

SUMMARY

PROPERTY:	2-6 Pilgrim Avenue (Lot 0 SP 8785, Lot 9 DP 15917, Lot 8 DP 15917) & 11-13 Albert Road (Lot B DP 100558 and Lot A DP 100558), Strathfield
DA NO.:	2020/256
APPLICATION TYPE:	Site preparation works including demolition, tree removal, remediation works, and excavation, and construction of a part 11, part 15 storey mixed-use development comprising 168 dwellings, two (2) ground floor commercial spaces and four (4) basement levels, as well as ancillary and landscaping works.
COST OF WORKS:	\$50,797,457.00
REPORT BY:	J Gillies
RECOMMENDATION:	APPROVAL (DEFERRED COMMENCEMENT)
NOTIFICATION:	13 January – 12 February 2021 and 8 July – 22 July 2021
SUBMISSIONS:	Forty eight (48) written submissions received during the first notification period, all objections. Forty five (45) of the submissions were proforma. Following design changes, the Application was re-notified to members of the public who had made submissions during the original notification period. An additional four (4) written submissions were received.
DATE OF LODGEMENT:	6 January 2021
ZONING:	B4 – Mixed Use
APPLICANT:	Convertia Pty Ltd
OWNER:	Convertia Pty Ltd, Beta House Pty Ltd

EXECUTIVE SUMMARY

Development consent is sought for site preparation works including demolition, tree removal, remediation works, excavation and construction of a part 11, part 15 storey mixed-use development comprising 168 dwellings, two (2) ground floor commercial spaces and four (4) basement levels, as well as ancillary and landscaping works at 2-6 Pilgrim Avenue (Lot 0 SP 8785, Lot 9 DP 15917, Lot 8 DP 15917) & 11-13 Albert Road (Lot B DP 100558 and Lot A DP 100558), Strathfield (the Site).

The Site was rezoned in July 2020, with amendments to Height of Building and Floor Space Ratio controls under Strathfield Local Environmental Plan 2012 (SLEP 2012) and preparation of a site specific Development Control Plan (DCP). The rezoned land included the Site and adjoining land to the east currently occupied by a service station. The site specific DCP (DCP 26) establishes the Site as 'Site 1' and the service station land as 'Site 2' and generally envisions an integrated development outcome across the two sites.

This Development Application seeks approval for development of Site 1 only. Council understands that the owners of Site 2 are not currently entertaining redevelopment of the land. Council's Design

Review Panel undertook a review of the proposal in January 2021 and outlined that the scheme did not have their support due to an unacceptable bulk and scale. This was generally identified as the result of the site specific DCPs height controls not corresponding with the permissible FSR under SLEP 2012, resulting in a short and bulky building. The recommendation was for an increase to the height of the building adjoining the rail line to modulate the mass of the proposed development and utilisation of the height allowance under SLEP 2012. Council informed the Applicant they were supportive of the DRP's recommendations, with a comprehensive redesign required.

During the assessment and following issue of the DRP's recommendations, Council raised a number of other design based issues with the Applicant in a Request for Further Information (RFI). These were generally secondary smaller issues stemming from concerns the DRP had raised, however the presentation of the eastern façade to Raw Square and the Strathfield Town Centre were added as critical issues, while the DRP had focussed on the presentation to Pilgrim Avenue. It was highlighted that the development must deliver an outcome that both allows for integration with Site 2 and ensures that a suitable presentation is achieved should Site 2 never be developed.

Additional investigations into traffic, contamination, waste and noise impacts associated with the development were also required by Council, as well as the need for 5% of the proposed units to be set aside and dedicated to Council for the purposes of affordable housing in accordance with the site specific DCP prepared during the Planning Proposal.

A Stop the Clock Letter (STC) was issued by Sydney Trains following referral of the Application to the State Agency. A number of concerns were raised, primarily in relation to safety issues along the northern façade adjoining the rail line and access issues resulting from the verge adjoining the Site being in the ownership of Sydney Trains, not Council.

The application was notified in accordance with Council's Community Participation Plan from 13 January to 12 February 2021. Forty Eight (48) submissions objecting to the DA were received during this time, with forty five (45) being in the form of a proforma letter. The final design drawings and supporting information were made publicly available on Council's Website and members of the community who had made a submission during the January/February notification period were informed via letter of the new information made publicly available on 8 July. An additional four (4) submissions were received in the 14 days following.

The revised design was again considered by Council's Design Review Panel, who outlined general support for the revised outcome.

During the assessment, Council had outlined to the Applicant that balconies along the elevation directly adjoining the rail line presented as enclosed and a Clause 4.6 Variation request would be required to justify any exceedance of the FSR permissible under SLEP 2012 resulting from the balconies. The Applicant has provided a 'precautionary' Clause 4.6 variation justification intended for use by the determination authority should they disagree with the planning consultants argument that the balconies constitute open space. Despite previous concerns, Council agrees with the Applicants argument that the balconies are not enclosed and the Clause 4.6 variation request is not needed.

Pursuant to the heads of consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979*, the proposed development has been assessed against the following environmental planning instruments:

- State Environmental Planning Policy No. 55 – Remediation of Land;

- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- Strathfield Local Environmental Plan 2012 (SLEP 2012);
- Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005).

The proposed development has responded to the requirements of Council, the DRP and external agencies and generally complies with the above planning instruments.

During the assessment, it was established that the verge on the eastern side of Pilgrim Avenue is in the ownership of the NSW Transport Asset Holding Entity (TAHE) and that land owners consent would be required from the State Agency prior to approval. Land Owners Consent has been provided and is attached to this report. Council was advised (by Sydney Trains, not TAHE), that the conditions included in the Land Owners Consent should not form part of this consent.

Sydney Trains were involved in discussions around Land Owners Consent, ultimately divulging it was not within their delegation (the delegation lying with TAHE). However, Sydney Trains did provide General Terms of Approval requiring imposition of deferred commencement conditions, primarily relating to structural aspects of the development, as opposed to access over the Pilgrim Avenue verge.

Accordingly, the Application is recommended for approval, subject to satisfaction of deferred commencement conditions.

BACKGROUND

The background of the site and proposed development is as follows:

July 2020	The Site was rezoned under SLEP 2012 with the following amendments: <ul style="list-style-type: none">• Amend the maximum building height from 35m to 54m; and• Amend the maximum floor space ratio from 3.5:1 to 5:1.
6 January 2021	The Application was lodged with Council
12 January 2021	<p>The Application was referred to the following State Agencies:</p> <ul style="list-style-type: none">• Transport for NSW (TfNSW)• Ausgrid• Sydney Trains• Water NSW <p>The proposal does not trigger referral to the NSW EPA as integrated development or as part of SEPP 55. However, Council has written to the EPA seeking general comment on the proposal due to the proximity of the site to an existing service station and associated fuel infrastructure. No response was received.</p>

13 January – 12 February 2021	The Application was placed on public exhibition and neighbour notified.
20 January 2021	Strathfield Council's Design Review Panel (DRP) reviewed the DA and provided recommendations to Council on 9 February 2021.
31 March 2021	<p>Council issued a Request for Further Information (RFI) and the DRP recommendations to the Applicant. The matters raised by Council and the DRP were as follows:</p> <ul style="list-style-type: none"> • Building Height and Distribution of FSR • Cross Ventilation • FSR Compliance • Communal Open Space Quality • Affordable Housing • Waste Management • Contamination • Noise Impacts • Traffic and Parking • Matters raised by State Agencies
22 April 2021	The Sydney Eastern Planning Panel were briefed on the Application.
19 May 2021	At the request of Council and recommendation of the Sydney East Planning Panel, the Applicant submitted revised design drawings for consideration by the DRP a second time. The meeting was held on the 19 May, with recommendations provided to the Applicant on 2 June.
10 June 2021	The Sydney Eastern Planning Panel were briefed for a second time, with a determination date scheduled for August.
30 June 2021	The Applicant submitted revised design drawings and supporting information to Council via the NSW Planning Portal for assessment.
8 July 2021	The final design drawings and supporting information were made publicly available on Council's Website and members of the community who had made a submission during the January/February notification period were informed via letter of the new information.
3 August 2021	Council requested the Applicant provide an updated Noise Impact Assessment addressing vibration impacts from the adjoining rail line.
10 August 2021	The Applicant provided Council with the revised Noise Impact Assessment
26 August 2021	Sydney Trains and the NSW Transport Asset Holding Entity provided correspondence in relation to site access and General Terms of Approval and a new determination date was set with the Sydney East Planning Panel.

DESCRIPTION OF THE SITE AND LOCALITY

The Site is identified as 2-6 Pilgrim Avenue (Lot 0 SP 8785, Lot 9 DP 15917, Lot 8 DP 15917) and 11-13 Albert Road (Lot B DP 100558 and Lot A DP 100558) and is shown in Figure 1.

The Site's five (5) allotments combine to make a total site area of 2,868.8m². The Site is irregular in shape, with the long sides running along the eastern and western boundaries.

The Site currently contains the following structures:

- Two two-storey walk up RFBs fronting Albert Road, both with a run-down appearance. Site access is via Albert Road with a rear at grade parking area,
- Two detached dwellings fronting Pilgrim Avenue with driveway crossings connecting to Pilgrim Avenue and ancillary structures in the rear yards,
- A two storey RFB adjoining the rail line with a driveway crossings connecting to Pilgrim Avenue and a rear at grade parking area,

The site has frontage to Albert Road and Pilgrim Avenue, forming the southern and western boundaries of the Site. Rail Corporation NSW are in ownership of the verge strip between the carriageway of Pilgrim Avenue and the site (refer Figure 2). The verge strip includes three driveway crossovers and a number of street trees.

On the western side of Pilgrim Avenue are 3 storey walk up residential flat buildings and two storey town houses. The northern end of Pilgrim Avenue forms a cul-de-sac adjacent to the rail line. Further west of Pilgrim Avenue a number of taller RFBs exist along Elva Street (4 stories plus).

On the southern side of Albert Road, an existing 10 storey mixed use building adjoins Raw Square, with detached interwar bungalow style dwellings to the west of this building and fronting Albert Road.

The T1 Western Rail Line forms the northern boundary and to the east is an existing service station which allows for entry via Albert Road and Raw Square and exit via Raw Square only. A wooden picket fence with masonry foundations separates the Site and service station, with a number of a tall trees located just inside the boundary on the service station land.

Raw Square to the east of the site (which intersects with Albert Road) is a major thoroughfare for the locality and is an RMS classified Road. To the east of Raw Square is generally regarded as the western edge of the Strathfield Town Centre.

The surrounding built form is shown in the Site Photos below (refer Images 1-12).



Figure 1 – Site Location



Figure 2 – Rail Corporation Land



Image 1 – The site as viewed from the southern side of Albert Road



Image 2 – The site as viewed from the eastern side of Raw Square



Image 3 – Western boundary of the site adjoining Service Station



**Image 4 – South western corner of the site at the junction of
Pilgrim Ave and Albert Rd**



Image 5 – Looking south east from the corner of Pilgrim Ave near Albert Rd



Image 6 – Looking east across the site from Pilgrim Ave



Image 7 – Cul de sac at the northern end of Pilgrim Ave adjoining the T9 Rail Line



Image 8 – Looking south along Pilgrim Ave



Image 9 – Existing development on the western side of Pilgrim Ave



Image 10 – Existing development on the western side of Pilgrim Ave



Image 11 – Access handle at the rear of the site adjoining the Rail Line



Image 12 – Looking south across the site from the northern boundary



Image 13 – Existing building at the corner of Elva and Albert Rd, west of the site

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks consent for site preparation works including demolition, tree removal, remediation works, excavation and construction of a part 11, part 15 storey mixed-use development with 14,338m² of gross floor area (GFA) comprising 168 dwellings, two (2) ground floor commercial spaces and four (4) basement levels, as well as ancillary and landscaping works.

More specifically, the proposed development incorporates the following:

- 168 dwellings - Apartment mix:
 - 1 bed = 54 (32.1%),
 - 2 bed = 110 (65.5%),
 - 3 bed = 4 (2.4%).
- Two (2) ground floor commercial tenancies (201.31m² in total).
- Communal Open Space (entirely above ground) on Levels one (1), five (5) and eleven (11) and a total combined communal open space of 826m² (29% of site area).
- Four levels of basement parking with a total of 265 car parking spaces and the following parking break up:
 - 175 residential car spaces,
 - 35 Visitor spaces,
 - 30 commuter/public spaces,
 - 20 commercial spaces,
 - 5 car share spaces,

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- 60 bicycle spots (ground floor),
 - 0 Motor Bike spaces.

The proposed development incorporates a two tower scheme over a Level 4 podium structure. Level 5 is set back 1m and connects the two towers. The southern tower (referred to as Building A) adjoins Albert Road and is 11 storeys (43.3m) with a roof top shelter forming part of a roof top communal open space area. The second tower adjoins the rail line (referred to as Building P) and is 15 storeys reaching the 54m height limit under SLEP 2012.

Communal open space is also located at Level 5 above the podium connection and Level 1 adjacent to the Service Station with terraced landscaping below modulating the interface with the Service Station and Raw Square. Strata managed perimeter planters at a number levels are also proposed. The Landscape Plans indicate new street landscaping to Council's details. This is dependent on resolution of land ownership obstacles and should the land become private, will be conditioned as a requirement of consent.

The materials vary across the development primarily involving off form concrete in two different colours (off-white and mid-grey) and a natural white facebrick which is used on the podium structure, consistent with current RFB design trends. Façade treatments also incorporate a combination of glass and aluminium balustrades for balconies, fixed and operable privacy screens and glazed windows.

Commercial Space 1 addresses both Pilgrim Avenue and Albert Road, with Commercial Space 2 addressing Albert Road only. Stairs along Albert Road and Pilgrim Avenue address a level difference of approximately 1.3m (varies) and provides access to the commercial spaces and undercover seating areas, building entry points and a number of ground floor residential apartments.

Vehicle access is achieved via Pilgrim Avenue, with a driveway running along the northern boundary of the site leading into a basement ramp. Pedestrian access into the residential towers is provided at three points – at the northern western corner of the site adjacent to the driveway, further along Pilgrim Avenue towards Albert Road near Commercial tenancy 1 and from Albert Road. The Albert Road entry allows for private access into the residential tower and public access into the part of the basement designated for community parking spaces.

REFERRALS

INTERNAL REFERRALS

Building Surveyor Comments

Council's Building Surveyor reviewed the Application and offered no objections to the development, subject to standard conditions of consent.

Environmental Health – Contamination

Council's Environmental Health Team reviewed the Application and supporting Preliminary Site Investigation prepared by ei Australia. The following comments were received and provided to the Applicant in the RFI letter from 31/03/2021.

The Preliminary Site Investigation prepared for the site demonstrates the site can be made suitable for the proposed development, subject to the preparation of a Remedial Action Plan and additional investigations post-demolition.

Supplementary investigations and remediation works to be conducted once demolition has been completed and preparation of a final site validation report is to be completed certifying the site suitability of soils and groundwater. This will be conditioned if approval is granted.

A detailed site investigation is recommended for the site, to overcome the limitations noted in the PSI. This must be submitted to Council prior to determination of the Development Application. Any further questions should be directed to Council's Environmental Health Team.

The Applicant submitted a detailed site investigation which was reviewed by Council's Environmental Health Team and the following comments were provided to the Planning Officer.

Section 10 of the report makes several recommendations including;

- Hazardous Materials Survey should be conducted prior to demolition by a suitably qualified person, as per the preliminary site investigation.*
- A construction environmental management plan (CEMP) is completed to ensure correct waste management and that compliance is met with contaminated soil that is being excavated and transported off-site.*
- Remedial Action Plan (RAP).*
- Prior to works commencing, a final check is conducted of the groundwater wells to confirm site suitability.*

RECOMMENDATION

Environmental Services has read the above application and supporting documents, and can support this application, subject to special and standard conditions.

The Applicant submitted a revised Noise Impact Assessment which was reviewed by Council's Environmental Health Team and the following comments were provided to the Planning Officer.

Environmental Health – Noise Impacts

Council's Environmental Health Team reviewed the Application and supporting Noise Impact Assessment prepared by Dural Group. The following comments were received and provided to the Applicant in the RFI letter from 31/03/2021.

Review of the Noise Impact Assessment submitted with the Application has identified the following should be addressed in a revised report:

- Revised attended noise measurements for Raw Square and Albert Road taken at peak or high traffic periods. A sound justification must be provided should this not be possible and the previous location of noise measurement must be clarified.*
- Detail on vibration impacts from the rail line.*
- Revised recommendations if required and Architectural Drawings consistent with these recommendations.*

A revised Noise Impact Assessment was submitted by the Applicant, also prepared by Dural Group. Council's Environmental Health Team provided the following comments on this report in the context of the proposal:

Environmental Services has read the above application and supporting documents, and cannot support the development until the following items are addressed:

- 1. Provide a summary of the removed weather affected data from unattended noise monitoring,*
- 2. Mitigation measures of non-carpet finish floor levels should be included in the report,*
- 3. Vibration impact assessment report detailing mitigation measures demonstrating vibration generated from railway corridor complies with relative legislative requirements and Australian standards within residential areas (living and bedroom),*
- 4. Construction Noise & Vibration Management Plan detailing mitigation measures demonstrating noise and vibration generated from the proposed construction can be mitigated to reduce environmental impact on the surrounding neighbouring properties,*
- 5. Highlighted in figure below (dashed red rectangle), 6.38 laminated glass should be considered to further mitigation noise and vibration intrusion from the railway corridor.*

Discussion with Council's Environmental Health Team established that 4 of the above 5 points could be conditioned in the event of an approval, however the need for vibration testing was critical to undertaking a complete assessment against the requirements of *State Environmental Planning Policy (Infrastructure) 2007*. Accordingly, the Applicant was asked to provide an updated Noise Impact Assessment incorporating vibration testing and mitigation measures. This was provided to Council with the following final comments from Council's Environmental Health Team:

The revised acoustic report has considered and addressed a number of noise sources generated within close proximity of the development specifically, train noise, traffic noise, industrial noise and Mechanical noise. Long term unattended noise monitoring and vibration assessment were conducted in order to understand the direct noise impact surround the subject site.

At this stage, it appears that the mitigation measures recommended in the report demonstrated sufficient protection against noise intrusion generated from train and traffic noise. However, given the close proximity of the proposed development to the railway corridor and major road with heavy traffic; it is recommended that acoustic compliance testing to be undertaken prior to issuing of OC to demonstrate compliance.

Stormwater Engineer Comments

Council's Stormwater Engineer provided the following comments following review of the stormwater drainage concept plan prepared by ALPHA Engineering and Development:

The subject site has a natural fall to the front and disposal by means of gravity is attainable hence enabling the applicant to submit a compliant design. Water sensitive urban design principles have been incorporated into design and Council requirements achieved. The site discharges to Council drainage system in Pilgrim Avenue by gravity pipe means via OSD tank and boundary pit. Concept plan indicates all impervious areas drain into OSD tank by means of gravity pipes. Proposed basement drains into pump out tank by gravity means via grated trench drain and spoon drain. Rising main from pump out tank shall connect to the OSD tank. From an engineering perspective, concept plan is feasible and there are no objections to its approval subject to the following conditions.

Council's Stormwater Engineer also provided conditions in relation to the flood affectation at the site, including the following special condition:

The development shall be designed to conform to the recommendations and conclusions of the submitted overland flood study and flood impact report prepared by ALPHA Engineering and Development ref: A20219 – REV B dated 10.12.2020.

This shall include, but not be limited to, any recommendations for the following:

- (a) Minimum floor levels*
- (b) Site regrading*
- (c) Overland flow path construction*
- (d) Protection of the basement from inundation of surface waters*

Evidence from professional engineer that specialises in hydraulic engineering that all design requirements have been adhered to shall be submitted with the Construction Certificate application.

Traffic Engineer Comments

Council's Traffic Engineer reviewed the Application and supporting Traffic and Parking Assessment Report prepared by Varga Traffic Planning. The following comments were received and provided to the Applicant in the RFI letter from 31/03/2021:

The proposed parking provision suggests an oversupply of the minimum requirement by 53 spaces. There is an opportunity to further reduce the on-site parking provision.

Further information is required before any assessment of the application can be undertaken:

- *Demonstrate compliance with Council DCP Part C Clause 2.9 which requires a designated car washing bay for residential development of 10 or more dwellings.*
- *Demonstrate compliance with AS2890.1 Clause 3.2.4, a sight splay of 2m x 2.5m shall be provided adjacent to the driveway.*
- *Demonstrate compliance with Council's Waste Collection requirements and submit swept paths analysis (unless advised otherwise by the Environmental Section):*
 - *10m rear loader accessible – turning circle 18m kerb to kerb*
 - *Length of standing area 10m*
 - *3.6m height clearance*
 - *Gradient of ramps maximum 1 in 5*
- *Provide written evidence from a car share provider confirming in-principle agreement with the proposed car share scheme*
- *Update the Traffic and Parking Assessment Report to include:*
 - *Net traffic generation information (post-development generation offset by the existing traffic generation) and associated impact on the surrounding road network.*

- *A review of the intersection control at the Albert Road and Pilgrim Avenue intersection against future traffic anticipated post-development. The net traffic generation should not only consider the traffic generation associated with this development but also the likely accumulative traffic of Site 2 at 9 Albert Road. When considering the net traffic generation increase, the post-development traffic should not be fully offset by the existing traffic generation as not all existing vehicular accesses are via Pilgrim Avenue. The review shall also consider the intersection upgrade as required. As the proposed commercial component would activate the Pilgrim Avenue street frontage, the infrastructure upgrade should also accommodate the increased pedestrian activities anticipated.*
- *Delete reference to “Powell Street”*

A revised Traffic and Parking Assessment was submitted by the Applicant and reviewed by Council's Traffic Manager who provided the following comments:

It appears all outstanding issues raised in the January assessment are generally addressed. There is a residential parking surplus over the minimum requirement which may have some planning implications for planner's consideration. From a traffic and parking point of view, it encourages car dependency and vehicle trip. Nevertheless there is no unacceptable adverse network impact based on the traffic generation forecast.

Conditions of consent were provided for an approval if given.

Waste Officer Comments

Council's Waste Management Officer reviewed the Application and supporting Waste Management Plan prepared by Dickens Solutions. The following comments were received and provided to the Applicant in the RFI letter from 31/03/2021:

- *Waste storage and collection areas with capacity to accommodate (in total) 32 x 660L red bins and 86 x 240L yellow bins (or 32 x 660L yellow bins).*
- *Bin presentation area for collection with capacity to 32 x 660L red bins and 86 x 240L yellow bins (or 32 x 660L yellow bins).*
- *Provide a minimum 68.8m² bulky goods storage area (rate of 4m² per 10 units).*
- *Swept paths provided for 10m rear loader, with swept paths demonstrating compliance with the following requirements:*
 - *10m rear loader accessible – turning circle 18m kerb to kerb*
 - *Length of standing area 10m*
 - *3.6m height clearance*
 - *Gradient of ramps maximum 1 in 5*

A revised Waste Management Plan was submitted by the Applicant and reviewed by Council's Waste Management Officer Manager who provided the following comments:

The Amend Waste Management Plan (WMP) and Architectural Plans have demonstrated compliance with the requirements established in the previous waste referral, such as:

- *Waste storage and collection areas with capacity to accommodate (in total) 32 x 660L red bins and 86 x 240L yellow bins (or 32 x 660L yellow bins, alternatively),*
- *Bin presentation area for collection with capacity for 32 x 660L red bins and 86 x 240L yellow bins (or 32 x 660L yellow bins, alternatively),*
- *Provide a minimum 68.8 m² bulky goods storage area (rate of 4m² per 10 units),*
- *Swept paths provided for 10m rear loader, with swept paths demonstrating compliance with the following requirements:*
 - *10m rear loader accessible – turning circle 18m kerb to kerb*
 - *Length of standing area 10m*
 - *3.6m height clearance*
 - *Gradient of ramps maximum 1 in 5*

Council's Waste Management Officer provided standard conditions of consent customised to the proposal for inclusion in the notice of determination should the proposal be approved.

Tree Management Comments

Council's Tree Manager raised no concerns regarding removal of existing trees on the site. They recommended standard conditions in relation to bonds for any damage to street trees resulting from the development.

Conditions of consent for protection of the trees on neighbouring properties (including those that run along the boundary of the service station) are recommended by the planning officer.

EXTERNAL REFERRALS

Design Review Panel (DRP)

The application was referred to Council's Design Review Panel on two occasions. The first time the DRP reviewed the Application in January 2021, the following recommendations were provided to Council:

2 Key Issues and Recommendations

2.1 The Panel has previously acknowledged the difficulties in achieving the maximum allowable yield for this development and recognises the efforts of the architect to mitigate this significant urban design issue. The Panel does not however support the proposed development in its revised form. This is further discussed below.

3 Building height and distribution of FSR

3.1 *The proposed development is based on the planning controls stipulated in the Strathfield LEP and site specific DCP.*

3.2 *Under the Strathfield LEP a maximum building height of 54m applies to the entire site (site 1 and site 2), however under the site specific DCP building height is governed by maximum number of storeys.*

3.3 *The 54m height limit under the LEP is to allow for a 16 storey building on site 2, located closer to Strathfield railway station and town centre (not part of this application).*

3.4 *Under the DCP, the northern half of site 1 (corner of Pilgrim Avenue and Railway) is limited to a maximum height of 13 storeys with the southern half of the site 1 (corner of Pilgrim Avenue and Albert Road) limited to 11 storeys.*

3.5 The Panel re-iterates its previous comment that the DCP planning control relating to maximum number of storeys does not allow adequate flexibility in the distribution of the permissible FSR, if maximum FSR is to be sought.

3.6 The most appropriate design approach would be for a development comprised of a lower podium level with two towers above that could exceed the number of storeys under the DCP.

3.7 The proposal has been designed to achieve the maximum permissible yield within the DCP height control. The Panel considers that should the project required to comply with the maximum number of storeys under the DCP, the project would need to be designed with a lesser yield to allow for an improved, more acceptable urban response and better amenity provision for residents.

3.8 Should maximum yield continue to be pursued, the Panel recommends that building C (northern building adjacent to the railway) be increased in height up to the maximum of 54m under the LEP. This would allow for a lower central element (building B) connecting to the 11-storey south building which would remain compliant with the DCP maximum number of storeys (building A). The built form adjacent the railway whilst breaching the maximum number of storeys under the DCP, would not result in any LEP statutory building height non-compliance and as this design approach is less likely to result in any unacceptable impacts, it offers the possibility of being supported by the Panel.

3.9 The Panel appreciates that the development application will be determined by the Regional Planning Panel which may refer to the site specific DCP and maximum number of storeys permissible. In this instance the Design Review Panel is providing its advice in relation to achieving an acceptable design outcome, notwithstanding numerical non-compliance with the DCP.

4 Floor level to commercial tenancies

4.1 The architect advised that the site is located within a flood prone area, requiring the ground floor level to be raised one metre above existing ground level.

4.2 The commercial tenancies are located on the corner of Pilgrim Avenue and Albert Road. Disabled access into the commercial tenancies is via chair lifts rather than ramps, which would visually dominate the front setback and entrances and screen street front retail activity.

4.3 The Panel suggested that commercial uses may not require this extent of elevation above existing ground levels in a flood prone area, and recommends that this is investigated further so that more direct access into the commercial tenancies from footpath level could be provided.

5 Air conditioning units

5.1 The location of external air conditioning plant and units should be shown on the DA plans.

5.2 The Panel suggested an alternative option of a consolidated/dedicated condenser unit area on each floor with access to fresh air, rather than air-conditioning units placed on individual balconies. A/c units on balconies can create noise impacts, look unsightly and be a climbing hazard.

5.3 Consideration should therefore be given to locating the a/c units elsewhere however should they need to be located on the balconies, they need to be well integrated into the building fabric and clear of minimum ADG balcony areas.

6 Built form and External facades

6.1 The scheme presents as a hard, relentlessly dense building with monolithic built form and architectural expression.

6.2 *The Panel recommends that a much greater diversity of architectural expression and façade articulation be introduced so that the development presents more as several harmonious elements.*

6.3 *The resolution to the corner of Albert Road and Pilgrim Avenue could be improved, with a more legible entrance to building B slightly relocated to sit under the articulation the built form.*

6.4 *The Panel notes that some landscaping is provided on the boundary to site 2 however questions the interface with this site when developed.*

6.5 *The western façade does not include effective external sun shading. The architect stated that the environmental consultant for the project had advised it to not be necessary, however the Panel notes it could be an opportunity to introduce articulation into the facade.*

7 Cross ventilation

7.1 *The Panel does not accept that the proposal achieves compliance with the ADG requiring 60% of apartment to be naturally cross ventilated. This should be demonstrated to the satisfaction of Councils planning officers.*

7.2 *The provision of natural ventilation through openable windows/glass doors to the apartments facing the railway is not considered to be desirable due to acoustic impacts. It is therefore questionable how these apartments will access fresh air and achieve ADG compliance.*

8 Solar Access

8.1 *The Panel recommends that the heavy planted balconies on Level 4 are removed for improved solar access into the apartments.*

9 Acoustic and Air Pollution Impacts.

9.1 *The apartments facing the rail way will be subject to airborne acoustic impacts and the Panel raises concern with amenity, including adequate access to fresh air and overall planning of affected apartments and their minimal setback from the railway corridor.*

9.2 *The architect explained that wintergardens are provided to the apartments on Levels 2 and 3 facing the railway to mitigate noise and pollution impacts and assist with safety. The Panel notes that as wintergardens are enclosed they are likely to count as FSR, and further questions if wintergardens will allow these units to achieve ADG compliant natural cross ventilation. The Panel questions the absence of similar strategies to mitigate noise and pollution for apartments on other levels facing the railway, on Level 1 and on Level 4 and upwards.*

9.3 *The Panel advises that the railway facade needs more finesse to ensure that natural ventilation and acoustic measurements are working together.*

With the support of Council, the design was amended as per the above advice and resubmitted for a second session with the DRP on 19 May 2021. The Panel were generally supportive of how the development responded to previous advice, with the following additional advice for consideration in finalisation of the proposal:

2 Key Issues and Recommendations

The Panel notes that the proposal has been amended and generally provides a strong response to the previous comments raised, particularly in relation to mass and articulation however a few minor issues remain unresolved. This is further elaborated below.

3 Commercial Tenancies

The Panel notes that the interface between the commercial spaces and footpath level/pedestrians remains disconnected as the retail tenancies remain elevated and setback.

The Panel recommends that there needs to be an emphasis on engagement with the street which will provide a more successful retail/commercial offering;

Issues to be addressed:

- The deeply recessed glass line to be reviewed*
 - Currently the eastern retail has a very narrow aperture to the street and is very deep. This should be re-proportioned to ensure adequate light penetration into the tenancy could be achieved*
 - The extent and proportion of stairs are to be reassessed and alternative threshold treatment to be investigated such as seating and terracing*
- The retail/commercial solution is not supported in its current form.*

4 Corner of Pilgrim Street and Alfred Road

The Panel notes that treatment of the corner of Albert Road and Pilgrim Avenue has improved by extending the awning out with the corner now presenting a stronger reading of the built form. However, the Panel recommends that the awning is lowered to a more pedestrian friendly scale to represent a typical street, particularly as the proposed ground level (and commercial tenancies) is substantially elevated above the footpath.

A lower awning would also allow additional light to infiltrate into the ground floor level of the building through the glazing situated above the awning.

5 Air Conditioning Units

The air conditioning units are located at roof level. The Panel raises no issues in this regard however advises that the condensers will need to be located in suitable enclosures to be mitigate acoustic impacts due to the number and size proposed/required for a building of the proposed scale.

The location of the AC units on the roof should be a condition of consent.

6 Railway Facade

The elevation facing the railway is how most people will view the proposed building. This elevation has a simple and blank expression and would benefit from additional detail and articulation. The Panel recommends that this elevation requires further articulation and development.

The northern façade is not supported in its current form.

7 Ventilation/Acoustic Attenuation

The Panel questioned how adequate acoustic attenuation to the apartments facing the railway corridor is ensured whilst providing natural ventilation and advised that glazing or screening may be required to the balconies.

The architect advised that natural ventilation is provided through vertical plenums located in the walls of the sliding doors. The Panel advised that plenums and any other acoustic treatments need to be clearly shown on the architectural plans as these will impact on the architectural presentation of the completed building.

8 External Finishes

The Panel suggests that finishes are integrated rather than applied finished. I.e. off form concrete is preferred for longevity and good patina rather than applied paint finishes, which will not age well and require more regular maintenance.

9 Unit Plans

The private open space outside the ground floor living room to the apartments 1+2 on the Pilgrim elevation are quite small compared to the area outside the bedrooms. The Panel recommends that this should ideally be reversed.

*The following unit types require further development:
Units on the southern elevation have oversized balconies and dark internal spaces due to the excessive overhangs – these units (A017- A107)*

The units, where the Pilgrim notation meets the Albert notation on levels 2, 3 + 4, have greater potential as dual fronted units – the current design is not planned well and a full redesign of these units should be undertaken to maximise the potential amenity of these apartments.

8 FSR

The Panel have questions relating to the FSR calculations. On Level 1 the risers behind kitchens in A012, A018, P019 and behind laundries and kitchens on P024 and P025 do not seem to have any purpose in the servicing of the building and could be turned into floor space. The panel also question whether the area in front of the lifts can be excluded. It is recommended that these areas be confirmed with council. The Panel do not support non-compliance with FSR in this project.



Figure 3 – Comparison of the original and revised proposal (western elevation)

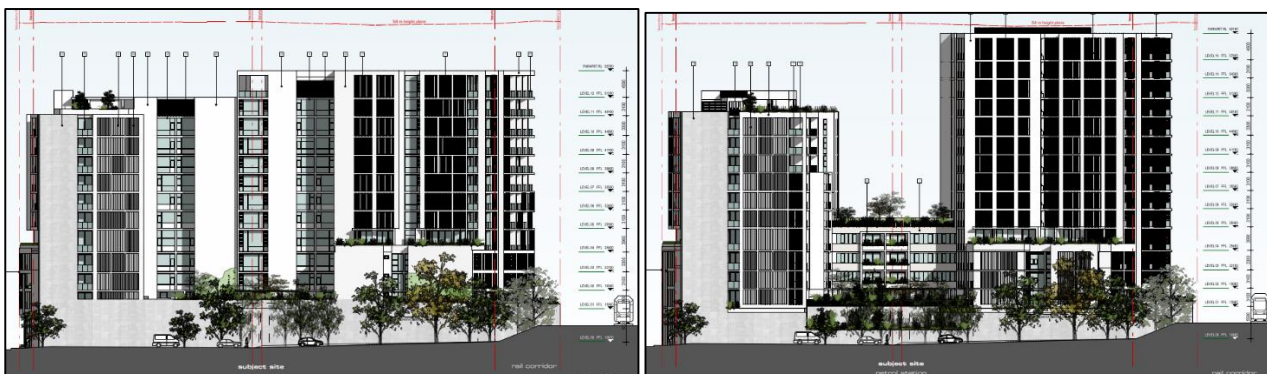


Figure 4 – Comparison of the original and revised proposal (eastern elevation)

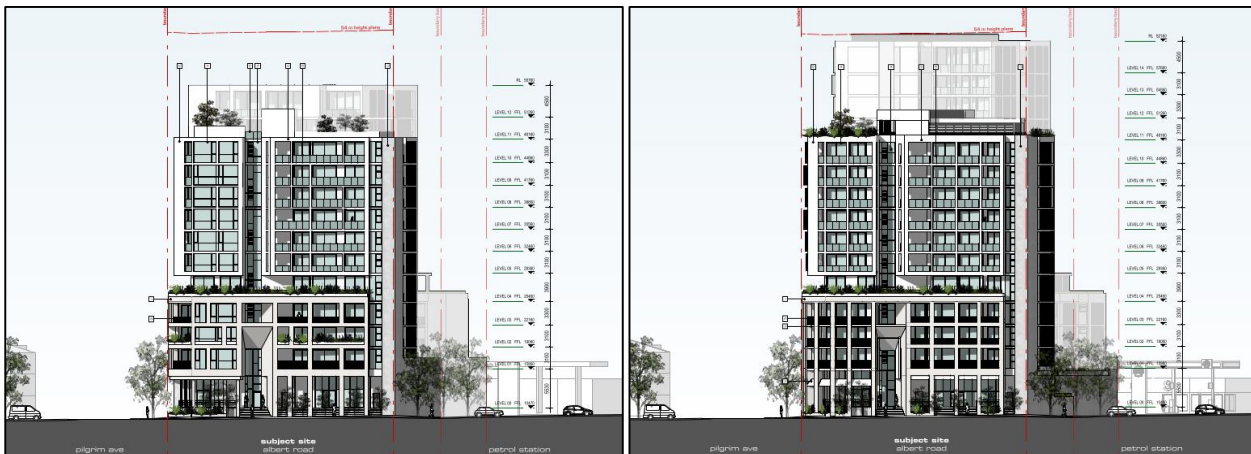


Figure 5 – Comparison of the original and revised proposal (southern elevation)

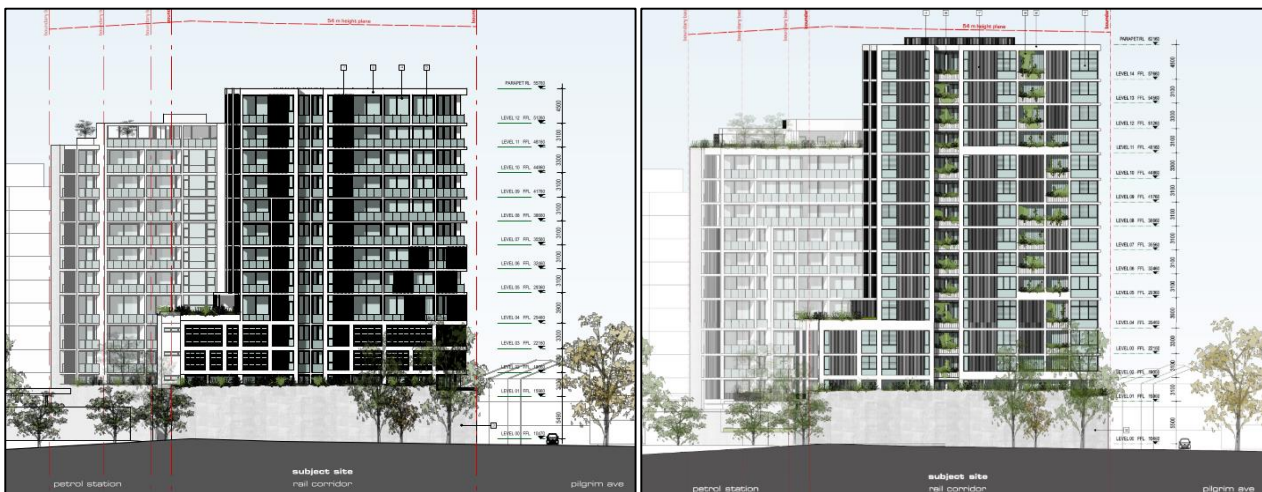


Figure 6 – Comparison of the original and revised proposal (northern elevation)

The final design submitted by the Applicant generally address the above, or provides sound justification for why an alternative was explored. In summary, the following revisions to the design address the above as follows:

- Amendments to the western commercial tenancy to increase seating space,
- Amendments to the eastern commercial tenancy to increase the façade interface,
- Lowering of awnings to achieve a more pedestrian scale,
- The function of the proposed plenums is detailed in the submitted architectural drawings,
- The Apartments flagged by the DRP above have been reconfigured to locate the private open space off the living areas and improve internal amenity,
- The use of off-form concrete has been increased and the submitted materials and colour palette will be listed as an approved document in the consent, and
- Reconsideration and recalculation of GFA.

Sydney Trains

The Application was referred to Sydney Trains given that the proposed works fall under the provisions of Clause 86 of State Environmental Planning Policy (Infrastructure) 2007 which requires concurrence from Sydney Trains before approval can be granted by Council.

Sydney Trains issued a 'Stop The Clock' letter dated 19 February 2021 outlining that additional information was required before concurrence could be granted for the Application. The additional information required was as follows:

- a) *Revised Architectural plans including cross-sections to show the offset of all building structures from Transport Asset Holding Entity (TAHE) land boundaries, buildings, rail corridor and nearest infrastructure. In this regard, a setback is to be provided along the northern elevation of the proposed development as it abuts TAHE land.*
- b) *Detailed Survey Plan (in plan and section) showing the relationship of the proposed development with respect to rail land and infrastructure. The detailed survey plans must be prepared by a registered surveyor, must clearly indicate TAHE land (incl. Lot 2 DP 862623) and any existing and proposed encroachments. Note: Any form of encroachment, reliance or use of TAHE land and airspace/rights is subject to approval/obtaining TAHE Land Owners Consent prior to provision of any associated Development Application Consent. Additionally, it is required that you address and provide an update on any sale negotiations regarding Lot 2 DP 862623.*
- c) *Geotechnical and Structural report/drawings including rail specific potential impacts.*
- d) *Construction methodology with details pertaining to structural support during excavation.*
- e) *Cross sectional drawings (both architectural and structural) showing ground surface, nearest rail tracks & infrastructure, sub soil profile, proposed basement excavation and structural design of sub ground support (ie footings/piles etc) adjacent to the rail corridor.*
- f) *Drainage details (confirming no drainage into rail corridor)*
- g) *Drawings/details showing anti-throw mechanisms for openings etc (windows, balconies, terraces and the like) within 20m and facing the rail corridor.*

In addition to the above, and subject to the outcome of Sydney Trains review of the above documentation, Sydney Trains may also require the preparation of a numeric modelling analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

The Applicant has been working with Sydney Trains to resolve the above and Sydney Trains provided Council will final GTA's on 26 August 2021 which included operational conditions and deferred commencement conditions. The full GTA is included as an attachment to this report and the deferred commencement conditions are provided below:

This consent is not to operate until the Applicant satisfies the Council, within 12 months of the date of this consent, that it has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the Council:
A1. The Applicant shall prepare and provide to Sydney Trains for review, comment and written endorsement the following final version items in compliance with relevant ASA Standards (<https://www.transport.nsw.gov.au/industry/asset-standards-authority>):

1. Geotechnical and Structural report/drawings that meet Sydney Trains' requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.

- 2. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.*
- 3. Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.*
- 4. Detailed Survey Plan showing the relationship of the proposed development with respect to Sydney Trains' easement and rail corridor land.*
- 5. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.*
- 6. If required by Sydney Trains, a Monitoring Plan.*

Transport Asset Holding Entity

During the assessment, it was established that the verge on the eastern side of Pilgrim Avenue is in the ownership of the NSW Transport Asset Holding Entity (TAHE) and that land owners consent would be required from the State Agency prior to approval. Land Owners Consent has been provided and is included as an attachment to this report, however on the advice of Sydney Trains, conditions contained within the letter have not been incorporated into the DA consent. Notwithstanding, the conditions are as follows:

- 1. The proposal is in accordance with Response to Request for Information – DA2020/256 2-6 Pilgrim Avenue and 11-13 Albert Road, Strathfield (with Attachments A - S), dated 30 June 2021 as prepared by Ethos Urban.*
- 2. No amendments are to be made to the Development Application without TAHE's prior written consent which TAHE may, in its absolute discretion, withhold or in respect of which TAHE may impose any conditions.*
- 3. This consent does not imply or presume any approval by TAHE, Sydney Trains or Transport for NSW to the proposed development and it reserves the right to review and comment on the application during the assessment process by Council.*
- 4. The Contract for Sale of the TAHE Land from TAHE as vendor to Convertia Pty Ltd (ACN 164 327 717) atf The Saade and Mouawad Unit Trust as purchaser dated 26 August 2021 is completed prior to the commencement of construction of the development.*

Transport for NSW (TfNSW)

The application was referred to Transport for NSW due to the proximity to Raw Square being a classified Road and due to the proposal being classified as traffic generating development in accordance Clauses 101 and 104 of the *State Environmental Planning Policy (Infrastructure) 2007* and concurrence under Section 138 of the *Roads Act 1993*.

TfNSW raised no objection to the, subject to imposition of conditions of consent addressing the following:

- 1. All buildings and structures, together with any improvements integral to the future use of the site are wholly within the freehold property (unlimited in height or depth), along the Albert Road boundary.*
- 2. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.*
- 3. The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.*
- 4. Current 'No Stopping' zone along the frontage of Albert Road shall remain unchanged.*
- 5. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Albert Road.*
- 6. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Albert Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.*

TfNSW also provided the following comment for Council's consideration:

The Statement of Environmental Effects (SEE) under section 5.3.1 states that the proposed development is consistent with the objectives of Strathfield Development Control Plan (DCP) 2005 and Strathfield DCP No 26. This is documented in Appendix J, which was not provided to TfNSW as part of the referral. However, TfNSW notes that the Strathfield DCP indicates that access to sites 1 and 2 should be via Pilgrim Avenue. Noting that the subject DA is for site 1, TfNSW recommends that Council is satisfied that any future development of site 2 can achieve the DCP's objective of access via Pilgrim Avenue, which would support the safety and efficiency of the classified road network as site 2 has currently multiple accesses to the classified network.

The above was discussed between Council's Planning Officer and Traffic Engineer, who agreed that the proposed driveway and basement allow for future connection into the service station site in the future. A condition of consent has been included requiring a right of carriageway benefiting Site 2 along the access for Site 2.

Ausgrid

The proposal was referred to Ausgrid in accordance with Clause 45(2) of the Infrastructure SEPP (2207). Ausgrid made no objection to the proposal in their formal response.

Water NSW

The application was referred to the NSW Office of Water – Natural Resources Access Regulator (NRAR) who provided general terms of approval which are listed in the recommended conditions of

consent. The correspondence provided by Water NSW confirms the proposed development requires a Water Supply Work approval under the Water Management Act 2000 (WM Act).

NSW Environmental Protection Authority (EPA)

Council wrote to the NSW Environment Protection Authority on 20 January 2021 regarding the proposed development seeking comment, considering the proximity of the proposed works which include extensive excavation in close proximity to underground petroleum storage systems. However no response was received. It is noted that the proposal did not trigger referral requirements under the *Environment and Operations Act 1997*.

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

The application has been assessed pursuant to the heads of consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the relevant matters described in sub-section (1) (a), (b), (c), (d) and (e) of Section 4.15 have been considered within this report.

The following Environmental Planning Instruments (EPI's) and development control plans (DCP's) are applicable to the assessment of the subject application:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- Strathfield Local Environmental Plan 2012 (SLEP 2012);
- Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005); and
- Strathfield Section 94 and 94A Development Contribution Plans.

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

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

A Preliminary Site Investigation (PSI) was prepared by ei Australia for the site in 2018 and submitted to Council as part of this Application. The PSI outlines the site can be made suitable for the proposed development, subject to the preparation of a Remedial Action Plan and additional investigations post-demolition. These requirements are reflected in the recommended conditions of consent.

At the request of Council, an Additional Site Investigation (ASI) was also undertaken to address limitations outlined within the PSI. The ASI incorporated fieldwork (including drilling of boreholes), laboratory and data analysis, providing additional recommendations for site preparation works prior to and following demolition.

Council's Environmental Health Team has reviewed both eh PSI and ASI and is satisfied with the investigations undertaken and recommendations for further investigation and remediation if required. Both special and standard conditions of consent will make reference to the recommendations of the report and the PSI and ASI will be listed in the supporting plans and documents in the conditions of consent.

Accordingly, subject to the imposition of conditions, the provisions of SEPP 55 have been satisfied.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in NSW. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

Strathfield Council does not have a design review panel referred to under Clause 28 of SEPP 65; however, utilises the services of a Design Review Panel (DRP) formed at the City of Canada Bay Council. An assessment of the design quality of the development against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide (ADG) has been undertaken in the table below:

Design Quality Principles under Schedule 1 of SEPP 65

Principle	Objective	Proposed
Principle 1: Context and neighbourhood character	<p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>Satisfactory.</p> <p>The proposed development responds to the high density, urban context of the site which is located at the edge of the Strathfield Town Centre and adjoins the T1 Western Rail Line.</p> <p>The proposal incorporates ground floor commercial tenancies that front Albert Road and achieve the mixed use objectives for the site.</p> <p>The development has been reviewed a number of times through the assessment process to achieve an overall bulk and scale and articulation that responds to surrounding development. The more pronounced separation between the two buildings and effective use of a podium structure allows for a scale consistent with the Strathfield Town Centre and an outcome that is sympathetic to reducing scale moving further to the west. It is noted that some existing dwelling houses in the area (including those opposite the site on Albert Road) have zonings and height controls that allow for higher densities than</p>

Principle	Objective	Proposed
		<p>currently present, reflecting the changing nature of the area.</p> <p>The proposal has also been revised to improve the interface with the service site adjoining the site to the east, noting that this site may or may not be redeveloped in the future. Terraced landscaping, facebrick and off-form concrete allow the eastern façade of the development to present as a permanent outcome that can be integrated into development of the service station site in the future.</p>
Principle 2: Built form and scale	<p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>Satisfactory.</p> <p>The proposal achieves an outcome consistent with the site's proximity to the Strathfield Town Centre and corresponding planning controls. The design has been scrutinised by Council's DRP, who recommended redesign of the original scheme proposed and design of a more pronounced two tower scheme over the Level 5 podium. The Applicant responded to this advice, presenting a design that extends to the 54m height plane at the northern point of the site, with the additional floor area in this location allowing for improved site lines through the centre of the site and improved articulation across the development.</p> <p>The development delivers setbacks and a public domain interface consistent with the mixed use zoning and town centre location.</p>
Principle 3: Density	<p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population.</p> <p>Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>Satisfactory.</p> <p>Through a rezoning process, it has been demonstrated the site is suitable for residential densities that correspond with a 54m height limit and FSR of 5:1. Proximity to public transport and surrounding services and amenities have contributed to this.</p> <p>The final design has improved how the development responds to existing and future transport infrastructure.</p> <p>The development exceeds the majority of numerical based standards associated with amenity under the ADG such as apartment sizes, balcony areas, solar access and communal open space areas.</p>

Principle	Objective	Proposed
Principle 4: Sustainability	<p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>Satisfactory.</p> <p>The submitted Architectural Drawings show that the buildings overall performance in terms of solar access and cross flow ventilation achieve compliance with the minimum standards of the ADG. It is also noted that room sizes and private open spaces achieve the minimum sizes and many of the apartments are relatively generous in this regard.</p> <p>The Applicant has previously been asked to provide design improvements for apartments that have acoustic attenuation requirements due to proximity to the rail line. The revised design has incorporated a number of features such as plenums and louvres for creation of winter gardens that will improve the outcomes for affected apartments.</p>
Principle 5: Landscape	<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	<p>Satisfactory.</p> <p>The proposal is a town centre development with limited opportunity for at ground deep soil landscaped areas, prioritising commuter parking and apartment yields close to public transport. As noted in the ADG assessment, the quality of above ground communal space is adequate and solar access for above ground communal open space is achieved.</p> <p>The Level 1 communal open space provides internal amenity for residents and terraced landscaping below provides a landscaped interface with Raw Square.</p> <p>The Level 5 communal open space has a similar affect for the Pilgrim Avenue elevation, articulating the façade and embellishing the podium structure as well as providing on site amenity for residents.</p> <p>The Level 11 roof top open space provides a well-lit and diverse communal open space for residents.</p> <p>All spaces are accessible and incorporate a balance of seating, soft landscaping, shade and solar access.</p> <p>Strata managed landscaped planters along various levels improve the overall</p>

Principle	Objective	Proposed
		presentation of the building and positively contribute to the character of the neighbourhood.
Principle 6: Amenity	<p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>Satisfactory.</p> <p>As outlined above, the proposed development incorporates a number of diverse communal open space areas for residents in the context of a town centre development.</p> <p>Acoustic attenuation features have been incorporated into the design to improve the amenity for apartments within Building P that front the rail line. This includes the use of plenums and winter gardens to allow for acoustic attenuation and cross flow ventilation while also allowing for usable private open space adjacent to a major noise source. Other acoustic attenuation measures such as glazing thickness will assist in mitigating amenity impacts for other apartments fronting the rail line and Raw Square/Albert Road.</p> <p>All apartments achieve or exceed the minimum area requirements under the ADG for apartment and private open space sizes and the minimum overall solar access requirements are achieved.</p> <p>Fifteen per cent (15%) of the proposed units are adaptable and an Accessibility Report has been submitted with the proposal demonstrating compliance with BCA requirements for access can be achieved prior to CC. The accessibility report addresses features of the development such as the platform lifts adjacent to stairs adjoining commercial spaces and ground floor apartments and building entry points.</p> <p>The accessibility report was prepared for the original design, however conditions of consent will require the compliance with the BCA requirements.</p>
Principle 7: Safety	<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p>	<p>Satisfactory (subject to conditions of consent).</p> <p>The proposal provides clear distinction between the public and private domain and each façade addresses the public domain, maximising passive surveillance and managing the various spaces. This is</p>

Principle	Objective	Proposed
	A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	<p>evident above ground, with a distinction between communal open space and private open space achieved through landscaping embellishments and lighting, as well as at ground level where public access needs to be balanced with private residential access.</p> <p>At ground level, managing public and private access to the commercial spaces, residential spaces and lifts is visibly addressed through intermediary rooms and doors.</p> <p>The proposal incorporates 30 public parking spaces to be dedicated to Council, as well as commercial parking provision to address the rates required for the commercial spaces. To ensure that below ground spaces are managed in a safe way for residents, a plan of management will be required as a deferred commencement condition. The plan of management will need to demonstrate how residential components of the basement can be secured from public access and how the lift will be managed to achieve access for the public and residents without impacting on the safety and privacy of residents.</p> <p>Ground floor apartments and the commercial spaces are orientated towards the public domain and provide opportunity for passive surveillance along the Pilgrim Road and Albert Road frontages.</p> <p>The developments northern boundary currently presents as space with potential for concealment and anti-social behaviour. The proposal will utilise this space for access to the basement, with clear sight lines and lighting as well as apartments fronting this boundary improving the safety of the space. Setbacks and anti-throw measures along the northern façade as required by Sydney Trains will address safety measures with regard to the proposal proximity to the rail line.</p> <p>A CPTED Assessment has been undertaken by the Applicant, indicating how the proposal can achieve a low crime risk outcome and how the principles of CPTED are achieved (territorial reinforcement, passive surveillance, space management).</p>

Principle	Objective	Proposed
Principle 8: Housing diversity and social interaction	<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>Satisfactory.</p> <p>The proposal incorporates a high number of one and two bedroom apartments, with limited 3 bedroom apartments with only four (4) three (3) bedroom apartments. Typically this is discouraged by Council however the town centre location is understood to attract individuals, couples and small families suited to this apartment size. The proposed apartments typically incorporate internal areas and balconies that exceed the minimum requirements and the building shape, with irregular shapes, two towers, podium structures and communal open spaces allows for a variety of apartment types.</p> <p>The site specific DCP prepared as part of the Planning Proposal with input from the owner and proponent of the Development Application requires 5% of the units to be allocated to Council as affordable housing. No official commitment to this has been provided by the Applicant and a condition of consent will be imposed requiring 5% (8/168) of the proposed units to be affordable housing managed by Council.</p> <p>The range of communal open spaces and pedestrian access to public space meets the objective.</p>
Principle 9: Aesthetics	<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape</p>	<p>Satisfactory.</p> <p>On balance, the visual appearance in terms of materials is acceptable. The Applicant has responded to the DRP's recommendations for increased use of facebrick and off-form concrete and Council's request for planter boxes and landscaping across a number of levels.</p> <p>The overall proportions, with the podium and large central 'gap' between the two towers allows for a scale proportionate to the town centre while protecting local character by facilitating view corridors and solar access.</p>

Apartment Design Guide (ADG)

Design Criteria	Required	Proposed	Compliance
3A – Site Analysis	<p><i>Site analysis illustrates the design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surround context.</i></p> <p><i>Each element in the Site Analysis Checklist should be addressed.</i></p>	The Site Analysis Plan and associated documentation are considered sufficient.	Yes
3B – Orientation	<p><i>Responsive to streetscape and site</i></p> <p><i>Designed to optimise solar access and minimise overlooking</i></p> <p><i>Shall not further reduce solar access by more than 20%</i></p>	<p>Objective 3B-1 and 3B-2</p> <p>The proposal responds to the site, with apartments orientated outwards or towards the street for Pilgrim Avenue and Albert Road (commercial sites in this location) and direct access in several locations. The proposal allows for an open and trafficable interface with the public domain, responding to the need for activation at ground level in accordance with the B4 Mixed Use zoning.</p> <p>Apartments that adjoin the service station boundary generally side on to this boundary to protect the amenity of occupiers and allow for some orientation to the north or south to improve solar access and views. This is acceptable as the SW elevation is articulated with fixed louvres for windows and various other architectural features that modulate the building. The apartments looking over the Level 1 communal open space are also orientated to front Raw Square, balancing the siding on of apartments to the SW in the towers.</p> <p>The position of the site and two tower scheme ensures that surrounding buildings will continue to receive more than 2 hours of solar access in mid winter, as demonstrated in solar</p>	Yes

		access diagrams submitted with the Architectural Drawings.	
3C – Public Domain Interface	<p><i>Balconies/windows orientated to overlook the public domain</i></p> <p><i>Front fence design is Permeable</i></p> <p><i>Opportunities for concealment minimised</i></p> <p><i>Services concealed</i></p> <p><i>Access ramps minimised</i></p>	<p>Objective 3C-1</p> <p>As outlined under Principle 7, the proposal provides clear distinction between the public and private domain and each façade addresses the public domain, maximising passive surveillance, managing the various spaces and minimising concealment through clear sight lines.</p> <p>Ground floor apartments have direct street access and upper level balconies overlook the public domain. The ground level balconies incorporate steel pickets that facilitate passive surveillance and the level difference between the balcony slabs and street is not greater than 1m. The level difference is also softened through the use of planter boxes.</p> <p>The proposal does incorporate continuous solid walls along the SE elevation adjoining the service station. The wall runs along the entire SE boundary and at it's highest point is approximately 5.3m. This is considered reasonable as the proposal needs to respond to the intense noise source of Raw Square and proximity to the service station which is an undesirable interface. The use of terraced landscaping has softened the interface and existing trees running along the boundary of the service station site provides a natural screen. The wall is constructed of off-form concrete which is consistent with the wider building materials and presents as an integrated component of the development.</p> <p>The large concrete wall running vertically up Building A has an architectural appearance and is</p>	Yes

		<p>necessary to allow for future development of the adjoining site to tie in with the proposed development.</p> <p>The proposal incorporates planting on terraces and car park vents are integrated into the design.</p> <p>A level difference of approximately 1m (variable) exists between the street and first floor for both ground floor apartments and the commercial suites. This is a response to flooding and the design has been refined to respond to the need for a more pedestrian scale and improved permeability to balance the level difference.</p>	
3D – Communal Open Space	<p><i>Communal open space has a minimum area of 25% of the site.</i></p> <p><i>50% direct sunlight to the principal useable part of the communal open space for a minimum of 2 hours (mid winter).</i></p> <p><i>Direct, equitable access from common circulation areas, entries and lobbies.</i></p> <p><i>Where communal open space cannot be provided at ground level it should be provided on a podium or roof.</i></p> <p><i>Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.</i></p> <p><i>Communal open space is designed to maximum safety.</i></p> <p><i>Communal open space and public domain should be readily visible from habitable rooms and</i></p>	<p>The proposal is a town centre development with limited opportunity for deep soil landscaping. In response to this, the proposal incorporates a number of well designed above ground communal open spaces on levels 1, 5 and 11.</p> <p>The proposal complies with the requirement for communal open space to achieve 25% of the total site area and each space is located off a common circulation space (lifts and corridors) allowing for legible access.</p> <p>The proposal presents Level 11 as the primary communal open space, with the roof top location allowing for solar access to at least 50% during mid winter.</p> <p>The other spaces allow for alternative spaces for warmer periods of the year and provide internal and external amenity.</p> <p>Private open spaces (POS) achieve the minimum area requirements and there are numerous POS' above the minimum.</p>	Yes

	<p><i>private open space areas while maintaining visual privacy.</i></p>	<p>The development provides for a range of elements within the communal open spaces with edge seating, pergola structures and BBQ areas.</p> <p>The proposal incorporates structure to shield AC ventilation systems which are located adjacent to the communal open space area.</p> <p>The development allows for passive surveillance of communal open spaces and spaces appear to be safe. Above ground communal open spaces incorporate railings for safety purposes and will be required to comply with BCA standards.</p>	
3F – Visual Privacy	<p><i>Up 12m in height (4 storeys):</i></p> <ul style="list-style-type: none"> <i>6m between habitable rooms/balconies and the boundary</i> <i>3m between habitable and non-habitable rooms and the boundary.</i> <p><i>Up to 25m in height (5-8 storeys):</i></p> <ul style="list-style-type: none"> <i>9m between habitable rooms/balconies; and</i> <i>4.5m between habitable and non-habitable rooms and the boundary.</i> <p><i>25m+ in height (9+ storeys):</i></p> <ul style="list-style-type: none"> <i>12m between habitable rooms/balconies and the boundary</i> <i>6m between habitable and non-</i> 	<p>Internally, the proposed development generally complies with the requirement. Some non-compliances exist at various points along the eastern edge of the development where balconies and living room windows are in close proximity to each other. However these apartments generally have dual frontages with more than one balcony or living room orientation and the non-compliances are considered minor.</p> <p>The areas of the building these issues apply to are:</p> <ul style="list-style-type: none"> Glazed Corridor, Building P, Levels 01 – 03 Secondary Living Room Windows and Balcony Openings, Building P, Levels 08 – 14 <p>The Applicant has provided a detailed justification for these outcomes and demonstrated that the alternative would be to deliver blank walls between units, that would negatively impact on solar access, views and building articulation.</p>	No, acceptable on merit.

	<p><i>habitable rooms and the boundary.</i></p>	<p>The more significant non-compliance relates to the building being built to the eastern boundary in certain locations, a follows:</p> <ul style="list-style-type: none"> • Building P Levels 1-3 • Building A Levels 1-11. <p>For Building A, the built to boundary outcome is considered acceptable as the vision for the Planning Proposal is an integrated and continuous frontage along Albert Road, which the design allows for. Apartments that abut the eastern boundary have dual frontages allowing for light penetration and views should Site 2 be redeveloped.</p> <p>The built to boundary outcome for Building P Levels 1-3 would require redevelopment of Site 2 to have a zero or near zero setback at this point. While not ideal, this outcome is accepted for the following reasons:</p> <ul style="list-style-type: none"> • The units within Levels 1-3 have frontage to either the south or north, allowing for light to enter the units from this direction and other amenity benefits (sense of space). • No 3 storey podium structure in this location would reduce articulation along this frontage and visual impact of the scale of the Building P tower. • Future redevelopment of Site 2 can incorporate open space in this location, with the other parts of the proposed development providing adequate building separation. • The service station site has not indicated to Council or the Applicant 	
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		any intent to redevelop and it is understood they did not take an active role in the rezoning of the site. It is noted that the owners of Site 2 made no objections in relation to the design of the proposed development and their concerns are solely related to operation of the service station.	
3G – Pedestrian Access and Entries	<p><i>Building entries and pedestrian access connects to and addresses the public domain</i></p> <p><i>Multiple entries should be provided to activate the street edge.</i></p> <p><i>Entry locations relate to the street and subdivision pattern and the existing pedestrian network.</i></p> <p><i>Building access areas including lift lobbies, stairwells and hallways should be clearly visible from public domain and communal spaces.</i></p> <p><i>Steps and ramps integrated into overall building and landscape design.</i></p>	<p>The Proposal provides multiple pedestrian entry points which are clearly identifiable, activate the public domain and respond to the existing subdivision pattern. The locations of lifts and lobbies are legible and a plan of management will be required to manage access for the public and residents.</p> <p>The proposed steps and accessible ramps form integrated parts of the design.</p> <p>Revisions to the design have allowed for a more pedestrian scale at the entrance to ground floor communal open space areas.</p>	Yes
3H – Vehicle Access	<p><i>Integrated into façade</i></p> <p><i>Visual impact minimised</i></p> <p><i>Entry behind the building line or from secondary frontage</i></p> <p><i>Clear sight lines</i></p> <p><i>Garbage collection screened</i></p> <p><i>Pedestrian and vehicle access separated</i></p>	<p>Vehicle access forms an integrated part of the development, with the ramp access to the basement located at the existing cul-head on Pilgrim Avenue. Clear sight lines are achieved for the ramp access and the dead end road allows for safe entry and exit.</p> <p>Garbage collection is concealed from the street and residents.</p> <p>Pedestrian and vehicle access are separated. Pedestrian</p>	Yes

		access points are the southern end of Pilgrim venue and along Albert Road where activity is concentrated.	
3J – Bicycle and Car Parking	<p><i>Within 800m of a railway station:</i> <i>Min RMS Rate Applies:</i></p> <p><u><i>20 or more units:</i></u></p> <p><i>54 x 1 bedroom: 0.6 spaces = 32.4.</i></p> <p><i>110 x 2 bedroom: 0.9 spaces = 99</i></p> <p><i>4 x 3 bedroom: 1.4 spaces = 5.6</i></p> <p><i>Visitor 1 per 5 units = 33.6</i></p> <p><i>Commercial spaces are established in Council's DCP.</i></p>	<p>The proposal incorporates 175 residential spaces, 35 visitor spaces, 1 car wash space and is compliant.</p> <p>The commercial component (retail) of 201m² yields a minimum on-site parking requirement of 12 spaces (9 for customer/visitor and 3 for employee).</p> <p>The proposal also allows for 30 commuter spaces to be dedicated to Council in accordance with the site specific DCP for the site.</p>	Yes
4A – Solar and Daylight Access	<p><i>Living rooms and private open spaces of at least 70% of units (118 units) receive 2 hours of sunlight between 9am and 3pm at mid winter.</i></p> <p><i>A maximum of 15% of units (25 units) receive no direct solar access between 9am and 3pm at mid winter.</i></p> <p><i>Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited.</i></p> <p><i>Use of balconies or sun shading, shading devices, horizontal shading, vertical shading, operable shade, high performance glass.</i></p>	<p>Complies.</p> <ul style="list-style-type: none"> • 125 units have more than 2 hours of solar access in mid winter • 25 units have no solar access. 	Yes

4B – Natural Ventilation	<p><i>At least 60% of units (72) are naturally cross ventilated in the first nine storeys of the building.</i></p>	<p>The proposal achieves cross ventilation for 72 units within the first nine (9) stories.</p> <p>The use of vertical and horizontal plenums allows for cross ventilation to be achieved as well as requirements for acoustic attenuation. Discussion on this environmental impact is expanded on later in this report under 'impacts of the development'.</p>	Yes
4C – Ceiling Heights	<p><i>Ceiling height achieves sufficient natural ventilation and daylight access.</i></p> <p><u>Minimum floor to ceiling heights:</u></p> <ul style="list-style-type: none"> • Habitable: 2.7m • Non-habitable: 2.4m • Mixed Use: 3.3m ground floor. 	<p>The development achieves the minimum residential and commercial floor to ceiling heights.</p>	Yes
4D – Apartment Size and Layout	<p><u>Minimum internal area:</u></p> <ul style="list-style-type: none"> • 1 bed: 50m² • 2 bed: 70m² • 3 bed: 90m² • Additional bathrooms +5m² <p><i>Each habitable room must have a window > 10% floor area of the room.</i></p> <p><i>If open plan layout =max 8m from a window</i></p> <p><i>Master bed: min 10m²</i> <i>Other bedroom: min 9m²</i> <i>Min dimension: 3m</i></p> <p><u>Living room minimum width:</u> <i>Studio and 1 bed: 3.6m</i> <i>2 and 3 bed: 4m</i></p>	<p>The development complies with the minimum area requirements for internal areas, with a number of apartments exceeding the minimum requirement.</p> <p>Bedroom and living room minimums are achieved. Window minimums are achieved.</p>	Yes

	<i>Crossover/through: minimum 4m</i>		
4E – Private Open Space and Balconies	<p><i>Objective 4E-1 Apartments provide appropriately sized private open spaces and balconies to enhance residential amenity.</i></p> <p>Studio: 4m² 1 bed: 8m², min depth 2m 2 bed: 10m², min depth 2m 3 bed: 12m², min depth 2.4m</p>	The proposed apartments comply with minimum balcony size requirements.	Yes
4F – Common Circulation and Spaces	<p><i>Maximum of 8 apartments off a single core</i></p> <p><i>No more than 12 apartments should be provided off a circulation core on a single level</i></p> <p><i>For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40</i></p>	<p>The proposal includes 9 apartments off a single circulation core within Building P Levels 1-3. This is considered acceptable as these apartments are lower to ground level allowing for more likely use of stairs as an alternative access and each level is within close proximity to alternative circulation areas off communal open spaces. It is also noted that the proposal does not exceed the 12 apartment maximum.</p> <p>Building P also exceeds the apartments per lift requirement, with 1 lift for 50 apartments. To ensure lifts can efficiently move people through the building, a condition of consent will be imposed requiring an operating speed of 2.5 meters per second. Evidence of this operating capacity is to be provided to the PCA.</p>	No, acceptable on merit.
4G – Storage	<p><i>Objective 4G-1 Adequate, well designed storage is provided in each apartment</i></p> <p>Studio: 4m³ 1 bed: 6m³ 2 bed: 8m³ 3 bed: 10m³ <i>At least 50% are located internally within the units.</i></p>	<p>Objective 4G-1</p> <p>Storage requirement controls are achieved.</p>	Objective 4G-1 Yes
4H – Acoustic Privacy	<i>Orientate building away from noise sources</i>	Objective 4H-1	Yes

	<p><i>Party walls limited or insulated, like rooms together</i></p> <p><i>Noise sources (e.g. garage doors, driveways) located at least 3m from bedrooms</i></p>	<p>The Site is located within close proximity to several noise sources, making compliance with the control not relevant. To mitigate the impacts associated with the rail line, Albert Road and Raw Square, various acoustic attenuation measures are proposed and conditions of consent will ensure compliance with the of noise impact assessment recommendations undertaken for the proposal.</p> <p>The proposed development includes many units that co-locate living rooms and bedrooms to minimise neighbour noise, however this has not been consistently applied. Conditions of consent will require party walls to be insulated.</p> <p>The basement ramp is located away from residential units.</p>	
4J – Noise and Pollution	<p>Site building to maximise noise insulation</p> <p>Noise attenuation utilised where necessary.</p>	Refer above.	Yes
4K – Apartment Mix	<p><i>A range of apartment types and sizes is provided to cater for different household types now and into the future</i></p>	<p>Objective 4K-1 A range of apartment types is provided. The mix is as follows:</p> <ul style="list-style-type: none"> • 1 bed = 54 (32%), • 2 bed = 110 (65%), • 3 bed = 4 (2%). <p>The low representation of 3 bedroom apartments is conceded by Council considering proximity of the site to the Strathfield Town Centre. The proposal offers a diverse range of 1 and 2 bedroom apartments.</p>	Yes
4L – Ground Floor Apartments	<p><i>Street frontage activity is maximised where ground floor apartments are located</i></p>	<p>The development orientates ground floor apartments towards the street, with front windows and terraces contributing to activation of Pilgrim Avenue.</p>	Yes

		Terraces are bound by visually permeable steel picket fencing and planter boxes add to creation of an activated environment.	
4M – Facades	<p><i>Composition of building elements</i></p> <p><i>Defined base, middle and top</i></p> <p><i>Building services integrated into the façade</i></p>	<p>The development incorporates a variety of building elements and materials. Off form concrete and face brick complement existing brick walk ups in the locality while presenting as modern. The use of terraced landscaping, glazing, operable screens and fixed louvres add to the contemporary but classic outcome.</p> <p>The podium provides a site responsive design feature that considers existing scale to the west and on Pilgrim Avenue while providing a more human scale to the tower elements that respond to the town centre location.</p> <p>Building services have been integrated into the design including the location of AC units in consolidated locations with noise barriers when in proximity to communal open space.</p> <p>Building entry points along Pilgrim Avenue and Albert Road are well defined and incorporate features such as low awning heights to create a human scale.</p>	Yes
4N – Roof Design	<p><i>Roof treatments are integrated into the building design and positively respond to the street</i></p> <p><i>Opportunities to use roof space for residential accommodation and open space are maximised</i></p> <p><i>Roof design incorporates sustainability features</i></p>	<p>The development makes good use of roof features with communal open spaces at Level 5 and Level 11 and consolidated spaces for AC units to reduce the impact of these structures on individual units. Solar Panels are located on the Level 14 roof top.</p>	Yes
4O – Landscape Design	<i>Landscape design is viable and sustainable</i>	The proposed landscaping outcomes are consistent with the	Yes

	<i>Landscape design contributes to the streetscape and amenity</i>	<p>objective. The proposal incorporates primarily above ground landscaping, however this allows for softening of each façade including the interface with the Service Station and Raw Square which was identified as a priority during the assessment.</p> <p>The Landscape Plans submitted with the proposal indicate some streetscape landscaping which will be conditioned, however this is reliant on resolution of ownership of the verge along Pilgrim Avenue.</p>	
4P – Planting on Structures	<p><i>Appropriate soil profiles are provided</i></p> <p>Structures are reinforced for additional saturated soil weight.</p> <p>Soil volume is appropriate for plant growth</p> <p><i>Plant growth is optimised with appropriate selection and maintenance</i></p> <p><i>Planting on structures contributes to the quality and amenity of communal and public open spaces</i></p>	The landscape Plans submitted with the Application demonstrate compliance with the requirements for planting on structures.	Yes
4Q – Universal Design	<p><i>Universal design features are included in apartment design to promote flexible housing for all community members</i></p> <p><i>A variety of apartments with adaptable designs are provided</i></p> <p>Adaptable housing should be provided in accordance with the relevant council policy.</p> <p><i>Apartment layouts are flexible and accommodate a range of lifestyle needs</i></p>	The proposal incorporates 26 apartments (15%) which are identified as adaptable. Council does not have a policy for the minimum number of units that are to be adaptable.	Yes
4S – Mixed Use	<i>Mixed use developments are provided in appropriate</i>	The proposal incorporates an outcome that is consistent with	Yes

	<i>locations and provide active street frontages that encourage pedestrian movement</i>	<p>the mixed use zoning, with ground floor commercial spaces that front Albert Road and encourage usage being located along a pedestrian thoroughfare leading to the town centre and train station.</p> <p>The commercial spaces have been designed to allow for areas for congregation and provide shelter from weather extremes along Albert Road.</p> <p>The scale and presentation of the Albert Road and Pilgrim Avenue frontages has been refined to incorporate lower awnings and more legible pedestrian entry points and achieves a more pedestrian scale that optimises the sites purpose as a mixed use development.</p>	
4U – Energy Efficiency	<p><i>Development incorporates passive environmental design</i></p> <p><i>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer</i></p> <p><i>Adequate natural ventilation minimises the need for mechanical ventilation</i></p>	The development has demonstrated compliance with solar access requirements, BASIX requirements and cross flow ventilation requirements.	Yes
4V – Water Management and Conservation	<p><i>Potable water use is minimised</i></p> <p><i>Drought tolerant, low water use plants should be used within landscaped areas.</i></p> <p><i>Design guidance Water sensitive urban design systems are designed by a suitably qualified professional</i></p>	<p>The development has been designed to achieve BASIX targets.</p> <p>The proposed landscaping scheme appears robust and conditions of consent will require an annual landscape health check.</p>	Yes

4W – Waste Management	<p><i>Objective 4W-1</i> <i>Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents</i></p> <p><i>Domestic waste is minimised by providing safe and convenient source separation and recycling</i></p>	The development incorporates a robust waste storage and collection system supported by a waste management plan that has been reviewed and endorsed by Council's Environmental Health Team.	Yes
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STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

In accordance with the State Environmental Planning Policy – Building Sustainability Index: BASIX) 2004 (BASIX SEPP) all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required water and energy target parameters of 40 (water) and 25 (energy) under the SEPP.

Conditions of consent will require compliance with the targets set in the BASIX certificate.

Accordingly, the SEPP is satisfied.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The subject application was referred to the NSW RMS as it involves development with frontage to a classified road (Raw Square) and is a form of residential accommodation that is defined as traffic-generating development. Accordingly, Clauses 101 and 104 of the State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) is triggered. The objectives of this clause are:

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

Comments provided by NSW RMS are mentioned above and conditions will be imposed in accordance with these. As such, subject to the imposition of these conditions, the proposal has demonstrated alignment with the above objectives under Clause 101 and the provisions under Clause 104 (refer to the table below).

Clause 102 of SEPP (Infrastructure) requires Council to consider any adverse impacts due to road noise or vibration for certain types of development such as residential accommodation. The application comprised of supporting documentation such as an acoustic assessment report, acoustic wall specification and details and an amended design to both buildings, which have considered the

potential adverse impacts from significant road noise sources (i.e. Raw Square). 3). Clause 102 states that:

(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this clause and published in the Gazette.

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,

(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

Council's Environmental Health Officer (Acoustic) provided comments and recommendations following their review of the final design and supporting documentation (see above). Subject to the imposition of conditions as recommended by Council's Environmental Health Officer (Acoustic), the proposal has satisfied the provisions under Clause 102.

With regards to Clause 104, RMS provided comment in their referral. No objection to the development was raised, subject to imposition of specific conditions which are outlined under the 'External Referrals' section of this report.

The subject application was referred to the Sydney Trains in accordance with Clause 85 'Development adjacent to rail corridors' and Clause 86 'Excavation in, above, below or adjacent to rail corridors' of the *State Environmental Planning Policy (SEPP) (Infrastructure) 2007*.

Clause 85 and 86 require concurrence from Sydney Trains before approval can be granted by Council. As noted in the 'External Referrals' section of this report, Sydney Trains have provided concurrence, subject to specific conditions of consent including a deferred commencement.

STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

The proposal involves development with a Capital Investment Value exceeding \$30 million. Accordingly, Schedule 7 of this SEPP is triggered and the proposal is considered State Significant Development. As such, the subject application requires determination by a Sydney or Regional Planning Panel.

STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation). The intent of this SEPP is consistent with the objectives of the repealed clause where the primary aims/objectives are related to the protection of the biodiversity values of trees and other vegetation on the site.

The proposal incorporates onsite tree removal which has been considered by Council's Tree Management team and determined to not contain any environmental or ecological significance in the context of the site.

Conditions of consent will require bonds for street tree protection and demolition, excavation and construction will need to have no impact on trees located on adjoining properties. Therefore, the relevant provisions under this SEPP have been satisfied by the proposal.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

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

Cl.	Aims	Complies
1.2(2)		
(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 integrates 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 reflects the future character planned for the site in that it delivers a mixed use outcome compliant with key development standards under the LEP, therefore achieving an appropriate bulk and scale.

As conditioned, the proposed development achieves a high quality design outcome, with articulated facades using simple and classic materials to create a modern design that addresses the existing subdivision pattern, surrounding road network and adjoining land uses.

The development provides for a variety of apartment layouts close to the Strathfield Town Centre and Strathfield Station. The design is considered a safe and site responsive one, with raised ground floor finished level addressing flooding and a permeable and legible interface facilitating activated streetscapes.

Permissibility

The subject site is zoned B4 – Mixed Use, pursuant to the provisions of the SLEP 2012. The proposed development represents a mixed use development, with ground floor commercial suites. Mixed use buildings are permissible in the B4 – Mixed Use zone, with consent.

These land uses are defined under SLEP 2012 as follows:

Mixed use development means a building or place comprising 2 or more different land uses.”

The proposed development for the purpose of a mixed use building is consistent with the definitions above and is therefore permissible with consent.

Zone Objectives

An assessment of the proposal against the objectives of the B4 – Mixed Use zone is included below:

B4 – Mixed Use zone

Objectives	Complies
• To provide a mixture of compatible land uses.	Yes
• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.	Yes
• To facilitate mixed use urban growth around railway stations and transport nodes and corridors, commercial centres and open space.	Yes
• To provide local and regional employment and live and work opportunities.	Yes

Comments: The proposed mixed use development incorporates 164 residential dwellings, as well as two ground floor commercial suites. The two commercial suites are located at ground floor and allow for separate commercial access, ensuring these uses are compatible with the residential component of the development.

The location of the two commercial spaces along Albert Road will activate this frontage which provides a pedestrian thoroughfare leading to the Strathfield Town Centre and Strathfield Station. Ground floor apartments further along Pilgrim Avenue will activate this residential street which end in a cul-de-sac adjoining the rail line.

PART 4: PRINCIPAL DEVELOPMENT STANDARDS

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

4.1A Minimum lot sizes for residential flat buildings

Clause 4.1A sets out that the minimum lot size for mixed use developments land zoned B4 – Mixed Use is 1,000m². The site has an area of 2,868m² and therefore meets the minimum area requirement. The proposal accords with the planned residential density in the zone, in accordance with the objective and controls of this clause.

4.3 Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	54m	54m	Yes

Cl	Objectives	Complies
4.3		

(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

Comments: The proposal complies with the objectives of Clause 4.3 in that it achieves a height that is compliant with the 54m maximum height of building control pertaining to the site.

The development is of a height that reflects the Site's proximity to Strathfield Town Centre and the two tower scheme over a podium allows for a sensitive interface with lower residential flat buildings to the west. Notwithstanding this, existing development to the west and south which is of a lower scale (dwellings and 3 and 2 storey walk-ups) has the potential to be redeveloped to heights of between 16m and 22m.

Immediately to the west along Pilgrim Avenue, the 16m height limit is capable of being redeveloped for 4 or 5 storey RFBs which would reflect the proposed height of the podium structure which has been designed to deliver a sympathetic outcome with land to the west. Similar consideration has been given to land along Albert Road with height controls of 22m where dwellings are currently proposed.

The proposed development seeks to utilise the maximum permissible height allowable under SLEP 2012, however this allows for greater building separation, improving solar access, views and creating a greater sense of space and the proposed podium structure is effective in creating the appearance of a lower scale.



Figure 7 – Surrounding building height allowances under SLEP 2012 (Y = 54m, V1 = 35m, R2 = 22m, O = 16m)

4.4 Floor space ratio and 4.4A Exceptions to floor space ratio (Parramatta Road Corridor)

Cl.	Standard	Controls	Proposed	Complies
4.4	<i>Floor space ratio</i>	5:1 14,340m ²	5:1 14,338.8m ²	Yes

Cl	Objectives	Complies
4.4		
(a)	<i>To ensure that dwellings are in keeping with the built form character of the local area</i>	Yes
(b)	<i>To provide consistency in the bulk and scale of new dwellings in residential areas</i>	Yes
(c)	<i>To minimise the impact of new development on the amenity of adjoining properties</i>	Yes
(d)	<i>To minimise the impact of development on heritage conservation areas and heritage items</i>	Yes
(e)	<i>In relation to Strathfield Town Centre:</i> i. <i>to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and</i> ii. <i>to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development</i>	N/A
(f)	<i>In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor</i>	N/A

Comments: The proposed development has a gross floor area (GFA) of 14,338.9m². With a site area of 2,868m² this equates to an FSR of 5:1, complying with the development standard. Use of the 54m height control allows for the proposed gross floor area to be spread across the site and vertically, mitigating the bulk and scale of the building and improving on-site amenity and amenity for surrounding areas. The proposal is consistent with the objectives of Clause 4.4.

During the Assessment, Council had identified and discussed with the Applicant that the balconies within Building P that face the rail corridor and incorporate a combination of fixed privacy fins, operable louvres and glass balconies had the appearance of being enclosed and may be counted towards GFA. Accordingly, Council recommended the Applicant submit a Clause 4.6 Variation Request justifying the exceedance in floor area.

The outcomes for the balconies, which are shown in Figures 8 and 9, are required to achieve safety requirements identified by Sydney Trains (anti-throw) and also provide an opportunity to attenuate noise associated with the rail line while providing usable outdoor space.

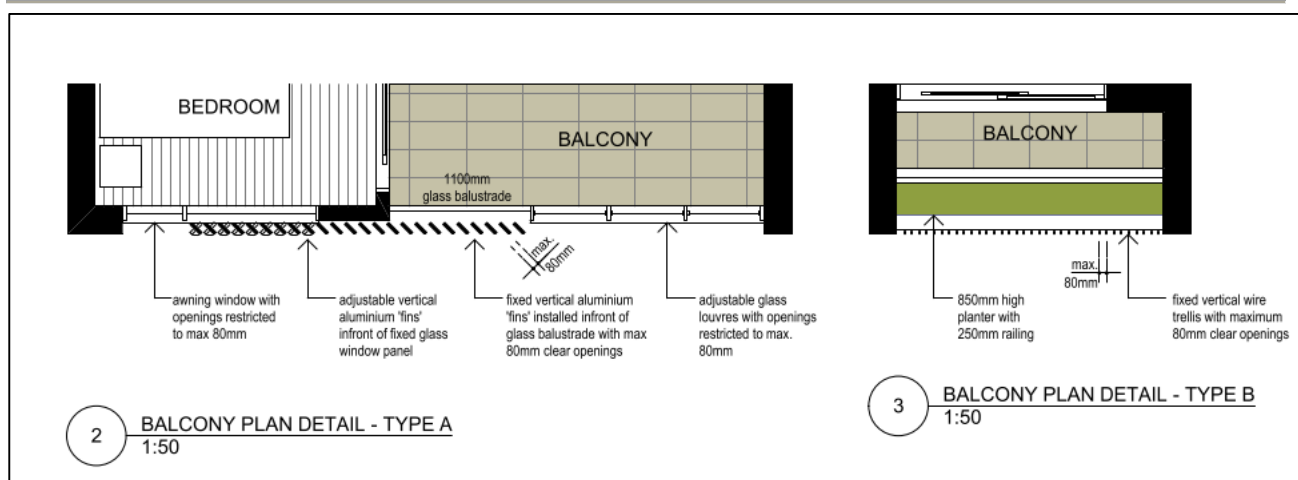


Figure 8 – Balconies adjoining the rail line (floorplan view)

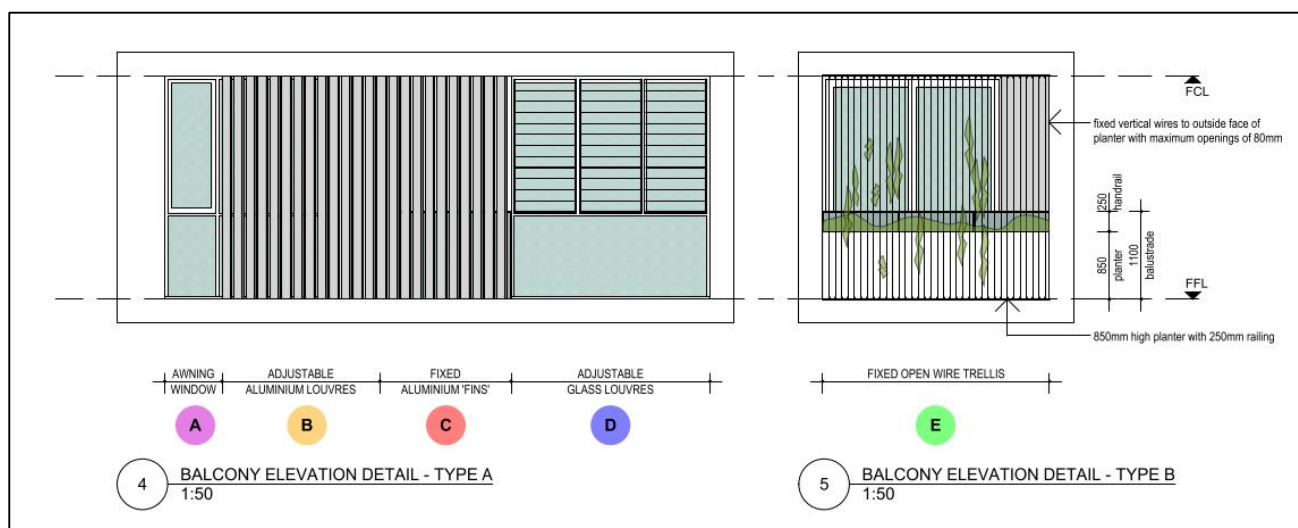


Figure 9 – Balconies adjoining the rail line (elevation view)

The Applicant has submitted 'precautionary' Clause 4.6 variation request, maintaining their position that the balconies do not incorporate an enclosed structure and therefore should not be counted towards GFA.

A summary of the reasoning presented by the Applicant as to why the balconies should not be counted towards GFA are as follows:

- In response to the site-specific consequences, a combination of fixed open fins and adjustable glass louvres above a balustrade are proposed for the 41 balconies on Level 2 and above which face the railway corridor, to prevent opportunities for objects to be thrown onto the railway corridor. The fixed fins have a maximum opening width of 80mm to comply with Sydney Trains' requirements.
- An analysis of the proposed balcony facades shows that on average, 37% of each balcony façade is balustrade, 25% is composed of fixed open fins, and the remaining 38% is composed of adjustable glass louvres. As over a quarter of the balcony façade is permanently open, it is considered that the balconies represent open space, and are not enclosed for the purposes

of calculating GFA. Approximately one third of the balcony facades are able to be closed by choice.

- The Applicant refers to a court case (Haralambis Management Pty Ltd v Council of the City of Sydney [2013] NSWLEC 1009) to reinforce their argument. In this case, the Court held that the floor area inside closeable bi-fold windows over solid balustrades and closable aluminium framed glass louvres, was to be included in the calculation of GFA (at [56]). However, the Court agreed and accepted that the floor area inside permanently open louvres above a solid balustrade were to be excluded

Having reviewed the Applicant's reasoning and references to court proceedings, it is agreed the balconies cannot be counted as enclosed. Notwithstanding, a summary of the Clause 4.6 request justification is provided below:

- The proposed balconies Prioritises the satisfaction of Sydney Trains' anti-throw measures to maintain safe operation of the adjacent railway corridor.
- The proposal has an identical built form and envelope as a development without semi-enclosed balconies facing the railway corridor.
- The proposal does not result in any adverse impacts related to visual bulk and scale or environmental amenity.
- The proposal exhibits a high-quality façade composed of fixed fins and glass louvres to the railway corridor, along which the greatest numbers of viewers of the site will pass.
- The proposal fulfils the strategic intent of the 30 Minute City, reflected in the recent re-zoning of the site to permit high density mixed-use commercial and residential development close to public transport.
- The proposal is consistent with the high density built form scale of Strathfield Town Centre.

It is also noted that the proposed contravention to the development standard incorporates an additional 541m² of GFA and a 3.78% variation to the development standard which is considered minor.

PART 5: MISCELLANEOUS PROVISIONS

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

5.21 Flood Planning

The subject site is located within the 1% AEP overland extent. Council's Hydraulic Engineer has reviewed the proposal, including the Flood Impact Study and Stormwater Plans, and raised no objection subject to the imposition of standard conditions of consent.

Subject to the imposition of these conditions, the proposal is considered to accord with the objectives of this Clause.

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 sulfate soils (ASS)

The subject site is identified as having Class 5 soils. The PSI and ASI prepared for the site outline that the subject land lies within the map class description of no known occurrence (in the Prospect-Parramatta River Acid Sulfate Soil Risk Map – Edition 2 (Ref. Murphy, 1997) and that in such cases, land management activities are not likely to be affected by ASS materials.

Considering the scale of excavation and level of apparent interrogation into acid sulfate soils included in the PSI and ASI, a condition of consent is recommended requiring a detailed acid sulfate soils management plan be prepared and submitted to the PCA prior to issue of a construction certificate.

6.2 Earthworks

The proposal involves earthworks including excavation to accommodate four (4) levels of basement. The proposed excavation was reviewed by NRAR and confirmed that for the purposes of the WM Act, General Terms of Approval and/or a Controlled Activity Approval is required. The proposal was also reviewed by Sydney Trains, who offered no objections to the proposed excavation, subject to specific conditions of consent.

Appropriate conditions of consent will ensure compliance with the sediment and erosion control plan as well as conditions of consent. Conditions of consent also require pre and post construction dilapidation reports that require an engineer to identify and report on surrounding properties that may be impacted by excavation.

Overall, the proposal is considered to comply with the objective of this clause, subject to the imposition of conditions of consent.

6.4 Essential services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The site is located within a well serviced area and features existing water and electricity connection and access to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development.

4.15(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.

4.15(1)(a)(iii) any development control plan

Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005)

Strathfield Development Control Plan No 26 – 2-6 Pilgrim Avenue and 9-13 Albert Road

DCP – 26 is a site specific DCP applying to the Site subject of this Application and adjoining site currently occupied by the service station. These allotments are as follows:

- SP8785,
- Lots 8 and 9 DP15917,
- Lots A and B DP100558, and
- Lot 100 DP807807 known as 2, 4 and 6 Pilgrim Avenue and 9, 11 and 13 Albert Road, Strathfield.

The DCP separates the above allotments into two sites, as shown in the extract from the DCP below.

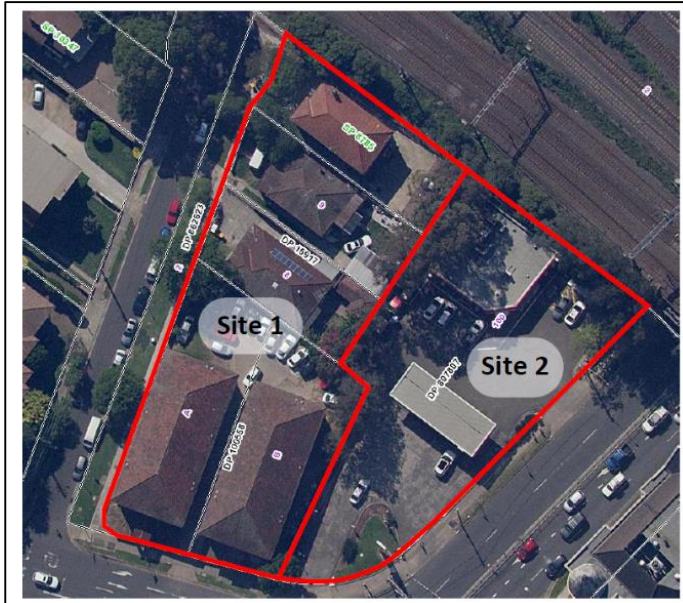


Figure 10 – DCP Extract



Figure 11 – DCP Extract

The proposed development seeks to develop Site 1 only and it is understood by Council that redevelopment of Site 2 is not currently being entertained by the owners. As the DCP generally envisions a holistic development across Site's 1 and 2, merit based assessment of certain controls has been required as detailed below. The matters of relevance provided in DCP – 26 are addressed in the table below:

Control	Proposed	Complies
3.2.1 Building Height		
Building height is to be in accordance with SLEP 2012	Maximum 54m height of building is complied with.	Yes
Building height is to be generally distributed in accordance with the heights/number of storeys illustrated in Figure 2	<p>Figure 2 provides an illustration showing the southern portion of the site as having a height of 11 storeys and the northern portion having a height of 13 storeys.</p> <p>With the maximum FSR allowable for the site under SLEP 2012 (5:1), the proposed design originally presented had an undesirable bulk and scale with large continuous facades and little visual relief. This was a major concern for Council and Council's DRP resulting in a recommendation for redesign that used the full 54m at the northern portion of the site adjoining the rail line, allowing for greater separation between the two towers (now referred to as Buildings A and P).</p> <p>The resultant outcome is considered to be a significant improvement and strict compliance with this development control would hinder delivery of a quality urban design outcome. The proposal maintains the 11 storey height limit for the southern portion of the site and incorporates a podium structure up to Level 5 that contributes to mitigating the visual impacts of the towers with regard to surrounding development.</p>	No, acceptable on merit.
Building height is to implement an appropriate transition of height away from the Railway Station	<p>As outlined above, the final design incorporates a 15 storey outcome for Building P, which is two storeys over the vision for this part of the site in the DCP.</p> <p>The 15 storey outcome facilitates a much larger 'gap' between two distinct towers which improves solar access and view corridors for neighbouring properties and creates more relief in the built form. The larger 'gap' between the two buildings allows for a longer portion of Pilgrim Avenue to benefit from a reduced scale, rather than a continuous 13 storey outcome.</p> <p>The proposal also maintains the 11 storey height limit for land at the corner of Albert Road and Pilgrim Avenue which has a greater frontage to adjoining land containing residential dwellings (Albert Road and Pilgrim Avenue).</p> <p>Notwithstanding the above, the proposal still allows for a transition in heights from east to west with a 16 storey height limit applying to Site 2 (service station).</p>	Yes

Building heights are to be higher nearest to the Railway Station and rail corridor	The proposal incorporates 15 storey tower adjoining the rail line and an 11 storey tower adjoining Albert Road.	Yes
The use of the rooftop for communal open space is encouraged., Any facilities and associated structures (including lift overruns, plant rooms and the like), including access to them, are to be in accordance with the Maximum Building Height in SLEP 2012.	The proposed roof top communal open space (building A adjoining Albert Road) and AC unit and solar panels on building P are located under the 54m height plane.	Yes
The tallest building on the site is to be located nearest to the Strathfield Railway Station	Building P is the tallest building (54m) and is located adjacent to the rail line.	Yes
3.2.2 Building Form and Materials		
Buildings are to address existing and proposed streets or shared spaces	The proposed development address the existing road network which forms the southern (Albert Road) and western (Pilgrim Avenue) boundaries.	Yes
Buildings are to incorporate design measures to visually articulate and vary building facades, through façade modulation, including but not limited to: a. recessed and / or projecting balconies b. windows and other openings c. sun control devices such as eaves, louvres and screens d. privacy screens e. blades or fins	The proposed development incorporates all of the listed façade modulation measures as well as a number of additional measures such as terraced planting.	Yes
Building facades are to be expressed within a cohesive overall design composition	The proposal presents a cohesive overall design composition.	Yes
High quality communal open space is to be provided and designed to be usable and appealing to maximise activity and to provide amenity for residents	The proposal delivers three communal open space areas on levels 1, 5 and 11. Each space is accessible and diverse with pergola structures, BBQ areas, seating areas integrated with planting structures and various forms of planting. The different positions allow for use during all periods of the year.	Yes
Any building on the site is to be designed to have a podium component that is visually distinct from the upper level built form	The proposed development has a podium structure which provides a 'base' for the building from Levels 1-4. The podium structure is distinct due to the setting back of Level 5 above and planter bed that runs along the Level 4 boundary adjoining Pilgrim Avenue and Albert Road.	Yes

	<p>Level 5 adds a secondary tier to the podium structure on the Pilgrim Avenue frontage, being set back 1m from level 4 but setting a continuous line underneath the two towers. It also contains a communal open space area linking the two towers.</p> <p>Adjoining Raw Square the podium structure can be viewed between the two towers and an additional three level podium is located at the base of building P. The Level 1 landscaped area and terraced landscaping provides additional articulation for the eastern façade adjoining Raw Square.</p> <p>The podium structure is also defined by increased use of facebrick in comparison to the rest of the structures.</p>	
Building designs are to be designed to a high quality that positively contributes to the visual amenity of the area	The proposal achieves a high quality design outcome.	Yes
Designs will have regard to the principles of good residential flat building design as outlined in the Apartment Design Guide	As outlined above, the proposal generally complies with the controls and objectives in the ADG.	Yes, see ADG assessment
<p>Access to common areas should be direct and without unnecessary barriers. Obstructions which cause difficulties should be avoided. These include:</p> <ul style="list-style-type: none"> a. uneven and slippery surfaces b. steep stairs and ramps c. narrow doorways, corridors and paths d. devices such as door handles that require two hands to open 	<p>The proposal incorporates lift and stair access to each communal open space. The Level 5 communal open space acts as a linkage between the two towers and can be accessed from (1.5m wide) corridors which allow for continuous north/south sight lines between the two towers.</p> <p>The Level 1 space has a similar function and the Level 11 space has suitable access arrangements however it is acknowledged residents in Tower P may be discouraged from regularly accessing this space, however access is not actively inhibited.</p>	Yes
Colours used on the proposed finishes are to provide visual interest fronting the Town Centre and intersection of Raw Square and Albert Road. Where cement rendering or textured finishes are proposed to be used, the colours of the proposed finishes are to be provided by way of colour charts submitted with the development application	<p>A materials and colours board was provided to Council by the Applicant's Architect.</p> <p>The use of the proposed facebrick and off-form concrete was encouraged by the DRP and Council as part of the design assessment.</p>	Yes.
3.2.3 Setbacks		

Setbacks are to be in accordance with Figure 2	<p>The proposed setbacks are consistent with the required setbacks, providing a 0m setback from ground to Level 4 and 1m setback from Level 5 upwards. This feature of the design is integrated into the podium structure.</p> <p>The north western corner of Building P is built right to the boundary and is therefore non-complaint with the control in this location. However, the variation is consider acceptable as this area will not be a high pedestrian zone, is adjacent to the rail line and basement access.</p>	No, acceptable on merit.
The buildings are to create a coherent street wall of 4 storeys	The podium structure achieves the control as discussed elsewhere in this report.	Yes
Zero setbacks are to be provided to buildings facing Raw Square	The proposal does not have direct frontage to Raw Square.	N/A
Zero setbacks are to be provided to the first four storeys of buildings facing Albert Road and Pilgrim Avenue	As outlined above, the proposed development incorporates the 0m setback as required.	Yes
From the 5th storey and up, buildings facing Albert Road and Pilgrim Avenue are to be setback a minimum 1m	As outlined above, the proposed development incorporates the 1m setback from Level 5 upwards, with the exception of the north western corner of Tower P.	No, acceptable on merit.
3.3 Building Design and Adaptable Housing		
A minimum of 15% of the total number of dwellings within every multiple unit development must be designed in accordance with Australian Standard AS 4299 – Adaptable Housing (Class C) to ensure units are internally designed to allow occupation by older people and people with disabilities.	The proposal achieves the development standard as outlined in the ADG assessment above.	Yes
For mixed use or residential flat developments, at least one main entry which is convenient and provides a barrier free access must be provided for access (complying with AS1428.1) to ground floor units.	The proposal achieves the development standard.	Yes
Adequate and convenient seating and amenities for people with mobility disabilities is to be provided.	The proposed development will be required to comply with Australian Standards and BCA requirements through conditions of consent.	Yes, can be conditioned.

	The BCA report submitted with the application makes comment on the proposals ability to comply. Evidence of this ability can be seen on the Architectural drawings.	
Adequate parking for people with mobility disabilities, and safe, easy and convenient access to the building shall be provided. Parking spaces for persons with disabilities which is provided within basements is to have wheelchair access to the residential units by either a ramp with a 1:14 gradient, a passenger lift complying with AS1735.12 1999 or a fixed stair lift complying with AS1735.7 - 1998.	The proposal incorporates 26 adaptable units and 26 disabled parking spaces are allocated to adaptable units which is satisfactory.	Yes
Design of the building must comply with the Building Code of Australia and Australian Standard AS1428 1 – 2001 Design for Access and Mobility.	A BCA report has been submitted with the Application and conditions of consent will require compliance with BCA as part of construction certificate.	Yes, can be conditioned.
3.4 Affordable Housing		
A minimum of 5% of the total number of units be provided as affordable housing in Council ownership (in perpetuity) at no cost to Council.	<p>No formal letter of offer has been received from the Applicant in relation to affordable housing.</p> <p>To achieve compliance with the development control, a minimum of 8 units are required to be provided as affordable housing and dedicated to Council in perpetuity at no cost to Council.</p> <p>A condition of consent will be imposed to achieve compliance with the control.</p>	No, to be conditioned.
3.5 Landscaping		
Communal open space areas are to be designed to incorporate tree species that provide canopy coverage	The proposed development does not include canopy coverage trees as all landscaping is above ground (not deep soil). The Landscape Plans illustrate that trees with mature heights of between 3m and 8m will be planted in various locations across the communal open spaces, providing some shade bearing qualities.	Yes
Landscaping is to be provided in accessible spaces for use by residents as common open space	The proposal complies, refer comments to common open space above.	Yes
3.6 Active Frontages		
The location of active land uses and frontages at ground level is to be in accordance with Figure 3	The proposal incorporates active frontages along Albert Road in accordance with Figure 3.	Yes

Buildings with active frontages are to be built to the street alignment	The proposal complies with the development control.	Yes
Active frontages are to be designed to provide equitable access	The proposed frontage along Albert Road incorporates wheelchair lifts to allow for negotiation of the level difference for all abilities.	Yes
Active frontages incorporate large areas of transparent glazing or other openings that enable clear sightlines between the public domain and internal areas, in particular those with high levels of activity such as residential foyers, seating and dining areas for any food and drink premises	The proposed commercial suites and entry points into the building lifts along Albert Road and Pilgrim Avenue include large amounts of glazing.	Yes
Development provides fixed awnings that are integrated with the overall design of the building along areas that have active ground floor uses	The proposed design cantilevers the first floor over the ground floor commercial spaces creating a covered alfresco style space between the commercial suites and street. The design has been refined through the assessment to lower the waning in this area and achieve a more human scale.	Yes
Commercial premises or shops are to be provided along the street frontages to Albert Road and Raw Square to support the adjacent Town Centre	As outlined above, the proposal achieves compliance with the control.	Yes
Frontage to Pilgrim Avenue is to address the residential character of the street through materiality and design	As outlined above, the podium structure predominately features facebrick that reflects the materials of brick walk up RFBs located to the west of the site. The balcony designs which include aluminium balustrades and planter boxes assist in addressing the residential character.	Yes

3.7 Access and Linkages

<p>Development within the site should be generally consistent with Figure 3 that includes:</p> <ul style="list-style-type: none"> a. Internal pedestrian access to on-site public car parking; b. Direct access to the existing traffic light crossing on Raw Square to ensure safe, controlled access to the Strathfield Railway Station and Town Centre 	The proposal is compliant with the control. As discussed above, a plan of management will be required as part of a deferred commencement to address access via the lifts from Albert Road to the public parking area.	Yes
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Pedestrian access is to be provided to the site from Albert Road and Raw Square	The proposal provides pedestrian access to the development from Albert Road and Pilgrim Avenue.	Yes
The number of vehicle entry points per block should be minimised and located to maximise safety and visual amenity within the public domain	The proposal incorporates one vehicle entry point from the most suitable location (Pilgrim Avenue cul-head).	Yes
Adequate separation between vehicle entry points is to be provided to minimise impact on streetscape design and pedestrian amenity	The proposal includes a single vehicle entry point.	N/A
Provision for future vehicle access to the site is to be from Pilgrim Avenue only and is to be included in any future development	Vehicle access to the proposed development is via Pilgrim Avenue. The notion of requiring the development to deliver an access outcome that more clearly prepared for continuation of access into Site 2 was discussed with Council's Traffic Engineer. It was agreed that the proposed outcome did not eliminate the opportunity for integrated access to be delivered in the future and that this development could only go so far in allowing for this future development scenario. A condition of consent has been included requiring a right of carriageway benefiting Site 2 along the access for Site 2.	Yes
Vehicular access is to be provided to the site from Pilgrim Avenue as shown in Figure 3. No vehicle access is permitted from Albert Road or Raw Square.	The proposal complies with the control as outlined above.	Yes
3.8 Parking		
Basement car parking is to be designed and provided in accordance with the applicable planning controls	The proposed basement parking regime has been reviewed and supported by Council's Traffic Engineer, subject to imposition of conditions.	Yes
Parking is to be provided in accordance with the relevant Council parking rates	The proposed parking rates are consistent with the guide to traffic generating development as confirmed by Council's Traffic Engineer.	Yes
Additional public car parking is to be provided on-site, with a minimum of 60 car spaces allocated for public use as follows: a. Pilgrim Avenue: 30 allocated public car spaces (Site 1)	The proposal incorporate 30 public commuter parking spaces as required by the control. A condition of consent is recommended to address ownership of the parking spaces in accordance with the development standard.	Yes

<p>b. Raw Square: 30 allocated public car spaces (Site 2)</p> <p>The spaces are to be in addition to the parking requirement for the development, they are to be provided to the public at no cost to Council, with the owner/developer entering an agreement with Council, which will include the registration of a restriction on the use of the land pursuant to section 88E of the Conveyancing Act 1919 (NSW) and then entering into a licence agreement in Council's favour, who will manage and maintain the public parking spaces in perpetuity.</p>		
<p>Vehicular access to development sites 1 and 2 is to be restricted to Pilgrim Avenue.</p>	<p>Vehicle access to the proposed development is via Pilgrim Avenue. The notion of requiring the development to deliver an access outcome that more clearly prepared for continuation of access into Site 2 was discussed with Council's Traffic Engineer. It was agreed that the proposed outcome did not eliminate the opportunity for integrated access to be delivered in the future and that this development could only go so far in allowing for this future development scenario.</p>	<p>N/A</p>
<p>Future development within the site is to be designed to support an integrated basement that services both Site 1 and Site 2, with vehicular access from Pilgrim Avenue with relevant easements and rights of carriage-way over site 1 in favour of site 2.</p>	<p>Refer above.</p>	<p>Yes</p>
<p>Pedestrian access to the public car parking to each of Site 1 and Site 2 is to be provided from the Albert Road frontage.</p>	<p>Pedestrian access to the public carpark component of the development will be provided by a lift located off Albert Road. Conditions of consent require additional information to be submitted to Council to demonstrate how the lift operation will be managed in terms of separating public access and residents (plan of management to be submitted as part of a deferred commencement).</p>	<p>Yes/does not inhibit.</p>
3.9 Noise		
<p>An acoustic assessment is to be submitted with development applications proposing residential development on the site and any noise mitigation measures that are recommended are to be implemented</p>	<p>A Noise and Vibration Impact Assessment has been submitted with the Application and reviewed by Council's Environmental Health Team. The proposed mitigation measures have been accepted, subject to additional special conditions to address any outstanding concerns.</p>	<p>Yes, noise mitigation measures and additional acoustic testing to be conditioned.</p>

Any development of the site is to consider and address various matters raised within the Department of Planning's publication titled 'Development Near Rail Corridors and Busy Roads – Interim Guideline' or the applicable publication at the time of DA lodgement	The Noise and Vibration Impact Assessment submitted with the Application address the policy.	Yes, however additional detail requested in STC.
3.10 Stormwater Management		
Any future development of the site is to incorporate stormwater design measures that are designed in accordance with the stormwater management measures set out in SCDCP 2005	The proposal has been reviewed by Council's Hydrological Engineer who was satisfied with the submitted stormwater management plans.	Yes, see internal referral comments.
Driveways providing access to the site are to be designed to achieve the necessary flood free planning level for the site	Refer above.	Yes, see internal referral comments.

Part H – Waste Management

A Waste Management Plan was submitted as part of the development application. As noted under the 'Internal Referrals' section of this report, Council's Environmental Health Officer (Waste) has reviewed the DA and determined the proposal complies with Part H.

Council's Waste Management Officer provided standard conditions of consent customised to the proposal for inclusion in the notice of determination should the proposal be approved.

Part I – Provision of Off-Street Parking Facilities

Council's Traffic Engineer has provided a referral informed by the provisions in Part I of the SCDCP 2005. As noted under the Internal Referrals Section of this report, Council's Traffic Engineer has outlined their general support for the final scheme.

With regard to off-street parking provision, Council's Traffic Engineer has undertaken an assessment of the proposal in accordance with SEPP 65 and the RMS Guide to Traffic Generating Developments which overrides the DCP.

Part N – Water Sensitive Urban Design (WSUD)

Council's Stormwater Engineer confirmed that the proposal satisfies with the relevant provisions under Part N of the SCDCP 2005.

4.15(1)(iia) any planning agreement or draft planning agreement

The proposed development is not subject to a planning agreement pursuant to Section 7.4 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 remnants 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*.

4.15(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

Issues in relation to contamination, waste management and traffic generation have been resolved throughout the assessment of the proposal and are addressed under the ‘internal referrals’ section of this report. Additional commentary is provided below on features of the development that may have environmental impacts and how they have been addressed by the Applicant or can be addressed through conditions of consent.

NOISE AND VIBRATION IMPACTS

As outlined under the ‘Internal Referrals’ Section of this report, a number of reviews to acoustic and vibration impact testing and recommendations have been required to satisfy the relevant legislation and allow Council’s Environmental Health Team to support the Application. The key omission from acoustic testing has been in relation to vibration testing, which is especially relevant to this site considering the proximity to the rail line which facilitates freight movements.

At this stage, it appears that the mitigation measures recommended in the final noise and vibration impact assessment demonstrates sufficient protection against noise intrusion generated from train and traffic noise.

However, given the close proximity of the proposed development to the railway corridor and major road with heavy traffic, additional acoustic compliance testing will be required prior to issues of an occupation certificate by way of conditions of consent.

ACCESS INTO THE BASEMENT FOR THE PUBLIC

As outlined above, the proposed development is required to dedicate 30 commuter parking spaces to Council and these have been provided within Level 1 of the basement. Using the basement floor plan, it is not clear how access will be managed to achieve a safe environment for members of the public accessing the basement and residents of the units, many of whom will have storage cages on the same basement level. Members of the public and residents within Building A will also share a lift with regard to these parking spaces.

To ensure suitable management procedures are in place prior to approval and a safe environment is achieved, a deferred commencement condition will require submission of a plan of management for access to the parking spaces in the context of wider access across the development.

ACCESS OVER PILGRIM AVENUE VERGE

As outlined above, the assessment process revealed that the eastern verge along Pilgrim Avenue is in the ownership of the NSW TAHE, not Council. The Land Owners Consent for access over this verge requires, prior to the issue of a construction certificate, completion of a contract of sale between the developer and TAHE. It is understood based on correspondence with the TAHE and Sydney Trains that the sale of this land is at market cost.

This outcome will privatise the verge along Pilgrim Avenue. The impact of privatisation of this verge, which includes a footpath and street trees is considered acceptable in the context of the site and proposed development for the following reasons:

- Following the completion of the development, the proposed building will be the only frontage to the eastern verge, with no other buildings requiring access,
- The eastern verge does not provide a pedestrian linkage, with the proposed building and basement ramp and the rail line restricting access from the cul-head at the northern end of Pilgrim Avenue.

4.15(1)(c) *the suitability of the site for the development*

The subject site is considered suitable for the proposed development in that:

- Mixed use buildings are permissible land uses within the B4 – Mixed Use zone with consent; and
- The proposal is generally consistent with the aims of SLEP 2012 and the objectives of the respective zones.

As noted in this assessment, the site is considered suitable for a mixed use development of a scale to that which is proposed.

A deferred commencement is proposed to address issues raised in relation to access (Sydney trains) and a plan of management in relation to access to the public parking spaces within Basement Level 1.

4.15(1)(d) *any submissions made in accordance with this Act or the regulations*

The application was notified in accordance with Council's Community Participation Plan from 13 January to 12 February 2021. Forty Eight (48) submissions objecting to the DA were received during this time, with forty five (45) being in the form of a proforma letter. The final design drawings and supporting information were made publicly available on Council's Website and members of the community who had made a submission during the January/February notification period were informed via letter of the new information made publicly available on 8 July. An additional four (4) submissions have been received since this point in time.

The objectors and corresponding address' are listed below and Figure 12 illustrates the location of submissions made from properties near the site.

-
- Linda Wu -1505 5-7 Albert Road Strathfield NSW 2135
 - Patrick PK Chiu & P Cheung - Level 1/41 the Boulevard Strathfield NSW 2135
 - Linda Kim - 1407/5 Albert Road Strathfield NSW 2135
 - Kuang Choi - 506- 5/7 Albert Road, Strathfield NSW 2135
 - John Wong - 14 south street, Strathfield NSW 2135
 - Jessica Lim & Emily Shields -1501/ 5 Albert Road Strathfield NSW 2135
 - Jeff Loang - 1406 / 5 Albert Road, Strathfield NSW 2135
 - Jatin Sharma - 1607 / 5 Albert Road, Strathfield NSW 2135
 - Ho Cheol Jeong - 1001 / 5 Albert Road, Strathfield NSW 2135
 - Helen Rhee - 1606 / 5 Albert Road, Strathfield NSW 2135
 - Guyae Liu - 805 / 5 Albert Road, Strathfield NSW 2135
 - Angus Poole - 1507 3-7 Albert Road, Strathfield NSW 2135
 - Luke Ryan - 1304 / 5 Albert Road, Strathfield NSW 2135
 - Pankaj Kumar - 604 / 5 Albert Road, Strathfield NSW 2135
 - Myong Yoo - 1601 / 5 Albert Road, Strathfield NSW 2135
 - Youngok Kim - 1201 / 5 Albert Road, Strathfield NSW 2135
 - Sharon - 1106 / 5 Albert Road, Strathfield NSW 2135
 - Robert Kelly - 807 / 5 Albert Road, Strathfield NSW 2135
 - Kreem klerchrov - 805 / 5 Albert Road, Strathfield NSW 2135
 - Lee Cocher - 1504 / 5 Albert Road, Strathfield NSW 2135
 - Meriel - 1404 / 5 Albert Road, Strathfield NSW 2135
 - Cath - 806 / 3-5 Albert Road, Strathfield NSW 2135
 - Mikyu Park - 1207 / 5 Albert Road, Strathfield NSW 2135
 - Meredith Long - 1508 / 5 Albert Road, Strathfield NSW 2135
 - Simon Johan - 1105 / 5 Albert Road, Strathfield NSW 2135
 - Patrick Chiu - 703 / 5 Albert Road, Strathfield NSW 2135
 - Carolyn Saw - 1408 / 5 Albert Road, Strathfield NSW 2135
 - Yu-Xian Lin - 1402 / 5 Albert Road, Strathfield NSW 2135
 - Karen Kim - 1204 / 5 Albert Road, Strathfield NSW 2135
 - Su Young Son - 1008 / 5 Albert Road, Strathfield NSW 2135
 - Kwang Mo Ku - 1602 / 3-7 Albert Road, Strathfield NSW 2135
 - Jong Ta Song - 808 / 3-5 Albert Road, Strathfield NSW 2135
 - Daniel Baek - 907 / 5 Albert Road, Strathfield NSW 2135
 - Esme & M. Smith - 1108 / 5 Albert Road, Strathfield NSW 2135
 - Sun Ho Kim -1302 / 5 Albert Road, Strathfield NSW 2135
 - Prasad Wijesekea - 602 / 5 Albert Road, Strathfield NSW 2135
 - Carlos Monteiro & Chrines D'Mello - 507 / 5 Albert Road, Strathfield NSW 2135
 - Ok Hee Yim Lee - 508 / 5 Albert Road, Strathfield NSW 2135
 - Jasmine Wong - 1403 / 5 Albert Road, Strathfield NSW 2135
 - N Kodjak - 708 / 5 Albert Road, Strathfield NSW 2135
 - Sung Ho - 1506 / 5 Albert Road, Strathfield NSW 2135
 - David Choi - 1603 / 5 Albert Road, Strathfield NSW 2135
 - Amy Shearer (VIVA Energy) - GPO BOX 872, Melbourne VIC 3001
 - J M Bonner - 1206 / 5 Albert Road, Strathfield NSW 2135
 - Christine D'Mello – 507/5-7 Albert Road, Strathfield, NSW, 2135
 - Several Unknowns.

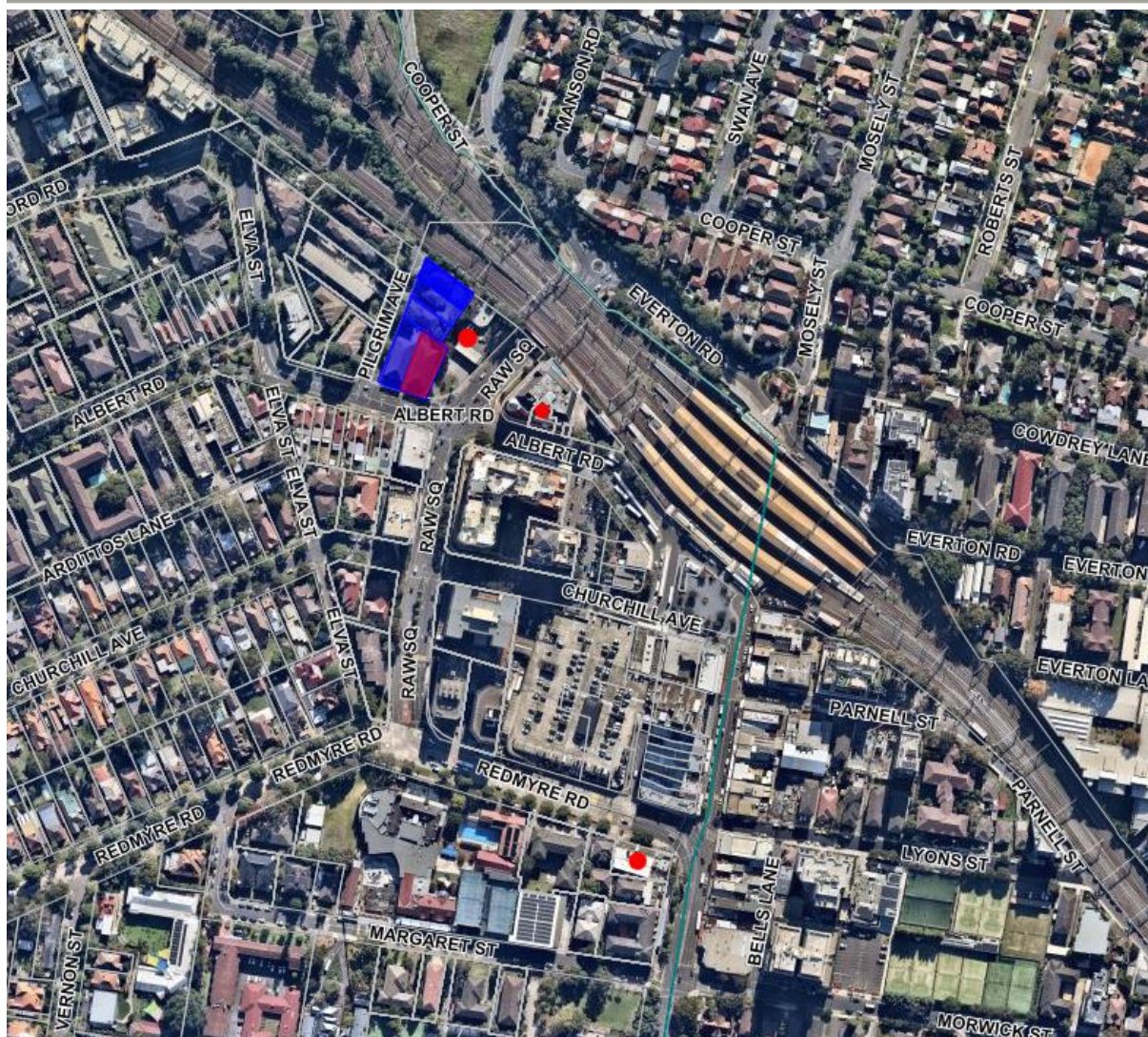


Figure 12 – Location of objectors

The following issues were raised in the above submissions objecting to the proposal:

Submission	Matters Raised	Response
<p>Various - 45 of the submissions were proforma.</p>	<p>Impacts to sunlight/overshadowing resulting from the tall towers</p> <p>Impacts to privacy resulting from the tall towers</p> <p>Increased congestion (vehicular and pedestrian) as a result of commercial component</p>	<p>The proposal incorporates shadow diagrams that indicates a rotation in the shadows cast during mid-winter that allows for solar access to be maintained for surrounding development for a 2 hour period. This outcome is assisted through the two tower scheme and central 'gap'.</p> <p>The two tower scheme, which has been improved following receipt of the proforma objection also allows for improved view lines through the development from various vantage points, including along Pilgrim Avenue</p>

		<p>and from Raw Square and the Strathfield Town Centre.</p> <p>The increased vehicle congestion has been addressed in a traffic impact assessment which has been reviewed and confirmed as satisfactory by Council's Traffic Engineer. Increased pedestrian congestion is considered a non-issue in this circumstance.</p> <p>All of the above concerns must be considered in the context of a site that adjoins the Strathfield Town Centre and forms part of a dense urban environment.</p>
Viva Energy (service station site)	1 submission was received from the Viva Energy who own the service station adjoining the site. The concerns raised are summarised below:	The Applicant has provided a comprehensive and sound response to the concerns raised by Viva Energy. Their response to each item is summarised below.
	It is not clear from the Application what type of basement is being constructed, and in particular whether the basement will be sealed.	<p>Applicant's response:</p> <p><i>The basement will be sealed and tanked.</i></p> <p><i>EI Australia has concluded that the detected metal concentrations in the groundwater are not considered to be a cause of environmental concern for the proposed development.</i></p> <p>Council comment: The Applicant has prepared an PSI and ASI that addresses contamination and the recommendations of these reports will need to be fulfilled as part of conditions of consent.</p>
	We submit that at a minimum the Applicant needs to consider and assess the potential for these sources of contamination and must carry out an approved construction environmental management plan.	<p>Applicant's response:</p> <p><i>The Additional Site Investigation undertaken by EI Australia has considered all relevant sources of potential contamination through soil and groundwater sampling and concludes that the site can be made suitable for the proposed development, subject to</i></p>

		<p><i>implementation of its recommendations. Preparation of a robust Construction Environmental Management Plan (CEMP) forms one of those recommendations, which requires the consideration of normal environmental issues such as dust, noise, odour, vibration safety and traffic, and also site-specific measures relating to waste management and classification of contaminated soils and implementation of unexpected finds protocols.</i></p> <p>Council comment: The recommendations of the ASI prepared for the site will need to be fulfilled as conditions of consent, including the preparation of a CEMP.</p>
	<p><i>There is fuel infrastructure, including pipework, fill points and underground storage tanks in close proximity to the Proposed Development - located directly on the western property boundary.</i></p>	<p>As above.</p>
	<p><i>The proximity of the Proposed Development to the Property creates various safety issues that have not been sufficiently addressed in the Application. For example, the Applicant has not described how it proposes to preserve the integrity of the Service Station's assets and property during the construction process.</i></p>	<p>As above.</p>
	<p><i>The geotechnical report does not reference the use of temporary anchored walls are required.</i></p>	<p>Council comment: Dilapidation reports and additional geotechnical assessment prior to CC will be required as part of the conditions of consent.</p>
	<p><i>Generally, for works near Service Stations such as the Proposed Development, Viva Energy would ordinarily</i></p>	<p>Applicant's response:</p> <p><i>The Applicant acknowledges that cooperation with Viva Energy is</i></p>

	<p><i>require, at the Applicant's cost:</i></p> <p><i>(a) cooperation with Viva Energy;</i></p> <p><i>(b) the undertaking of, an industry standard practice, Safety Management Study of the proposed development to reveal the precise requirements needed to ensure that the maintenance and operation of the Service Station, integrity of the Service Station assets and property and safety to the surrounding environment and people are safeguarded;</i></p> <p><i>c) that the development works only occur after preliminary consultation with Viva Energy and be undertaken in consultation with Viva Energy to minimise the risk of damage and injury.</i></p>	<p><i>required. Detailed construction methodology is not required at the DA stage. Whilst this is the case a CEMP will be prepared for the site that will set out the construction management practices and procedures to ensure the safe and orderly development of the site.</i></p> <p>Council comment: The requirement for the CEMP will be listed as a condition of the development consent and will need to be prepared and approved prior to a Construction Certificate being issued for the development.</p>
	<p><i>As safety considerations of works near the Service Station were not addressed in the Application, the Application in its current form poses an unacceptable risk to the integrity of Viva Energy's asset and the environment and the surrounding community. The Application should therefore be refused in its current form.</i></p>	<p>Applicant's response:</p> <p><i>The protection of service station assets during construction will be appropriately addressed and managed as part of the CEMP that will be prepared and approved for the development prior to a construction certificate being issued.</i></p> <p>Council comment: As above.</p>
	<p><i>The above are examples of some of the safety issues that have not been addressed by the Application.</i></p>	<p>Council comment: As above.</p>
	<p><i>Viva Energy submits that on the basis that the applicant has not considered the potential risks of excavating on a boundary in close proximity to fuel infrastructure</i></p>	<p>Council comment: As above.</p>

	<i>the application should be refused.</i>	
J M Bonner	Impacts on Views to the west and increased traffic in an already congested area	These concerns are addressed in the response to the proforma letter above.
Unknown	General objection – no specific matters raised.	No response can be provided.

Following design changes, the Application was re-notified (**from 8 July 2021**) to members of the public who had made submissions during the original notification period. An additional four written submissions were received, all of which objected to the proposal.

The following members of the public made submissions:

- Viva Energy submitted a cover letter to their original submission,
- J M Bonner submitted a cover letter to their original submission.
- Carlos S Montaro, who made a submission by way of the proforma letter provided Council with a submission outlining the following additional concerns:
 - The removal of the six trees on site will change the character of the neighbourhood.
 - Trees are a precious recourse and there is an environmental responsibility to protect trees on site.
- Christine D'Mello made a similar objection to Carlos S Montaro

The response to the originally submissions generally addresses the matters raised above. Recent revisions to the design have improved the developments environmental performance and conditions of consent will require the development to be further revised to address any outstanding matters.

In relation to the preservation of trees, Council's Tree Manager has reviewed the significance of the species and did not raise any objection to their removal. Conditions of consent will require preservation of street trees and trees on neighbouring properties. It is agreed that all developments should endeavour to protect trees on site. However, each development must be considered in the context of the site and in this circumstance, the environmental benefits of delivering a dense transit orientated residential apartment block with basement parking has been prioritised over the need to protect tree species which have been identified as insignificant.

4.15(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 has informed the recommendation.

SECTION 94 CONTRIBUTIONS

STRATHFIELD 7.11 DIRECT CONTRIBUTIONS PLAN

Section 7.11 Direct Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan as follows:

Payment of a Section 7.11 Contribution applies to the development in accordance with the *Strathfield Direct Development Contributions Plan 2010-2030*, as follows:

Provision of Community Facilities	\$309,931.06
Provision of Major Open Space	\$1,454,318.76
Provision of Local Open Space	\$498,527.45
Provision Roads and traffic Management	\$121,788.25
Administration	\$61,046.90
TOTAL	\$2, 415, 385.72

Note: The site is located in Precinct 4.

CONCLUSION

Having regard to the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, the proposal is considered to be acceptable on its merits and is recommended for approval subject to conditions of consent

Signed: Joe Gillies
Senior Planner

- ☒ I confirm that I have determined the abovementioned development application with the delegations assigned to my position;
- ☒ I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are not applicable to this development;

Report and recommendations have been peer reviewed and concurred with.

Signed: George Andonoski
Specialist Strategic Planner

RECOMMENDATION

That Development Application No. DA2020/256 for site preparation works including demolition, tree removal, remediation works, and excavation, and construction of a part 11, part 15 storey mixed-use development comprising 168 dwellings, two (2) ground floor commercial spaces and four (4) basement levels, as well as ancillary and landscaping works be **APPROVED**, subject to a deferred commencement and conditions of consent:

The following conditions of consent are imposed for the following reasons:

- To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.
- To protect the environment.
- To ensure that there is no unacceptable impact on the amenity of the area, or to private

- and public property.
d) It is in the public interest.

DEFERRED COMMENCEMENT CONDITIONS

This is a Deferred Commencement Consent under Section 4.16(3) of the Environmental Planning and Assessment (EP&A Act, 1979. This consent does not become operative until the conditions listed below have been satisfied. All conditions shall be satisfactorily resolved within a period of 12 MONTHS from the Determination Date that is shown on this consent. Upon compliance with the conditions below and written confirmation of this from Council, the consent shall become operative from the 'Date of Endorsement'.

(1) Deferred Commencement - General

Pursuant to Section 4.16(3) of the [Environmental Planning and Assessment Act 1979](#), this consent will not operate until the following requirements are satisfied:

- a) The General Terms of Approval prepared by Sydney Trains and dated 24 August 2021 and listed in Condition 9 of this consent.
- b) A Plan of Management is to be submitted to Council to address access to the commuter parking spaces. The Plan of Management must address at a minimum how access to the lifts will be managed with regards to public access and private access for residents.

All conditions shall be satisfactorily resolved within a period of 6 months from the Determination Date that is shown on this consent. Upon compliance with the conditions below and written confirmation of this from Council, the consent shall become operative from the 'Date of Endorsement'.

DEVELOPMENT DETAILS

(2) Approved Plans & Documentation

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Site Analysis Location Plan	1361 – DA05G	30/6/21	G	Kennedy Associates
Site Analysis Site Plan	1361 – DA05G	30/6/21	G	Kennedy Associates
Demolition Plan	1361 – DA11G	30/6/21	G	Kennedy Associates

Proposed Basement 04	1361 – DA12G	30/6/21	G	Kennedy Associates
Proposed Basement 03	1361 – DA13G	30/6/21	G	Kennedy Associates
Proposed Basement 02	1361 – DA14G	30/6/21	G	Kennedy Associates
Proposed Basement 01	1361 – DA15G	30/6/21	G	Kennedy Associates
Proposed Level 00 - mezzanine	1361 – DA16.1G	30/6/21	G	Kennedy Associates
Proposed Level 00	1361 – DA16G	30/6/21	G	Kennedy Associates
Proposed Level 01	1361 – DA17G	30/6/21	G	Kennedy Associates
Proposed Level 02	1361 – DA18G	30/6/21	G	Kennedy Associates
Proposed Level 03	1361 – DA19G	30/6/21	G	Kennedy Associates
Proposed Level 04	1361 – DA20G	30/6/21	G	Kennedy Associates
Proposed Level 05	1361 – DA21G	30/6/21	G	Kennedy Associates
Proposed Level 06	1361 – DA22G	30/6/21	G	Kennedy Associates
Proposed Level 07	1361 – DA23G	30/6/21	G	Kennedy Associates
Proposed Level 08	1361 – DA24G	30/6/21	G	Kennedy Associates
Proposed Level 09	1361 – DA25G	30/6/21	G	Kennedy Associates
Proposed Level 10	1361 – DA26G	30/6/21	G	Kennedy Associates
Proposed Level 11	1361 – DA27G	30/6/21	G	Kennedy Associates
Proposed Level 12	1361 – DA28G	30/6/21	G	Kennedy Associates
Proposed Level 13	1361 – DA28.1G	30/6/21	G	Kennedy Associates

Proposed Level 14	1361 – DA28.2G	–	30/6/21	G	Kennedy Associates
Roof Level	1361 – DA29G		30/6/21	G	Kennedy Associates
SW Elevation (Albert Road)	1361 – DA30G		30/6/21	G	Kennedy Associates
NW Elevation (Pilgrim Avenue)	1361 – DA31G		30/6/21	G	Kennedy Associates
NE Elevation (Rail Corridor)	1361 – DA32H		05/07/21	H	Kennedy Associates
SE Elevation (Raw Square)	1361 – DA33G		29/6/21	G	Kennedy Associates
Internal Elevations	1361 – DA34G		30/6/21	G	Kennedy Associates
Streetscape Elevations 01	1361 – DA35G		30/6/21	G	Kennedy Associates
Streetscape Elevations 02	1361 – DA36H		05/07/21	H	Kennedy Associates
Section C	1361 – DA39G		30/6/21	G	Kennedy Associates
Finishes	1361 – DA41G		30/6/21	G	Kennedy Associates
Summary of ADG cross ventilation	1361 – DA45G		30/6/21	G	Kennedy Associates
Adaptable Unit Layouts 01	1361 – DA51G		30/6/21	G	Kennedy Associates
Adaptable Unit Layouts 01	1361 – DA52G		30/6/21	G	Kennedy Associates
Design Analysis – Sydney Trains	1361 – DA61G		30/6/21	G	Kennedy Associates
Summary of ventilation of noise affected units	1361 – DA67G		30/6/21	G	Kennedy Associates

Natural ventilation – typical details		1361 – DA72G	30/6/21	G	Kennedy Associates
Site Plan		LA02	17/06/21	P2	Taylor Brammer
Landscape Level 00	Plan	LA03	17/06/21	P2	Taylor Brammer
Landscape Level 01	Plan	LA04	17/06/21	P2	Taylor Brammer
Landscape Level 02	Plan	LA05	17/06/21	P2	Taylor Brammer
Landscape Level 03	Plan	LA06	17/06/21	P2	Taylor Brammer
Landscape Level 04	Plan	LA07	17/06/21	P2	Taylor Brammer
Landscape Level 05	Plan	LA08	17/06/21	P2	Taylor Brammer
Landscape Level 11	Plan	LA09	17/06/21	P2	Taylor Brammer
Elevations sections	and	LA10	17/06/21	P2	Taylor Brammer
Elevations sections	and	LA11	17/06/21	P2	Taylor Brammer
Planting Plan Level 01		LA12	17/06/21	P2	Taylor Brammer
Planting Plan Level 05 & 11		LA13	17/06/21	P2	Taylor Brammer
Planting Plan Level 02, 03 & 04		LA14	17/06/21	P2	Taylor Brammer
Planting character		LA15	17/06/21	P2	Taylor Brammer
Landscape details		LD01	17/06/21	P2	Taylor Brammer

Stormwater Plans – General Notes	A20219 COVER	-	18/06/21	F	Alpha Engineering & Development
Sediment and Erosion Control Plan	A20219 SW01	–	18/06/21	F	Alpha Engineering & Development
Basement Drainage Plan	4 A20219 SW02	–	18/06/21	F	Alpha Engineering & Development
Basement Drainage Plan	3 A20219 SW03	–	18/06/21	F	Alpha Engineering & Development
Basement Drainage Plan	2 A20219 SW04	–	18/06/21	F	Alpha Engineering & Development
Basement Drainage Plan	1 A20219 SW05	–	18/06/21	F	Alpha Engineering & Development
Ground Floor Drainage Plan	A20219 SW06	–	18/06/21	F	Alpha Engineering & Development
Level 1 Drainage Plan	A20219 SW07	–	18/06/21	F	Alpha Engineering & Development
Roof Drainage Plan	A20219 SW08	–	18/06/21	F	Alpha Engineering & Development
OSD Sections and Details & Drains Model	A20219 SW09	–	18/06/21	F	Alpha Engineering & Development
WSUD Analysis s- MUSIC Model	A20219 SW10	–	18/06/21	F	Alpha Engineering & Development
BASIX CERTIFICATE	Certificate number: 1156687M_03		21 June 2021	-	Dural Group Pty Ltd
Design Verification Statement	-		30/06/21	-	Kennedy Associates
Natural Ventilation Statement	WG097-01F03		18/06/21	Rev 3	Windtech
Noise and Vibration Impact Assessment	DA Issue Update		09/08/21	P4	Dural Group Pty Ltd

for DA

Revised Traffic and Parking Assessment Report	Ref 20675	29/06/21	-	Varga Traffic Planning
Amended Waste Management Plan	-	June 2021	-	Dickens Solutions
Additional Site Investigation	WG097-01F03	25/06/21	0	Ei Australia
Overland Flood Study and Flood Impact Report	A20219	10/12/21	REV B	Alpha Engineering and Development

(3) **Building Height**

The height of the building measured from Australian Height Datum (AHD) must not exceed Relative Level (RL) 62.160 AHD to the roof ridge of the proposed Building P.

SEPARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

(4) **Section 138 Roads Act 1993 and Section 68 Local Government Act 1993**

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;

-
- (g) Constructing a vehicular crossing or footpath;
 - (h) Establishing a “works zone”;
 - (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
 - (j) Stormwater & ancillary works in the road reserve; and
 - (k) Stormwater & ancillary to public infrastructure on private land
 - (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council’s roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council’s website www.strathfield.nsw.gov.au. For further information, please contact Council’s Customer Service Centre on (02) 9748 9999.

(5) Vehicular Crossing – Major Development

The following vehicular crossing and road frontage works will be required to facilitate access to and from the proposed development site:

- a) Construct a 1.5 metre wide footpath for the full length of the frontage of the site in Albert Road and Pilgrim Avenue in accordance with Council’s Specifications applying at the time construction approval is sought.
- b) The thickness and design of the driveway shall be in accordance with Council’s Specifications applying at the time construction approval is sought.
- c) In consultation with Council and TfNSW, construct a new 150mm high concrete kerb with 450mm wide gutter for the full frontage(s) of the site in Albert Road and Pilgrim Avenue in accordance with Council and TfNSW’s Specifications for kerb and guttering, applying at the time construction approval is sought.
- d) Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant. The work shall be carried out in accordance with Council’s specification, applying at the time construction approval is sought.
- e) The owner is to bear all costs associated with the development and provision of the vehicular crossing on Pilgrim Avenue, road frontage works, public domain works, and road construction to facilitate access to and from the development site. All external civil works are to be in accordance with the works identified in the approved Architectural Drawings prepared by Kennedy Associates and dated 30 June 2021 unless the above changes these plans and should be designed and built in accordance with Council’s specifications and apply to a separate works application with Council.

All of the above works must be undertaken in consultation with the owner of the full Pilgrim Avenue Road reserve (inclusive of verge). Landscaping works within the road verge must be undertaken in accordance with the Landscape Concept prepared by Taylor Brammer and dated 17 June 2021 and floor plans prepared by Kennedy and Associates and dated 30 June 2021 and must be undertaken in consultation with the owner of the verge. Tree removal is not permitted.

Constructing a vehicular crossing and/or footpath requires separate approval under Section 138 of the [Roads Act 1993](#), prior to the commencement of those works.

(6) Road Opening Permit

A Road Opening Permit must be obtained from Council, in the case of local or regional roads, or from TfNSW, in the case of State roads, for every opening of a public road reserve to access services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of work in the road.

(7) Building – Hoarding Application

Prior to demolition of the buildings on the site, or the commencement of work above ground level, a separate application for the erection of an 'A class' (fence type) or a 'B class' (overhead type) hoarding or 'C type' scaffold, in accordance with the requirements of SafeWork NSW, must be erected along that portion of the footways/roadway where the building is within 3 metres of the street boundary.

An application for this work under Section 68 of the [Local Government Act 1993](#) and the Roads Act 1993 must be submitted for approval to Council.

The following information is to be submitted with a Hoarding Application under Section 68 of the [Local Government Act 1993](#) and Section 138 of the [Roads Act 1993](#):

- (a) A site and location plan of the hoarding with detailed elevation, dimensions, setbacks, heights, entry and exit points to/from the site, vehicle access points, location of public utilities, electrical overhead wire protection, site management plan and builders sheds location; and
- (b) Hoarding plan and details that are certified by an appropriately qualified engineer; and
- (c) The 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 (available at www.strathfield.nsw.gov.au) before the commencement of work; and
- (d) A Public Risk Insurance Policy with a minimum cover of \$20 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 a copy provided to Council. The Policy is to note Council as an interested party.

(8) Below Ground Anchors – Information to be Submitted with S68 Application under LGA

1993 and S138 Application under Roads Act 1993

In the event that the excavation associated with the basement carpark is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways, an application must be lodged with Council under Section 68 of the [Local Government Act 1993](#) and the [Roads Act 1993](#) for approval, prior to commencement of those works. The following details must be submitted.

- (a) That cable anchors will be stressed released when the building extends above ground level to the satisfaction of Council.
- (b) The applicant has indemnified Council from all public liability claims arising from the proposed works, and provide adequate insurance cover to the satisfaction of council.
- (c) Documentary evidence of such insurance cover to the value of \$20 million.
- (d) The applicant must register a non-terminating bank guarantee in favour of Council for the amount of \$20,000.

The guarantee will be released when the cables are stress released. In this regard it will be necessary for a certificate to be submitted to Council from a structural engineer at that time verifying that the cables have been stress released.

- (e) That in the event of any works taking place on Council's roadways/footways adjoining the property while the anchors are still stressed, all costs associated with overcoming the difficulties caused by the presence of the 'live' anchors will be borne by the applicant.

REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES

(9) General Terms of Approval

The development shall be carried out in accordance with the requirements of the General Terms of Approval (GTA) outlined below.

Approval Body	Date of GTA
Water NSW	26/03/2021
Sydney Trains	24/08/2021
NSW Roads and Maritime Services	03/02/2021

A copy of the requirements of the approval Authority is attached to this consent.

(10) Road Noise

The site is affected by noise from Albert Road and Raw Square. An Acoustic Report prepared by a suitably qualified acoustic consultant shall be submitted demonstrating that the development has been designed with measures of acoustic attenuation to meet the internal noise levels specified in Clause 102 of [State Environmental Planning Policy \(Infrastructure\) 2007](#).

The measures of acoustic attenuation shall be reflected on the Construction Certificate plans.

(11) Sydney Water – Tap in™

The approved plans must be submitted to a Sydney Water Tap in™ to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap in™ agent has appropriately stamped the plans prior to the issue of the Construction Certificate.

(12) Notice of Requirements for a Section 73 Certificate

A Notice of Requirements of what will eventually be required when issuing a Section 73 Compliance Certificate under the [Sydney Water Act 1994](#) must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the 'Plumbing, building and developing' section of the web site www.sydneywater.com.au then refer to 'Providers' under 'Developing' or telephone 13 20 92 for assistance.

Following application, a 'Notice of Requirements' will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, as it can take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

The Notice of requirements must be submitted prior to the commencement of work. A Section 73 Compliance Certificate will be required at the completion of development in accordance with further conditions.

(13) Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the [Sydney Water Act 1994](#) must be submitted to the PCA prior to the issue of the Occupation/Subdivision Certificate.

(14) Electricity Supply

An application is required to be made to Ausgrid for a network connection. This may require the network to be extended or its capacity augmented. Evidence of this application being lodged with Ausgrid is required to be provided to the Certifying Authority prior to the issue of a Construction Certificate. For further details, you are advised to contact Ausgrid on 13 13 65 or

www.ausgrid.com.au (Business and Commercial Services).

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

(15) Fees to be Paid

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.strathfield.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact council prior to the payment of s7.11 Contributions to determine whether the amounts have been indexed in this consent and the form of payment that will be accepted by Council.

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation)	\$177,791.00
Or, provide evidence of Payment direct to the Long Service Corporation. See https://portal.longservice.nsw.gov.au/bci/levy/	
Security Damage Deposit	\$ 33,000.00
Tree Bond	\$ 160,000.00
Street Trees eastern side of Pilgrim Avenue (3 x 10-15m)	
Street Trees western side of Pilgrim Avenue (2 x 5-10m, 2 x 20m+)	
Administration Fee for Damage Deposit	\$ 254.00

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

The Section 7.11 contributions (s94) have been imposed on this consent in accordance with the *Ministerial Directions – Timing of Payments* and are deferred until the issuing of the first occupation certificate.

However, if no construction certificate in respect to the erection of any building to which this consent relates has been issued on or before 25 September 2022, the monetary contribution must be paid before the issue of the any construction certificate after that date for any such building.

Indexation

The contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website www.strathfield.nsw.gov.au.

(16) Acid Sulfate Soils

A detailed acid sulfate soil assessment is required. This is to be carried out by a suitably qualified person and in accordance with the acid sulfate soils assessment guidelines (ASSMAC August 1998). The detailed assessment is to demonstrate that the site is suitable for the approved development. The detailed assessment shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(17) Damage Deposit – Major Works

In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a security damage deposit for the cost of making good any damage caused to any Council property as a result of the development: \$33,000.00
- (a) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: \$127.00
- (b) Submit to Council, before the commencement of work, a dilapidation report of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will review the dilapidation report and the Works-As-Executed Drawings (if applicable) and inspect the public works.

The damage deposit will be refunded in full upon completion of work where no damage occurs and

where Council is satisfied with the completion of works. Alternatively, the damage deposit will be forfeited or partly refunded based on the damage incurred.

(18) Tree Bond

A tree bond of \$160,000.00 (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate. The trees that have generated these fees are as follows:

- Street Trees eastern side of Pilgrim Avenue (3 x 10-15m)
- Street Trees western side of Pilgrim Avenue (2 x 5-10m, 2 x 20m+)

The deposit is required as security against any damage to existing trees to be retained on the Pilgrim Avenue 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.

A request for refund of the Tree Bond must be made in writing.

Tree Bonds may be forfeited if a tree is dead, made dangerous or has been terminally damaged, or will be held until tree/s have fully recovered from the construction damage or were replacement/planted trees have become fully established and are over 6 metres in height.

(19) Site Management Plan

Major Development

A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:

- (a) location of protective site fencing;
- (b) location of site storage areas/sheds/equipment;
- (c) location of building materials for construction, e.g. stockpiles
- (d) provisions for public safety;
- (e) dust control measures;
- (f) method used to provide site access location and materials used;
- (g) details of methods of disposal of demolition materials, according to Waste Management Plan and which should be used or recycled wherever practicable;
- (h) method used to provide protective measures for tree preservation;
- (i) provisions for temporary sanitary facilities;
- (j) location and size of waste containers/skip bins, according to the Waste Management Plan and including resource recovery methods;
- (k) details of proposed sediment and erosion control measures;
- (l) method used to provide construction noise and vibration management;

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- (m) construction and demolition traffic management details.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

(20) SEPP 65 Design Verification Statement

A design verification statement, prepared by a qualified designer, shall be submitted to the Certifying Authority verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out under Schedule 1 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

(21) Design Quality Excellence (Major Development)

- (a) In order to ensure the design quality excellence of the development is retained:
- i. The design architect is to have direct involvement in the design documentation, contract documentation and construct stages of the project;
 - ii. The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of the design issues throughout the life of the project;
 - iii. Evidence of the design architect's commission is to be provided to the Council prior to release of the Construction Certificate.
- (b) The design architect of the project is not to be changed without prior notice and approval of the Council.

(22) BASIX Commitments

The approved BASIX Certificate shall be submitted to the Accredited Certifier with the application for a Construction Certificate.

All measures and commitments as detailed in the BASIX Certificate No. 1156687M_03 must be implemented on the plans lodged with the application for the Construction Certificate.

(23) Low Reflectivity Roof

Roofing materials must be low glare and reflectivity. Details of finished external materials including colours and texture must be provided to the Certifying Authority.

(24) Archaeological Investigation

Prior to the issue of a Construction Certificate:

- (a) The applicant must apply to Heritage NSW for an excavation permit under Section 140 of the [Heritage Act 1977](#).
- (b) Should any potential archaeological deposit likely to contain Aboriginal objects be identified by any person during the planning or historical assessment stage, application must be made by a suitably qualified archaeologist to the NSW Government Office of Environment and Heritage for an excavation permit for Aboriginal objects.
- (c) The applicant must comply with the conditions and requirements of any excavation permit required, and are to ensure that allowance is made for compliance with these conditions and requirements into the development program.
- (d) General bulk excavation of the site is not to commence prior to compliance with the conditions and requirements of any excavation permit required.
- (e) Should any relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the [Heritage Act 1977](#).
- (f) Should any Aboriginal objects be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and NSW Government Office of Environment and Heritage is to be informed in accordance with Section 89A of the [National Parks and Wildlife Act 1974](#);
- (g) Should any archaeological remains or Aboriginal objects be discovered, a copy of recording of the finds and the final archaeological summary report is to be submitted to Council's Heritage Advisor prior to issue of an Occupation Certificate.

(25) Erosion & Sedimentation Control

Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) 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)
- (c) All clean water run-off is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway

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- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
 - (h) Compliance with [Managing Urban Stormwater – Soils and Construction \(Blue Book\) produced by Landcom 2004.](#)

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

(26) Pre-Construction Dilapidation Report – Private Land

A professional engineer specialising in structural or geotechnical engineering shall prepare a Pre-Construction Dilapidation Report detailing the current structural condition of adjoining premises including but not limited to:

- (a) All neighbouring buildings likely to be affected by the excavation as determined by the consulting engineer.
- (b) 9 Albert Road, STRATHFIELD NSW 2135 (Lot 100 DP 807807)
- (c) 11 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP 22063)
- (d) 9 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP30743)
- (e) 5-7 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP1767)
- (f) 3 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP30347)
- (g) 1 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP53467)

The report shall be prepared at the expense of the applicant and submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

A copy of the pre-construction dilapidation report is to be provided to the adjoining properties (subject of the dilapidation report), a minimum of 5 working days prior to the commencement of work. Evidence confirming that a copy of the pre-construction dilapidation report was delivered to the adjoining properties must be provided to the PCA.

Should the owners of properties (or their agents) refuse access to carry out inspections, after being given reasonable written notice, this shall be reported to Council to obtain Council's agreement to complete the report without access. Reasonable notice is a request for access in no sooner than 14 days between 8.00am-6.00pm.

(27) Stormwater System

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system in accordance with Council stormwater management code and AS/NZS 3500.3: 2015 (as amended), prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

(28) On Site Detention

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

An on-site detention (OSD) facility designed by a professional engineer who specialises in Hydraulic Engineering must be designed, approved and installed. The design must include the computations of the inlet and outlet hydrographs and stage/storage relationships of the proposed OSD using the following design parameters:

- (a) peak flow rates from the site are to be restricted to a permissible site discharge (PSD) equivalent to the discharge when assuming the site contained a single dwelling, garage, lawn and garden,
- (b) at Annual Recurrence Intervals of 2 years, 10 years and 100 years.

The OSD facility shall be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign is to be placed at the OSD facility and must bear the words:

"BEWARE: This is an on-site detention basin/tank for rainwater which could overflow during heavy storms."

Full details shall accompany the application for the Construction Certificate.

(29) Detailed Stormwater Drainage Design

The submitted stormwater plan has been assessed as a concept plan only. A detailed drainage design supported by a catchment area plan and drainage calculations (including a Hydraulic Grade Line Analysis) in accordance with Council's Stormwater Management Code must be submitted with the Construction Certificate application.

(30) Compliance with Flood Study

The development shall be designed to conform to the recommendations and conclusions of the submitted flood study prepared by ALPHA Engineering and Development ref: A20219 – REV B dated 10.12.2020.

This shall include, but not be limited to, any recommendations for the following:

- (a) Minimum floor levels
- (b) Site regrading
- (c) Overland flow path construction
- (d) Protection of the basement from inundation of surface waters

Evidence from professional engineer that specialises in hydraulic engineering that all design requirements have been adhered to shall be submitted with the Construction Certificate application.

(31) Water Sustainability – Water Sensitive Urban Design

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 SCDGP 2005, and be prepared by a suitably qualified professional engineer.

(32) Pump-Out System Design for Stormwater Disposal

The design of the pump-out system for storm water disposal will be permitted for drainage of basement areas only, and must be designed in accordance with the following criteria:

- (a) The pump system shall consist of two pumps, connected in parallel, with each pump being capable of emptying the holding tank at the rate equal to the rate of inflow for the one-hour duration storm. The holding tank shall be capable of holding four hour's runoff from a one-hour duration storm of the 1 in 100 year storm;
- (b) The pump system shall be regularly maintained and serviced, every six (6) months; and
- (c) Any drainage disposal to the street gutter from a pump system must have a stilling sump provided at the property line, connected to the street gutter by a suitable gravity line.

Details and certification of compliance from a professional engineer specialising in civil engineering shall be provided for approval with the Construction Certificate application.

(33) Stormwater Drainage Plan Details

Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineering specialising in hydraulic engineering shall be submitted with the Construction Certificate application.

These plans shall be prepared in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (1987) and Council's Stormwater Management Code.

(34) Driveway Construction Plan Details

Detailed engineering plans for the driveway shall be submitted with the Construction Certificate application for approval that show:

- (a) Longitudinal and cross sections, gradients, access onto the proposed lots, type of construction materials designed in accordance with Council's Subdivision standards and AS/NZS2890.1-2004.
- (b) Suitable underground provision for the supply of all relevant services to the proposed lots (proposed position of pipes and conduits).

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- (c) The full length of the driveway designed with a minimum 150mm thick reinforced concrete and minimum of 2.7m wide pavement/kerb face to kerb face width, and a non-slip surface.

(35) Waste Manage Plan (WMP)

Prior to the issue of a Construction Certificate, a Waste Management Plan (WMP) must be submitted and it must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005) and must be consistent with the Waste Management Plan prepared by Dickens Solution dated June 2021 and listed in Condition 2 unless otherwise amended in this consent.

A WMP will become part of any development consent issued and aims to facilitate better waste management, waste minimization and resource recovery.

The WMP is an important planning document that will not only be utilised as part of the development application process, but during construction and for the ongoing use of the development. The WMP will continue to apply as a working reference for the life of the development.

At least one copy of the WMP is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

(36) Special Conditions – Waste Management

The following requirements must be detailed in the Waste Management Plan submitted to the PCA prior to issue of the Construction Certificate:

1. Cardboard boxes or large cardboard containers should not be included in the garbage chute and proper bin location for cardboard must be provided
2. Disposal or recycling of electronic waste, household batteries, light bulbs, polystyrene and clothing must be organised and written evidence of private collection must be provided (according to provided WMP and EPA's "Better practice guide for resource recovery in residential developments")
3. Allocated space for collection of Return and Earn containers should be provided (EPA's "Better practice guide for resource recovery in residential developments").
4. Waste Education provided to all unit owners, residents and staff, explaining waste management guidelines (posters, brochures, signs etc.)

(37) Fire Safety Measures

Prior to the issue of a construction certificate a list of the existing and proposed essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a PCA. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or PCA will then issue a Fire Safety Schedule for the building.

(38) Structural Details

Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the PCA.

(39) Hazardous Material Survey

A Hazardous Materials Survey should be conducted prior to demolition. And submitted to Council.

(40) Contamination Site Assessment

Prior to Council or an accredited certifier issuing a construction certificate, the Applicant must demonstrate compliance with the recommendations listed in the additional site investigation completed EI Australia PTY LTD dated 25 June 2021.

The PCA must be satisfied the recommendations have been accorded with.

(41) Engineer's Certificate

A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure, to support all proposed additional superimposed loads shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

(42) Access for Persons with a Disability

Access and/or sanitary facilities for persons with disabilities must be provided to the premises/building in accordance with the requirements of the Premises Standards, the Building Code of Australia, and AS 1428.1. Details must be submitted with the Construction Certificate Application for approval.

(43) Commonwealth Disability (Access to Premises) Standard

The Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards) applies to all applications (i.e. Construction Certificate). This requires any new building, part of a building and the affected part of the existing building to comply with the Premises Standards, the Building Code of Australia and AS 1428.

(44) Geotechnical Report

Geotechnical Reports: The applicant must submit a Geotechnical Report, prepared by a professional engineer specialising in geotechnical engineering who holds the relevant Certificate of accreditation as required under the *Building Professionals Act 2005* in relation to dilapidation reports, all site works

and construction. This is to be submitted before the issue of the Construction Certificate and is to include:

- (a) Investigations certifying the stability of the site and specifying the design constraints to be placed on the foundation, any earthworks/stabilization works and any excavations.
- (b) Dilapidation Reports on the adjoining properties including, but not limited to (address) and (address) prior to any excavation of site works. The Dilapidation Report is to include assessments on, but not limited to, the dwellings at those addresses and any external paths, grounds etc. This must be submitted to the PCA and the adjoining residents as part of the application for the Construction Certificate. Adjoining residents are to be provided with the report five (5) working days prior to any works on the site.
- (c) On-site guidance by a vibration specialist during the early part of excavation.
- (d) Measures to minimise vibration damage and loss of support to other buildings. Where possible any excavation into rock is to be carried out with tools such as rock saws which reduce vibration to adjoining buildings and associated structures. Where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence) the report shall detail the maximum size of hammer to be used and provide all reasonable recommendations to manage impacts.
- (e) Sides of the excavation are to be pierced prior to any excavation occurring to reinforce the walls of the excavation to prevent any subsidence to the required setbacks and neighbouring sites.

(45) Off Street Parking – Compliance with AS2890

All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1 (for car parking facilities), AS 2890.6 (parking for people with disabilities) and AS 2890.2 (for commercial vehicle facilities).

(46) Construction Traffic Management Plan [Large Developments only]

A Construction Traffic Management Plan detailing:

- (a) construction vehicle routes;
- (b) anticipated number of trucks per day;
- (c) hours of construction;
- (d) Access arrangements; and
- (e) Proposed traffic measures to minimise impacts of construction vehicles

must be submitted for the approval of Council's Engineers. Council's Engineers must specify in writing that they are satisfied with the Traffic Management Plan prior to the issue of the Construction Certificate.

(47) Provision of On-site Car Share Scheme

The developer must obtain written approval from a commercial car share operator confirming their intention to place a car share scheme within the subject property. Nominated commercial car share space(s) must be made publicly accessible.

(48) Regulated Systems – Details & Fit Out

Details of the regulated system (cooling towers and warm water system) must be submitted to the Accredited Certifier for approval. Such details must demonstrate compliance with the following:

- i. [Public Health Act 2010](#) (as amended).
- ii. [Public Health Regulation 2012](#) (as amended).
- iii. AS/NZS 3666.1:2002 Air-handling and water systems of buildings -Microbial control-Design, installation and commissioning (as amended).

(49) Acoustic Requirements

Compliance with submitted Acoustic Report

The Construction Certificate plans shall demonstrate compliance with the Acoustic Report submitted and approved by Council, titled Noise and Vibration Impact Assessment For DA prepared by Dural Group and dated 9/8/2021.

Acoustic Report - General Operation of Premises

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the [Protection of the Environment Operations Act 1997](#) (as amended) and [Regulations](#).

An Acoustic Report shall be prepared by a suitably qualified acoustic consultant demonstrating that the operation of the premises and plant equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background LA90, 15 min noise level, measured in the absence of the noise sources under consideration by more than 5dB. The source noise level shall be assessed as a LAeq, 15 min in accordance with the NSW Environment Protection Authority's [NSW Industrial Noise Policy](#).

Locations of all mechanical plant such as; air conditioning units, ventilation/ exhaust system for underground carpark, and ventilation and exhaust systems for commercial lots shall be provided to Council to ensure adequate locations and preserve noise amenity to residents and neighbouring properties.

(50) Waste Management Plan

A Waste Management Plan incorporating all requirements in respect of the provision of waste storage facilities, removal of all materials from the site that are the result of site clearing, extraction, and, or demolition works and the designated Waste Management Facility shall be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

WMP should also indicate how waste education will be provided, in order to minimise waste disposal, contamination and to increase recycling. Educational signage is to be installed in waste rooms and

commons areas.

[EPA's Better Practice Guide for Waste Management in Multi-unit Dwellings](#) and [Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities](#) should be used to inform design and waste management outcomes in new and existing development.

The WMP must be consistent with the Waste Management Plan prepared by Dickens Solution dated June 2021 and listed in Condition 2 unless otherwise amended in this consent.

(51) Waste, Recycling and Bulky Storage Rooms

The waste storage area shall not be visible from the street. The waste storage area shall be located within the lot/building in accordance with the approved plans.

The waste storage area, collection area and presentation area shall be large enough to accommodate the following number of bins for the development;

- (a) Domestic Waste – 32 x 660 litre mobile bins.
- (b) Domestic Recycling – 86 x 240 or 32 X 660L litre mobile bins.
- (c) A minimum bulky goods waste storage area of 68.8m²
- (d) Swept paths for 10m rear loader garbage truck, with swept paths demonstrating compliance with the following requirements:
 - (e) 10m rear loader accessible – turning circle 18m kerb to kerb
 - (f) Length of standing area 10m
 - (g) 3.6m height clearance
 - (h) Gradient of ramps maximum 1 in 5.

At a minimum rate of 1.1m² per 240L bin, 2.03m² per 660L bin, 2.7m² per 1100L bin and located in an area to suitably facilitate servicing on waste collection day.

The layout of the waste and recycling storage room must allow easy unobstructed access to all bins (stacked bin arrangements are not acceptable) and allow the bins to be easily removed for servicing purposes.

Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities.

A caretaker or individual(s) shall be nominated as being responsible for transferring the bins to the collection point and back into the waste storage room/area.

Detailed plans of waste and recycling storage rooms must be submitted along with Waste Management Plan and Waste and Recycling Storage Room/Area Design Checklist. Details of any specialised waste disposal equipment to be used in the development such as compactors (carousel and linear), bin tugs, chutes, crushers, bunding, oil water separators (coalescing plate separators), etc. to be provided to Council for approval.

Bulk collection area must be provided at a rate of 4m² per 10 units and should be located adjacent to waste and recycling storage rooms.

(52) Onsite Waste Collection

Development for the purposes of multi-unit housing, residential flat buildings, serviced apartments,

boarding houses, mixed use and commercial developments must provide onsite underground or at-grade collection of waste, which must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005).

Waste servicing and collection arrangements should be clearly depicted and annotated on architectural drawings, which should indicate adequate turning circles to allow collection vehicles to enter and exit the site in a forward direction.

(53) Separate Waste Areas for Mixed-Use Development

Waste storage and collection arrangements should be designed to minimise the risk of contamination between waste streams from different tenancies and occupations. An example of this is the residential component having a separate waste storage area from the commercial component in a mixed-use development and that cross access to these areas is prevented.

WMP should also provide written evidence of valid contracts for the regular commercial collection and disposal of waste and recyclables generated on the site. The private waste contractor must confirm the frequency of the waste collections (general waste, recycling and bulky goods), and that the size and location of the storage room is suitable for the frequency of the waste collections.

Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.

(54) High Density Multi Unit Dwellings

For high density, Multi Unit Dwellings 660L or 1100L wheeled bins should be used. Development must provide onsite underground or at-grade collection of waste. Details of any specialised waste disposal equipment to be used in the development, such as compactors (carousel and linear), bin tugs, chutes, crushers, bunding, oil water separators (coalescing plate separators), etc. to be provided to Council for approval.

Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.

(55) Commercial and Industrial Waste

Appropriate waste and recycling containers and facilities will need to be provided according to Waste Management Plan for all specific end use businesses in accordance with the waste generation rates provided at Part H of Strathfield Council DCP 2005 – Appendix B.

WMP should also provide written evidence of valid contracts for the regular collection and disposal of waste and recyclables generated on the site. The private waste contractor must confirm the frequency of the waste collections (general waste, recycling and bulky goods), and that the size and location of the storage room is suitable for the frequency of the waste collections.

The collection of commercial and industrial waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm on weekends and public holidays, to avoid noise disruption to the surrounding area. All garbage and recyclable matter must be enclosed in the waste

bins with lids completely closed at all times.

Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.

Note: Refer to the EPA's [Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities](#)

(56) Landscape Plan

A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted prior to the issue of the Construction Certificate. The plan must be consistent with the Landscape Plan prepared by Taylor Brammer dated 17/06/2021 and Architectural Drawings prepared by Kennedy and Associates dated 30/06/2021.

The Landscape Plans must include:

- (a) Location of existing and proposed structures, services and existing trees;
- (b) Details of earthworks including mounding and retaining walls and planter boxes;
- (c) Location of proposed plants and a plant schedule showing the plant symbol, botanical name/ common name; quantity; pot size/; and mature height x width.
- (d) Details of planting procedure and maintenance;
- (e) Landscape specification;
- (f) Details of drainage and watering systems;
- (g) Details of garden edging and turf; and
- (h) Any required fencing, retaining walls and other structures not shown on other approved architectural and engineering plans.

(57) Landscape Plans

All landscape works shall be carried out in accordance with the approved landscape plans. The landscaping shall be maintained in accordance with the approved plans in perpetuity. This includes works along the eastern verge of Pilgrim Avenue as shown on the approved Landscape Plans.

(58) Tree Removal/Pruning Prohibited

This consent does not approve the removal or pruning (branches or roots) of any trees on the subject property, Council's public footway, public reserves or on neighbouring properties.

(59) Tree Protection and Retention

The following trees shall be retained and protected:

Tree No.	Tree Species	Location of Tree	Tree Protection Zone (metres)
Street Trees	Unknown	Pilgrim Avenue (western and eastern verges)	3m

Details of the trees to be retained must be included on the Construction Certificate plans.

General Tree Protection Measures

- All trees to be retained shall be protected and maintained during demolition, excavation and construction of the site.
- The tree protection measures must be undertaken in accordance *AS4970 -2009 Protection of trees on development sites*.
- Details of the tree protection measures to be implemented must be provided with the application for a Construction Certificate by a suitably qualified Arborist (AQF Level 5 or above in Arboriculture).
- The Arborist must be present on-site during the stages of construction when works are being undertaken that could impact on the tree canopy or root zone within the tree protection zone to implement the tree protection measures as required.
- Unless otherwise specified in AS 4970-2009, a protective fence consisting of 1.8 metres high, fully supported chainmesh fence shall be erected around the base of the tree. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed in the table above. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.
- No services shall be installed within the TPZ of the tree unless approved by Council. This fence shall be kept in place during demolition, construction and also have a sign displaying 'Tree Protection Zone' attached to the fence and must also include the name and contact details of the Project Arborist.

Excavation works near tree to be retained

- Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not adversely be affected.
- Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the Project arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.
- Tree Protection Zone around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

Details satisfying this condition shall be shown on the Construction Certificate plans.

Pier and Beams

- (d) To preserve the street trees, the footings of any structure that may impact on the trees shall be isolated pier and beam construction within a 3 metre radius of the trunk. The piers shall be hand dug and located such that no roots of a diameter greater than 50mm are severed or injured in the process of any site works during the construction period. The beam shall be located on or above the existing soil levels.

Details of this construction method shall be shown on the Construction Certificate plans.

Specific Tree Protection Measure

- (a) A sound protection barrier anchored firmly into the ground 1.8m in height x 2 metres clear of the base of the tree at any one point and that the fence is to extend up to the back of the kerb and to the edge of the footpath.

(60) Lift Speeds

All lifts shown on the approved plans listed in Condition 1 are to have an operating speed of 2.5 meters per second. Evidence of this operating capacity is to be provided to the PCA.

(61) Commercial Premises Bin Storage Areas

Separate bin storage areas must be provided for commercial premises that can only be accessed by their intended users and be totally separated from residential waste and recycling collection. Written evidence of private collection contractor must be provided for commercial waste and recycling collections, as well as a specific Waste Management Plan.

(62) Cross Flow Ventilation in Noise Affected Units

The Construction Certificate Drawings submitted to the PCA are to include plenums or mechanical ventilation details for units identified as incorporating these features on the approved plans on the approved plans – summary of ventilation of noise affected units, 1361 – DA67G, 30/06/21

(63) Adaptable Units

The Construction Certificate Drawings submitted to the PCA are to be consistent with the detail for all units identified as Adaptable on the approved plans listed in Condition 2 – sheet: 1361-51-adaptable unit layouts – 01 and 1361-52-adaptable unit layouts – 02 prepared by Kennedy Associates.

PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)

(64) Demolition & Asbestos

The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety](#)

Regulation 2011. The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the NSW Work Health & Safety Act 2011 and the NSW Work Health & Safety Regulation 2011 unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the Demolition Code of Practice (NSW Work Cover July 2015)

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

(65) Demolition Notification Requirements

The following notification requirements apply to this consent:

- (a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.
- (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
- (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words “DANGER ASBESTOS REMOVAL IN PROGRESS” measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

(66) Demolition Work Involving Asbestos Removal

Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the Work Health and Safety Regulation 2011.

(67) Dial Before You Dig

The applicant shall contact “Dial Before You Dig on 1100” to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from “Dial Before You Dig” shall be forwarded to Council’s Engineers for their records.

(68) Dilapidation Report on Public Land – Major Development Only

Prior to the commencement of works (including demolition and excavation), a dilapidation report must be prepared for the Council infrastructure adjoining the development site, including:

- (a) All neighbouring buildings likely to be affected by the excavation as determined by the consulting engineer.
- (b) 9 Albert Road, STRATHFIELD NSW 2135 (Lot 100 DP 807807)
- (c) 11 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP 22063)
- (d) 9 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP30743)
- (e) 5-7 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP1767)
- (f) 3 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP30347)
- (g) 1 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP53467)

The report must include the following:

- (a) Photographs showing the existing condition of the road pavement fronting the site,
- (b) Photographs showing the existing condition of the kerb and gutter fronting the site,
- (c) Photographs showing the existing condition of the footpath pavement fronting the site,
- (d) Photographs showing the existing condition of any retaining walls within the footway or road, and
- (e) Closed circuit television/video inspection (in DVD format) of public stormwater drainage systems fronting, adjoining or within the site, and
- (f) The full name and signature of the structural engineer.
- (g) The Dilapidation Report must be prepared by a qualified structural engineer. The report must be provided to the PCA and a copy provided to the Council.

The Dilapidation Report must be prepared by a professional engineer. The report must be provided to the PCA and a copy provided to the Council.

The report is to be supplied in electronic format in Word or PDF. Photographs are to be in colour, digital and date stamped.

Note: Council will use this report to determine whether to refund the damage deposit after the completion of works.

(69) Existing Drainage Easement, Drainage Reserve or Stormwater Drainage System Benefiting Council

Council drainage easement(s) drainage reserve(s) or stormwater system either pass through or are adjacent to the site. No building or other structure must be placed over the drainage easement or

stormwater system or within the zone of influence taken from the invert of any pipe.

The applicant must determine the exact location, size and level details of the potentially affected stormwater drainage systems and without causing any damage to the public system ensure its protection. The owner, principal contractor or owner builder must not obstruct or otherwise remove, disconnect or render inoperable the Stormwater Drainage System.

Works such as fences must not obstruct the natural stormwater flowpath or alter the flowpath in such a way as to direct or concentrate stormwater on to neighbouring properties.

Where the relocation or reconstruction of Council's drainage system is approved then all work carried out on Council's assets will revert to the ownership, care, control or management of Council. Therefore, upon handover to Council, the asset must comply with Council's Construction of drainage and associated works specification.

The applicant must meet all costs associated with such works.

Note: This condition does not set aside the need to obtain relevant approvals under the [Roads Act 1993](#) or [Local Government Act 1993](#) for works within Roads and other public places.

(70) Registered Surveyors Report - During Development Work

A report must be submitted to the PCA at each of the following applicable stages of construction:

- (a) Set out before commencing excavation.
- (b) Floor slabs or foundation wall, before formwork or commencing brickwork.
- (c) Completion of Foundation Walls - Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.
- (d) Completion of Floor Slab Formwork - Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey must be provided at each subsequent storey.
- (e) Completion of any Pool Formwork - Before concreting of pool shell, detailing the location of the pool relative to the adjacent boundaries and its height relative to the datum shown on the approved plans.
- (f) Completion of any Roof Framing - Before roof covered detailing eaves/gutter setback from boundaries.
- (g) Completion of all Work - Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey must indicate the reduced level of the main ridge.

Work must not proceed beyond each stage until the PCA is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

(71) Utility Arrangements

Arrangements are to be made with utility authorities in respect to the services supplied by those

authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicants expense.

(72) Site Audit Report and Site Audit Statement

Prior to the commencement of any work, other than demolition or excavation in association with the remediation of the site, a Site Audit Report and Site Audit Statement are to be submitted to Council. These documents must clearly state that the site is suitable for the proposed use.

Note: The Applicant must comply with clauses 17 'Guidelines and notices: all remediation work' and clause 18 'Notice of completion of remediation work' under [State Environmental Planning Policy No.55—Remediation of Land](#).

Note: Words and expressions used in these conditions have the same meaning as in the [Contaminated Land Management Act 1997](#).

(73) Structural Engineers Details – Supporting Council Road/Footway

Prior to the commencement of work in connection with the excavation of the site associated with the basement carpark, structural engineer's details relating to the method of supporting Council's roadways/footways must be submitted to the satisfaction of Council.

(74) Dust Control

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of a minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as required should it fail to adequately control any dust nuisance.

Major Works

The following measures must be implemented (in part or in total) to control the emission of dust:

- a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- b) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- d) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- e) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.

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- f) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours.

(75) Environmental Health Conditions (Other)

This consent is not to operate until the site has been remediated and validated by an appropriately qualified land contamination consultant to the requirements of the NSW Environment Protection Authority and to the standard acceptable for residential development.

The Council is provided with a Site Audit Statement completed and signed by an accredited site auditor under the Contaminated Land Management Act, 1997 which clearly states that the land is suitable for the proposed residential development, without the need for any further remediation or testing.

Demonstrate compliance with the recommendations listed in the additional site investigation completed EI Australia PTY LTD dated 25 June 2021.

DURING CONSTRUCTION

(76) Site Sign – Soil & Erosion Control Measures

Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all site and building works.

(77) Hours of Construction for Demolition and Building Work

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

Note: A penalty infringement notice may be issued for any offence.

(78) Ground Levels and Retaining Walls

The ground levels of the site shall not be excavated, raised or filled, or retaining walls constructed on the allotment boundary, except where indicated on approved plans or approved by Council.

(79) Physical Connection of Stormwater to Site

No work is permitted to proceed above the ground floor slab level of the building until there is physical connection of the approved stormwater drainage system from the land the subject of this consent to Council's drainage system in Pilgrim Avenue, Strathfield.

(80) Cost of Work to be Borne by the Applicant

The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.

(81) Obstruction of Road or Footpath

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the [Roads Act 1993](#) and/or under Section 68 of the [Local Government Act 1993](#). Penalty infringement Notices may be issued for any offences and severe penalties apply.

(82) Construction Management Plan

The owner/applicant is to ensure that the approved Construction Traffic management Plan is to be strictly complied with and kept on site at all times during construction works.

(83) Tree Removal on Private Land

The trees identified as 'to be removed/pruned' on the approved plans or by conditions of this consent shall be removed in accordance with *AS4373 -2007* and the *Amenity Tree Industry Code of Practice* (SafeWork NSW, August 1998).

(84) Excavation Works Near Tree to be Retained

Excavation around the trees on the adjoining properties (including but not limited to those trees located within 9 Albert Road, Strathfield Lot 100 DP807807) shall be supervised by the Project Arborist to ensure that the root system will not be adversely affected.

Where the Tree Protection Zone of trees on site or adjoining sites become compromised by any excavation works, the Project Arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

(85) Restriction on Use of Land – Affordable Housing

Prior to the issue of any occupation certificate the Applicant must dedicate eight (8) of the approved units to Council in perpetuity, free of cost. The units are to be of the following mix:

- 4x1 bed
- 4x2 bed

(86) BASIX Certificate

All energy efficiency measures as detailed in the approved BASIX Certificate in the plans approved with the Development Consent, must be implemented before issue of any Occupation Certificate.

(87) BASIX Compliance Certificate

A Compliance Certificate must be provided to the PCA regarding the implementation of all energy efficiency measures as detailed in the approved BASIX Certificate before any Occupation Certificate is issued.

(88) Completion of Landscape Works

At the completion of all works, a certificate is to be submitted to the Principal Certifying Authority from a qualified Landscape and/or Arboricultural Consultant certifying that the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been established.

(89) Post Construction Dilapidation Report – Private Land

At the completion of the construction works, a suitably qualified person is to be engaged to prepare a post-construction dilapidation report. This report is to ascertain whether the construction works associated with the subject development created any structural damage to the following adjoining premises:

- (a) All neighbouring buildings likely to be affected by the excavation as determined by the consulting engineer.
- (b) 9 Albert Road, STRATHFIELD NSW 2135 (Lot 100 DP 807807)
- (c) 11 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP 22063)
- (d) 9 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP30743)

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- (e) 5-7 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP1767)
 - (f) 3 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP30347)
 - (g) 1 Pilgrim Avenue, STRATHFIELD NSW 2135 (SP53467)

The report is to be prepared at the expense of the applicant and submitted to the PCA prior to the issue of the Occupation Certificate. In ascertaining whether adverse structural damaged has occurred to the adjoining premises, the PCA, must compare the post-construction dilapidation report with the pre-construction dilapidation report required by conditions in this consent.

Evidence confirming that a copy of the post-construction dilapidation report was delivered to the adjoining properties subject of the dilapidation report must be provided to the PCA prior to the issue of any Occupation Certificate.

(90) Allocation of Parking Spaces

Parking associated with the development is to be allocated as follows:

- (a) Residential dwellings: 175
With the following minimum requirement applicable
32 for 1 bedroom units (maximum of 1 space per unit)
99 for 2 bedroom units (maximum of 1 space per unit)
6 for 3 bedroom units (minimum 1 space per unit/maximum of 2 spaces per unit)
- (b) Residential visitors: 35
- (c) Car share spaces: 5
- (d) Commuter spaces: 30
- (e) Retail: 20
With the following minimum requirement applicable
9 for customer/visitor
3 for employee
- (f) Wash bay: 1

(91) Major Development

Internal driveways and parking spaces are to be adequately paved with concrete or bitumen, or interlocking pavers to provide a dust-free surface. All car parking spaces are to be line marked in accordance with AS1742, 'Australian Standard Manual of Uniform Traffic Control Devices' and the relevant guidelines published by the RMS.

(92) SEPP 65 Design Verification Statement

The PCA must not issue an Occupation Certificate to authorise a person to commence occupation of the residential flat development unless the PCA has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

(93) Restriction to User and Positive Covenant for On-Site Detention Facility

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility (on-site detention, pump-out, charged lines, water sensitive urban design, surface flow path, finished pavement and ground levels etc.).

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

The wording on the 88E and or 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.

(94) Maintenance Schedule – On-site Stormwater Management

A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted to Council. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

(95) Stormwater Certification of the Constructed Drainage Works (Minor)

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.

(96) Works as Executed and Certification of Stormwater Works

Prior to the issue of an Occupation Certificate, the PCA must ensure that the stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards. A works-as-executed drainage plan and certification must be forwarded to the PCA and Council, from a professional engineer specialising in hydraulic engineering.

This Plan and Certification shall confirm that the design and construction of the stormwater drainage system satisfies the conditions of development consent and the Construction Certificate stormwater design details approved by the PCA.

The works-as-executed drainage plan must be prepared by a professional engineer specialising in hydraulic engineering in conjunction with a Registered Surveyor and must include the following details (as applicable):

- (a) The location of any detention basin/s with finished surface levels;

- (b) Finished site contours at 0.2 metre intervals (if applicable)
- (c) Volume of storage available in any detention areas;
- (d) The location, diameter, gradient and material (i.e. PVC, RC etc.) of all stormwater pipes;
- (e) The orifice size/s (if applicable);
- (f) Details of any infiltration/absorption systems; and (if applicable);
- (g) Details of any pumping systems installed (including wet well volumes) (if applicable).

(97) Requirements Prior to the Issue of the Occupation Certificate

The following shall be completed and or submitted to the PCA prior to the issue of the Occupation Certificate:

- (a) All the stormwater/drainage works shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
- (b) The internal driveway construction works, together with the provision for all services (conduits and pipes laid) shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
- (c) Construct any new vehicle crossings required.
- (d) Replace all redundant vehicle crossing laybacks with kerb and guttering, and replace redundant concrete with turf.
- (e) A Section 73 (Sydney Water) Compliance Certificate for the Subdivision shall be issued and submitted to the PCA prior to the issue of the Occupation Certificate.
- (f) Work as Executed Plans prepared by a Chartered Professional Engineer or a Registered Surveyor when all the site engineering works are complete shall be submitted to the PCA prior to the issue of the Occupation Certificate.

(98) Dilapidation Report on Public Land for Major Development Only

Upon completion of works, a follow up dilapidation report must be prepared for the items of Council infrastructure adjoining the development site including:

- (a) Pilgrim Avenue

The dilapidation report must be prepared by a professional engineer specialising in structural engineering, and include:

- (a) Photographs showing the condition of the road pavement fronting the site
- (b) Photographs showing the condition of the kerb and gutter fronting the site
- (c) Photographs showing the condition of the footway including footpath pavement fronting the site

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- (d) Photographs showing the condition of retaining walls within the footway or road
 - (e) Closed circuit television/video inspection (in DVD format) of public stormwater drainage systems fronting, adjoining or within the site, and
 - (f) The full name and signature of the professional engineer.

The report must be provided to the PCA and a copy provided to the Council. The reports are to be supplied in electronic format in Word or PDF. Photographs are to be in colour, digital and date stamped.

NOTE: Council will use this report to determine whether or not to refund the damage deposit. Council's Engineering Services Division must advise in writing that the works have been completed to their satisfaction prior to the issue of an Occupation Certificate.

(99) Stormwater Drainage Works – Works As Executed

Prior to the issue of the Occupation Certificate, stormwater drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) The structural adequacy of the On-Site Detention system (OSD);
- (c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- (d) Pipe invert levels and surface levels to Australian Height Datum;
- (e) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

Council's Engineering Services section must advise in writing that they are satisfied with the Works-As-Executed prior to the issue of an Occupation Certificate.

(100) Fire Safety Certificate before Occupation or Use

In accordance with Clause 153 of the [Environmental Planning and Assessment Regulation 2000](#), on completion of building works and prior to the issue of an Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Clause 170 of the aforesaid Regulation. The Fire Safety Certificate must be in the form or to the effect of Clause 174 of the [Environmental Planning and Assessment Regulation, 2000](#). In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate is to state:

- (a) That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so.

A copy of the certificate is to be given by the applicant to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the building's main entrance.

(101) Slip Resistance

At completion of work an in-situ (on-site) test, in wet and dry conditions, must be carried out on the pedestrian floor surfaces used in the foyers, public corridors/hallways, stairs and ramps as well as the floor surfaces in wet rooms in any commercial/retail/residential units to ascertain the actual slip resistance of such surfaces taking into consideration the effects of grout, the gradients of the surface and changes from one material to another. The in-situ test must be carried out in accordance with AS/NZS 4663:2002. Proof of compliance must be submitted with the application for the Occupation Certificate for approval.

(102) Acoustic Certification

Prior to the issue of any Occupation Certificate, a suitably qualified acoustic consultant shall certify that the operation of the premises and plant equipment shall not give rise to a sound pressure level at any affected premises that exceeds the acoustic criteria established by the Acoustic Report required by a condition of this consent. The development shall at all times comply with these noise levels post occupation.

(103) Acoustic Compliance

Prior to the issue of any Occupation Certificate, a report prepared by a suitably qualified acoustic consultant must be submitted to the PCA certifying that the construction has incorporated the recommendations in the DA Acoustic Report titled Noise and Vibration Assessment for DA, prepared by Dural Group and dated 9 August 2021.

In addition, prior to issuing of an Occupation Certificate the following must be undertaken:

1. A suitable qualified Acoustic Engineer to demonstrate compliance by submitting to Council a compliance report detailing attended acoustic measurement has been taken post construction in accordance to the relative requirement.
 - a. Noise transmission between apartment common walls and floors
 - i. Living to living
 - ii. Bedroom to bedroom
 - iii. Living to bedroom
 - iv. Individual sole occupancy door to common area
 - v. Floor between apartment units
 - b. Long term unattended monitoring on bedrooms and living rooms situated closest to the railway corridor and major road;
 - c. Attended noise reading demonstrating compliance with noise generated from proposed Mechanical services including
 - i. Car Parking Exhaust
 - ii. Mechanical Air Condenser Units

(104) Acoustic Compliance – General Operation of Premises

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the [Protection of the Environment Operations Act 1997](#) (as amended) and [Regulations](#).

A suitably qualified person shall certify that the operation of the plant equipment shall not give rise to sound pressure level at any affected premises that exceeds the background LA90, 15 min noise level, measured in the absence of the noise sources under consideration by more than 5dB. The source noise level shall be assessed as an LAeq, 15 min in accordance with the [NSW Environment Protection Authority's "NSW industrial Noise Policy"](#).

Certification must be submitted to the PCA prior to the issue of any Occupation Certificate.

(105) Noise Domestic Air Conditioner and Heat Pump Water Heaters (less than 450mm from boundary)

Prior to the issue of any Occupation Certificate, a report prepared by a professional acoustic engineer must be submitted to the PCA to certify that the design and construction of the air conditioner / heat pump water heaters shall not produce a sound level exceeding 5 dB(A) above the ambient background level at the closest neighbouring boundary between the hours of 8:00am and 10:00pm on Saturdays, Sundays and Public Holidays and between the hours of 7:00am and 10:00pm on any other day. Outside the specified hours, the sound level output for the running of air conditioner shall not exceed the ambient background noise level.

(106) Section 7.11 Direct Development Contributions to be Paid

DEVELOPMENT CONTRIBUTIONS

Strathfield Section 94 Development Contributions - Roads and Traffic Management	\$121,788.25
Strathfield Section 94 Development Contributions – Local Open Space	\$498,527.45
Strathfield Section 94 Development Contributions – Major Open Space	\$1,454,318.76
Strathfield Section 94 Development Contributions – Community Facilities	\$309,931.06
Strathfield Section 94 Development Contributions - Administration	\$61,046.90
TOTAL:	\$2,415,385.72

The Section 7.11 contribution (s94) is imposed to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area.

Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

Please contact council prior to the payment of s7.11 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

Timing of Payment

The contribution must be paid and receipted by Council and evidence of such payment is to be provided to the Principle Certifying Authority prior to the issue of any Occupation Certificate.

Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website www.strathfield.nsw.gov.au.

(107) Vehicular Access for Adjoining Site

A right-of-carriageway must be created over the internal driveway and ramp for Site 1 (Lot 0 SP 8785, Lot 9 DP 15917, Lot 8 DP 15917, Lot B DP 100558 and Lot A DP 100558) off Pilgrim Avenue in favour of Site 2 (Lot: 100 DP: 807807) to enable vehicular access to Site 2 off Pilgrim Avenue in association with any future redevelopment of the site in accordance with DCP 26.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

(108) Terms of Easement for Access

A. Subject to the conditions in this easement, the Proprietor of the lot burdened grants the Authority Benefited and its Authorised Users the right to enter, pass and repass through and across the Easement Site to access the Lot Burdened for the following purposes:

- (a) to carry out an inspections of the Authorities Stormwater infrastructure within the Lot Burdened; and
- (b) in order to install, connect, replace, inspect, clean, repair, maintain or renewing any of the Authorities Stormwater infrastructure within the Lot Burdened; and
- (c) to enter, pass and repass through and across the Easement Site' with or without vehicles and equipment for such reasonable time as may be necessary for the purpose of installing, connecting, replacing, inspecting, cleaning, repairing, maintaining or renewing the Authorities Stormwater infrastructure within the Lot Burdened.

B. In exercising those powers, Authority Benefited and its Authorised Users must:

- (a) cause as little inconvenience as practicable to the owners or an occupier of the Lot Burdened;
- (b) cause as little damage as is practicable to the Lot Burdened and any improvements on it;

- (c) make good any collateral damage as is practicable to its former condition;
- (d) except in an emergency, give the owners or an occupier of the lot burdened or its nominee at least 48 hours notice of their intention to enter the Lot Burdened;
- (e) comply with all reasonable requirements and directions of the owners or an occupier of the Lot Burdened.

C. In exercising those powers, the Authority Benefited and its Authorised Users must not:

- (a) park or stand motor or other vehicles and equipment on the Easement Site unless agreed to by the owner or an occupier of the Lot Burdened,
- (b) obstruct use of the Easement Site by any person and equipment unless agreed to by the owners or an occupier of the Lot Burdened.

(109) Public Parking Spaces

The 30 parking spaces labelled as 'Council' on the basement floor plan prepared by Kennedy and Associates and dated 30 June 2021 are to be provided to the public at no cost to Council, with the owner/developer entering an agreement with Council, which will include the registration of a restriction on the use of the land pursuant to section 88E of the Conveyancing Act 1919 (NSW) and then entering into a licence agreement in Council's favour, who will manage and maintain the public parking spaces in perpetuity.

The agreement is to be entered into prior to issue of an occupation certificate.

OPERATIONAL CONDITIONS (ON-GOING)

(110) Maintenance of Landscaping

All trees and plants forming part of the landscaping must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.

(111) Noise Control

The use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the [Protection of the Environment Operations Act 1997](#) (as amended).

(112) Final Acoustic Report – Verification of Noise Report

Within three months from the issue of an Occupation Certificate, an acoustic assessment is to be carried out by an appropriately qualified acoustic consultant, in accordance with the [EPA's Industrial Noise Policy](#) and submitted to Council for consideration. This report should include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report (submitted by Dural Group, titled Noise and Vibration Impact Assessment and dated 9/8/2021) as

well as any additional recommendation from acoustic testing required under CC or OC conditions of this consent are effective in attenuating noise to an acceptable noise level and that the use is not calculated to give rise to 'offensive noise' as defined under the provision of the [Protection of the Environment Operation Act 1997](#) (as amended).

(113) Outdoor Lighting

To avoid annoyance to the occupants of adjoining premises or glare to motorist on nearby roads, outdoor lighting must comply with *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*.

(114) Lighting – General Nuisance

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.

Flashing, moving or intermittent lights or signs are prohibited.

(115) Car Share Scheme

A commercial operated car share scheme is operated within the subject property and is accessible to eligible tenants and public members. Five dedicated car parking spaces must be assigned to the shared vehicles within the basement.

(116) Resident Parking Permits

The owner, occupier and visitor are not eligible for a resident or visitor parking permit, under any existing or future residential parking schemes.

Note: This condition has been imposed to reduce parking impacts on the neighbourhood.

(117) Loading & Unloading of Vehicles

All loading and unloading of vehicles in relation to the use of the premises shall take place wholly within a dedicated loading dock/area.

(118) Entering & Exiting of Vehicles

All vehicles shall enter and exit the premises in a forward direction.

(119) Schedule of Existing Fire Measures to be Maintained

The following statutory safety measures are existing and shall be fully maintained in accordance with the approved standard and inspected annually:

- (a) Access panels, door and hoppers to fire resisting shafts - minimum standard AS 1905.1 - 2015.

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- (b) Automatic fail safe devices - minimum standard Part D of BCA.
 - (c) Automatic fire detection and alarm systems - minimum standard AS 1670.2015, and AS1670.3 & 4 – 2004
 - (d) Automatic fire suppression systems - minimum standard AS 2118.1 – 2006.
 - (e) Emergency lighting - minimum standard AS 2293.1 - 2005.
 - (f) Emergency lifts - minimum standard AS 1735.1,2,11, 3, 7, 8, 12, 14, 15, and 16 (as currently applicable).
 - (g) Emergency warning and intercommunication systems - minimum standard AS 4428.4 – Fire detection, warning, control and intercom systems.
 - (h) Exit signs - minimum standard AS 2293.1 - 2005.
 - (i) Fire control centres and rooms - minimum standard BCA.
 - (j) Fire dampers - minimum standard AS 1682.1 & AS 1682.2 - 2015.
 - (k) Fire doors - minimum standard AS 1905.2 - 2005.
 - (l) Fire hydrant systems - minimum standard AS 2419.1 -2005.
 - (m) Fire seals protecting openings in fire resisting components of the building - minimum standard Part C of BCA.1
 - (n) Fire shutters - minimum standard AS 1905.2. - 2005.
 - (o) Fire windows - minimum standard AS 1905.1- 2015.
 - (p) Hose reel systems - minimum standard AS 2441 - 2005.
 - (q) Lightweight construction - minimum standard Part C of BCA.
 - (r) Mechanical air handling systems - minimum standard AS 1668.2 - 2012.
 - (s) Perimeter vehicle access for emergency vehicles - minimum standard Part C of BCA.1
 - (t) Portable fire extinguishers - minimum standard AS 2444 - 2001.
 - (u) Safety curtains in proscenium openings - minimum standard Part H of BCA.
 - (v) Smoke and heat vents - minimum standard AS 2665. - 2001.
 - (w) Smoke dampers - minimum standard AS 1682.1 and 2 - 2015.
 - (x) Smoke detectors and heat detectors - minimum standard AS 3786 - 2014 and AS 1670.1 - 2015.
 - (y) Smoke doors - minimum standard AS 1905.1 -2015.
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- (z) Solid core doors - minimum standard Part C of BCA.
- (aa) Stand-by power systems - Spec. G. 3.8 of BCA and AS 2665. - 2001.
- (bb) Wall wetting sprinkler and drencher systems - minimum standard AS 2118.2. -2010.
- (cc) Warning and operations signs - minimum standard is BCA.1

(120) Annual Fire Safety Statement

The owner of the building premises must ensure the Council is given an annual fire safety statement in relation to each essential fire safety measure implemented in the building. The annual fire safety statement must be given:

- (a) Within 12 months after the date on which the fire safety certificate was received.
- (b) Subsequent annual fire safety statements are to be given within 12 months after the last such statement was given.
- (c) An annual fire safety statement is to be given in or to the effect of Clause 181 of the [Environmental Planning and Assessment Regulation 2000](#).
- (d) A copy of the statement is to be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.

(121) Responsibility of Owners Corporation

The Owners Corporation shall be responsible for presenting all approved waste and recycling receptacles for collection, and returning all receptacles to the Main Waste Collection Room, as soon as practicable after they have been serviced.

The Owners Corporation shall also be responsible for maintaining all equipment, systems, facilities and storage areas used in conjunction with the provision of waste management services in accordance with all applicable regulatory requirements, relevant health and environmental standards, and to the satisfaction of Council.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

(122) Requirement for a Construction Certificate

The erection of a building must not commence until a Construction Certificate has been issued.

(123) Appointment of a PCA

The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

(124) Notification of Critical Stage Inspections

No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

(125) Notice of Commencement

The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

(126) Critical Stage Inspections

The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the [Environmental Planning and Assessment Regulation 2000](#).

(127) Notice to be Given Prior to Critical Stage Inspections

The principal contractor for a building site, or the owner-builder, must notify the PCA at least 48 hours before each required inspection needs to be carried out.

(128) Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

PRESCRIBED CONDITIONS

(129) Clause 97A – BASIX Commitments

This Clause requires the fulfilment of all BASIX Commitments as detailed in the BASIX Certificate to which the development relates.

(130) Clause 98E – Protection & Support of Adjoining Premises

If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.

(131) Clause 98F – Site Excavation

Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site.

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition or building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods or preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

ADVISORY NOTES

1. Review of Determination

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney East Planning Panel or the Land & Environment Court.

2. Appeal Rights

Division 8.3 (Reviews and appeals) Part 8 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

3. Lapsing of Consent

This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

4. Access to NSW Legislations (Acts, Regulations and Planning Instruments)

NSW legislation can be accessed free of charge at www.legislation.nsw.gov.au

5. Long Service Levy

The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

6. Disability Discrimination Act

This application has been assessed in accordance with the [Environmental Planning and Assessment Act 1979](#). No guarantee is given that the proposal complies with the [Disability Discrimination Act 1992](#). The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The [Disability Discrimination Act 1992](#) covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1-Design for Access and Mobility.

7. Stormwater & Ancillary Works – Applications under Section 138 Roads Act and/or Section 68 Local Government Act 1993

To apply for approval under Section 138 of the [Roads Act 1993](#):

- (a) Complete the Works Permit Application Form which can be downloaded from Strathfield Council's Website at www.strathfield.nsw.gov.au.
- (b) In the Application Form, quote the Development Consent No. (eg. Year/DA **2020/256**) and reference this condition number (e.g. Condition 23)

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- (c) Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Council's adopted Fees and Charges for the administrative and inspection charges associated with Works Permit applications.

An approval for a new or modified vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out by a private contractor in accordance with Council's specifications prior to the issue of an Occupation Certificate.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements) required to carry out the approved development.

8. Site Safety Fencing

Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

9. Noise

Council will generally enforce noise related conditions in accordance with the *Noise Guide for Local Government* (<http://www.environment.nsw.gov.au/noise/nglg.htm>) and the *Industrial Noise Guidelines* (<http://www.environment.nsw.gov.au/noise/industrial.htm>) publish by the Department of Environment and Conservation. Other state government authorities also regulate the [Protection of the Environment Operations Act 1997](#).

Useful links relating to Noise:

- (a) Community Justice Centres—free mediation service provided by the NSW Government (www.cjc.nsw.gov.au).
- (b) Department of Environment and Conservation NSW, Noise Policy Section web page (www.environment.nsw.gov.au/noise).
- (c) New South Wales Government Legislation home page for access to all NSW legislation, including the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Noise Control Regulation 2000* (www.legislation.nsw.gov.au).
- (d) Australian Acoustical Society—professional society of noise-related professionals (www.acoustics.asn.au/index.php).
- (e) Association of Australian Acoustical Consultants—professional society of noise related professionals (www.aaac.org.au).

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- (f) Department of Gaming and Racing - (www.dgr.nsw.gov.au).

10. Acoustical Engineer Contacts & Reference Material

Further information including lists of Acoustic Engineers can be obtained from:

- (a) Australian Acoustical Society—professional society of noise-related professionals (www.acoustics.asn.au)
- (b) Association of Australian Acoustical Consultants—professional society of noise related professionals (www.aaac.org.au)
- (c) NSW Industrial Noise Policy – Office of Environment & Heritage (www.environment.nsw.gov.au)

11. Additional information on Legionnaires Disease

NSW Guidelines for the Control of Legionnaires' Disease can found on the NSW Health website:
<http://www.health.nsw.gov.au>

12. SYDNEY WATER SECTION 73 CERTIFICATES

The Section 73 Certificate must be a separate certificate that relates specifically to this development consent. For example, if the development consent relates to the subdivision of the land, a Section 73 Certificate for the construction of the building that is subject to a different development consent will not suffice.

13. Electricity Supply

This development may need a connection to the Ausgrid network which may require the network to be extended or its capacity augmented. You are advised to contact Ausgrid on 13 13 65 or www.ausgrid.com.au (Business and Commercial Services) for further details and information on lodging your application to connect to the network.

14. Australia Post – Letter Box Size and Location

The size and location of letterboxes servicing the development are to comply with the requirements and standard of Australia Post (see attached link:
https://auspost.com.au/content/dam/auspost_corp/media/documents/Appendix-02.pdf)

ATTACHMENTS

General Terms of Approval - Sydney Trains
General Terms of Approval - NSW Roads and Maritime Services
General Terms of Approval - Water NSW
Land Owners Consent - Transport Asset Holding Entity