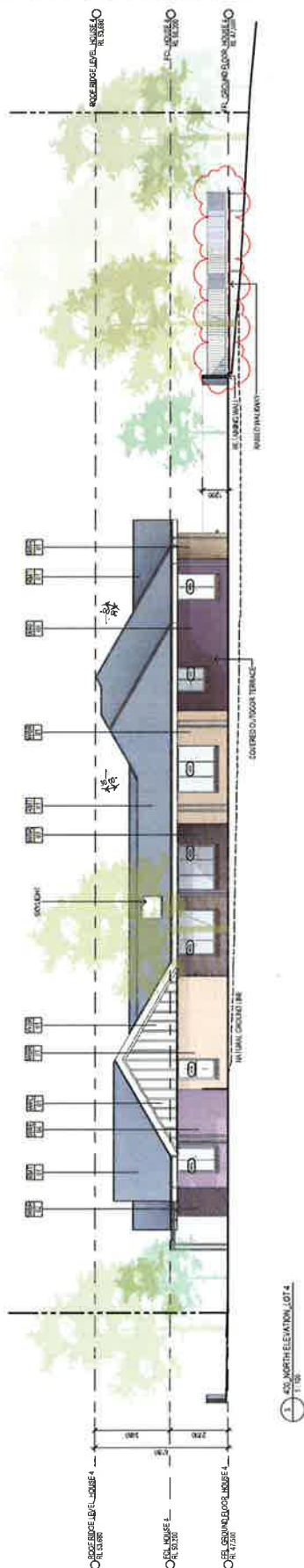
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ABBREVIATIONS LEGEND

ABBREVIATION	DESCRIPTION
AS	ADJUSTABLE WINDOW
AW	WOOD
BR	BRICK
CL	CLAY TILE
CM	CEMENT
CS	CONCRETE
CU	CUTTING
DA	DRAINAGE
DE	DECK
DI	DRAIN
DO	DOOR
DS	DRAINAGE
DU	DRAINAGE
EA	ELECTRIC
EG	ELECTRIC
EM	ELECTRIC
EN	ELECTRIC
EP	ELECTRIC
ES	ELECTRIC
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EU	ELECTRIC
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[illegible][illegible]

Attachment "C" – Draft Conditions of Development Consent

Environmental & Planning Services Department

Our Reference: 2015/87 /1
Contact: Mr P Anzellotti
Phone: 02 9840 9659

**[DRAFT CONDITIONS OF CONSENT]
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
NOTICE OF DETERMINATION OF APPLICATION**

To Be Advised

Urban Growth
PO Box 237
PARRAMATTA NSW 2124

Dear Sir/Madam

Pursuant to Section 81 of the Act, Council has granted conditional approval to your Development Application described as follows:

PROPERTY: Lot 13, DP 1175686

STREET ADDRESS: Corner of Palmer and Parkes Street, Guildford West

DEVELOPMENT CONSENT NO: 2015/87/1

DECISION: Joint Regional Planning Panel

DATE OF EXPIRY OF CONSENT: To Be Advised

PROPOSED DEVELOPMENT: Site works, subdivision and construction of group homes under Affordable Rental Housing SEPP 2009 in 2 stages with Stage 1 seeking approval for site works including new public road and subdivision into 9 lots and Stage 2 seeking approval for construction of 4 x single storey dwellings as group homes on lots 1 to 4.

This Development Application is APPROVED in accordance with the Environmental Planning & Assessment Act 1979 and is subject to compliance with the requirements of Holroyd City Council, the Building Code of Australia, the Local Government Act 1993, and the following conditions as set out hereunder and/or endorsed upon the attached plans.

PRELIMINARY

1. This consent shall lapse if the above development is not physically commenced by the date of expiry shown on the front page of this Consent. Any person entitled to act on the consent may apply to Council at least 30 days before this five year period expires, for an extension of one year (in accordance with Section 95A of the Environmental Planning & Assessment Act 1979), provided that good cause is shown. **Note: Failure to lodge an application for extension of consent will mean the consent lapses and a fresh application will be required that will be assessed in accordance with current controls.**
2. Development shall take place in accordance with the attached endorsed plans:

Doc No.	Rev	Title	Prepared By	Date
Architectural Plans all Project No. 302899				
A021	J	Site Analysis/Demolition Plan	dwp suters	12.03. 2015
A100	Y	Site Plan-Subdivision	dwp suters	15.10. 2015
N100	F	Site Plan	dwp suters	15.10. 2015
A101	M	Site Plan	dwp suters	15.10. 2015
A201	J	GA Plan/Furniture Plan-Lot 1	dwp suters	12. 03. 2015
A202	J	GA Plan/Furniture Plan-Lot 2	dwp suters	12. 03. 2015
A203	L	GA Plan/Furniture Plan-Lot 3	dwp suters	15.10. 2015
A204	N	GA Plan/Furniture Plan-Lot 4	dwp suters	15.10. 2015
A261	F	Dimensioned Floor Plan–Lot 1	dwp suters	12. 03. 2015
A262	F	Dimensioned Floor Plan–Lot 2	dwp suters	12. 03. 2015
A263	G	Dimensioned Floor Plan–Lot 3	dwp suters	15.10. 2015
A264	G	Dimensioned Floor Plan–Lot 4	dwp suters	15.10. 2015
A281	E	Roof Plan_Lot 1	dwp suters	12. 03. 2015
A282	E	Roof Plan_Lot 2	dwp suters	12. 03. 2015
A283	E	Roof Plan_Lot 3	dwp suters	12. 03. 2015
A284	E	Roof Plan_Lot 4	dwp suters	12. 03. 2015
A401	J	Elevations Lot 1	dwp suters	12. 03. 2015
A402	J	Elevations Lot 2	dwp suters	12. 03. 2015
A403	J	Elevations Lot 3	dwp suters	12. 03. 2015
A404	K	Elevations Lot 4	dwp suters	15.10. 2015
A500	G	Site/Sections 1 & 2	dwp suters	15.10. 2015
A800	F	Window + Door Schedule	dwp suters	12. 03. 2015
Hydraulic Plans (OSD Plan No. 2015-197)				

DA01	A	Plan of Subdivision	Diversi Consulting	11.03.2015
DA02	B	Roadworks and Stormwater Drainage Layout Plan	Diversi Consulting	31.07.2015
DA03	B	Road Longitudinal Sections and typical Cross Sections	Diversi Consulting	31.07.2015
DA04	B	Stormwater Details	Diversi Consulting	31.07.2015
DA05	B	Stormwater Drainage Calculations	Diversi Consulting	31.07.2015
DA06	B	Site Regrading Plan	Diversi Consulting	31.07.2015
DA08	A	Intersection Detail Plan and Kerb Return Profiles	Diversi Consulting	31.07.2015
DA101	B	Concept Stormwater Drainage Layout Plan	Diversi Consulting	31.07.2015
DA102	A	Concept Stormwater Typical Sections and Details	Diversi Consulting	11.03.2015
Landscape Plans				
LA 01	C	Site Plan	Paterson Design Studio	15.10.2015
LA 02	C	Planting Plan Lot 1	Paterson Design Studio	15.10.2015
LA 03	C	Planting Plan Lot 2	Paterson Design Studio	15.10.2015
LA 04	C	Planting Plan Lot 3	Paterson Design Studio	15.10.2015
LA 05	C	Planting Plan Lot 4	Paterson Design Studio	15.10.2015
LA 06	C	Landscape Details	Paterson Design Studio	15.10.2015
LA 07	C	Planting Schedule	Paterson Design Studio	15.10.2015
LA 08, 1 of 3	C	Landscape Specs	Paterson Design Studio	15.10.2015
LA 08, 2 of 3	C	Landscape Specs	Paterson Design Studio	15.10.2015
LA 08, 3 of 3	C	Landscape Specs	Paterson Design Studio	15.10.2015

- Waste Management Plan dated 9 March, 2015.
- Erosion and Sediment Control Plan prepared by Diversi Consulting, Project No. 14028, Drawing No. DA07, Revision B, dated 31 July, 2015.
- Arboricultural Report prepared by Birds Tree Consultancy, dated 29 January, 2015.

- Schedule of External Colours and Finishes, Project No. 302899, Drawing No's. N900, Revision E and Drawing No. A920, Revision G, both dated 12 March, 2015.
 - BASIX Certificate No. 616058S_02, dated 11 March, 2015 (Proposed Lot 131)
 - BASIX Certificate No. 616118S_02, dated 11 March, 2015 (Proposed Lot 132)
 - BASIX Certificate No. 616190, dated 12 March, 2015 (Proposed Lot 133)
 - BASIX Certificate No. 616142S, dated 11 March, 2015 (Proposed Lot 134)
- a) As amended in red by Council. The above amendments are to be incorporated in the Construction Certificate plans.
3. All building work shall be carried out in accordance with the requirements of the Building Code of Australia.
4. The applicant shall consult with, as required:
- (a) Sydney Water Corporation Limited
 - (b) Endeavour Energy
 - (c) Natural Gas Company
 - (d) A local telecommunications carrier
- regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).
5. The proposed structure/s are to be located clear of existing Council easements. Special footings will be required where the proposed/existing structures are adjacent to a drainage easement. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary.
The footing system is to be designed by a practising professional structural engineer.
6. Building materials, builders sheds, waste bins, site fencing, gates or any material of any description shall not be left or placed on any footway, road or nature strip. Footways and nature strips shall be maintained, including the cutting of vegetation, so as not to become unsightly or a hazard for pedestrians. Offenders will be prosecuted.

BASIX (Building Sustainability Index)

7. Under Clause 136D of the Environmental Planning & Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed as per Condition 2 in relation to BASIX are fulfilled.

Dilapidation Report – Public Infrastructure

8. The applicant shall have a dilapidation survey and report (including photographic record) prepared which details pre-development condition of the existing public infrastructure (including Council assets and utility services) in the vicinity of the development site. A copy of the dilapidation report shall be lodged with Holroyd City Council prior to Stage 1 commencement of works.

NOTE: FEES, BONDS & CONTRIBUTIONS INDICATED IN CONDITIONS OF THIS CONSENT MAY VARY IN ACCORDANCE WITH THOSE ADOPTED BY COUNCIL AT SUBSEQUENT ANNUAL REVIEWS OF ITS "FEES AND CHARGES" AND SUBSEQUENT CHANGES TO THE BUILDING PRICE INDEX. FEES CHARGED WILL BE THOSE CURRENT AT THE TIME OF PAYMENT.

PRIOR TO WORKS COMMENCING

Stage 1 - Site works including new public road and subdivision into 9 lots

The following conditions are to be complied with prior to any Stage 1 works commencing on the site:

Payment of Bonds, Fees and Long Service Levy

9. All bonds, fees and contributions as required by this consent are to be paid to the applicable authority prior to works commencing. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

Section 94 Contribution

10. Prior to Stage 1 works commencing, a monetary contribution imposed under section 94 of the *Environmental Planning and Assessment Act 1979* and Holroyd Section 94 Development Contributions Plan 2013, for new land subdivision into 9 lots is to be paid to Council. At the time of this development consent, the current rate of the contribution is **\$102,960.00**. The amount of the contribution will be determined at the time of payment in accordance with the relevant s94 Contributions Plan in force at that time. A copy of the Holroyd Section 94 Development Contributions Plan 2013 can be viewed on Council's website at www.holroyd.nsw.gov.au or inspected at Council's Civic Centre located at 16 Memorial Avenue, Merrylands between the hours of 8am and 4.30pm Monday to Friday.

Damage Deposit

11. A cash bond/bank guarantee of **\$1,643.20** must be paid/lodged with Council to cover making good any damage caused to the property of Council, during the course of construction associated with the development. This will be held for 'six (6) months after the completion of works' to remedy any defects that may arise within this time.

Note:- The applicant/owner shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property (such as road pavement, kerb and guttering, footway, stormwater drainage etc), unless the applicant/owner notifies Council in writing and provides photographic proof of any existing damage to Council's property. Such notification shall occur prior to works/demolition commencing. However, if in the opinion of Council, during the course of construction existing damage has worsened, Council may require full reinstatement. If damage does occur during the course of construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

Consistency with Endorsed Development Consent Plans

12. Any certified plans forming part of the Stage 1 works, are to be in accordance with the Development Consent plans.

Engineering

13. All works to be provided, as listed below, shall be shown on the submitted drawings prior works commencing.
14. All engineering works shall be designed and undertaken in accordance with the relevant aspects of the following documents, except as otherwise authorised by this consent: -
 - i) Holroyd City Council's Works Specification for Subdivisions and Developments (Current Version) or Australian Standards and RMS Guidelines, where Council's specification are silent.
 - ii) Holroyd Development Control Plan 2013.
 - iii) For any works proposed or required within the existing public roads, the approval of the designs, and the supervision of the construction, shall be the responsibility of the road authority (Council). The design and construction of the works shall be to the total satisfaction of the relevant road authority.

Provision of New Road

Design:

15. Engineering plans shall be lodged with the Council (in quadruplicate) for approval of the proposed roadway and associated kerb, gutter, footpath, pram/kerb ramps, vehicular crossings and drainage. The proposed road and road reserve shall be designed such that the road, footpath shall be in accordance with the submitted development application drawing (prepared by Diversi Consulting and as amended in red). The applicant shall submit satisfactory engineering drawings and details for the road and associated construction, including section details, long sections of each intersection kerb return, and typical section details. The following shall also be addressed:
 - i) A crossfall of 3% to the roadway surface.
 - ii) Concrete 150mm kerb and gutter shall be provided to all roadways in accordance with Council's standard drawing SD 8104. In this regard, kerb and gutter shall have a minimum of 0.5% grade to a grated stormwater gully pit.
 - iii) All kerb returns shall be shown with 150mm kerb and gutter.
 - iv) All cut and fill batters within the proposed lots and reserve shall be located outside the proposed road reserves and provided at a maximum grade of 1 vertical and 4 horizontal. A 0.5m berm within the proposed lot or reserve, located at the boundary alignment, shall be provided to all batters adjoining the road reserve.
 - v) A full width medium duty vehicular crossing shall be provided opposite each vehicular access with a maximum width of 5m at the boundary line. The proposed layback of the vehicular crossings shall match the vehicular access only, and not be widened to match the pedestrian access pathway for each dwelling and all works shall be in accordance with Holroyd City Councils Vehicular Crossing Policy.

- vi) A 1.5 metre wide concrete footpath shall be provided to the roadway at 0.6m offset from the property/road reserve boundary.
- vii) Kerb/pram ramps shall be provided in accordance with Council's Specifications where the footpaths terminate at Kerb Returns, and at road intersections.
- viii) "No Stopping" restrictions shall be provided at all road intersections. All no stopping restrictions shall be in accordance with Australian Road Rules 1999.
- ix) Traffic sign posting and line markings shall be provided within all proposed roadways. In this regard, the sign posting and line marking shall be in accordance with RMS Guidelines, and accepted by Council's Traffic Engineer.
- x) All linemarking proposed on the roads shall be thermoplastic.
- xi) The road design shall provide dedication to Council of minimum 3m by 3m splay corners.
- xii) Street name signs and furniture shall be provided in accordance with Council's Specification for Subdivisions and Developments. In this regard street signage shall be provided at all road intersections. Proposed street name for the road with supporting information that outlines the reasoning for the selection of the name shall be submitted to Council. Final street name selection shall be subject to Council approval.

Landscaping:

- xiii) Street plantings and tree locations shall be coordinated with proposed services, lighting poles and vehicular crossings.
- xiv) All footpath areas within the road reserves that are not concrete shall be turfed with ST85 Buffalo or 'Sir Walter. Turf shall be laid on a prepared sub-grade including a turf underlay mix of minimum 100mm thickness. Sufficient topdressing in the appropriate season shall be carried out to achieve a smooth surface with no mounds or hollows to allow free positive drainage. A minimum thickness of 10mm shall be allowed. Topdressing shall consist of 80:20 ratio of sand to soil.

Details to be provided prior to Stage 1 works commencing.

Stormwater Drainage

- 16. Stormwater drainage shall be provided and shall comply with the following:
 - i) Full detailed designs and calculations, prepared by a practising Civil Engineer with NPER3 accreditation, for the proposed road drainage system shall be submitted to Council.
 - ii) Design and construction shall be done in accordance with the latest addition of Australian Rainfall and Runoff, and the NSW Floodplain Management Manual (Jan 2001), except if specified otherwise in the following conditions and/or Councils' Specification for Subdivisions and Developments, including the Standard Plans therein. The design of the conduit bedding and class shall also be based on the construction loading received during construction of the development.

- iii) All high hazard stormwater flows up to the 1% AEP storm, as defined by the NSW Floodplain Management Manual (January 2001) shall be eliminated.
- iv) The drainage and road system shall be designed and constructed to encompass the 1% AEP flow within the road reserve.
- v) The proposed stormwater pipelines draining the public property (proposed and existing) shall be designed at a minimum grade of 1% and all conduits shall be RCP.
- vi) No headwalls shall discharge stormwater into public areas
- vii) As per Clause 1.6.4, Note 3, of Councils' Specification for Subdivisions and Developments, all stormwater conduits shall have the size, class, manufacturers name, and date of manufacture, indelibly marked on the obvert of each conduit length.
- viii) As per Table 2 Schedule of Material Tests, of Councils' Specification for Subdivisions and Developments, the CCTV verification and 'No cracking', shall be complied with. Satisfactory testing to Council's satisfaction shall be carried out at subgrade level, prior to proceeding with the next layer.

Details to be provided prior to Stage 1 works commencing.

Road Pavements

- 17. Road pavements shall be designed by a Professional Civil Engineer with NPER3 accreditation based upon soil tests performed by a registered N.A.T.A Soils Laboratory. The pavement and designs plus traffic loadings and associated Geotechnical report for the proposed roadways detailing the strength of the existing sub-grade, design of the proposed road pavement and pavement construction requirements, shall be lodged with Council, prior to the commencement of Stage 1 works. The road shall be designed to the following minimum requirements:
 - i) In accordance with Council's Works Specification a minimum unbound granular thickness pavement shall be 300mm comprising of a 150mm thick sub-base and 150mm thick base shall be provided.
 - ii) A sealing layer consisting of 50mm AC Hotmix (25mm AC10 in two layers) shall be provided.
 - iii) Traffic loading N (ESAs) of 5×10^4 .

Street Lighting

- 18. High standard lighting shall be provided to the roadway and designed by a suitably qualified person. Design plans for lighting shall be submitted to Council's for approval prior to the commencement of Stage 1 works, after approval has been obtained from the responsible utility authority for lighting and shall be in accordance with AS 1158. Alterations/additions to street lighting shall be carried out by the responsible utility authority for lighting, or to the satisfaction of that authority, and all capital contributions associated with the installation of the lighting shall be borne by the applicant. The proposal shall include details of all lighting fixtures being proposed and underground power reticulation shall be allowed for in the design. A lighting design category of P4 shall be utilised. Light poles and lanterns shall be plain hot dipped galvanised steel.

Public Utilities

19. A detailed engineering plan with all public utilities layout shall be submitted to Council ensuring that street lights, electrical pillars, sewer manholes, street trees, vehicular crossings and footpaths do not conflict. Details to be provided prior to the commencement of Stage 1 works.
20. Installation and commissioning of public utility services e.g. Water, Telephone, Gas, Electricity, etc. and conduits for same shall be provided in accordance with the requirements of each utility authority. Reticulation of services shall be within the footpath area. Details to be provided prior to the commencement of Stage 1 works.
21. Any required adjustment to utility services, trees, signs and other street furniture requires approval of the appropriate authority and shall be undertaken at no cost to Council.

Engineering fees

22. If it is the applicant's intention to engage Holroyd City Council to undertake the checking of the engineering design plans and issue the Engineering Construction Certificate, it will be necessary to lodge all detailed engineering drawings and specifications in order that a quote for service may be provided.

Note: A quotation will be provided within 5 days based upon Council's fees schedule.

Provision of overland flows

23. Overland flow up to the 1% AEP storm must be accepted at the upstream boundary and conveyed through the site. Full details of the hydraulic evaluation of the overland flow shall be prepared by a practising Civil Engineer and be in accordance with Council's standards and specifications. Details to be provided prior to the commencement of Stage 1 works.

Provision of on-site stormwater detention

24. The development has been identified as requiring an on-site stormwater detention (OSD) system which has formed part of the development consent. Therefore, in order to satisfy the drainage requirements for the Subdivision Certificate, this shall include the construction of the OSD system. In this regard, design and construction details of the OSD system demonstrating compliance with the development consent, OSD plan number 2015-197 and Council's on-site detention policy shall be submitted to the certifying authority prior to the issue of a construction certificate. The following shall also be addressed:
 - i. Amendments in red on the OSD drawings.
 - ii. Fully detailed design drawings and calculations shall be prepared by a practising Civil Engineer. Design and construction of the on-site stormwater detention system shall be in accordance with Council's standards and specifications and the Upper Parramatta Catchment Trust's O.S.D. Handbook.

Details to be provided prior to the commencement of Stage 1 works.

Provision of Water Sensitive Urban Design (WSUD)

25. The development has been identified as requiring water sensitive urban design (WSUD) which has formed part of the development consent. Therefore, in order to satisfy the drainage requirements for the Subdivision Certificate, this shall include the construction of the WSUD system. In this regard, design and construction details of the WSUD system demonstrating compliance with Holroyd DCP 2013 Part A section 7.5 shall be submitted to the certifying authority prior to the commencement of Stage 1 works. The following shall also be addressed:
 - i. The device(s) shall be within the subject property and maintenance, replacement etc shall be the total responsibility of the property owner.

Engineering Fees and Bonds

26. Payment of a **\$3,550.00** fee for the design, specifications and inspection by Council of the footpath paving prior to placement of concrete.
27. The applicant shall lodge with Council a **\$10,000.00** cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete footpath paving adjacent to the site. This bond will be held for 'Six (6) months after the completion of works' to remedy and defects that may arise within this time.
28. The applicant shall lodge with Council a **\$10,000.00** cash bond or bank guarantee for the satisfactory completion of the construction of the drainage system through a public area or adjoining private property. This bond will be held for 'Six (6) months after the completion of works' to remedy and defects that may arise within this time.
29. Payment of a **\$5,230.00** fee for the design checking and inspection by Council of the road construction at the key stages.

Road Works

30. A Traffic Management Plan shall be lodged with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). In this regard, the applicant shall pay Council a **\$482.70** fee for the assessment of the Traffic Management Plan by Council, prior to commencing works within the road reserves. A copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

Required Submissions to Certifier

31. A Section 73 Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

(Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design).

32. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included prior to the commencement of Stage 1 works.
33. If the development likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted prior to any works commencing.
34. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.
35. The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriate stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agent details – see Building and Development then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and Developing then Building and Renovation

or telephone 13 20 92.

Construction Management Plan

36. A Construction Management Plan (CMP) prepared by a suitable qualified consultant/contractor shall be prepared to address issues such as traffic control, noise, dust, etc., during construction. All measures works/methods/procedures/control measures/recommendations made within the Construction Management Plan shall be implemented accordingly.

Commencement of Work

37. The person having the benefit of the development consent, not the principal contractor (builder), must: -
 - a) Notify Council of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

Fencing of Sites

38. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric. All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

Signs to be Erected on Sites

39. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the Certifier for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted **outside working hours and at any time for business purposes**, and
 - (c) stating that unauthorised entry to the work site is prohibited.

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

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

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

Note: Any Certifiers and Principal Contractors must also ensure that signs required by this clause are erected and maintained (clause 227A of the Regulations currently imposes a maximum penalty of \$1,100).

Prohibited Signage

40. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

Site Control Measures

41. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans accompanying the Construction Certificate, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Holroyd City Council's "Erosion & Sediment Control Policy."

Note: On-the-spot fines may be issued by council where measures are absent or inadequate.

Tree Protection Conditions

42. An Arborist qualified to at least Australian Qualifications Framework (AQF) Certificate Level 4 shall be retained throughout all demolition/construction work to ensure the proper protection and management of the tree/s required to be retained/transplanted and that any necessary pruning work within 1m of the building/s approved, is carried out in accordance with Australian Standard 4373-1996 "Pruning of Amenity Trees". This includes on site supervision of the erection of tree protection measures and, where necessary, any works that are required within tree protection zones.
43. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected prior to and throughout the demolition/construction process in accordance with the Arboricultural report prepared by Birds Tree Consultancy dated 29 January, 2015, and relevant conditions of this Consent. All trees not authorised to be removed by this Consent must be retained. Prior to any work commencing, certification of the installation and inspection of the required tree protection works is to be provided to the Principal Certifying Authority by a suitably qualified person or the Arborist (as appropriate) engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted. A copy of the Certificate is to be issued to Council within seven (7) days of the inspection and prior to any works commencing. Additionally, trees identified for removal are to be retained until immediately prior to works commencing, to assist with soil management and erosion control.
44. Protective fencing is to be installed around the tree/s to be retained/transplanted as specified within the Arboricultural Report prepared by Bird Tree Consultancy, dated 29 January, 2015. This fencing is to be constructed of chainwire mesh 1.8m high, which is supported by steel stakes or piping and braced to resist impacts. Where appropriate the trunk/s of the tree/s on the site and any street tree/s (which are not to be fenced other than as mentioned above), shall also be protected by vertical timber boards, installed by or under the supervision of a suitably qualified person or the arborist (as appropriate) engaged to ensure the proper protection and management of the trees required to be retained/transplanted to accepted horticultural and TAFE standards.

Note: Removal of the protective fencing or timber boards during construction work, will affect the Bonds and may result in legal proceedings being instigated by Council against the applicant and builder.

45. The fenced zone/s surrounding the trees to be retained shall be mulched with 100mm of composted leaf mulch.

Footpaving, Kerbing and Guttering

46. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
47. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

Toilet Facilities

48. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- a) Must be a standard flushing toilet, and
- b) Must be connected:
 - i) To a public sewer,
 - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
 - iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

Roadworks

- 49. The new road is to be provided with underground electricity reticulation for street lighting and residential allotments. The applicant shall arrange with Integral Energy for the laying of service conduits and cables in the road and footpath areas prior to the construction of the road carriageway, vehicular crossings and concrete footpaving.
- 50. The applicant is to submit to Council an application for a road opening permit when the drainage connection into Council's system is within the road reserve. In this regard the applicant shall pay Council a **\$159.20** fee prior to the commencement of works. Additional road opening permits and fees may be necessary where there are connections to public utility services (eg. telephone, electricity, sewer, water or gas) required within the road reserve.
- 51. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.

Works Within Council's Reserve

- 52. All works within the Council reserve shall be completed within three (3) weeks of the date of commencement. Council's Development Engineer shall be advised prior to the commencement of works.
- 53. Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.
- 54. All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$10,000,000 is to be submitted prior to commencement of works. Holroyd City Council shall be named on the Certificate of Currency as an interested party.

Stage 2 - Construction of 4 x single storey dwellings as group homes on lots 1 to 4

The following conditions are to be complied with prior to any Stage 2 works commencing on the site:

Payment of Bonds, Fees and Long Service Levy

55. All bonds, fees and contributions as required by this consent are to be paid to the applicable authority. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

Consistency with Endorsed Development Consent Plans

56. Any certified plans forming part of the Stage 2 works, are in be in accordance with the Development Consent plans.

Engineering Fees and Bonds

57. Payment of a **\$784.00** fee for the inspection by Council of the stormwater drainage construction in the road reserve at the key stages.
58. The applicant shall lodge with Council a **\$3,000.00** cash bond or bank guarantee to cover the removal of redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. This bond will be held for 'Six (6) months after the completion of works' to remedy and defects that may arise within this time.
59. The applicant shall lodge with Council a **\$6,000.00** cash bond to cover the registration of a Positive Covenant and Restriction as to User over the Onsite Stormwater Detention System and Pollution Control Device/s. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the Land and Property Information NSW.

Road Works

60. A Traffic Management Plan shall be lodged with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). In this regard, the applicant shall pay Council a **\$482.70** fee for the assessment of the Traffic Management Plan by Council, prior to commencing works within the road reserves. A copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.
61. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included prior to any Stage 2 works commencing.
62. If the development likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted prior to any Stage 2 works commencing.

63. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.
64. Structural engineer's details (in duplicate) prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted to the appropriate Certifier prior to any Stage 2 works commencing.
65. The proposed deck and associated walkway to lot 1 is to be provided with a minimum setback of 8m from the proposed rear southern boundary. Plans are to be amended accordingly and provided to the respective Certifier prior to any works commencing.
66. To maintain privacy between each group home and proposed lots, privacy screens to a height of 1.5m are to be provided to each provided outdoor deck as follows;
 - Lot 1 – Privacy screen to the whole length of the rear deck end (southern edge)
 - Lot 2 – Privacy screen to the whole length of the rear deck end (southern edge). In addition, the privacy screen is to wrap along the eastern deck side for a distance of 1m.
 - Lot 3 - Privacy screen to the whole length of the rear deck end (southern western edge)
 - Lot 4 - Privacy screen to the whole length of the rear deck end (western edge)

Construction Management Plan

67. A Construction Management Plan (CMP) prepared by a suitable qualified consultant/contractor shall be prepared to address issues such as traffic control, noise, dust, etc., during construction. All measures works/methods/procedures/control measures/recommendations made within the Construction Management Plan shall be implemented accordingly.

Notification of Commencement of Work

68. The person having the benefit of the development consent, not the principal contractor (builder), must: -
 - a) Notify Council of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

Fencing of Sites

69. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric. All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

Signs to be Erected on Sites

70. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted **outside working hours and at any time for business purposes**, and
- (b) stating that unauthorised entry to the work site is prohibited.

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

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

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

Prohibited Signage

- 71. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

Protection of Public Places

- 72. A hoarding or fence must be erected between the work site and any public place, if the work involved in the erection or demolition of the building; is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place.
If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Site Control Measures

- 73. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Holroyd City Council's "Erosion & Sediment Control Policy."

Note: On-the-spot fines may be issued by council where measures are absent or inadequate.

Tree Protection Conditions

- 74. An Arborist qualified to at least Australian Qualifications Framework (AQF) Certificate Level 4 shall be retained throughout all demolition/construction work to ensure the proper protection and management of the tree/s required to be retained/transplanted and that any necessary pruning work within 1m of the building/s approved, is carried out in accordance with Australian Standard 4373-1996 "Pruning of Amenity Trees". This includes on site supervision of the erection of tree protection measures and, where necessary, any works that are required within tree protection zones.

75. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected prior to and throughout the demolition/construction process in accordance with the Arboricultural report prepared by Birds Tree Consultancy dated 29 January, 2015, and relevant conditions of this Consent. All trees not authorised to be removed by this Consent must be retained. Prior to any work commencing, certification of the installation and inspection of the required tree protection works is to be provided to the Certifier by a suitably qualified person or the Arborist (as appropriate) engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted. A copy of the Certificate is to be issued to Council within seven (7) days of the inspection and prior to any works commencing. Additionally, trees identified for removal are to be retained until immediately prior to works commencing, to assist with soil management and erosion control.
76. Protective fencing is to be installed around the tree/s to be retained/transplanted as specified within the Arboricultural Report prepared by Bird Tree Consultancy Arborist, dated 29 January, 2015. This fencing is to be constructed of chainwire mesh 1.8m high, which is supported by steel stakes or piping and braced to resist impacts. Where appropriate the trunk/s of the tree/s on the site and any street tree/s (which are not to be fenced other than as mentioned above), shall also be protected by vertical timber boards, installed by or under the supervision of a suitably qualified person or the arborist (as appropriate) engaged to ensure the proper protection and management of the trees required to be retained/transplanted to accepted horticultural and TAFE standards.
- Note:** Removal of the protective fencing or timber boards during construction work, will affect the Bonds and may result in legal proceedings being instigated by Council against the applicant and builder.
77. The fenced zone/s surrounding the trees to be retained shall be mulched with 100mm of composted leaf mulch.

Footpaving, Kerbing and Guttering

78. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
79. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

Toilet Facilities

80. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- Each toilet provided:
- a) Must be a standard flushing toilet, and
 - b) Must be connected:
 - i) To a public sewer,
 - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

- iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

Roadworks

- 81. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.

DURING CONSTRUCTION

Stage 1 - Site works including new public road and subdivision into 9 lots

The following conditions are applicable during construction:-

Endorsed Plans & Specifications

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

Hours of Work & Display of Council Supplied Sign

83. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited. **Note: Demolition work is not permitted on weekends or Public Holidays - refer to specific demolition condition for approved hours.**

The yellow "Hours of Building Work" sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

Site Control

84. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
85. Builder's refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
86. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.

Waste Management Plan

87. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
88. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement to the designated Certifier verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Certifier shall submit a copy of the statement to Council.
- In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.*

Compliance with Critical Stage Inspections and other Inspections

89. Section 109E(3)(d) of the Act requires certain specific inspections (prescribed by clause 162A of the Regulations) and known as 'Critical Stage Inspections' to be carried out for building work. Prior to permitting commencement of the work your Principal Certifying Authority is required to give notice of these inspections pursuant to clause 103A of the Regulations.

Inspection of Works

90. The stormwater drainage works within the Road Reserve shall be inspected during construction by the Council. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
- i. Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the Stormwater drainage extension.
 - ii. Prior to backfilling of the trenches following the laying of the 375/450mm diameter concrete pipes. No less than two inspections are required.
 - iii. Prior to placing of concrete for the proposed Council grated gully pit. No less than two inspections are required.
 - iv. Upon compaction and watering of the sand backfill material to 400mm below the finished road pavement level.
 - v. Upon compaction of the lower layer of 150mm thick road base.
 - vi. Upon compaction of the upper layer of 150mm thick road base.
 - vii. Upon final compaction of the 50mm thick AC10 hotmix and bitumen joint seal with the existing road pavement.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Footpaths & Roads (Final Seal)

91. Concrete path paving and the final road seal on the roadway shall not be placed until all works on site have been substantially completed; however this paving and final seal must be completed prior to any occupation.

Landscaping/Site Works

92. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.

Tree Protection

93. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected against damage throughout the demolition/construction process in accordance with the Arboricultural report prepared by *Birds Tree Consultancy* dated 29 January, 2015, the attached Guidelines for the Protection of Trees On and Adjacent to Demolition/Building Sites and relevant conditions of this Consent.
94. A report is to be prepared and submitted to Council by the Arborist engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted that:
 - i) Sets out maintenance work carried out on tree/s; and
 - ii) Assesses the health and condition of the tree/s required to be retained/transplanted and protected.

The report should also provide documentary evidence that the tree protection conditions are being complied with in the form of site notes and photographs and be provided at three monthly intervals during construction works that are within 5m of any tree.

95. The applicant shall accept all responsibility for the accuracy of the information provided to Council for assessment. If any tree/s are not shown on the endorsed plan or are required to be retained/transplanted and protected but are threatened by demolition/construction work through unforeseen construction requirements or plan inaccuracy, all site and building works so affected are to cease until the matter is resolved to the satisfaction of Council. Council's Environmental and Planning Services Department is to be notified immediately upon such a problem being encountered.
96. No works are to occur within the fenced tree protection zone. All authorised works/activities within the fenced tree protection zone/s are to be undertaken by hand held equipment under the supervision of the consulting Arborist. No roots over 50mm in diameter are to be cut within the tree protection zone without prior consultation with Council officers or the consulting Arborist.

All roots over 50mm in diameter which are encountered outside the fenced tree protection zone/s are to be cleanly cut and not ripped.

Works within Council's Reserve

97. All works within the Council reserve shall be suitably fenced to prevent public access to the work site during construction of the stormwater drainage.

Inspection of Pollution Control Device/s

98. The stormwater drainage and/or pollution control devices shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
 - (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the pollution control device/s.
 - (b) After completion of storage but prior to installation of fittings (eg. screens, etc.)

(c) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Inspection of On Site Detention Works

99. The stormwater drainage works are to be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of construction of the detention basin/tank.
- (b) Prior to landscaping of detention basin or pouring of the roof of the detention tank.
- (c) After completion of storage but prior to installation of fittings (e.g. orifice plates, screens, flap valves etc.)
- (d) Final Inspection

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Road Works and Footpaving

- 100. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS1742.3 "Part 3 – Traffic Control Devices for Works on Roads".
- 101. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.
- 102. Signs and line marking plan shall be provided for the New Road and designed in accordance with RMS Guidelines and Supplements, Austroads and Australian Standards.
- 103. Street lighting on the New Road should be provided and shown on the plan. The installation is subject to approval of Endeavour Energy and should be undertaken at no cost to Council.

Vehicle Cleansing

- 104. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

Importation of Fill

105. All imported fill shall be validated in accordance with Council's Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

Stage 2 - Construction of 4 x single storey dwellings as group homes on lots 1 to 4

The following conditions are applicable during construction:-

Endorsed Plans & Specifications

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

Hours of Work & Display of Council Supplied Sign

107. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited. **Note: Demolition work is not permitted on weekends or Public Holidays - refer to specific demolition condition for approved hours.**

The yellow "Hours of Building Work" sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

Site Control

108. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works and are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
109. Builder's refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
110. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.

Waste Management Plan

111. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
112. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement to the designated Certifier verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Certifier shall submit a copy of the statement to Council.

In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

Compliance with Critical Stage Inspections and other Inspections nominated by the Principal Certifying Authority

113. Section 109E(3)(d) of the Act requires certain specific inspections (prescribed by clause 162A of the Regulations) and known as 'Critical Stage Inspections' to be carried out for building work. Prior to permitting commencement of the work your Principal Certifying Authority is required to give notice of these inspections pursuant to clause 103A of the Regulations.

Construction

114. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the appropriate Certifier has been supplied with a check survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels (FFL)s and setbacks to boundary/ies. **The slab shall not be poured, nor works continue, until the appropriate Certifier has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.**

On placement of the concrete, works again shall not continue until the Certifier has issued a Certificate stating that the Condition of approval has been complied with and that the slab has been poured at the approved levels.

Landscaping/Site Works

115. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.
116. New 1.8m high lapped and capped timber paling or colorbond fences (colour to be sympathetic with the development) determined in consultation with adjoining property owner(s), are to be erected along and within all side and rear boundaries and between courtyards at full cost to the developer, such fencing to be constructed on or within the property boundary. In situations where the boundary fence is proposed on top of a retaining wall, the height of the fence shall not exceed a maximum of 2.4m as measured from the lower adjacent ground level. A Statutory Declaration or other documentary evidence of such consultation is to be submitted to the Principal Certifying Authority.
117. Fences are to taper from the front building line to be not more than 900mm high at the front boundary.
118. Any fencing provided to the north eastern side of the New Road along the perimeter of Sub-Precinct C (as identified under Part O of the Holroyd Development Control Plan 2013) is to be open and not solid in construction.
119. A single master T.V. antenna is to be installed to each building and provision made for connection to each dwelling within that building.

Tree Protection

120. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected against damage throughout the demolition/construction process in accordance with the Arboricultural report prepared by *Birds Tree Consultancy*, dated 29 January, 2015, the attached Guidelines for the

Protection of Trees On and Adjacent to Demolition/Building Sites and relevant conditions of this Consent.

121. A report is to be prepared and submitted to Council by the Arborist engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted that:
- i) Sets out maintenance work carried out on tree/s; and
 - ii) Assesses the health and condition of the tree/s required to be retained/transplanted and protected.

The report should also provide documentary evidence that the tree protection conditions are being complied with in the form of site notes and photographs and be provided at three monthly intervals during construction works that are within 5m of any tree.

122. The applicant shall accept all responsibility for the accuracy of the information provided to Council for assessment. If any tree/s are not shown on the endorsed plan or are required to be retained/transplanted and protected but are threatened by demolition/construction work through unforeseen construction requirements or plan inaccuracy, all site and building works so affected are to cease until the matter is resolved to the satisfaction of Council. Council's Environmental and Planning Services Department is to be notified immediately upon such a problem being encountered.

123. No works are to occur within the fenced tree protection zone. All authorised works/activities within the fenced tree protection zone/s are to be undertaken by hand held equipment under the supervision of the consulting Arborist. No roots over 50mm in diameter are to be cut within the tree protection zone without prior consultation with Council officers or the consulting Arborist.

All roots over 50mm in diameter which are encountered outside the fenced tree protection zone/s are to be cleanly cut and not ripped.

Inspection of On Site Detention Works

124. The stormwater drainage works are to be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of construction of the detention basin/tank.
 - (b) Prior to landscaping of detention basin or pouring of the roof of the detention tank.
 - (c) After completion of storage but prior to installation of fittings (e.g. orifice plates, screens, flap valves etc.)
 - (d) Final Inspection

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Road Works and Footpaving

125. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS1742.3 "Part 3 – Traffic Control Devices for Works on Roads".
126. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.

Vehicle Cleansing

127. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

Importation of Fill

128. All imported fill shall be validated in accordance with Council's Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

General

129. The proposed retaining walls to be provided to the perimeter of lots of 1 and 4 are to be treated with anti-graffiti paint.

PRIOR TO OCCUPATION

Stage 1 - Site works including new public road and subdivision into 9 lots

The following conditions are to be complied with prior occupation:-

Certificates/Documentary Evidence

- 130. A final clearance is to be obtained from Endeavour Energy if such clearance has not previously been issued.
- 131. A Section 73 Certificate (Sydney Water) must be submitted to the Principal Certifying Authority prior to occupation of the development.

New Road

General

- 132. All works listed under Prior to Works Commencing in this consent and the approved plans shall be completed by the applicant.

Certification

Filling and Compaction

- 133. The applicant shall at their own expense engage a N.A.T.A. registered soil testing authority to ensure that the standard of compaction achieved within the proposed road pavements and all proposed lots is in accordance with the approved specifications. The fill material to be used shall be properly compacted to achieve a minimum relative density of 98% standard compaction in accordance with AS1289 and that the completed works will accept the anticipated loads without exceeding reasonable settlement limits. A report shall be submitted to Council prepared by a qualified Geotechnical Engineer stating the level of compaction achieved along with the soil classification for each of the proposed lots is in accordance with the relevant Australian Standards.
- 134. Filling and levelling shall be carried out to the satisfaction of Council's Engineer. Special attention is drawn to the following requirements of Council's Works Specification – Civil:
 - i. Submission of compaction certificates for fill within road reserves (existing or proposed).
 - ii. Submission of compaction certificates for road subgrade.
 - iii. Submission of compaction certificates for road pavement materials.
 - iv. Submission of 2 contour lot fill diagrams and lot fill compaction certificates.
 - v. Certificates from road material suppliers.

Roadworks

135. Four (4) copies of Works as Executed plans together with an electronic copy shall be submitted for the constructed roads and drainage lines including long-sections of all constructed pipelines.
136. All Work as Executed plans shall be submitted to Council in AUTO-CAD compatible format (to ISG 56/1 projection) as per Clause 1.2.2.5 of Councils' Specification for Subdivisions and Developments.

Stormwater Drainage

137. A copy of the approved drainage plan showing Work as Executed details together with an electronic copy shall be prepared by a registered surveyor and submitted to Council. The Work as Executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
138. All Work as Executed plans shall be submitted to Council in AUTO-CAD compatible format (to ISG 56/1 projection) as per Clause 1.2.2.5 of Councils' Specification for Subdivisions and Developments.
139. A compliance certificate for the stormwater drainage within the roadway shall be issued to the Principal Certifying Authority by a suitably qualified Civil Engineer with NPER3 accreditation.

Asset Valuation and Data

Data on the following public asset groupings shall be submitted to Council, as follows: -

Roadworks

140. Data shall be submitted to Council in electronic EXCEL format with the issue of WAE drawings. EXCEL spreadsheets shall contain the following table for each road of the development: -

	Type	Length (m)	Area (m ²)	Volume (m ³)	Number	Construction completion date (month & year)	Total Value(\$) (*nearest \$1000)
Road (incl. boxing, traffic devices, signs)	n/a			n/a	(street name)		*
Kerb and Gutter (by type)			n/a	n/a	n/a		*
Pathpaving (by type)				n/a	n/a		*
Street Trees		n/a	n/a	n/a			

Stormwater Drainage

141. Pit and pipe data shall be submitted to Council in electronic EXCEL format with the issue of WAE drawings. EXCEL spreadsheets shall contain the following tables on each pit and each conduit between pits (all cells shall be completed): -

(a) Pits

	Pit Code, as per WAE
	Pit Type (& lintel size)
	Total Value (\$) (nearest \$1000)
	Construction completion date
	Grate Level (mAHD)
	Invert Level (mAHD)
	Street name or No.

(b) Pipes or conduits

	Line/Pit code as per Work as Executed.
	Conduit description (eg. RCP, RRJ etc)
	Size (mm)
	Length (mm)
	Total Value (\$) (nearest \$1000)
	Construction completion date
	Built by (contractors)
	Street name or No., where applicable.

Defects Liability and Maintenance Period

142. The applicant shall lodge with Council a cash bond or bank guarantee to cover the satisfactory maintenance of all roadworks, drainage, street trees and landscaping works to be dedicated/benefit to Council. All roadworks, drainage, street trees and landscaping works to be dedicated or to benefit Council shall be maintained in the approved condition by the applicant for a period of twelve (12) months following the issue of the Subdivision Certificate. The bond amount shall be 5% of the total cost of works (amount not less than \$5000) and will be released following a satisfactory twelve (12) months maintenance period following completion of these works.

Note: The applicant shall notify Council in writing, following the end of the twelve (12) months maintenance period and prior to release of the maintenance bond.

Covenant Easements and Maintenance Schedule

143. An On-site Stormwater Detention plate shall be installed within the detention basin or tank. The plate shall be located in or near the Discharge Control Unit to alert future owners of their obligations to maintain the facility and its restrictions. The wording and plate shall be in accordance with Council's standard requirements.

144. Public Utility services shall be provided and if necessary, easements for such created to the satisfaction of the relevant servicing authorities. Documentary evidence of such shall be submitted to Council prior to the release of the linen plan. All costs for the above works shall be borne by the applicant.

Road Works

145. In accordance with Holroyd DCP 2013 construct concrete footpath paving and associated works, including kerb/pram ramps along all areas of the site frontage (Palmer and Parkes Streets). These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD 8100, and issued design and level sheets.

General

146. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all Stage 1 works have been completed in accordance with this Development Consent.

Stage 2 – Construction of 4 x single storey dwellings as group homes on lots 1 to 4

The following conditions are to be complied with prior to the issue of an occupation certificate:-

147. A final clearance is to be obtained from Endeavour Energy if such clearance has not previously been issued.
148. A Section 73 Certificate (Sydney Water) must be submitted to the Principal Certifying Authority prior to occupation of the development.
149. A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifying Authority and shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant SAA Codes.

Note: Any such certificate is to set forth the extent to which the engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction.

Landscaping/Tree Protection

150. Certification is to be provided, from a suitably qualified person or the designer of the landscape proposal (as appropriate), that all tree planting/landscape works have been carried out in accordance with the endorsed plan.
151. Certification is to be provided from a suitably qualified and licensed contractor that the specified planter boxes have been waterproofed and drained in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices.
152. The Arborist engaged to ensure the proper protection and management of the trees required to be retained/transplanted is to provide a report to Council concerning the health and condition of the tree/s and if necessary any remedial works required. The report should also provide documentary evidence that the tree protection conditions were complied with throughout the demolition/construction phases, in the form of site notes and photographs. Should the trees require remedial works which are not exempt under Council's Tree Management Order, an application for General Tree Works will be required to be submitted and approved before the works are carried out and certified by the Arborist. Remedial works which are exempt under Council's Tree Management Order will also be required to be completed and certified.
153. Certification is to be provided from a suitably qualified and licensed contractor that the specified fully automated commercial grade irrigation system has been designed and installed to all common planted areas in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices.
154. Boundary and courtyard fences must be erected and finished in a professional manner.

Parking/Driveway

155. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.

On-site Stormwater Detention, Certification and Covenant

156. A copy of the as approved stormwater drainage and On Site Detention and Pollution Control Device plan showing work as executed details shall be submitted to Council. The work as executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
157. A certificate of compliance in accordance with Council's standards and specifications for stormwater drainage and On Site Detention and Pollution Control Device shall be issued to the Certifier by a suitably qualified Civil Engineer.
158. Documents giving effect to the creation of a Positive Covenant and Restriction on Use over the as constructed On Site Detention and Pollution Control Device shall be submitted to the authority benefited for approval prior to lodging with the Land and Property Information NSW. The wording of the terms of the Positive Covenant and Restriction On Use shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention. The documents shall be approved by the benefiting authority for registration with Land and Property Information NSW.

Note: Prior to release of the documents creating the Restriction on Use and Positive Covenant, the benefiting authority shall be satisfied that the as-constructed On Site Detention and Pollution Control Device is in accordance with the approved drawings and Council requirements.

The Positive Covenant and Restriction on Use documents shall be registered with the Land and Property Information NSW within six (6) months from the date of release by the benefiting authority.

159. A maintenance schedule for the stormwater and On-Site Detention system including a sketch plan of the components forming the sites stormwater and On-Site Detention system shall be submitted. The maintenance schedule shall be prepared by a qualified hydraulic engineer and shall be in accordance with the Upper Parramatta River Catchment Trust requirements.

Road Works

160. Any works requiring levels within the road reserve will require the submission of Council's Vehicle Crossing application form.
161. Removal of all redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing number SD-8100.
162. A certificate of compliance for the construction of vehicular crossings, footpath paving, kerb and guttering and roadworks shall be obtained from Council and be submitted to the relevant Authority.

General

163. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all Stage 2 works have been completed in accordance with this Development Consent.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

The following conditions are to be complied with prior to the issue of a Subdivision Certificate:-

Linen Plan

164. The linen plan for the subdivision when lodged for final approval must be accompanied by four (4) copies and linen plan release fee of **\$453.60**.

Public Utilities

165. The Principal Certifying Authority is to be provided with a current Section 73 Certificate for the property from Sydney Water.
166. Public utility services (including water, sewer, electricity and telephone) shall be provided and any easements necessary created to the satisfaction of the relevant servicing authorities. Evidence of such is to be submitted prior to release of the linen plan of subdivision.

New Road

Dedication

167. The new road No. 1, including 3.0 metre by 3.0 metre splay corners at the new road intersections, shall be dedicated to Council as public road and documents relating to the creation and dedication shall be lodged with Land and Property Information NSW, with registration occurring with the registration of the linen plan for subdivision. All costs associated with the dedication and construction of the required works shall be borne by the applicant.

Restriction as to User

168. Documents shall be submitted to Council giving effect to the creation of a Restriction as to User for the provision of WSUD and an on-site stormwater detention system on all residual lots (5 to 9). The restriction shall require these lots to be provided with such devices/systems prior to or in conjunction with the construction of any structure on the lots. Wording of the restriction shall be in accordance with Council's standards and specifications for stormwater drainage.

Drainage Easement

169. A minimum 1.2m wide drainage easement shall be created in favour of lots 1, 2 and 3, and burdening lots 2, 3 and 4 accordingly of the development. Documents relative to the creation of the easement shall be lodged with Land and Property Information with Registration being effected with the linen plan of subdivision. All costs associated with the creation of easement shall be borne by the applicant.

CONDITIONS RELATING TO USE

The following conditions are applicable to the use of the development:-

Safety & Amenity

- 170. The operation of all premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.
- 171. Where an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

Rainwater Tank Pump

- 172. The operation of the pump from the rainwater tank shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration). Council may require an Acoustic Report to be submitted, prepared by a suitably qualified person, to ensure this requirement is met in the event of Council receiving complaints.

General

- 173. Identification number/s is/are to be clearly displayed at the front of the premises.
- 174. The occupation of each group home is to be in accordance with the letter received by Holroyd City Council dated 18 February, 2015.

Air Emissions

- 175. The use of all premises shall not give rise to air impurities in contravention of the *Protection of the Environment Operations Act 1997* and shall be controlled in accordance with the requirements of such Act.
- 176. In the event of Council receiving complaints regarding excessive odour from the garbage bay area, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the garbage bay area.

General Noise Condition

- 177. The operation of all plant and equipment shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration).
- 178. In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises.

179. Noise and vibration from the use of the air conditioning system (if any installed) shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 10:00pm and 7:00am on weekdays and 10:00pm and 8:00am on weekends and public holidays.

ADVISORY NOTES

Other Necessary Approvals

- A. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) Works, including the pruning or removal of any tree(s) not authorised in the preceding conditions or on the approved plans. Council's Tree Preservation Order protects trees by definition taller than 3.5m or having a trunk circumference exceeding 500mm measured one metre above ground level. If in doubt contact Council's Tree Management Officer.
 - (b) Any fencing located forward of the proposed building and exceeding the limitations specified in Local Environmental Plan 2013, Part 3 "*Exempt and Complying Development*".
 - (c) The erection of any advertising sign, not being exempt from the need to obtain approval.
 - (d) The installation of any furnace, kilns, steam boiler, chemical plant, sand blast, spray painting booth or the like.

NOTE: * If you carry out building work as an owner builder and sell your home within seven (7) years from the date of completion (date of final occupation certificate), then a Certificate of Insurance must be attached to your Contract of Sale.

- B. Section 97 of the Act provides that an applicant who is dissatisfied with the Council's determination of the Development Application may appeal to the Land and Environment Court within 6 months of the date of determination, or as otherwise prescribed.

- C. Section 82A of the Act provides that an applicant may request, within 6 months of the date of determination of the Development Application, that the Council review its determination (this does not apply to integrated or designated development). A fee is required for this review.

It should also be noted that an application under Section 82A of the Act cannot be reviewed/determined after 6 months of the date of determination. Therefore, the submission of a Section 82A Application must allow sufficient time for Council to complete its review within the prescribed time frame, including the statutory requirement for public notification.

- D. The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Australian Human Rights Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility.

- E. Information regarding the location of underground services may be obtained from Sydney One Call Service (NSW Dial Before You Dig), telephone 1100, Fax 1300 652 077. Inquirers should provide SOCS with the street/road name and number, side of street/road and the nearest cross street/road.

- F. An Occupation Certificate is to be issued by the Principal Certifying Authority prior to the occupation of the building.

- G. **DEMOLITION**

- (a) Demolition is to be carried out in accordance with AS2601-2001, *Demolition of Structures*.

- (b) Demolition is to be carried out in such a way and with such control measures as are necessary to prevent the occurrence of any dust, noise, runoff or other nuisance.
- (c) All sediment/soil is to be prevented from entering Council's stormwater drainage system.
- (d) The public footpath and roadway is to be protected against damage as a result of demolition activities and is to be kept clean and free of all soil and other materials.
- (e) On completion of demolition the site is to be left in a clean and tidy condition.
- (f) Holroyd City Council has a Tree Management Order which applies to the entire City of Holroyd. No ring-barking, cutting down, topping, lopping, removing, injuring or wilful destruction of any tree or trees exceeding 3.5m in height and 3m in branch spread shall take place without the prior written consent of Holroyd City Council.
- (g) There shall be no burning of any waste, as this is prohibited within the City of Holroyd.
- (h) Demolition material can be recycled saving the environment and also tipping costs. For more information, contact the Environment Protection Authority's Recycling hotline on 9325 5555.
- (i) Public roads shall be kept clean and free of any materials which may fall from vehicles or plant to ensure safety and amenity of the area.

H. TREES

The trees indicated on the endorsed plans to be retained and protected are to be considered with any future development of the subject allotments. In this regard no works are to occur within the driplines of trees to be retained.

I. BANK GUARANTEES

Bank guarantees will be accepted from list of banks which have at least an "A" rating from Standard and Poors and at least an "A2" or "Prime-1" standard from Moodys Investor Services.

To enable the bank guarantee to be enforceable during an entire project with consideration for delays, **the guarantee must not contain a facility expiry date.**

To get to Standard and Poors www.standardpoors.com then from Ratings Action choose Ratings Lists. Then click on Financial Institutions followed by clicking on Financial Institutions Counterparty Ratings List. Go to "**Banks**" and download to Australian Banks.

To get to Moodys www.moodys.com then look up Ratings and then Banking and then Bank Ratings list. It will take you to Bank Credit Research page. Look at the table of contents and choose Global Bank Ratings by Country. Look up Australian Banks.

J. SMOKE DETECTORS

A system of self contained smoke alarms complying with the requirements of *AS3786-1993, Smoke Alarms* or listed in the *Scientific Services Laboratory Register of Accredited Products* being installed in the dwelling, connected to the mains power supply and provided with a standby power supply. Alarms are to be positioned on the ceiling and setback a minimum distance of 300mm from any wall. Alarms are to be placed in the vicinity of each area containing bedrooms with a minimum of one (1) alarm required for each storey of the dwelling.

K. TERMITE PROTECTION

Structural members are to be protected from attacked by subterranean termites in accordance with the requirements of *AS3660.1-2000 Protection of building from subterranean termites* and a durable notice must be affixed within the metre box indicating the type of protection, its date of installation, life expectancy of any chemical barrier used, and system maintenance and inspection requirements. A certificate of compliance of the approved system must be submitted to Council or the Principal Certifying Authority on completion of the system installation. With respect to chemical protection, a pipe system shall be installed beneath the slabs plastic membrane to allow re-application of the chemical border.

L. WET AREAS

Wet areas in the dwelling are to be waterproofed in accordance with *AS3740 Waterproofing of wet areas within residential buildings*.

Where Council is the Principal Certifying Authority for the works, the submission of evidence of suitability for the waterproofing product used will be required at the wet area inspection stage. The evidence of suitability is to be in the form of:-

1. A current Certificate of Accreditation for the product.

AND

2. A certificate from the person responsible for the installation of the product advising that the product was applied in accordance with the relevant manufacturers specifications.

Note: Any copy of documentary evidence submitted, must be a complete copy of the original report or document.

M. LANDINGS

A landing having a minimum length of 750mm and a grade no steeper than 1:50, must be provided where the sill of a threshold of a doorway opens onto a stair that provides a change in floor level or floor to ground level greater than 3 risers or 570mm in accordance with Clause 3.9.1.3 (Stair Construction) of the Building Code of Australia.

N. SARKING

To reduce the risk of injury during works to the roof, sarking with fall arresting ability is to be provided to the underside of the roof. Manufacturers specifications for the sarking is to be submitted to Council prior to its installation.

O. MINIMISING WATER USE

Examples of ways water use can be minimised in the car wash facility are:

- the use of a gun type nozzle on the hose that closes when released and
- filter and recycle wash water where possible.

P. CONSTRUCTION/OCCUPATION CERTIFICATE FEES

An administration fee of \$30.00 per certificate is payable to Council on lodgement of Construction and Occupation Certificates from Principal Certifying Authorities.

Q. SOUND TRANSMISSION AND INSULATION

To ensure the amenity of occupants in multi-residential development (Class 2 and 3 buildings and Class 9c Aged Care buildings), separating walls must be constructed in accordance with Part F5 of the Building Code of Australia.

R. SOUND TRANSMISSION AND INSULATION

To ensure the amenity of occupants in attached residential development (Class 1 buildings), separating walls must be constructed in accordance with Part 3.8.6 of the Building Code of Australia.

S. SOUND TRANSMISSION AND INSULATION

To ensure the amenity of occupants in attached residential development (Class 1 buildings), separating walls must be constructed in accordance with Part 3.8.6 of the Building Code of Australia.

T. GLAZING CERTIFICATION

A certificate shall be submitted to the Principal Certifying Authority stating that safety glazing has been used in the building in accordance with AS1288 - "Glass in Buildings - Selection and Installation".

U. FIRE SAFETY

Paths of travel a minimum of 1000mm wide in accordance with D1.6 of the Building Code of Australia are to be clearly defined and line marked on the floor prior to occupation.

Yours faithfully

Merv Ismay
GENERAL MANAGER

Per:
MANAGER DEVELOPMENT