

COUNCIL ASSESSMENT REPORT

Panel Reference	2017SCL044
DA Number	2017/088
LGA	Strathfield Council
Proposed Development	Stage 1a: Construction of an underground carpark comprising (304) spaces and a new outdoor sports playing field
Street Address	25A Barker Road (179 Albert Road) Strathfield
Applicant/Owner	Australian Catholic University
Date of DA lodgement	15 June 2017
Number of Submissions	One (1) submission received
Recommendation	APPROVAL
Regional Development Criteria (Schedule 4A of the EP&A Act)	Cost of works \$13,971,323
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP); • State Environmental Planning Policy No. 55 Remediation of Land; • Strathfield Local Environmental Plan 2012 (SLEP); • Part H – ‘Waste Management’ Strathfield Consolidated Development Control Plan 2005; • Part I – ‘Provision of Off Street Parking Facilities’ Strathfield Consolidated Development Control Plan 2005; • Part M – ‘Educational Establishments’ of the Strathfield Consolidates Development Control Plan 2005; • Part N – ‘Water Sensitive Urban Design’ (WSUD) Strathfield Consolidated Development Control Plan 2005. • Part L Notification Strathfield Consolidated Development Control Plan 2005. • Section 94A Indirect Development Contributions Plan (3 September 2010)
List all documents submitted with this report for the Panel’s consideration	Report, Site Plan and Elevations Attached
Report prepared by	Louise Mansfield – Planning Officer
Report date	5 October 2017

Summary of s79C matters

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

No

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?

No

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)?

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

**Not
Applicable**

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:	25A Barker Road, Strathfield – Lot 11 in Deposited Plan 869042
DA NO.:	2017/088
APPLICATION TYPE:	Stage 1a: Construction of an underground carpark comprising (304) spaces and a new outdoor sports playing field
REPORT BY:	Louise Mansfield
RECOMMENDATION:	APPROVAL
SUBMISSIONS:	One (1) written submission received
ZONING:	SP2 Infrastructure - SLEP 2012
DATE APPLICATION LODGED:	15 June 2017
APPLICANT:	Australian Catholic University
OWNER:	Trustees of the Roman Catholic Church for the Archdiocese of Sydney

EXECUTIVE SUMMARY

Approval is sought for the Stage 1a: Construction of an underground carpark comprising (304) spaces and a new outdoor sports playing field.

A previous approval for a concept master plan (MP 10_0231) of the Australian Catholic University (ACU) was granted under the former Part 3A Major Projects process of the EP&A Act 1979. The concept plan was approved with five (5) stages. Stage 1A of the project relates specifically to the construction of an underground car park in the western area of the campus containing (262) car spaces for the ACU and (30) spaces for St Patrick's College which is immediately adjacent to the university campus. The proposal also involves construction of two (2) new vehicular access ways from Barker Road and from Edgar Street as well as provision of a new synthetic sports playing field located immediately above the new carpark development.

The Concept Plan permits an increase in campus population at any one time from the current 1,450 to a maximum of 1,800 with a further opportunity to expand to a maximum of 2,200. This application does not permit any increase in campus population as it is only permitted following the issue of a Final Occupation Certificate for both Stages 1a and 1b of the development.

BACKGROUND

The background of the site is as follows:

27 March 2013	Part 3A Major Project MP10_0231 for the redevelopment of the subject site to accommodate for an increase in student numbers approved by the Planning and Assessment Commission.
20 June 2013	DA2013/088 lodged.

20 June 2013 to 22 June 2015	DA2013/088 held in abeyance along with modifications DA1993/164/01 and DA0102/252/06 pending the outcome of Land and Environment Court proceedings.
18 June 2015	Land and Environment Court proceedings concluded.
22 June 2015	Modifications DA1993/164/01 and DA0102/252/06 withdrawn and request for determination of DA2013/088 received.
4 July 2016	DA2013/088 for driveway improvements, a bus set down/pickup zone, service area improvements, and associated landscaping and stormwater drainage works was granted a Deferred Commencement consent pending commission of a site investigation report and remedial Action Plan (RAP).
21 September 2016	Deferred Commencement consent matters satisfied and consent issued.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the northern side of Barker road to the east of the intersection of Barker Road and Wilson Street within an established residential area. The site is irregular in shape and approximately 11,000m² in area with a 310m primary frontage to Barker Road. The site is partly bounded to the east by a Council reserve, to the north by St Patrick's College and to both the south and west by residential development.

The subject site features several vehicular access points from Barker Road including a main entry, service entry and entry to the south-western carpark. An additional vehicular and pedestrian access point is provided from Albert Street to the east of the site.

A total of (346) carparking spaces are currently provided on site primarily within the at-grade carparking areas located in the south eastern and south western corners of the site.

The subject site is listed under the Strathfield Local Environmental Plan 2012 as Heritage Item No. I92. The statement of significance for the site identifies the following structures a Victorian Italianate style mansion, Federation Gothic chapel, Inter-War Romanesque style chapel, arcade, Mullen's wing, creative arts building (former stables), former laundry, St Edmund's Building, former squash courts, biomechanics building, library and former handball courts.

An aerial photograph of the site is provided below.



Figure 1: Aerial photograph of subject site



Figure 2: View of proposed location of new basement carpark entrance from Barker Road



Figure 3: View of existing playing field and carpark facing south

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for Stage 1a: Construction of an underground carpark comprising (304) spaces and a new outdoor sports playing field.

The proposal specifically includes the following:

- Construction of a single level basement car park comprising (304) spaces;
- Provision of two (2) new vehicular access points;
 - Access point 1: Edgar Street to the north-west (serving (30) spaces to be used by the neighbouring St Patrick's College staff); and
 - Access point 2: Barker Road to the south-western boundary of the site providing access for ACU students and staff to the proposed basement parking.
- Construction of a new artificial turf sports playing field above the carpark;
- Works to facilitate two (2) new vehicular entries at Barker Road and Edgar Street;
- Provision of a new lift and stairwell core for access between basement and ground level; and
- Associated earthworks, landscaping and stormwater drainage works.

The proposed works will result in a total loss of six (6) off-street parking spaces from the western carpark of the university as well as four (4) on-street parking spaces as a result of the two (2) new access ways from Barker Road and Edgar Street.

NOTE: The proposed Stage 1a works does not permit any increase beyond the maximum permitted 1,800 campus population. Any potential increase in student/staff numbers will only be permitted following the issue of a final Occupation Certificate for Stage 1b works for the site. The population may only be increased to 2,200 once the ACU has demonstrated that the mode share targets and reduced on-street parking associated with the university are being consistently achieved for no less than 48 consecutive months.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Development Engineer raised no objection to the proposal, subject to the imposition of recommended conditions of consent.

Traffic Comments

Council's Traffic Engineer raised no objection to the proposal, subject to the imposition of recommended conditions of consent.

Waste Comments

Council's Environmental Projects Officer raised no objection to the proposal, subject to the imposition of recommended conditions of consent.

Tree Coordinator Comments

Council's Tree Coordinator raised no objections to the proposal, subject to the imposition of recommended conditions of consent including compliance with the recommendations provided in the Arborist Report prepared by *Moore Trees* dated May 2016.

Heritage Comments

Council's Heritage Advisor raised concern with the close proximity of the adjoining former handball court structure located immediately east of the proposed works area as it is listed as being of high significance within the Conservation Management Plan. The following conditions have therefore been recommended:

- Ensure that adequate steps are taken to protect the significant heritage item, the former handball courts, from damage during the works.
- If archaeological remains are uncovered during the course of the construction of the underground carpark, all work is to stop in the vicinity of the find, and an archaeologist is to be contacted on how to proceed.
- Details of any new fencing, gates, etc. should be commensurate in scale, style, colour, and materials with the prevailing fencing and gates within each streetscape.

These conditions of consent have been imposed in accordance with the Heritage Advisor's recommendation.

EXTERNAL REFERRALS

RMS

The application was referred to RMS for comment given that the application is defined as Traffic Generating Development. No objections were raised to the development however the following suggestions were made:

- Sight distances from the proposed vehicular crossings to vehicles on Barker Road and Edgar Street are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.

This has been applied as a condition of consent to ensure the safety of pedestrians, cyclists and general traffic.

- Bicycle parking associated with the subject development should be in accordance with AS 2890.3 (Bicycle Parking Facilities). Consideration should also be given to providing end-of-trip facilities within the development to support and encourage active transport to the site for both staff and students.

The proposal seeks to provide a minimum of (44) bike parking spaces within the basement. This will contribute to the existing bicycle parking facilities currently provided on site located near the main access off Barker Road and bicycle lockers located at Edward Clancy Building car park.

- A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.

Conditions of consent have been imposed to ensure a Construction Traffic Management Plan is prepared at Construction Certificate stage. The plan is to include consideration for logistics of truck movements and hours of operation so as to minimise disturbance to residents surrounding the site.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

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

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

- SEPP (Infrastructure) 2007;
- SEPP 55 – Remediation of Land;
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- Strathfield Local Environmental Plan 2012;
- Strathfield Consolidated Development Control Plan 2005: and
 - Part H – 'Waste Management';
 - Part I – 'Provision of Off-Street Parking Facilities';
 - Part M – 'Educational Establishments';

- Part N – Water Sensitive Urban Design (WSUD);
- Part L – Notification; and
- Strathfield Indirect Development Contributions Plan.

79C(1)(a) the provisions of:

(i) any environmental planning instrument

State Environmental Planning Policy (Infrastructure) 2007

The proposed development was referred to RMS in accordance with the requirements of Clause 104 of the Infrastructure SEPP as the proposal is classified as traffic generating development given the proposal for basement car parking which provides (304) spaces.

Referral comments were received by RMS in correspondence dated 29 September 2017.

Therefore, the proposal has been assessed against the relevant provisions of the Infrastructure SEPP and is satisfactory.

SEPP 55 – Remediation of Land

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

A Phase 1 Environmental Site Assessment (ESA) was carried out under the previous Part 3A approval. This assessment identified the presence of two (2) underground storage tanks (UST) located in the south west corner of the subject site and a stockpile of unknown origin within the north eastern corner of the southwest carpark. A Phase 2 Environmental Site Assessment followed this which accompanied the previous application DA2013/088. A Remedial Action Plan (RAP) to decommission the underground storage tank and remove PAH within fill was later prepared and submitted to Council (as per Deferred Commencement conditions).

Accordingly, as works have been undertaken to remove the storage tanks and PAH, in accordance with all previous plans, there does not appear to be a need for further investigation of the site. Accordingly, the continued use of the site for the purposes of development for the university campus operations is therefore suitable.

Accordingly, the provisions of SEPP 55 have been satisfied.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

Clause (1) of Part 5 of the Educational Establishments and Childcare Facilities SEPP 2017 states that development for the purpose of a university may be carried out by any person with development consent on land in a prescribed zone. Whilst the SEPP contains provisions for exempt development, the proposal results in alterations to traffic arrangements which accordingly, requires Council approval pursuant to Clause 46(2) of Part 5 of the SEPP.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2)	Aims	Complies
(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: The proposed development is considered appropriate for the site and will integrate well with surrounding development as it will be utilised to support the expansion of the university campus.

Permissibility

The subject site is Zoned SP2 - Special Infrastructure under Strathfield Local Environmental Plan (SLEP) 2012.

A carpark is permissible within the SP2 zone with consent as it is an ancillary use to the existing university campus. The proposed development is therefore permissible under the SLEP 2012.

Zone Objectives

An assessment of the proposal against the objectives of the SP2 zone is included below:

Objectives	Complies
• To provide for infrastructure and related uses.	Yes
• To prevent development that is not compatible with or that may detract from the provision of infrastructure.	Yes
• To ensure that development does not have an adverse effect on adjoining land.	Yes

Comments: The proposed basement car park is an ancillary use to the existing university campus and will facilitate the expansion of the university.

Part 4: Principal development standards

The Strathfield Council Local Environmental Plan 2012 does not contain any express provisions for the maximum permissible FSR and heights pertaining to the site. Whilst the proposed development does not involve any change to the FSR of the site, the proposed lift and stairwell core will attain a maximum height of 6.7m (RL40.0m). This is considered appropriate as existing buildings on the site (as well as buildings surrounding the site) range up to three (3) storeys in height. Further, the proposed new structure achieves adequate separation from adjoining buildings and is unlikely to result in significant overshadowing impacts to surrounding buildings and green spaces. It is also noted that the structure complies with the Part 3A Concept Plan approval which permits a maximum building height of RL42.80 for this portion of the site excluding plant and lift overruns. Accordingly, the proposed development is considered acceptable in this regard.

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the SLEP 2012 are addressed below as part of this assessment:

5.10 Heritage Conservation

The subject site is identified as Heritage Item no. 1192 “*Australian Catholic University*” under Schedule 5 of the SLEP 2012. The Campus is also listed on the State Heritage Register under the *NSW Heritage Act 1977*. The proposal is generally consistent with the Heritage Conservation objectives under Clause 5.10 of the SLEP which seek to:

- (a) Conserve the environmental heritage of Strathfield, and
- (b) Conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

As previously discussed, the proposal involves construction of a new basement and two (2) new vehicular entrances to Barker Road and Edgar Street which will be located to the far western portion of the site, thus located away from many of the contributory buildings on the campus. The Heritage Impact Statement prepared by Weir Phillips has identified that the proposed development will not impact upon view corridors established both around St Patricks College (Item 1132) or the university campus as they will not be readily visible from the public domain. The statement also notes that the replacement of the sports playing field with synthetic grass will not be readily appreciable from the heritage significant buildings on the site, particularly given the partial screening by existing trees. In this instance, the proposed development is considered to result in minimal impacts to the prevailing heritage character of the site.

It is noted in the statement however, that the former handball courts structure on the campus is rated as being of a “high” level of significance given that it is indicative of the occupation of the site by an Irish monastic order. The proposed new lift/stairwell structure is located within close proximity to the existing structure. Whilst approval was granted under separate cover for the conversion of the former handball courts to three (3) separate learning rooms (DA2017/118), Council’s Heritage Advisor has raised concern with the impact that the proposed excavation and construction will have on the structural integrity of the heritage structure. A condition of consent has therefore been recommended to ensure that adequate steps are taken to protect the heritage item from damage during excavation and construction works. Whilst this condition is recommended to be imposed, it must be noted that the former handball courts structure is earmarked for demolition as part of the Stage 2 works of the Part 3A approval.

The proposal also involves construction of a new brick pier and wall infill fence to Edgar Street as well as new roller grilles to each new gate entrance for the site. A further condition of consent has therefore been recommended by Council's Heritage Advisor to ensure the new fencing is commensurate with the scale, style, colours and materials with the prevailing fencing and gates within each streetscape.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulphate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Accordingly, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has therefore satisfied the requirements of Clause 6.1 of the SLEP, 2012.

6.2 Earthworks

Appropriate conditions of consent to be imposed to ensure compliance with the sediment, erosion control plan as well as conditions of consent which include preparation of a dilapidation report to be provided to adjoining property owners.

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

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

A Preliminary Construction Management Plan – Including a Waste Management Plan was submitted as part of the subject application. The plan specifies that a detailed waste management plan will be developed following engagement of a contractor to undertake the built works and will form part of a construction management plan. This will include designated stockpile areas, plans of protection measures for waste storage areas, waste handling, management and storage procedures, on-site training for staff on the contents of the WMP and emergency/contingency plans). The plan specifies that waste tracking in accordance with Protection of the Environment Operations Act 1997 and EPA's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes, waste tracking requirements apply to the generation, storage, transport, treatment or disposal of certain types of wastes. There will also be a waste register that will be kept throughout the construction of the project.

The plan was referred to Council's Waste Officer who has recommended that the plan confirm the waste types listed as 'special waste classification' and if necessary, include special waste types to the waste tracking section of the plan. This has been included as a condition of consent.

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

Part I of the SCDCP does not provide a specific off-street parking rate for a tertiary institution nor do the RMS Traffic Generating Development Guidelines. The Traffic & Accessibility Study undertaken under the previous Part 3A approval has identified this and accordingly the traffic generation for the proposed masterplan was calculated based on existing traffic generation for the site. The traffic generation rates provided in the original study compared to the current Traffic Impact Assessment are relatively similar. The peak generation rates including vehicles which park both on campus (341) in addition to the (417) parked in surrounding streets are as follows:

- 232 vehicles per hour in AM peak hour (200 in and 32 out); and
- 147 vehicles per hour in PM peak hour (28 in and 119 out)

The Accessibility study notes that the daily traffic volume on Barker Road is estimated at approximately 7,500 vehicles and that the full development of the masterplan to 2,200 will result in (750) additional vehicles, thus increasing the daily traffic volume to 8,250 vehicles. This is a worst case scenario assuming that all (750) additional students/staff would drive to campus. According to RMS functional classification of the road, a collector road should carry between 2,000 – 10,000 vehicles per day. Therefore, the traffic volume will remain within the recommended traffic volume range.

The modelling analysis performed to assess the impact of the construction of the onsite carpark demonstrates that the approved basement carpark will have minimal impact on key intersections surrounding the campus. The modelling suggests that these key intersections will continue to operate at a satisfactory level of service of “A” or “B” which achieves good operation with acceptable delays and space capacity. It is further suggested that the proposal will have minimal implications on network performance or intersection delay as it will reduce the likelihood of vehicles arriving at site to find existing parking full and then recirculating in the neighbourhood in search of an on-street parking space

The Queuing analysis conducted for the site demonstrates that the new access driveways will accommodate storage for up to six (6) vehicles at any given time which ensures that a constant flow of traffic into and out of the basement will be achieved. This is expected to account for queuing requirements for up to a 99.9 percentile queue which exceeds AS2890.1. A comparison analysis was also undertaken having consideration for the various control systems for the basement and its impact upon flow of vehicles entering and exiting the basement. Refer to table below:

Control Type	Capacity (veh/hr/lane)
Free Flow	600
Card Reader	400
Automatic Ticket	300
Manually Controlled	250
Cashier (Exit)	200-250

The table above demonstrates that a card reader system achieves a maximum 400 vehicles/hour/lane which is a better outcome for control of traffic flow as compared to an automatic

ticketing or manually controlled system. The Applicant has requested a card reader system to be the preferred control type for the basement. This will enable the control of traffic movements into and out of the site whilst providing a mechanism to prohibit access for members of the public. A condition of consent is therefore recommended for a card reader system to be implemented for the basement.

The proposed development includes provision for a new underground carpark with a total of (304) off-street parking spaces for the site. Of these, a total of (30) spaces will be reserved for St Patrick's College. The proposal exceeds the concept approval for the basement carpark by (12) spaces however it is noted that the proposed development results in a loss of (6) existing car spaces on the site with the loss of four (4) additional on-street spaces provided to Barker Road and Edgar Street as a result of the two (2) new driveway entrances.

It should be noted that the Part 3A approval requires a total of (717) spaces for the site, of which the remaining (97) spaces are to be provided as per Stage 2b of the development.

The table below provides a calculation of the off-street parking rates compared to campus population. This considers the parking ratio achieved not only for the current 1,450 campus population but also the concept approval for a population of 1,800 as well as 2,200.

Campus Population	Off-street Parking Spaces	Population : Off-Street Parking Spaces Ratio
1,450	346	4:1
1,800	717	2.5:1
2,200	717	3.07:1

Having applied the abovementioned parking numbers to the ACU campus population, it appears that the ratio between the campus population to off-street parking on the site is improved. It is noted however, that these rates have been generated to achieve balance between supply and demand as providing excessive on-site parking will encourage students/staff to drive to campus, yet proposing too little parking will encourage on-street parking which will have ramifications on residential amenity for local residents.

Part M – 'Educational Establishments' of the Strathfield Consolidated Development Control Plan (DCP) 2005

Section 4.0 of the Educational Establishments DCP specifies that Council will not grant development consent unless satisfied that the following design provisions are met.

Design Principle	Proposed	Compliance
The bulk, scale, height, character, setbacks and external detailing of the development are compatible with the character of development within the vicinity, including any adjoining items of environmental heritage or heritage conservation areas.	The proposed works are in regard to the construction of the new basement car park which is located away from the existing contributory heritage items located further east of the site so as not to adversely impact upon the significance of the structures and curtilages established around the structures.	Yes
2. The educational establishment design is sensitive to its environment, of high visual quality and is generally consistent and sympathetic with the existing streetscape character of the	The proposed development has sought the retention of trees where possible and has provided replacement tree plantings with improved landscaping throughout the site to assist in softening the built form.	Yes.

locality.		
3. The development is unlikely to unreasonably affect the amenity of any existing development in terms of overshadowing, privacy, excess noise, loss of views or otherwise.	The proposed construction of the new basement will result in a significant reduction in on-street parking around the site which will free up local roads for local residents. The proposal seeks to increase the density of the existing landscape buffer provided along the western side boundary of the site so as to minimise noise and privacy issues for residents adjoining the site.	Yes.
4. The development will not have a negative impact in terms of safety, pedestrian flows, parking and traffic.	<p>A Traffic Impact Report submitted with the application has assessed the traffic impacts resulting from the provision of the new basement carpark will reduce the likelihood of vehicles circulating nearby streets to find a park.</p> <p>Further, the report includes an assessment of the design against all relevant Australian Standards including compliance with parking space dimensions, access gradients, vehicular swept paths and clearance heights. The proposal is found to generally comply with these requirements.</p>	<p>Yes, refer to Part I discussion.</p> <p>Yes, subject to the imposition of standard conditions.</p>
A suitable External Impacts Management Plan (Refer Section 4.16) is submitted that addresses and details proposals to ensure the educational establishment undertakes satisfactory day to day on-going monitoring and management of staff and student arrival and departure, traffic impact minimisation, complaint handling and ongoing informing of students, staff, carers and guardians of appropriate procedures and safety issues for the specific establishment.	As the proposed development is in relation to an existing operational educational establishment, an amended External Impacts Management Plan is required to be provided for the site	No, refer to conditions of consent.
That educational establishments establish a commitment to encouraging, supporting and implementing more sustainable travel modes to and from the educational establishment. Refer to Section 4.11 regarding the Environmentally Sustainable Travel Plan, if required.	A Green Travel Plan was submitted as part of the application as required by the masterplan approval. The Green Travel Plan specifies the existing Green Travel Commitments of the site as well as planned improvements and incentives to encourage greater use of alternative means of travel which have less environmental impact than the car	Yes
The landscape character of the locality is maintained and adequate landscape, noise and privacy screening has been provided.	A landscape plan was provided which demonstrates that whilst the proposal results in the loss of (19) trees, (20) replacement trees will be planted primarily along the western side boundary so as to retain the privacy buffer provided between the subject site and residential properties immediately adjoining the site to the west.	Yes
The educational establishment provides satisfactory safety by	The entire northern and southern façade of the new lift and stairwell structure will be comprised	Yes

design which minimises the opportunity for crime.	of clear glazing so as to maximise natural surveillance.	
The educational establishment provides a high standard of design, which suitably incorporates principles of environmentally sustainable development (ESD).	An Energy Efficiency statement accompanied the proposed development demonstrating that a number of energy efficiency measures have been utilised for the project including LED carpark lighting and external lighting sensors.	Yes, subject to imposition of conditions requiring compliance with the ESD statement.
Adequate provision is made for stormwater collection, re-use and drainage.	A concept stormwater management plan was submitted as part of the application and referred to Council's Development Engineer for review. No concerns are raised subject to conditions.	Yes, subject to the imposition of conditions

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

Part N of the Strathfield Consolidated Development Control Plan 2005 requires any development which involves the construction or designation of (10) of more additional car parking spaces, whether the spaces be covered or uncovered, to meet the water conservation and stormwater quality targets established for Strathfield LGA. The proposed development included MUSIC modelling and a stormwater plan including two (2) on-site stormwater detention tanks. The application was reviewed by Council's Stormwater Engineer for review and was satisfied that water sensitive urban design has been incorporated into the design principles and Council's requirement has been met.

79C(1)(iia) any planning agreement or draft planning agreement

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

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

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

Should this application be approved, appropriate conditions of consent are recommended to ensure the prescribed conditions of consent including compliance with the *Building Code of Australia*.

(ii) any coastal zone management plan

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

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Heritage

As previously discussed, the application was referred to Council's Heritage Advisor for comment. Concern was raised for the possible structural damage imposed by the construction of the new basement. A Dilapidation Report is required as a standard condition of consent to address this and ensure that the former handball court structure is protected during excavation and construction phases of the development.

Streetscape

The proposal involves construction of a new lift and stairwell core located within the central western portion of the campus. Whilst it is acknowledged that the structure is located away from the significant heritage items on the campus, it is considered that a more aesthetic material treatment and colour other than the concrete finish should be explored. This is particularly noting that the campus will soon undertake a series of new development stages as per the Part 3A approval and will improve the aesthetic appearance of the structure on the site.

In addition to this, the proposal seeks to construct new boundary fencing to Edgar Street as well as install new roller grilles to both street entrances. Noting the Heritage significance of both the ACU campus site as well as the St Patrick's College site, a condition of consent is recommended to ensure the materials and finishes proposed are commensurate to the character of each site and the streetscape.

Traffic

The proposed development includes provision of (30) off-street parking spaces for St Patricks College. The basement permits ingress/egress for the college staff from both Barker Road as well as Edgar St. It is anticipated that Barker Road may be a more favourable entrance way for college staff given that it provides a more direct link to arterial roads close by. Accordingly, this would generate additional traffic movements through Barker Road particularly noting that the ACU is restricted to the Barker Road ingress/egress point only. A condition of consent is therefore recommended to ensure that the internal boom gate which separates the college carpark to the ACU carpark be kept locked during regular operation times between 7am - 6pm Monday to Friday. This is to ensure the Edgar Street entrance is utilised so as to relieve pressure off the Barker Road network. This will also limit opportunities for St Patrick's College to utilise the ACU carparking spaces within the basement.

The Green Travel Plan submitted as part of the subject application a per the Part 3A Approval establishes the ACU's commitment to improving modal share split and encouraging alternative modes of transport to the campus. It is imperative that whilst additional off-street parking spaces are provided for the campus, alternative modes of travel should be encouraged so as to ensure private vehicle usage is not the prime mode of travel for staff and students. A condition of consent is therefore recommended that The Green Travel Plan combined with the Campus Travel and Monitoring Plan (CTMP) be subject to annual review as per Part 3A approval conditions. This is to ensure that ACU is consistent in their approach to encouraging alternative transport modes to the university.

Council recognises the considerable level of coordination required to facilitate the construction of the proposed development. As such, a condition of consent has been recommended to ensure a construction management plan is prepared having consideration for implications of the excavation and construction phases of the development. This is to include route mapping of truck movements so as to minimise disruption of residential streets.

Building Code

The Building Code of Australia (BCA) Report prepared by Mckenzie has revealed that the travel distances within the basement extend beyond the deemed-to-satisfy provisions as travel distances to an exit is 65m in lieu of 40m and travel distances between alternative exits are up to 120m in lieu of 60m. A Fire Engineering Report has been submitted by Core Engineering Group to consider and resolve this non-compliance. The report has recommended an alternative solution involving installation of fast response sprinkler heads throughout the car park. It has also suggested that the open plan nature and clear line of sight within the carpark should also permit more informed decision making and allow occupants fast warning of a fire in close proximity to them. A condition of consent has therefore been recommended to ensure compliance with both the alternative solution and other fire engineering requirements outlined in the report so as to achieve compliance with the relevant Performance Requirements of the BCA.

Groundwater

The Groundwater Assessment prepared by Geo-Logix identifies that groundwater was encountered during drilling at approximately 4m below ground and suggests that exposed fractures in the shale bedrock will increase hydraulic conductivity during excavation. Given seasonal groundwater fluctuations, the report recommends that prior to construction, an in well groundwater elevation sensor be installed in groundwater well MW2 over the longest duration practical to measure changes in the groundwater elevation over time. This has been included as a recommended condition of consent.

79C(1)(c) *the suitability of the site for the development*

As previously discussed, a number of remedial works have been undertaken to ensure that the proposed development is suitable for the subject site. Overall, the proposed development is for the purposes of a basement carpark and upgrade of overhead playing field which is an ancillary use to the university. Therefore, the proposed development is suitable for the subject site.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 27 June 2017 to 19 July 2017. One (1) written submission was received during this time raising concern for the following:

Traffic – Edgar Street

The objector has raised concern regarding the proposed entry/exit point in Edgar Street with basement parking limited to (30) spaces for St Patrick's College staff and the ramifications this would have on the flow of traffic on Edgar Street at school opening and closing hours during sports activities times.

Comment: The Traffic Impact Report stipulates that the provision of the new basement will provide a net increase of (28) new parking spaces. This is noting that two (2) on-street spaces will be lost as a result of the widened driveway to Edgar Street. This in turn will reduce parking pressure on Edgar Street and reduce the likelihood of vehicles circulating this street to find a park. Access to and from Edgar Street will be restricted to staff of St Patrick's College only thus improving the amenity of Edgar Street.

Traffic – Barker Road

The objector has raised concern regarding how the entry/exit on Barker Road will work and whether the traffic studies reported in the DA reflect the real number of cars arriving at the beginning of daily lectures. Since the majority of cars come from the east will they be able to make the right hand turn into the parking area? Unexpected traffic incidents when cars enter or exit into the parking area into the McGlade Gallery will be exacerbated with the addition of the new car park especially given its close proximity to Wilson Street.

Comment: The Transport & Accessibility Study prepared as part of the Part 3A concept approval has considered the impact of car movements into and out of the proposed carpark. The study includes an analysis of the proposed Gate 4 Barker Road intersection east approach. The study denotes that the intersection will operate well, both with and without a new right hand turn lane. Into the carpark. Without the right turn lane, the Average Vehicle Delay (AVD) for westbound through movement will be 3 seconds with a maximum queue of approximately 5 vehicles. With an 18m long right turn bay on east approach, there will be no delay for westbound through vehicles on Barker Road. Accordingly, a condition of consent is recommended to ensure that a right hand turn lane is provided to improve flow of vehicular movement and improve overall safety.

Safety

The objector raised concern for the proposed lift structure suggesting that the structure be provided with glass walls so as to reduce instances of harassment.

Comment: The proposed lift and stairwell core will be constructed with fixed glass panelling to both the northern and southern side elevations so as to improve natural surveillance around the structure. This is also considered acceptable with regard to CEPTED planning principles.

Off-street Parking

Concern is raised with the number of existing off-street car spaces provided for St Patricks College staff both presently or when these proposed new spaces are added. The objector has noted that there are many more St Patrick's College students parking in surrounding streets.

Comment: As previously discussed, the proposed development will provide (30) new off-street parking spaces for St Patrick's College. These parking spaces are intended to primarily service the staff in addition to the existing off-street parking spaces available on the existing St Patrick's College campus. It is noted that whilst the objector has raised concern regarding St Patrick's college students parking in surrounding streets, this application does not involve any assessment regarding the parking provisions for the college. Any modifications to alter the existing parking conditions on the St Patricks College site will need to be assessed under separate cover.

79C(1)(e) the public interest

The public interest is best served by the consistent application of relevant Environmental Planning Instruments, Development Control Plans and Council policies. As discussed throughout this report, the proposed development has been assessed against the relevant statutory provisions and is satisfactory. Therefore approval of the proposal would not be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
 - or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

STRATHFIELD INDIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030 as follows:

Local Amenity Improvement Levy	\$133,087.98
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CONCLUSION

The proposed development is permissible in the subject zoning and is consistent with the relevant provisions and objectives of the Strathfield Planning Scheme Ordinance, 1969 and Strathfield Draft Local Environmental Plan, 2008. The proposal generally complies with the development controls of the Strathfield Consolidated DCP 2005 and will provide a high level of amenity to future residents without significantly compromising the amenity of adjoining owners.

RECOMMENDATION

That DA2017/088 for the Stage 1a: Construction of an underground carpark comprising (304) spaces and a new outdoor sports playing field 25A Barker Road (179 Albert Road) Strathfield, be APPROVED subject to the following conditions:

CONDITIONS OF CONSENT

SPECIAL CONDITIONS (SC)

1. EXTERNAL IMPACTS MANAGEMENT PLAN (SC)

An updated External Impacts Management Plan is to be prepared and submitted to an Accredited Certifier for approval prior to the issue of a Construction Certificate. The plan shall include details regarding the following:

- Day to day on-going monitoring and management of staff and student arrival and departure,
- Traffic impact minimisation,
- Complaint handling and
- Ongoing informing of students, staff, carers and guardians of appropriate procedures and safety issues for the ACU establishment.

(Reason: Achieve compliance with Part M of the Strathfield Consolidated Development Control Plan 2005)

2. SIGNAGE (SC)

Any signage proposed in relation to the new basement carpark shall be subject to separate Development Application approval.

(Reason: to ensure impacts of new signage can be adequately assessed)

3. SIGHT DISTANCES (SC)

Sight distances from the proposed vehicular crossings to vehicles on Barker Road and Edgar Street are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.

4. GATES AND FENCING (SC)

The new fencing to Edgar Street shall be commensurate with the scale, style, colours and materials with the prevailing fencing in the street (preferably with the existing fencing to St Patrick's College). The colour of the new roller grilles to each entrance on Edgar Street and Barker Road shall also be compatible with prevailing colours in the streetscape.

(Reason: To achieve compatibility in the streetscape)

5. LIFT AND STAIRWELL CORE (SC)

The concrete finish proposed to the lift and stairwell core shall either be painted or alternatively another finish and colour proposed which will be more aesthetic in appearance.

(Reason: To improve aesthetic appearance of the structure)

6. **FIRE ENGINEERING (SC)**

The development shall adhere to the alternative solution provided within the Fire Engineering Report prepared by Core Engineering Group as well as other recommendations listed so that the development achieves compliance with all relevant Performance Requirements of the BCA.

(Reason: To ensure development complies with BCA standards)

7. **TREE PROTECTION (SC)**

The applicant is to appoint an experienced project arborist who holds an AQF5 Qualification in Arboriculture to oversee the installation of tree protection measures and to supervise all works within the TPZ of retained trees.

The project arborist shall:

- Clearly mark those trees that are approved for removal using coloured paint or similar
- Certify to Council that tree protection measure are installed in accordance with AS4970-2009
- Oversee any remedial works on the retained trees

(Reason: To enforce tree protection through the site)

8. **ENERGY EFFICIENCY (SC)**

The energy efficiency measures (mechanical and electrical services) stated in the Energy Efficiency Statement prepared by Erbas shall be complied with.

(Reason: To minimise ongoing energy usage for development)

9. **HERITAGE (SC)**

The development shall comply with the recommendations made (pg.36) in the *Historical Archaeological Impact Assessment* prepared by Cosmos Archaeology Pty Ltd.

(Reason: To ensure protection of heritage items on the site)

10. **GROUNDWATER (SC)**

Prior to issue of a Construction Certificate, an in well groundwater elevation sensor shall be installed in groundwater well MW2 over the longest duration practical so as to measure changes in the groundwater elevation over time. This is in accordance with the recommendations made in the Groundwater Impact Assessment prepared by Geo-Logix.

(Reason: Minimise flow of groundwater during excavation and construction)

5. ON-SITE DETENTION TANKS (SC)

The proposed below ground OSD tanks 1 and 2 are undersized. As the site is large the design values to be used for sizing the OSD tanks shall be Commercial/Industrial – Large. As such, amended plans shall be submitted to the Principal Certifying Authority for approval and a copy for Council's record, prior to the issue of a Construction Certificate.

(Reason: to achieve compliance with Council's Stormwater Management Code)

6. CAMPUS TRAVEL AND MONITORING PLAN (SC)

A report containing the results of the Campus Travel and Monitoring Plan and Green Travel Plan shall be prepared and submitted to Council on an annual basis.

(Reason: to monitor mode share targets on the university campus)

13. RIGHT HAND TURN BAY (SC)

At the applicant's expense, a right turn bay on east approach shall be provided upon Barker Road leading into the new Gate 4 Entrance. Details shall be prepared and submitted to Council as a Works Permit Application.

(Reason: To reduce vehicle delays on Barker Road)

14. INTERNAL BOOMGATE (SC)

The internal boom gate which separates the St Patricks College carpark to the ACU campus carpark shall be locked during regular operation times between 7am - 6pm Monday to Friday. The boom gate is permitted to remain unlocked during holiday periods for either of the University and College. In the instance a special event is held at St Patricks College, an appropriate plan of management shall be developed and coordinated with ACU to minimise disruption of parking for ACU and for neighbouring properties. The plan shall also incorporate appropriate security management measures to ensure the orderly dispersal of patrons from the carpark. A copy of the plan shall be made available to Council upon its request.

15. SWIPE ACCESS SYSTEM (SC)

A swipe card access system shall be utilised to restrict access/egress of the basement carpark for both university staff/students and St Patricks College. Swipe cards shall be issued by the university and college and shall be regulated and maintained by the university.

(Reason: To restrict use of carpark)

7. NSW OFFICE OF WATER GENERAL TERMS OF APPROVAL (SC)

- A Water Supply Work Approval from WaterNSW must be obtained prior to commencing dewatering activity on the proposed site. Please complete an Application for approval
-

for water supply works, and/or water use.

- An application for a Water Supply Works Approval will only be accepted upon receipt of supporting documentation, and payment of the applicable fee (see Application fees for New or amended Works and/or Use Approvals). The information required for the processing of the water supply work application may include preparation of a dewatering management plan. Please refer to checklist attached.
- If approved, the Approval will be issued for a period of up to 24 months to cover the dewatering requirements during the construction phase. It will include conditions to ensure that impacts are acceptable and that adequate monitoring and reporting procedures are carried out. The Approval will be issued subject to the proponent meeting requirements of other agencies and consent authorities. For example, an authorisation by either Sydney Water or the local Council, depending where the water will be discharged. If contaminants are likely, or are found to be present in groundwater, and are being discharged to stormwater, including high salinities, a discharge licence under the *Protection of the Environment Operations Act 1997 (NSW)* may also be required.
- WaterNSW prefers “tanking” (ie. total water proofing below the seasonal high water table) of basement excavations, and avoids the ongoing extraction of groundwater after the initial construction phase. It is also advised to adopt measures to facilitate movement of groundwater post construction (eg. a drainage blanket behind the water-proof membrane).
- If the basement is not “tanked”, the proponent will require a Water Access Licence (WAL) and need to acquire groundwater entitlements equivalent to the yearly ongoing take of groundwater. Please note: Acquiring groundwater entitlements could be difficult, and may cause delay in project completion. If a WAL is required, please complete an Application for a new water access licence with a zero share component.

(Reason: To achieve compliance with *Water Management Act 2000*)

GENERAL CONDITIONS (GC)

8. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council’s ‘Development Consent’ stamp relating to Development Consent No. 2017/088:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
A10	Site Plan	Brewster Hjorth Architects	B	15 June 2017
A11	Demolition & Excavation Plan	Brewster Hjorth Architects	B	15 June 2017
A20	Carpark Level 1 Plan	Brewster Hjorth Architects	C	14 September 2017

A21	Carpark Level 1 Plan	Brewster Hjorth Architects	C	14 September 2017
A22	Carpark Level 2 Plan	Brewster Hjorth Architects	C	14 September 2017
A23	Carpark Level 2 Plan	Brewster Hjorth Architects	C	14 September 2017
A30	Typical Sections - Overall	Brewster Hjorth Architects	A	15 June 2017
A31	Typical Sections 1	Brewster Hjorth Architects	A	15 June 2017
A32	Typical Sections 2	Brewster Hjorth Architects	A	15 June 2017
A51	South Stairs Detail	Brewster Hjorth Architects	B	15 June 2017
A52	South Stair Elevations & Details 2	Brewster Hjorth Architects	D	15 June 2017
A60	Carpark Entry L2 Floor Plan	Brewster Hjorth Architects	C	15 June 2017
A61	Carpark Entry L1 Floor Plan	Brewster Hjorth Architects	C	15 June 2017
A62	Barker and Edgar Street Ramp Sections	Brewster Hjorth Architects	C	15 June 2017
A80	Materials Board	Brewster Hjorth Architects	B	15 June 2017
LC01	Landscape Site Plan	Taylor Brammer	Revision C	15 June 2017
LC02	Landscape Concept Plan and Sections	Taylor Brammer	Revision C	15 June 2017
CP-C00	Civil Works Key Plan & Civil Notes	M+G Consulting	Issue 2	15 June 2017
CP-C01	Sediment & Erosion Control Plan	M+G Consulting	Issue 2	15 June 2017
CP-C02	Sediment & Erosion Control Details	M+G Consulting	Issue 2	15 June 2017
CP-C03	Campus Drainage & Catchment Plan	M+G Consulting	Issue 2	15 June 2017
CP-C04	Carpark Level 1 Stormwater Drainage Plan	M+G Consulting	Issue 2	15 June 2017
CP-C05	Carpark Level 2 Stormwater Drainage Plan	M+G Consulting	Issue 2	15 June 2017
CP-C06	Carpark Level 2 Stormwater	M+G Consulting	Issue 2	15 June 2017

	Detailed Drainage Plan			
CP-C09	OSD Tank No.1 Plans and Details	M+G Consulting	Issue 2	15 June 2017
CP-C10	OSD Tank No.2	M+G Consulting	Issue 2	15 June 2017
CP-C11	Typical Stormwater Drainage Details – Sheet 1	M+G Consulting	Issue 2	15 June 2017
CP-C12	Typical Stormwater Drainage Details – Sheet 2	M+G Consulting	Issue 2	15 June 2017
CP-C14	Carpark External Works Plan and Details	M+G Consulting	Issue 2	15 June 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/088:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Urbis		15 June 2017
Traffic Impact Assessment	Traffix	June 2017	15 June 2017
Green Travel Plan	Australian Catholic University (Strathfield)	November 17 th 2016	15 June 2017
Noise Impact Assessment	Acoustic Logic	24/2/2017	15 June 2017
Remedial Action Plan	Coffey	16 August 2016	15 June 2017
Stockpile Classification Letter	Prensa	17 September 2017	15 June 2017
Waste Classification and Waste Recovery Assessment	Coffey	15 July 2015	15 June 2017
Geotechnical Study	Coffey Geotechnics	14 December 2011	15 June 2017
Groundwater Impact Assessment	Geo-Logix	May 2017	15 June 2017
Arboricultural Impact Assessment Review and Tree Protection Plan	Moore Trees	March 2017 FINAL	15 June 2017
Building Code of Australia Report	Mckenzie Group	REF: 070872-04BCA	15 June 2017
ESD Services – Energy Efficiency Statement	Erbas	1 November 2016	15 June 2017

Heritage Impact Statement	Weir Phillips Heritage	March 2017	15 June 2017
Historical Archaeological Impact Assessment	Cosmos Archaeology Pty Ltd	February 2017	15 June 2017
Preliminary Construction Management Plan	Donald Cant Watts Corke	March 2017	15 June 2017

In the event of any inconsistency, the conditions of this consent shall prevail.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

9. APPROVAL - SEPARATE APPROVAL REQUIRED (GC)

This consent does not include approval for increasing the student or staff numbers for the site. This approval also does not involve any modification to the existing hours of operation of the site. Separate development consent shall be obtained to modify these particular matters.

(Reason: To control future development of the site.)

10. BUILDING HEIGHT - MAXIMUM RL TO BE COMPLIED WITH (GC)

The height of the lift/stairwell building structure measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 40.0m AHD to the ridge of the building.

(Reason: To ensure the approved building height is complied with.)

20. CONSTRUCTION HOURS (GC)

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

21. CONSTRUCTION WITHIN BOUNDARIES (GC)

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

(Reason: Approved works are to be contained wholly within the subject site.)

22. DEMOLITION – GENERALLY (GC)

Alteration and demolition of the existing building is limited to that documented on the approved plans

(by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

(Reason: To ensure compliance with the approved development.)

23. DEMOLITION - HERITAGE ITEMS (GC)

Alterations to, and demolition of, the existing building shall be limited to that documented on the approved plans (by way of notation) or conditioned in this consent. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

Should any portion of the existing building which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of this damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.

(Reason: Heritage conservation.)

24. DEMOLITION - SITE SAFETY FENCING (GC)

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

25. LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)

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

Tree No. in Arborist Report
Trees numbered 2,4-7, 8,9,12,13,19,20,22-27, 33-37

All trees permitted to be removed by this consent shall be replaced by species selected from Council's Recommended Tree List.

Replacement trees shall be a minimum 50 litre container size. Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting; and shall be maintained until maturity.

All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.

Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.

Soil conditioner/fertilizer/moisture retention additive/s are to be applied in accordance with manufacturer's recommendations, and mixed into the backfilling soil after planting tree/s.

A minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the base of the tree.

Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure appropriate planting back onto the site.)

26. LANDSCAPING - TREE PRESERVATION (GC)

All street trees and trees on private property that are protected under Council's controls, shall be retained except where Council's prior written consent has been obtained. The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

All healthy trees and shrubs identified for retention on the approved drawings are to be suitably protected in accordance with Australian Standard AS4970 – Protection of Trees on Development prior to the commencement of any works (including any demolition and excavation) and maintained for the duration of the works.

(Reason: To ensure the protection of trees to be retained on the site.)

27. LANDSCAPING - TREE PRUNING PERMITTED (GC)

Pruning of the following tree/s is permitted:

<u>Tree</u>	<u>Approved Works</u>
1) Retained trees	Minor pruning in accordance with AS4373-2007, less than 10% of the total canopy area of any one tree

- (a) All pruning work **must** be undertaken by a minimum level 2 (AQF 2) qualified Arborist who is currently a member or eligible for membership to *Arboriculture Australia* (AA) or the *Tree Contractors Association Australia* (TCAA) and in accordance with AS4373—*Pruning of amenity trees*.
- (b) No climbing spikes/spurs are to be worn.
- (c) Root pruning/root barrier installation must be undertaken by a minimum level 4 (AQF 4) qualified Arborist who is currently a member or eligible for membership to the *Arboriculture Australia* (AA) or *Tree Contractors Association Australia* (TCAA) and in accordance with AS4373—*Pruning of amenity trees*.

(Reason: To ensure tree preservation and pruning is undertaken in accordance with AS4373:2007 – Pruning of amenity trees.)

28. LIGHTING (GC)

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

(Reason: To protect the amenity of surrounding development and protect public safety.)

29. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- i) the Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- ii) the Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person; and
- iii) the sign must state that unauthorised entry to the work site is prohibited.

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

This clause does not apply 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.

(Reason: Statutory requirement.)

30. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets,

receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.

- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.
- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

31. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

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.)

32. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)

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.)

33. UTILITIES AND SERVICES - PROTECTION OF (GC)

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

- iii) centreline; and
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.)

34. WASTE – TRACKABLE (GC)

Removal of trackable waste (as defined by the NSW Environment Protection Authority) from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (CC)

35. ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES (CC)

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

36. BICYCLE STORAGE PROVISION (CC)

On-site provision for bicycle storage facilities shall be in accordance with the Strathfield Consolidated Development Control Plan 2005. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance with SCDP 2005 and to encourage sustainable transport options.)

37. BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)

All architectural drawings, specifications and related documentation shall comply with the Building

Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by the consent commences.

Details demonstrating compliance with this condition are to be submitted to the Principle Certifying Authority, prior to issue of the Construction Certificate.

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

38. CAR PARKING - BASEMENT CAR PARKING REQUIREMENTS (CC)

Details demonstrating compliance with the following is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate:

- i) Minimal internal clearance of the basement is 2.2m in accordance with BCA requirements.
- ii) Driveways shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and achieve a maximum gradient of 1:4.
- iii) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.
- iv) Provision of pump-out systems and stormwater prevention shall be in accordance with Council's Stormwater Management Guide.

(Reason: To ensure suitable development.)

39. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to be submitted shall contain the following details:

- i) Longitudinal section along the extreme wheel paths of each driveway/access ramp at a scale of 1:25 demonstrating compliance with the scraping provisions of AS/NZS 2890.1:2004. It shall include all levels and grades, including those levels stipulated as boundary levels, both existing and proposed. It shall extend from the centre-line of the roadway through to the parking area.
- ii) Sections showing the clearance to the underside of any overhead structure (minimum headroom requirements 2200mm minimum for standard headroom clearance or 2400mm where disabled access provisions are to be provided) demonstrating compliance with the provisions of AS/NZS 2890.1:2004.
- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

The certification referred to in (vi) above shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate (for the design) and to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the 'as-built works'.

(Reason: To ensure adequate vehicular access can be achieved.)

40. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

41. CAR PARKING - VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS (CC)

The aisle widths, internal circulation, ramp widths and grades of the car park shall comply with the Roads and Traffic Authority Guidelines and AS/NZS 2890.1:2004 - Off-Street Car Parking Code.

Vehicular manoeuvring paths are to be prepared demonstrating that all vehicles can enter or depart the site in a forward direction without encroaching on required car parking spaces.

(Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.)

42. CAR PARKING - VEHICULAR CROSSING WIDTH AT PROPERTY BOUNDARY (CC)

Vehicular crossings are to have a maximum width of 3m at the property boundary. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance with SCDP 2005.)

11. COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Principal Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

12. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:

- the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
- procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
 - Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be

weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and

- appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

13. COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors

under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement)

14. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

(Reason: To ensure no damage to adjoining properties occurs.)

15. DRIVEWAY DESIGN - SPEED HUMP AND STOP SIGN ON EXIT (CC)

The applicant shall install a stop sign and a speed hump at the exit from the site. The stop sign must be accompanied by the associated line marking and the speed hump shall be set back by 1.5 metres from the boundary alignment. The devices shall be designed and constructed in accordance with the provision of all relevant Australian Standards. The building plans shall indicate compliance with this requirement, prior to the issue of a Construction Certificate.

(Reason: Traffic safety and management.)

16. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

An Erosion and Sediment Control Plan is to be prepared where construction or excavation activity requires the disturbance of the soil surface and existing vegetation. Details including drawings and specifications must provide adequate measures for erosion and sediment control to ensure:

- i) Compliance with the approved Soil and Water Management Plan.
- ii) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.

- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

49. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

- i) protect and support the adjoining premises from possible damage from the excavation, and
- ii) where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to in subclause (i) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

17. EXCAVATION – DEWATERING (CC)

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- i) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Council for compliance with ANZECC Water Quality Guidelines.
- ii) If tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- iii) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- iv) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

(Reason: To ensure compliance with legislation and to protect the surrounding natural environment.)

18. EXCAVATION – SHORING (CC)

Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings and specifications certifying the shoring will be adequate for their intended purpose and must be submitted to the Council/Principal Certifying

Authority for approval with the Construction Certificate. The documentation prepared and certified by an appropriately qualified and practicing structural engineer is to show all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements. A copy of this documentation must be provided to the Council for record purposes at the time of Construction Certificate application.

(Reason: To ensure the protection of existing public infrastructure and adjoining properties.)

19. LANDSCAPING - MAINTENANCE STRATEGY (CC)

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival.)

20. LANDSCAPING ON SLAB (CC)

To ensure the site landscaping thrives, the on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees; and 300mm for grass and ground covers. Adequate drainage provision and a permanent, automatic irrigation system conforming to Sydney Water requirements shall be included. Details demonstrating compliance shall be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: Ensure landscape survival.)

54. SECTION 94 CONTRIBUTION PAYMENT - INDIRECT CONTRIBUTIONS PLAN) (CC)

In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect 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:

Local Amenity Improvement Levy	\$133,087.98
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The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. The amount of the contribution under this condition shall be indexed in accordance with clause 4.12 of the Strathfield Indirect 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.

A copy of this condition is to be presented to Council's Customer Service Centre when paying the contribution so that it can be recalculated.

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

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

55. SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)

A security (damage deposit) of **\$33,000** (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.

(Reason: Protection of Council infrastructure)

56. STORMWATER DRAINAGE (CC)

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

(Reason: To ensure the site is drained appropriately and does not interfere with the natural flow of flood waters.)

21. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);

- iv) 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;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

22. **TREE BONDS (CC)**

A tree bond of **\$41,150** (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 existing trees to be retained on Council's road reserve, 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.

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.

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

23. **VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)**

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid,

prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

60. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

Details demonstrating compliance with the above are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the mechanical ventilation system complies with the relevant requirements/standards.)

61. WASTE MANAGEMENT PLAN (CC)

A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005 and generally in accordance with the outline provided in the Preliminary Construction Management Plan prepared by ACU. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

The waste management plan shall provide confirmation as to the 'special waste classification' and if necessary include special waste types to the waste tracking section of the report.

The report shall be prepared and submitted to an Accredited Certifier for approval prior to the issue of a Construction Certificate.

(Reason: To ensure appropriate management of waste.)

62. WATER SUSTAINABILITY - WATER SENSITIVE URBAN DESIGN (CC)

Details of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. Details shall demonstrate compliance with the water conservation and stormwater quality targets set out under Sections 3.1 and 3.2 respectively under Part N of the SCDP 2005, and be prepared by a suitably qualified professional engineer.

(Reason: To promote Water Sensitive Urban Design.)

63. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE (CC)

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.

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (CW)

24. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)

No work shall commence in connection with this Development Consent until:

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirement.)

25. NOTICE OF COMMENCEMENT (CW)

No work shall commence until the following details are submitted to Council:

- i) a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- ii) details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- iii) details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)

67. CONTAMINATED LAND UNEXPECTED FINDS (DW)

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

68. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

- i) Virgin excavated material (within the meaning of the Protection of the Environment Operations Act 1997), and
- ii) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

69. HERITAGE - HISTORIC RELICS FOUND DURING WORKS (DW)

Should any potentially historic relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage should be informed in accordance with Section 146 of the Heritage Act 1977. 'Relics' are any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and are of State or local heritage significance.

Should any potentially significant Aboriginal material be discovered on the site, all excavation or

disturbance of the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage is to be informed in accordance with Section 91 of the National Parks and Wildlife Act 1974.

(Reason: To ensure the proper management and preservation of potentially significant archaeological material.)

70. OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

71. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

72. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and

- recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
 - xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
 - xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

73. SURVEY REPORT OF APPROVED LEVELS DURING AND POST CONSTRUCTION (DW)

A Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- iii) At the completion of the development.

Progress certificates in response to points (1) through to (3) shall be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed until such survey information is submitted to and approved by the Principal Certifying Authority.

(Reason: To ensure compliance with the approved plans.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (OC)

74. CAR PARKING - VISITOR CAR PARKING SIGNAGE (OC)

A sign shall be erected in a suitable location on the property near the driveway entrance indicating where visitor parking is available on the site. Signage shall also be erected above the visitor parking itself. Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: Adequate access and egress.)

75. DRAINAGE SYSTEM - MAINTENANCE OF EXISTING SYSTEM (OC)

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards

and/or Sydney Water requirements.

(Reason: Maintenance and environment.)

76. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, 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.)

77. FIRE SAFETY CERTIFICATION (OC)

A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

An fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- i) has been assessed by a properly qualified person; and
- ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the Environmental Planning & Assessment Regulation 2000.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the Environmental Planning & Assessment Regulation 2000.

A copy of the fire safety certificate and fire safety schedule shall be:

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

78. LANDSCAPING - ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED (OC)

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, prior to the issue of an Occupation Certificate. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority, which documents the following:

- i) methods of excavation or construction used to carry out the works;
- ii) any damage sustained by the tree/s as a result of the works;
- iii) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- iv) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: To ensure the survival of trees to be retained.)

79. OCCUPATION OF BUILDING (OC)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- i) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

26. STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)

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.)

27. STORMWATER - COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS (OC)

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 and water sensitive urban design components.

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.)

28. VENTILATION SYSTEMS – MECHANICAL (OC)

The mechanical ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

At the completion of the installation of the mechanical exhaust ventilation system, a certificate from a practising mechanical engineer shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate demonstrating compliance with the above.

(Reason: To ensure the mechanical exhaust ventilation system complies with the relevant requirements/standards.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)

83. FIRE SAFETY ANNUAL STATEMENT (OU)

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- i) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- ii) Prominently displayed in the building.

(Reason: Fire safety)

29. NOISE - COMPLIANCE WITH ACOUSTIC ASSESSMENT REPORT (OU)

All recommendations contained in the approved Acoustic Assessment Report prepared by Acoustic Logic shall be adopted, implemented, and adhered to.

The Principal Certifying Authority (PCA) shall obtain a statement from an appropriately qualified acoustic consultant, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied prior to the issue of any Occupation Certificate.

Any changes made to the proposal that would alter the acoustic assessment will require a further acoustic assessment and a copy of this further report shall be provided to Council for approval prior

to the commencement of works and any recommendations adopted, implemented, and adhered to.

(Reason: Noise control and amenity.)

30. POLLUTION - COMPLIANCE WITH PEOA 1997 GENERALLY (OU)

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection.)

31. WASTE - CONTROL OF LITTER (OU)

The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or public area adjacent to the premises is maintained in a clean and tidy condition. Where a litter problem arises and the offending material is found to usually include wrappers, containers or the like, and remains of goods or items which it might reasonably be assumed were purchased at the subject premises, the shopkeeper must comply with any direction of Strathfield Council with regard to the regular sweeping, collection and disposal of rubbish.

(Reason: Environmental health.)

Attachments

1. Submissions
 2. Architectural Plans
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