

COUNCIL ASSESSMENT REPORT

Panel Reference	2016SYE067
DA Number	2016/087
LGA	Strathfield Municipal Council
Proposed Development	The amended application seeks approval for the demolition of the existing buildings and construction of a fifteen storey mixed use development containing 1,853m ² of retail floor space, 4,951m ² of commercial floor space, one level containing plant at Level 10 and (24) residential units.
Street Address	1-9 The Boulevard & 2-10 Churchill Avenue, Strathfield
Applicant/Owner	Esperia Court P/L
Date of DA lodgement	30-May-2016
Number of Submissions	Initial notification - Three (3) submissions Notification of amended plans – Two (2) submissions
Recommendation	REFERRED TO PANEL FOR DETERMINATION
Regional Development Criteria (Schedule 4A of the EP&A Act)	Cost of works > 20,000,000.00
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • List all of the relevant environmental planning instruments: s79C(1)(a)(i) <ul style="list-style-type: none"> • SEPP 55 – Remediation of Land; • SEPP (Infrastructure) 2007; • Strathfield Local Environmental Plan 2012; and • List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii) N/A • List any relevant development control plan: s79C(1)(a)(iii) <ul style="list-style-type: none"> • Strathfield Development Control Plan No. 13 –Strathfield Town Centre; and • Strathfield Consolidated Development Control Plan 2005: <ul style="list-style-type: none"> o Part H – Waste Minimisation and Management; o Part I – Provision of Off-Street Parking Facilities; o Part L – Notification, and o Part N – Water Sensitive Urban Design (WSUD). • List any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F: s79C(1)(a)(iv) N/A • List any coastal zone management plan: s79C(1)(a)(v) N/A • List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 N/A
List all documents submitted with this report	Report, Site Plans and Elevations attached.

for the Panel's consideration	
Report prepared by	Kerry Gordon – Consultant Town Planner
Report date	3 November 2017

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **Not Applicable**

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **No**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

SUMMARY

PROPERTY:	1, 3-9 The Boulevard and 2-10 Churchill Avenue, Strathfield Lot 1 in DP 173685, Lot 1 in DP 173763 and Lot 1 in DP 172769
DA NO.:	2016/087
APPLICATION TYPE:	Demolition and construction of an eleven storey retail/commercial development over three levels of basement.
REPORT BY:	Kerry Gordon – Consultant Town Planner
RECOMMENDATION:	REFERRED TO PANEL FOR DETERMINATION
SUBMISSIONS:	Three submissions objecting to the proposal were received to the initial notification. Two submissions objecting to the proposal were submitted in response to the notification of the amended plans.
ZONING:	B3 Commercial Core
DATE APPLICATION LODGED:	30 May 2016
APPLICANT:	Esperia Court P/L
OWNER:	Esperia Court P/L

INTRODUCTION

An application was lodged seeking approval for the demolition of the existing buildings and construction of a fifteen storey mixed use development containing 1,853m² of retail floor space, 4,951m² of commercial floor space, one level containing plant at Level 10 and (24) residential units.

A meeting was held with the applicant to outline the concerns with the application, including excessive height and FSR, solar access, accessibility, urban design, location of vehicular access, adequacy of parking, setbacks, inappropriate roof top use and lack of clarity of application.

Amended plans were submitted to Council on 31 January 2017, which were re-notified. Whilst the plans address some of the concerns previously raised by Council, a number of significant concerns had not been addressed and the application was reported to the Sydney Central Planning Panel Meeting of 18 May 2017 with a recommendation for refusal.

At the Meeting the Panel resolved to defer the matter as follows:

“The Panel unanimously agree to defer the determination of the matter. The reason why the Panel did not accept the recommendation for refusal is because it considered that the applicant’s response provided at the meeting was of sufficient merit to be reviewed by the assessment planner.

The Panel requests the applicant to provide to Council, by 2 June 2017, any further information or amendments it wishes to make in light of the council’s assessment report and the objectors’ concerns raised at the public meeting on 19 May 2017.

This may deal with:

- *The interface with the public domain including the access ramp;*
- *The use of first level basement (currently not assigned to any use); and*
- *The blank southern wall with nil setback.*

The Panel requires the Council to prepare, by 23 June 2017, a supplementary report which

- *Assesses the clause 4.6 variation request presented at the public meeting (and now given to Council);*
- *Considers the reasons for refusal in response to further information submitted by the applicant;*
- *Lists the remaining reasons for refusal in order of importance; and*
- *Provides “without prejudice conditions of consent”.*

Following receipt of the supplementary report, the Panel will determine the matter at a further public meeting.”

In response to the Panel’s deferral, the applicant, on 2 June 2017, submitted a response containing:

- Amended plans altering Basement 1 to provide 9 parking spaces, garbage room with hoist to the ground floor, plant and a service parking space and amendments to the Ground floor by deletion of one retail tenancy (to allow additional head height to access the service area at Basement Level 1).
- No change is proposed to the address of the relationship of the building with the public domain.
- Further justification as to why the public domain interface design is acceptable;
- Further justification as to why a blank southern wall with nil setback is acceptable

A report was made to the Panel on 3 August 2017 recommending refusal where the applicant again provided new information at the panel meeting. The Panel again resolved to defer the matter as follows:

The panel unanimously agreed to defer the determination of the matter.

The Panel requests the applicant to submit to Council by 1st September 2017 the following further information:

1. *The documentation provided to the Panel at today’s meeting.*
2. *A section of the access ramp into the basement.*
3. *Details of the screening of the western glazing to provide privacy and amenity to the future adjoining residential development.*
4. *Plans showing the deletion of the southern disability access ramp and further details of the activation of The Boulevard.*
5. *Design of the garbage collection area and driveway entry ramp including proposed materials.*

The Panel requests the Council to prepare a supplementary report which:

1. *Assesses the above information.*

2. *Responds to the requested amendments to conditions 57 and 60 as per the applicant's submission.*
3. *Updates the draft Conditions of Consent.*

Following the receipt of the supplementary report the Panel will consider the matter at a further public meeting.

In response to the Panel's deferral, the applicant lodged additional information and amended plans, as detailed following, on 1 September 2017, which are addressed in this report.

1. The documentation provided to the Panel at 3 August meeting (including a consolidated set of amended plans and a Stage 1 Preliminary Environmental Site Assessment).
2. A section of the access ramp into the basement.
3. Details of the screening of the roof plant and equipment.
4. Details of the screening of the western glazing.
5. Plans showing the deletion of the southern disability access ramp and further details of the activation of The Boulevarde.
6. Design of the garbage collection area and driveway entry ramp.
7. Plans showing the addition of an awning to the Churchill Avenue and The Boulevarde frontages.

In addition to the above information the applicant subsequently submitted:

1. A photomontage of the development on 18 October (see following) showing the new public domain interface design and awning.
2. An updated Stage 1 Preliminary Environmental Site Assessment on 19 October



This report should be read in conjunction with the previous two assessment reports which are attached.

ASSESSMENT OF ADDITIONAL INFORMATION/AMENDMENTS

The assessment will comprise two parts, as requested in the Panel deferral, being an assessment in relation to the additional information/amended plans requested in the Panel's deferral of the application and a review of the applicant's submissions in relation to conditions 57 and 60. At the end of the report will be an undated set of draft Conditions of Consent.

Additional Information/Plans in Response to the Panel's Deferral

The documentation provided to the Panel at today's meeting

In response to this matter the applicant provided a copy of the documentation provided to the Panel at the 3 August meeting. The documentation included:

- A written submission to the Panel addressing the reasons for refusal and conditions 57 and 60.
- Amended plans addressing the height of the building.
- An amended survey plan.
- A Stage 1 Preliminary Environmental Site Assessment report.
- A full set of amended plans

Comment: Height - The written submission and amended plans addressing height, together with the survey, identify that the existing ground level at its lowest point is RL 11.79 and as such if the building in its entirety has a maximum height of RL 53.79, it would comply with the 42m height limit. The amended plans lower the floor to floor height of the void at Level 3 by 0.5m, to 2.9m, and as such the building would have the following heights:

- | | |
|--------------------------|-----------|
| • Roof | RL 51.3 |
| • Lift Overrun | RL 53.0 |
| • Screening around Plant | RL 53.55 |
| • Fire Stair | RL 53.578 |
| • Plant Room | RL 53.6 |

Accordingly, the amended plans are fully compliant with the 42m height limit and no clause 4.6 variation request is required. The amended plan set has been checked for consistency (given the previous problem with the plans) and the levels shown on the plans are consistent throughout.

Louvres - The submission indicates that the vertical louvres on the balconies are proposed to be fixed and not capable of being closed such that the balconies would be included in the Gross Floor Area. Subject to a condition of consent to this effect, the proposal would be compliant with the applicable FSR control (**Condition 2(a)**)

Site Contamination - The Stage 1 Preliminary Environmental Site Assessment report (dated 2 August 2017) provided on 3 August has subsequently been amended and the updated report (dated 15 September 2017) was provided to Council. The amended report has determined that the site has a history of use as a garage/service station and concludes as follows:

6.3 Conclusions and Recommendations

Based on the scope of work undertaken for the assessment, EIS are of the opinion that the historical land uses and potential sources of contamination identified would not preclude the proposed development. In the event that significant contamination is found to be present at the site, excavation of the majority of the site to a depth of approximately 10m, as is proposed for the development, is likely to remediate the site and render it suitable for the development.

As the majority of the site is currently occupied by buildings, conducting subsurface investigations such as drilling works or the excavation of test pits in the built areas would present considerable logistical difficulties. Therefore, we recommend the following actions be undertaken to better assess the risks associated with the CoPC:

- A preliminary intrusive investigation should be undertaken to make a preliminary assessment of the soil and groundwater contamination conditions. This would be conducted within the openair area in the southern section of the site;*
- Following demolition of the buildings, a Stage 2 (detailed) site investigation should be undertaken to better characterise the site contamination conditions;*
- If site contamination is encountered during the Stage 2 investigation that is considered to present a risk to the potential receptors, a Remedial Action Plan (RAP) should be prepared and remedial works should be undertaken. As noted above, excavation and off-site disposal of the subsurface material for the proposed basement would be likely to remediate the site; and*
- A hazardous building materials survey should be undertaken prior to demolition of the buildings. Following demolition of the buildings (and preferably prior to removal of the hardstand), an asbestos clearance certificate should be provided.*

EIS also recommend that a waste classification is undertaken to classify material to be excavated for the proposed basement. Fill and contaminated soil disposal costs are significant and may affect project viability. These costs should be assessed at an early stage of the project development to avoid significant future unexpected additional costs.

Considering the findings of the assessment, EIS are of the opinion that the site can be made suitable for the proposed development subject to the appropriate implementation of the recommendations. The investigation report should confirm the conclusion in relation to site suitability based on the additional data obtained. EIS consider that the assessment objectives outlined in Section 1.2 have been addressed.

Subject to conditions of consent requiring the carrying out of the hazardous building materials survey, demolition of the building in a manner suitable after the hazardous materials survey, completion of the Phase 2 report, preparation of a RAP (if required), removal of contaminants and certification that the site has been suitably remediated, prior to the release of the Construction Certificate, the proposal is considered to satisfy the requirements of SEPP 55 (**Condition 6-9**).

A section of the access ramp into the basement

In response to this matter, the applicant provided a section through the basement ramp, however the section was provided only for the portion of the ramp running east-west adjoining the lift lobby and not from the street. Based on the level information provided on the plans it would appear that a minimum clearance of approximately 4.5m is provided for the ramp from the street to the service parking area. However, the section of ramp running east-west has a reduced minimum clearance of 2.2m.

Comment: As such, whilst delivery and servicing vehicles can enter Basement Level 1, they cannot use the east-west ramp to manoeuvre and as such it does not appear that such vehicles could turn around to exit the site in a forward direction, requiring them to reverse up the ramp which would be unsafe and inappropriate. No turning template for a truck has been provided and no information on the size of trucks to service the development has been provided by the applicant.

A further concern in relation to servicing is that the servicing area is limited in size, with a width of approximately 3m (given the ramp adjoining) and a depth of approximately 5.4m. This size of servicing area is inadequate for the size of the proposed development.

Council's traffic engineer has reviewed the ramp and advised that a minimum 2.2m clearance is required for the vehicular path of travel to an accessible parking spaces and as such the ramp clearance is acceptable.

Accordingly, if the Panel is of the mind to approve the development application, additional information from the applicant as to the type and size of delivery vehicles necessary to service the development should be sought and turning templates should be provided to ensure that an appropriate truck turning area is provided such that trucks enter and exit the driveway ramp in a forward direction. This has not been addressed by a proposed condition as increasing the clearance of the east-west ramp to improve manoeuvrability could only occur through a redesign of the ground floor. It is also understood that a deferred commencement condition could not be included in an approval issued by the Panel.

Details of the screening of the western glazing to provide privacy and amenity to the future adjoining residential development

In response to this matter the applicant provided a plan showing 45° angled fixed louvre blades to be provided on the western side of the building to prevent privacy impacts to future residential apartments on the adjoining site.

Comment: The amended plans satisfactorily resolve the concern with privacy impacts upon any future development of the adjoining property to the west.

Plans showing the deletion of the southern disability access ramp and further details of the activation of The Boulevard

In response to this matter the applicant provided an amended plan deleting the southern accessible ramp and replacing the ramp with outdoor seating at footpath level, with steps leading down to the seating area from the main pedestrian entry off The Boulevard. No connectivity is provided between the adjacent retail space and the outdoor seating.

Comment: Whilst the deletion of the accessible ramp and provision of outdoor seating is satisfactory, it would be more appropriate to raise the level of the seating to match the level of the food court and adjacent retail space (RL 13.2) and provide an opening from the retail space to the outdoor eating area. This would allow ease of access from the retail space and food court to the seating, which at the lower level is isolated from the uses on the site. The raising of the outdoor seating would result in the outdoor seating area having a height of between 790mm-920mm above the footpath level. Subject to the use of attractive material on the wall fronting the footpath and an open balustrade, this would achieve an attractive interface with the public domain and activation of the street frontage whilst ensuring the space had a good connectivity with the onsite uses. A condition to this effect is recommended (**Condition 2(b)**).

Design of the garbage collection area and driveway entry ramp including proposed materials

In response to this matter the applicant provided a plan of the garbage truck turning bay and adjacent driveway indicating a “roller gate perforated/colour to match wall finish” would be provided to screen the turning bay. No information was provided of the proposed wall finishes or colours.

Comment: Whilst a roller gate is appropriate to screen the garbage truck turning bay, the gate needs to be a high quality finish and solid, with a colour to match the intended colour and finish of the walls of the driveway. The wall colour should be a dark, recessive colour (such as dark grey) and the materials should be high quality and graffiti resistant. Painted render or a painted finish would be unacceptable. A condition to this effect requiring the provision of materials and colours prior to the release of the construction certificate is recommended (**Condition 2(c)**).

Council's Waste Officer has reviewed the plans and has indicated that without provision of information from the applicant as to the size of the contractor's garbage trucks it is not possible to determine whether the garbage truck turning bay is of adequate dimension for the collection of garbage from the site. If the Panel is of a mind to approve the development, additional information should be sought to ensure garbage servicing of the site is feasible. The conditions of consent have attempted to address this inadequacy in the information provided by way of condition, but compliance with the condition may require a redesign of part of the ground floor.

Responds to the Requested Amendments to Conditions

Condition 57

The applicant has requested that Condition 57 be deleted as it is intended that refuse collection would be undertaken by a private company. Condition 57 is stated following:

57. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property as follows:

- (a) Full and free right must be provided to Strathfield Council employees or its authorised contractors to:*
 - (i) Enter upon the land and remove any waste products using any vehicle or equipment as necessary;*
- (b) The owner of the lot burdened shall be solely responsible for the cost of maintaining in good and sufficient repair at all times the internal roads or access ways used by Strathfield Council for the purpose of exercising its rights as set out in clause (a) above.*

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

Comment: Subject to the replacement of Condition 57 with a condition indicating that all refuse from the use of the subject premises shall be collected by private garbage and recycling contractors, the deletion of the original Condition 57 is reasonable (new **Condition 62**).

Condition 60

The applicant has requested that Condition 60 be amended as the hours of use are overly restrictive and longer hours of use are justified as restriction of the use of office hours to 9am to 5.30pm is unreasonable when there are no residential properties in the area, extended hours of 9am to 9pm should be available on Thursday nights, Woolworths in the Plaza have extended trading hours of 7am to 12am and Strathfield Town Centre operates from 6am to midnight as it is a transport hub. Condition 60 is stated following:

60. *The retail and commercial suites shall operate only between the hours of 9am and 5.30pm Monday to Friday and 9am-4pm Saturdays, except with separate approval. No approval is granted for the use of the retail/commercial suites as cafes/restaurants and such use would require separate development consent.*

The applicant requests the removal of restriction upon hours of operation for the commercial suites (ie 24 hour operation) and retail operation hours of 6am to 12am 7 days a week.

Comment: It is agreed that, given the location and nature of the use, it is reasonable to permit office uses 24 hours a day.

It is also appropriate to increase the base operating hours for the retail uses to between 8am and 6pm Monday to Saturday and 9am to 5pm on Sunday, which are fairly standard retail hours within business centres. The fact that Woolworths has extended operating hours is not a relevant consideration as the proposal does not include a supermarket (new **Condition 63**).

The appropriateness of the use of the site for cafes/restaurants, which may be licenced, beyond the typical business hours has not been assessed. Very early morning or late night trade has the potential to result in noise issues. Whilst the applicant claims the site is not near any residential uses, the site is located in an area where residential use is permissible and the redevelopment of the Plaza site and adjoining site in the future are likely to contain residential uses. Similarly, redevelopments of sites on the opposite side of The Boulevard may contain residential uses.

In this context, and given the very open design of the proposed retail suites, with significant external balconies and food court, noise may become a nuisance in the area. The applicant has provided no information to address such potential noise and as such it is appropriate to leave any further hours consideration until development applicants for cafes/restaurants are assessed by Council.

Accordingly, it is recommended that the hours of operation be increased, but not to the extent requested by the applicant.

Update of Draft Conditions of Consent

The draft condition set has been updated to reflect the recommended condition identified throughout this report.

Further, the deferred commencement condition has been removed, with the amended plans addressing most of the concerns raised in that condition.

CONCLUSION

The proposed development is permissible in the B3 Commercial Core zone.

The previous assessment report identified a number of design concerns in the conclusions. These concerns are summarised following along with a comment as to whether the amended plans resolve the concern. The concerns identified in bold have not been adequately addressed by the proposed conditions and as such the application in its amended form is not supported:

- Elevated ground floor with poor connectivity to public domain due to dominance of accessible ramps along The Boulevarde frontage – addressed by removal of southern access ramp and provision of outdoor seating (subject to raising of the height of the seating to match the adjoining retail tenancy). This concern would be resolved by the inclusion of an appropriate condition of consent.
- **The design is neither street-wall nor podium and tower and as such does not set a consistent approach for future development in the area. For this reason the design is likely to result in a poor relationship to future development on the adjoining sites and a poor overall urban design for the Town Centre – concern not resolved.**
- Lack of retail frontage with only 11.5m of retail frontage on 70m of street frontages – extent of retail frontage increased by removal of southern access ramp and provision of outdoor seating. This concern would be resolved by the inclusion of an appropriate condition of consent.
- Provision of visible garbage collection area at Churchill Avenue frontage addressing the Square – a roller gate of perforated design is proposed to screen the garbage collection area but no information is provided in relation to colours and materials as was requested. This concern would be resolved by the inclusion of an appropriate condition of consent.
- **Lack of southern setback limits design options for adjoining Plaza site when redeveloping and would be inconsistent with the likely future podium and tower design of the redevelopment of the adjoining sites – Concern not resolved.**
- The balconies to the offices, particularly the eastern ones, provide little amenity and if the louvres are operable result in additional floor space that would result in a significant breach of the FSR control, with no clause 4.6 variation request submitted – the amended plans still do not indicate whether the louvres are operable. This concern would be resolved by the inclusion of an appropriate condition of consent.
- **The size of the balconies to the retail levels are larger than the retail floor space and in relation to the retail space fronting The Boulevarde at Level 2, is located distant from the floor space, separated by a void – Concern not resolved.**
- **The irregular and small size of the office floor plates, being ½ the critical 1,000m² office floor plate required for high class office space, reduces the amenity of the office space and makes fitout of the space difficult and inefficient. Such a design choice is inappropriate, particularly on a site with an area of 1,207.62m² which could achieve a significantly larger floor plate more suited to high class office space – Concern not resolved.**
- **The provision of only 176m² of retail floor space at ground level (in the form of two suites) on a site with an area of 1,207.62m² provides poor activation and makes the use of the open area as a food court unlikely to be feasible – Concern not resolved.**

- **The provision of OSD at the roof top level is inappropriate and is an unacceptable stormwater drainage concept for the site** – Concern not resolved.
- The lack of detail of plant proposed on the roof does not allow the Panel to consider its visual impact (including on future redevelopments of adjoining sites which have a greater height limit) or whether the plant breaches the height control – additional information provided on screening of plant. Concern resolved.
- **The proposal provides 4 lifts, which is unusual for such a small development, appears to be inefficient use of space** – Concern not resolved.
- The west facing 2m² balconies in the western façade serve no purpose but affect the efficiency of fitout for the office space due to the creation of an irregular shape – balconies converted to planter boxes. Concern resolved.
- The inconsistencies between the plans in relation to the floor levels and height of the roof and lift overrun/stairs mean that the Panel cannot determine the height of the development or the extent of breach of the height control – addressed in amended plans. Concern resolved.

In addition the amended plans raise the following concerns, identified in bold, which have not been adequately addressed by the proposed conditions:

- **Delivery and servicing vehicles can enter Basement Level 1 but they cannot use the east-west ramp to manoeuvre and as such it does not appear that such vehicles could turn around to exit the site in a forward direction, requiring them to reverse up the ramp which would be unsafe and inappropriate.**
- **No information has been provided of the size of vehicles necessary to service the development for garbage collection and as such it cannot be determined whether the garbage truck turning bay is of adequate dimension for the collection of garbage from the site.**

LIST OF ATTACHMENTS

1. **Without Prejudice Conditions of Consent**
2. **Assessment Report to Panel Meeting Dated 18 May 2017**
3. **Assessment Report to Panel Meeting Dated 3 August 2017**

WITHOUT PREJUDICE CONDITIONS OF CONSENT

Plans

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

Demolition Plan, Drawing No. DA 0200, Issue B, prepared by Integrated Design Group, dated 21/12/16.

Site Plan, Drawing No. DA 0100, Issue F, prepared by Integrated Design Group, dated 15/8/17.

Basement Level 1, Drawing No. DA 1001, Issue O, prepared by Integrated Design Group, dated 2/8/17.

Basement 2, Drawing No. DA 1002, Issue J, prepared by Integrated Design Group, dated 2/8/17.

Basement 3, Drawing No. DA 1003, Issue J, prepared by Integrated Design Group, dated 2/8/17.

Ground Level, Drawing No. DA 1100, Issue Q, prepared by Integrated Design Group, dated 15/8/17.

Level 1, Drawing No. DA 1101, Issue I, prepared by Integrated Design Group, dated 19/6/17.

Level 2, Drawing No. DA 1102, Issue I, prepared by Integrated Design Group, dated 2/8/17.

Level 3, Drawing No. DA 1103, Issue H, prepared by Integrated Design Group, dated 2/8/17.

Level 4, Drawing No. DA 1104, Issue I, prepared by Integrated Design Group, dated 2/8/17.

Level 5, Drawing No. DA 1105, Issue I, prepared by Integrated Design Group, dated 2/8/17.

Level 6, Drawing No. DA 1106, Issue I, prepared by Integrated Design Group, dated 2/8/17.

Level 7, Drawing No. DA 1107, Issue I, prepared by Integrated Design Group, dated 2/8/17.

Level 8, Drawing No. DA 1108, Issue H, prepared by Integrated Design Group, dated 2/8/17.

Level 9, Drawing No. DA 1109, Issue I, prepared by Integrated Design Group, dated 2/8/17.

Level 10, Drawing No. DA 1110, Issue I, prepared by Integrated Design Group, dated 2/8/17.

Roof Plan, Drawing No. DA 1111, Issue I, prepared by Integrated Design Group, dated 15/8/17.

East Elevation, Drawing No. DA 2001, Issue K, prepared by Integrated Design Group, dated 2/8/17.

North Elevation, Drawing No. DA 2002, Issue K, prepared by Integrated Design Group, dated 2/8/17.

West Elevation, Drawing No. DA 2003, Issue K, prepared by Integrated Design Group, dated 15/8/17.

Section A, Drawing No. DA 3000, Issue H, prepared by Integrated Design Group, dated 2/8/17.

Section B, Drawing No. DA 3001, Issue H, prepared by Integrated Design Group, dated 2/8/17.

Finishes Schedule, Drawing No. DA 9600, Issue C, prepared by Integrated Design Group, dated 21/12/16.

Roof Plant Screening Details, Drawing No. DA 9307, Issue A, prepared by Integrated Design Group, dated 31/8/17.

Western Façade Louvres Details, Drawing No. DA 9308, Issue A, prepared by Integrated Design Group, dated 15/8/17.

The Boulevarde Street Interface, Drawing No. DA 9309, Issue A, prepared by Integrated Design Group, dated 15/8/17.

Basement Driveway Section, Drawing No. DA 9310, Issue A, prepared by Integrated Design Group, dated 15/8/17.

Awning Overhang Proposal, Drawing No. DA 9311, Issue A, prepared by Integrated Design Group, dated 30/8/17.

Carpark Entry, Drawing No. DA 9312, Issue A, prepared by Integrated Design Group, dated 30/8/17.

IDG Standard Notes, Drawing No. DA 12, prepared by Integrated Design Group, undated0.

Acoustic Assessment Report, prepared by Koikas Acoustics, prepared 23 January 2016

Preliminary Geotechnical Site Assessment prepared by JK Geotechnics, Ref: 28634VrptStrathfield, prepared 18 August 2015

Access Review prepared by Funktion, Issue 1, prepared 30 January 2017

Environmental Site Management Plan Job.150192 ESM 1 prepared by Jones Nicholson Consulting Engineers, dated 14 February 2016

Stage 1 Preliminary Environmental Site Assessment Ref E30734KMrpt_rev1, prepared by EIS, dated 15 September 2017

2. The approved plans shall be amended as follows prior to the release of the Construction Certificate.
 - (a) The louvres shown on the balconies and to the western façade are to be detailed as being fixed and not operable.
 - (b) The outdoor seating area located to the frontage of The Boulevarde (eastern boundary) shall be raised to RL 13.2 to match the level of the ground floor and a connection to the adjoining retail space shall be provided by way of a door/s. The wall of the seating area fronting The Boulevarde shall be finished in high quality material (details to be provided for approval) and the balustrade to the area shall be of open style.
 - (c) The roller gate shown to the garbage truck turning bay shall be solid in nature and of high quality finish. The roller gate shall be of similar colour to the walls of the driveway opening. The driveway opening shall be finished in a high quality finish and shall not be finished in a painted or painted render finish. The finish shall be of a durable material that will not require significant maintenance and shall be graffiti resistant. The colour of the walls and roller gate shall be a dark, recessive colour (such as dark grey).
 - (d) The Eastern and Northern Elevations and Sections A and B shall be amended to show the roof top plant screening identified on Drawing No. DA 2003, Issue K, prepared by Integrated Design Group, dated 15/8/17 and Drawing No. DA 9307, Issue A, prepared by Integrated Design Group, dated 31/8/17.
3. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
4. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
5. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Land Contamination

6. A hazardous building materials survey shall be undertaken prior to demolition of the buildings and the demolition works shall be carried out in a manner consistent with the findings of that report. Following demolition of the buildings (and prior to removal of the hardstand), an asbestos clearance certificate shall be provided to the Principal Certifying Authority, with a copy forwarded to Council.
7. Following demolition of the buildings and removal of the hard stand, a Stage 2 (detailed) site investigation shall be undertaken to characterise the site contamination conditions. If site contamination is encountered during the Stage 2 investigation that is considered to present a risk to the potential receptors, a Remedial Action Plan (RAP) shall be prepared and remedial works shall be undertaken in accordance with the RAP.

8. All soil material removed from the site is to be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW DECC and disposed of at a suitably licensed facility. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.
9. Prior to the release of the Construction Certificate the site shall be certified as having been remediated to a suitable level so as to be suitable for the proposed development and uses. A copy of the Certification shall be provided to the Principal Certifying Authority and Council.

General

10. The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
11. A Works Permit shall be obtained from Strathfield Council at least five (5) working days prior any work (including demolition, excavation and the erection of site fencing/hording). The approved Works Permit and any approved Construction Traffic Management Plan must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed. The permit must be retained on site at all times.
12. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils’ assets.
13. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

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

Provision of Major Open Space	\$ 580,195.80
Provision of Local Open Space	\$ 200,210.68
Provision Roads and Traffic Management	\$ 381,104.23
Administration	\$ 11,616.75
TOTAL	\$1,173,127.46

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Direct Development Contributions Plan may be downloaded from Council's website.

15. A security (damage deposit) of \$33,000.00 (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

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

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

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

Parking/Traffic Matters

16. All off-street parking spaces are to be line-marked and labelled.
- These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.
17. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
18. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
19. All vehicles must enter and leave the site, including all service vehicles, in a forward direction. Details of the size of service vehicles, the turning template and the path of travel shall be provided to the Principal Certifying Authority, prior to issue of the Construction Certificate to ensure service vehicles can enter and exit the site in a forward direction.

20. The vehicle spaces must not be enclosed with walls or meshed security screens without the prior approval of Council.
21. Garbage collection shall occur from the ground level of the development and shall not occur from the street.
22. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.
23. Reconstruct the footpath, kerb and gutter to Council's specifications for the full frontage of the development site at the completion of all building works.
24. An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition).

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

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

25. A detailed Construction Site Traffic Management Plan (CTMP) must be submitted to and approved by Council, prior to commencement of any site work (including demolition). The approved CTMP must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed.

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

- (a) A description of the demolition, excavation and construction works
- (b) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
- (c) Any proposed road and/or footpath closures
- (d) Proposed site access locations for personnel, deliveries and materials
- (e) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- (f) Provision for loading and unloading of goods and materials
- (g) Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network
- (h) Impacts of the work and vehicular movements on the road network, traffic and pedestrians
- (i) Proposed hours of construction related activities and vehicular movements to and from the site

- (j) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)
- (k) Any activities proposed to be located or impact upon Council's road, footways or any public place
- (l) Measures to maintain public safety and convenience
- (m) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc).

Drainage/Stormwater

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

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

27. **Prior to the issue of a Construction Certificate** the approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

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

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

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

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

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

(Reason: To ensure protection of Council assets.)

29. Silt and gross pollutant traps shall be fitted in all new stormwater pits and designed in accordance with Council's specification for the management of stormwater. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, **prior to the issue of a Construction Certificate.**

(Reason: Environmental protection.)

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

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

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

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

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

(Reason: Asset management.)

31. The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, **prior to the issue of any Occupation Certificate.**

(Reason: Adequate stormwater management.)

32. **Prior to the issue of any Occupation Certificate**, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility (on-site detention, pump-out, charged lines, etc.).

Where any drainage line or service conduit is to traverse any property other than that which it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

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

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

34. The utility services within the area of effect of the proposed drainage works (i.e. gas, water, sewer, electricity, telephone, etc) shall be physically located **prior to the commencement of drainage works** in Loftus Lane. The relevant authority's written consent for excavation adjacent to their services shall be obtained. Any adjustments required shall be at no cost to Council.
35. A Works Permit shall be obtained from Council's Customer service Centre prior to undertaking any works on public/Council-controlled lands. This includes any work on the nature strip, footpath, driveways, Council's drainage kerb & guttering and roadways.
36. The applicant or any contractors carrying out works in public or Council's controlled lands shall have public liability insurance cover to the value of \$20 million, and shall provide proof of such cover prior to carrying out the works.

Public Authority Matters

37. **Prior to the issue of an Occupation Certificate** all existing overhead electricity and telecommunication cabling adjacent to the development site shall be consolidated into a single Aerial Bundle Cable (ABC) at the applicants' expense in accordance with the specifications of AusGrid and the telecommunications supplier.

Construction Matters

38. **Prior to the commencement of any construction or demolition work**, the Applicant or principal contractor must, subject to obtaining permission from the respective property owners, provide dilapidation reports prepared by a suitably qualified person (such as a structural engineer), on the buildings located on any lot adjacent to the subject site, inclusive of ancillary structures. A copy of the respective report must be provided to the Principal Certifying Authority and neighbouring property owners that are the subject of that report.
39. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**.

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40. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
41. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.
42. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- (a) Must preserve and protect the building from damage; and
 - (b) If necessary, must underpin and support the building in an approved manner, and
 - (c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
43. There are built structures which may be in the zone of influence of the proposed works and excavations on the site. A qualified practicing geotechnical engineer must prepare a Construction Methodology Report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure.
- The report must be submitted with the application for a Construction Certificate and must include an investigation to determine the design parameters appropriate to the specific development and site. This would typically include;
- (a) the location and level of nearby foundations and footings (site and neighbouring);
 - (b) proposed method of excavation;
 - (c) Permanent and temporary support measures for excavation;
 - (d) Potential settlements affecting footings and foundations;
 - (e) Ground water levels (if any);
 - (f) Batter slopes;
 - (g) Potential vibration cause by method of excavation; and
 - (h) De-watering including seepage and offsite disposal rate (if any).
- Excavation, retention, underpinning and construction must be undertaken onsite by an excavation contractor with specialist excavation experience. A suitably qualified geotechnical engineer, specialising in excavation must supervise the excavation procedure.
44. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
45. The common access pathways, letterboxes and entry doorways to the building shall be provided with suitable low level artificial lighting systems to ensure safe and convenient access at night. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate**.
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Building Matters

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

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

Demolition

47. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
48. The demolition of the building shall be carried out by a licensed demolition contractor. A copy of the licence shall be submitted to Council and the Principal Certifying Authority **prior to any work commencing on site.**
49. Details demonstrating that excavated and demolished materials including asbestos-based materials will be disposed of at an approved site shall be submitted to the Principal Certifying Authority **prior to any work commencing on site.**
50. The cleared ground surface of the site shall be suitably stabilised to prevent the generation of dust and the erosion of soil on the site.

Fire Safety Measures

51. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the building and specified in the fire safety schedule. The final fire safety certificate shall be provided **prior to the issue of an Occupation Certificate.**
52. Each 12 months after the installation of essential fire or other safety measures, the owner of a building must submit an Annual Fire Safety Statement for the building to Council. In addition a copy of the statement must be given to the NSW Fire Commissioner and a copy displayed prominently in the building.

Hoardings

53. If 'A' type hoarding is to be erected about the building site, it is to comply with NSW Workcover's requirements; shall have a minimum height of 1.8 m and comply with AS1725-2003 (Galvanized Rail-Less Chain-Wire Security Fences and Gates) or AS 4687-2007 (Temporary Fencing and Hoardings). Inverted trench mesh is not an acceptable 'A' type hoarding and as such does not satisfy AS1725-2003 and as such shall not be installed to the building site.
54. An overhead 'B' type hoarding shall be constructed where buildings over 7.5 m in height above the footpath level and within 3.6 m of the street alignment are being erected or demolished or where the outer part of such a building adjoining a public way is being altered. Where the height of the building or the position of the site is such that danger is

likely to occur from falling objects, additional safety hoarding shall be provided to the satisfaction of the principal certifying authority and Workcover NSW.

55. An overhead 'B' type hoarding shall be constructed where material is being hoisted over or across a public way.
56. The following additional requirements apply to the erection of a 'B' type hoarding:
- (a) No advertisement of any kind shall be affixed to hoarding with the exception of a board not exceeding 2400 –mm by 1800-mm on which may be shown the architects, builders and principal certifying authority company name / contact details or any particulars regarding the subject building, and notices regarding the existing or future occupancies in the building.
 - (b) A sign reading 'Billposters will be Prosecuted' shall be attached or printed upon the front of the hoarding
 - (c) A hydrant or other footpath box shall not be covered in any way or access to it impeded
 - (d) Cranes shall not be placed upon the public way unless a permit has been obtained under section 68 Local Government Act, 1993.
 - (e) The hoarding must be so constructed that it will not obstruct the view of traffic lights of motorists or pedestrians.
 - (f) The use of the roadway for the storage of building materials is not permitted.
 - (g) Where materials are being hoisted over a public way a sign shall be attached or printed upon the front of the hoarding at the decking level with the lettering 'Lifting Operation Above'. The lettering shall not be less than 300-mm in height.
 - (h) Persons undertaking the work in accordance with this Approval must hold this Approval/Permit on-site for inspection.
 - (i) Approval for a temporary protective structure does not permit use of the roadway for general loading and unloading from construction vehicles. This requires a separate Construction Zone Application.
 - (j) An appropriate qualified practising structural engineer shall certify the structural stability / adequacy of the erected 'B' type hoarding. A copy of the certificate shall be forward to the principal certifying authority and to Council, where Council is not the principal certifying authority.
57. The builder shall erect and maintain all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary and must be in place before the approved activity commences.
58. Permits are required to erect Class 'A' or 'B' type hoardings. If any type hoarding is to occupy a section of Council's property, that section will require a permit for the occupation of Council's property. The applicant, owner, builder or site supervisor must apply for specific permits. The application form is available from Council's Customer Service Department.

Subdivision

59. The strata subdivision of the development shall be subject to a separate application.

Disabled Access

60. Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia, the relevant standards and the requirements of the Disability (Access to Premises – Buildings) Standards 2010. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

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

Waste Management

62. A Waste Management Plan (WMP) shall be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. This shall include provision of a bin room which accommodates for the needs of the site. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

The WMP must:

- Identify the types of waste that will be generated and all proposals to re-use, recycle or dispose of the waste;
- Identify the commercial properties and confirm their waste generation rates; and
- Ensure that the bins specified and the collection schedule match the waste generation rates

The WMP is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate.

NOTE: The property must be inspected by a Council Waste Officer prior to the issue of an Occupation Certificate so as to ensure that the correct number of general waste and recycling bins are ordered from Strathfield Council.

63. The Applicant shall provide specifications of the proposed garbage vehicle turntable and provide evidence of correspondence with a waste contractor confirming the size of the truck and suitability of access. This shall confirm that the turntable is appropriate to accommodate trucks of varying size and capacity. Details are to be provided to the Principal Certifying Authority, prior to issue of the Construction Certificate.
64. **Prior to the issue of any Occupation Certificate** waste identification and educational signage is to be installed within or adjacent to the waste storage room in accordance with the requirements Part H 'Waste Minimisation and Management' of the Strathfield Consolidated Development Control Plan 2005.
65. All refuse from the use of the subject premises shall be collected by private garbage and recycling contractors. Details of the engagement of the private garbage and recycling contractors shall be provided to Council prior to the release of the Occupation Certificate.

Operable Conditions

66. The commercial suites may operate 24 hours a day, 7 days a week subject to no noise impacts occurring to any nearby residential users. The retail suites shall operate only between the hours of 8am and 6pm Monday to Saturday and 9am to 5pm on Sunday, except with separate approval. No approval is granted for the use of the retail/commercial suites as cafes/restaurants and such use would require separate development consent.

Integrated Development

Transport Sydney Trains

109. An acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".
110. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
111. Prior to the commencement of works, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineers stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure.
112. If a crane is to be used at any stage of the proposed works, the following condition applies:
 - Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

NSW Office of Water

General

113. An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
114. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
115. Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:
 - (a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and
 - (b) any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and

(c) where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.

116. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
117. DPI Water requires documentation (referred to as a 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted to DPI Water at Parramatta Office, in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation

118. The following shall be included in the initial report:
- (a) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.
 - (b) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.
 - (c) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.
 - (d) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [DPI Water prefers that groundwater level measurements should be undertaken on a continuous basis using automatic loggers in monitoring bores.]
119. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.
120. Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by

laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.

121. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
122. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability determined by slug-testing, pump-testing or other means).
123. A copy of a valid consent for the development shall be provided in the initial report.
124. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called “tailwater”) must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
125. Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

126. Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
127. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
128. Measurement and monitoring arrangements to the satisfaction of DPI Water are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

129. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/s. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
130. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
131. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.
132. Access to groundwater management works used in the activity is to be provided to permit inspection when required by DPI Water under appropriate safety procedures.

Following excavation

133. Following completion of the dewatering operations, the applicant shall submit to DPI Water, Parramatta Office, the completion report which shall include:
 - (a) detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and
 - (b) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and
 - (c) a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.
134. The completion report is to be assessed by DPI Water prior to any certifying agency's approval for occupation or use of the completed construction.