

Attachment A: Draft Conditions of Consent

GENERAL CONDITIONS

Advisory Note: As a Crown Development, the following definitions are applicable through the Consent:

- *Construction Certificate:* means the relevant Crown Certificate or relevant Construction Certificate.
- *Occupation Certificate:* means occupation of the development.
- *Principal Certifier:* means the Principal Certifier or Crown Certifier being one in the same.

1. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
6. This section does not apply—
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

2. Erection of signs

1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.

3. The sign must be—
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
4. This section does not apply in relation to—
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

3. Approved plans and supporting documentation.

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

- a) Architectural drawings, prepared by Hayball as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: ACU STEM CEE - DA			
DA00.OO	Cover sheet	19.03.2025	3
DA01.OO	Existing site plan	19.03.2025	3
DA01.OI	Demolition plan	06.08.2025	4
DA01.02	Proposed site plan	06.08.2025	4
DA02.OO	Basement floor plan	06.08.2025	4
DA02.OI	Ground floor plan	06.08.2025	4
DA02.02	Level 01 floor plan	06.08.2025	4
DA02.03	Level 02 floor plan	06.08.2025	4
DA02.04	Rooftop services plan	06.08.2025	4
DA03.OI	Elevations	06.08.2025	4
DA03.02	Elevations north + east	06.08.2025	4
DA03.03	Elevations south + west	06.08.2025	4
DA03.11	Sections	06.08.2025	4

DA05.OI	External materials palette	06.08.2025	4
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b) Landscape drawings, prepared by Oculus as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: STEM Centre of Education Excellence Australian Catholic University Strathfield Campus			
DAO00	Cover sheet	06.08.25	4
DAIOO	Tree conservation plan	06.08.25	4
DAIOI	Landscape area and canopy coverage	06.08.25	5
DA200	Surface finishes ground floor	06.08.25	5
DA500	Planting ground floor	06.08.25	5

c) Civil drawings, prepared by BG&E as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: ACU STEM Centre of Education Excellence			
CI-1200	Siteworks and Drainage Plan Ground Floor	04.08.25	E

Approved Documents including:

- d) Arboricultural Impact Assessment, prepared by Civica Arborsafe, dated 20 March 2025.
- e) Addendum to Arboricultural Impact Assessment, prepared by Civica Arborsafe, dated 12 August 2025.
- f) Historical Archaeological Assessment, prepared by Niche, dated 27 March 2025.
- g) Detailed Site Investigation Report, prepared by Alliance geotechnical and environmental solutions, dated 10 June 2025
- h) Remedial Action Plan, prepared by Alliance geotechnical and environmental solutions, dated 18 August 2025
- i) Acoustic Report, prepared by ADP Consulting: Engineering, dated 12 March 2025
- j) Access Report, prepared by McKenzie Group, dated 19 March 2025
- k) BCA Report, prepared by McKenzie Group, dated 19 March 2025
- l) Geotechnical Report, prepared by Alliance geotechnical and environmental solutions, dated 20 March 2025
- m) Operational Plan of Management, prepared by ACU, dated 18 March 2025
- n) Construction Traffic Management plan, prepared by Asta Traffic Management, dated 19 February 2025

- o) Traffic Impact Assessment, prepared by Sydney Traffic Engineers, dated February 2025
- p) Operational Waste Management Plan, prepared by Waste Audit, dated March 2025.
- q) Construction Waste Management Plan, prepared by Waste Audit, dated March 2025.

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

4. Infrastructure Development Contributions

Council has identified that the development will be subject to the imposition of Development Contributions. In accordance with Council's relevant Contributions Plan, the following monetary contributions are required.

DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 7.12 Indirect Development Contributions Plan 2010	\$ 338,430.30
TOTAL CONTRIBUTIONS	\$ 338,430.30

Indexation

The above contributions will be indexed at the time of payment to reflect inflation, in accordance with the indices provided by the relevant Development Contributions Plan.

Please email council council@strathfield.nsw.gov.au prior to the payment of s7.11 or s7.12 Contributions to confirm the indexed contribution payable and the form of payment that will be accepted by Council.

Timing of Payment

The contribution must be paid and receipted by Council

[prior to the issue of the Construction Certificate OR prior to the consent being acted upon].

A copy of the current Development Contributions Plans may be viewed on Council's website www.strathfield.nsw.gov.au.

Condition reason: To enable the provision of public amenities and services required and anticipated as a consequence of increased demand resulting from the development.

5. Signage

A separate application must be submitted to Council prior to the erection of any additional signage unless the proposed signage is 'exempt development' State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or any other applicable environmental planning instrument.

Condition reason: To protect the amenity of the streetscape.

6. Section 138 Roads Act 1993 & 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 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) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.
- (b) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (c) Establishing a "works zone";
- (d) Placing or storing materials or equipment;
- (e) Placing or storing waste containers or skip bins;
- (f) Stormwater & ancillary to public infrastructure on private land
- (g) Erecting a structure or carrying out work

Separate activity approvals for (a)-(g) must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

- (h) Pumping water from the site into the public road;
- (i) Constructing a vehicular crossing or footpath;
- (j) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (k) Stormwater & ancillary works in the road reserve; and
- (l) Pumping concrete from a public road;

Separate activity approvals for (h)-(l) must be obtained and evidence of the approval provided to the Certifying Authority prior to the activities commencing. 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.

Condition reason: To ensure the protection of existing public infrastructure and adjoining properties.

7. 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 reserve to access

services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of works in the road.

Condition reason: To protect Council roads and footpaths and to ensure any works are to the relevant standards.

8. Building – Hoarding Application

Prior to demolition of the buildings on 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 and 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.

Condition reason: Statutory requirement and safety and protection of the public.

9. Heritage NSW – General Terms of Approval

Approved development

1. Development must be in accordance with:

- a) Architectural drawings, prepared by Hayball as listed below:

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DAOO.OO	Cover sheet	19.03.2025	3
DAOI.OO	Existing site plan	19.03.2025	3

DAOI.OI	Demolition plan	06.08.2025	4
DAOI.02	Proposed site plan	06.08.2025	4
DA02.OO	Basement floor plan	06.08.2025	4
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DA02.04	Rooftop services plan	06.08.2025	4
DA03.OI	Elevations	06.08.2025	4
DA03.02	Elevations north + east	06.08.2025	4
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DA03.11	Sections	06.08.2025	4
DA05.OI	External materials palette	06.08.2025	4

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DAOOO	Cover sheet	06.08.25	4
DAIOO	Tree conservation plan	06.08.25	4
DAIOI	Landscape area and canopy coverage	06.08.25	5
DA200	Surface finishes ground floor	06.08.25	5
DA500	Planting ground floor	06.08.25	5

c) Civil drawings, prepared by BG&E as listed below:

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- d) Arboricultural Impact Assessment, prepared by Civica Arborsafe, dated 20 March 2025.
- e) Addendum to Arboricultural Impact Assessment, prepared by Civica Arborsafe, dated 12 August 2025.
- f) Historical Archaeological Assessment, prepared by Niche, dated 27 March 2025.

EXCEPT AS AMENDED by the General Terms of approval:

Heritage consultant

2. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

Site protection

3. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

Heritage Interpretation Plan

4. An interpretation plan for the subject site must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate.

5. The interpretation plan must detail how information on the history and significance of subject site will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.

6. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate.

Reason: Interpretation is an important part of every proposal for works at heritage places.

Photographic Archival Recording

7. A photographic archival recording of the subject site must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Guidelines for preparing

archival recordings of heritage items as a condition of consent' (2025). The digital copy of the archival record must be provided to Heritage NSW.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

Historical archaeology

8. The Applicant shall submit an Archaeological Research Design and Excavation Methodology for archaeological monitoring undertaken by a suitably qualified and experienced historical archaeologist as part of the Section 60 application.

9. The Applicant shall nominate an Excavation Director suitable to satisfy the Excavation Director Criteria of the Heritage Council of NSW for the proposed activity and significance level as part of the Section 60 application.

10. Following the receipt of the Archaeological Research Design and Excavation Methodology as part of the Section 60 Application, the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology.

Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting may be included as part of these archaeological conditions.

Reason: To ensure the significant archaeological resource at the site is appropriately managed.

Unexpected historical archaeological relics

11. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric such as works are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

Aboriginal objects

12. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

Compliance

13. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

Section 60 application

15. An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to relevant work commencing.

Reason: To meet legislative requirements.

Condition reason: Protection and conservation of Heritage.

10. AUSGRID – General terms of approval

Ausgrid Underground Cables are in the vicinity of the development

Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.

It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig (DBYD).

In addition to DBYD the proponent should refer to the following documents to support safety in design and construction:

SafeWork Australia – Excavation Code of Practice.

Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.

The following points should also be taken into consideration.

Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

Ausgrid Overhead Powerlines are in the vicinity of the development

The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation

requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.

The “as constructed” minimum clearances to the mains must also be maintained.

These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au.

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost.

New Driveways - Proximity to Existing Poles

Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

New or modified connection

To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; <https://www.ausgrid.com.au/Connections/Get-connected>

Ausgrid Kiosk Substation in the vicinity of the development

There is an existing kiosk style electricity substation that may be impacted by the proposed construction. Subsidence and vibration must be minimised at the substation site. The use of ground anchors under a substation is generally not permitted due to the presence of underground cabling and earthing conductors which may be more than 10m deep. A further area of exclusion may be required in some circumstances. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural

ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Any portion of a building other than a BCA class 10a structure constructed from non-combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHz) (ICNIRP 2010).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 141.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24-hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143. Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

11. 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's Stormwater Management Code and AS/NZS 3500.3: 2015 (as amended), prepared by a suitably qualified professional engineer specialising in hydraulic engineering, must be submitted for approval to the Principal Certifier with the Construction Certificate.

Condition reason: To ensure stormwater drainage system is adequately designed.

12. Landscape Plan

A detailed landscape plan, drawn to scale, by a suitably qualified landscape architect or landscape designer, must be submitted to Council for approval prior to the issue of the Construction Certificate. The plan must include:

- (a) Location of existing and proposed structures, services
- (b) Existing trees to be retained or removed (cross referenced to arborist's report if applicable) including Tree 58.
- (c) Details of earthworks including level changes, mounding and retaining walls and planter boxes;
- (d) Location of proposed plants and a plant schedule showing the plant symbol, botanical name/ common name; quantity; pot size/; and mature height x width.
- (e) Details of planting procedure and maintenance;
- (f) Landscape specification;
- (g) Details of drainage and irrigation systems;
- (h) Details of garden edging and turf; and
- (i) Any required fencing, retaining walls and other structures not shown on other approved architectural and engineering plans.
- (j) Details of ongoing landscape maintenance requirements.
- (k) Details of landscape over structures including drainage, waterproofing, soil and mulch depth and specifications
- (l) Replenishment of Campus Drive Brush Box Avenue with new Lophostemon confertus tree planting.
- (m) Details of pedestrian path and gathering areas along Campus Drive building frontage including levels, proposed materials and construction details such that existing trees can be retained with minimal impact. In particular Tree 58.

Condition Reason: To ensure the design quality of landscape works.

13. Tree Removal/Pruning Prohibited

The removal or pruning (branches or roots) of any trees on the subject property (excluding those approved for removal in these conditions or species on Council's exempt species list), Council's public footway, public reserves or on neighbouring properties must not be undertaken other than in accordance with the express provisions of this consent.

Condition Reason: To ensure tree preservation and environmental amenity.

14. Tree Protection and Retention

The following trees are to be protected throughout the course of all demolition and construction works. Tree protection is to be in place prior to commencement of demolition works.

All trees to be retained as per approved Arboricultural Impact Assessment plus addition of Tree 58- *Lophostemon confertus*.

A project arborist (min. Qualification AQF5) is to be engaged throughout the demolition and construction process.

The Project 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.

No services shall be installed within the Tree Protection Zone of the tree unless approved by Council. Tree protection fencing 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.

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 Project Arborist shall be submitted to Council prior to any further demolition or construction works taking place

Special Tree Protection Measures as per Appendix A of Response to Council RFI No. 2- Tree Retention are to be implemented and certified by the project arborist in regard to Tree 58- *Lophostemon confertus* located on Campus Drive.

Condition Reason: To ensure the protection of trees to be retained on and neighbouring the site.

15. Tree Removal & Replacement

Tree removal: Permission is granted for the removal of the following trees:

Tree No.	Tree species	Number of trees	Location
50	<i>Lophostemon confertus</i>	1	Carpark east
55	<i>Callistemon viminalis</i>	1	Campus Drive
57	<i>Lophostemon confertus</i>	1	Campus Drive
61	<i>Lophostemon confertus</i>	1	Campus Drive

No Permission is granted for the removal of any other trees on site.

General Tree Removal Requirements

All tree removal work must be undertaken by a minimum Certificate 3 (AQF 3) qualified Arborist who is currently a member or eligible for membership to Arboriculture Australia (AA) or the Tree Contractors Association Australia (TCAA), to ensure that removal is undertaken in

a safe manner and complies with the AS 4373-2007 – Pruning of Amenity Trees and Amenity Tree Industry Code of Practice (Safework NSW, August 1998).

Tree Replacement

All trees permitted to be removed by this consent must be replaced in accordance with the DA approved landscape plans

Replacement trees must be a minimum 75 litre container size. Trees are to meet the requirements of AS 2303: 2018- Tree Stock for Landscape Use. Trees must be true to type, healthy and vigorous at time of delivery and planting, must be pest and disease free, free from injury and wounds and self-supporting; and must be maintained until maturity.

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

Trees within lawn areas or street verges must have Tree Guard bark protectors installed around the base of trunks to protect from damage by trimmers and mowers.

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

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

A minimum 75mm depth of organic mulch must be placed around the tree, extending to a minimum radius 0.5m from the base of the trunk. Mulch shall be 'dished' around the base of the tree's trunk.

Details demonstrating compliance must be demonstrated to the Principal Certifier, prior to the issue of any Occupation Certificate.

Condition Reason: To maintain adequate tree canopy and preservation of environmental amenity.

16. Palm transplanting

Permission is granted for the transplanting of the following palms:

Tree No.	Tree species	Number of trees	Location
31	Phoenix canariensis	1	Carpark island
32	Phoenix canariensis	1	Carpark island
33	Phoenix canariensis	1	Carpark island
51	Phoenix canariensis	1	Carpark-west side
52	Phoenix canariensis	1	Entry driveway
62	Phoenix canariensis	1	Campus Drive

The proposed palm locations are to be nominated on the Construction Certificate landscape plan.

The applicant is to provide a detailed transplant methodology prepared by an experienced palm transplanter and submit to the Crown Certifier.

At a minimum the transplant methodology shall include requirements for:

- Palm Preparation
- Excavation method
- Transport method
- Planting procedure (including preparation of planting location)
- Proposed palm support
- Proposed mulch
- Proposed watering and maintenance
- Proposed protection throughout demolition and construction works

The project arborist/ nominated transplanter is to provide to the Crown Certifier, certification of all transplanting stages including a statement of palm health and condition prior to issue of Occupation Certificate.

Condition Reason: To maintain adequate tree canopy and preservation of environmental amenity.

17. 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 suitably qualified professional engineer specialising in hydraulic engineering, must be submitted for approval by the Principal Certifier with the Construction Certificate.

An on-site detention (OSD) facility must be designed and approved by a suitably qualified professional engineer who specialises in Hydraulic Engineering. 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 for 2 years, 10 years and 100 years.

The OSD facility must 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 must be placed at the OSD facility and must bear the words:

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

Full details must accompany the application for the Construction Certificate.

Condition reason: To ensure the on-site detention system is designed to comply with the relevant criteria and legislation.

18. Erosion and sediment control plan

Before the issue of a construction certificate an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the principal certifier:

- a) Council's relevant development control plan,
- b) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and
- c) the 'Guidelines for Erosion and Sediment Control on Building Sites' (Department of Planning, Housing and Infrastructure) (dated 2024, as amended from time to time)

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

19. Water Sustainability – Water Sensitive Urban Design

Details of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) must be submitted to and approved by the Principal Certifier prior to the issue of a Construction Certificate. Details must 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 SCDCP 2005 and be prepared by a suitably qualified professional engineer.

Condition reason: To promote Water Sensitive Urban Design.

20. Dial Before Your Dig

The applicant must contact [Home | Before You Dig Australia \(BYDA\)](#) to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from "Dial Before You Dig" must be forwarded to Council's Engineers for their records.

Condition reason: To ensure the protection of services and utility.

21. Geotechnical Report

The applicant must submit a Geotechnical Report, prepared by a suitably qualified professional engineer specialising in geotechnical engineering. The Geotechnical Report must address dilapidation reports, all site works and construction. This is to be submitted to the Principal Certifier and Council (where Council is not the Certifier) before the issue of the Construction Certificate and must 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 prior to any excavation of site works. The Dilapidation Report must include assessments on, but not limited to, the dwellings at those addresses and any external paths, grounds etc. This must be submitted to the Principal Certifier and the adjoining residents as part of the application for the Construction Certificate. Adjoining residents must 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 must detail the maximum size of hammer to be used and provide all reasonable recommendations to manage impacts.
- (e) Sides of the excavation must be piers prior to any excavation occurring to reinforce the walls of the excavation to prevent any subsidence to the required setbacks and neighbouring sites.

Condition reason: To ensure structural safety and integrity of adjoining properties.

22. Construction Site Management Plan

Before the issue of a construction certificate a construction site management plan must be prepared, and provided to principal certifier. The plan must include the following matters:

- a) The location and materials for protective fencing and hoardings on the perimeter of the site;
- b) Provisions for public safety;
- c) Pedestrian and vehicular site access points and construction activity zones;
- d) Details of construction traffic management including:
 - i) Proposed truck movements to and from the site;
 - ii) Estimated frequency of truck movements; and
 - iii) Measures to ensure pedestrian safety near the site;
- e) Details of bulk earthworks to be carried out;
- f) The location of site storage areas and sheds;
- g) The equipment used to carry out works;
- h) The location of a garbage container with a tight-fitting lid;
- i) Dust, noise and vibration control measures;
- j) The location of temporary toilets;
- k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:
 - i) AS 4970 – Protection of trees on development sites;
 - ii) An applicable Development Control Plan;
 - iii) An arborist's report approved as part of this consent

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

23. Construction Traffic Management Plan

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 to Council 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.

Condition reason: To mitigate traffic impacts on the surrounding area during the construction period.

24. Waste Management Plan – an approved document of this consent

Before the issue of a construction certificate a waste management plan for the development must be provided to principal certifier.

Condition reason: To ensure resource recovery is promoted and local amenity protected during construction.

25. Waste Recycling and Bulky Storage Rooms

The waste storage area must not be visible from the street. The waste storage area must be located within the location of waste rooms in accordance with the approved plans.

The waste storage area must be large enough to accommodate the following number of bins for the development:

- (a) Domestic Waste – 2 x 660L litre mobile bins.
- (b) Domestic Recycling – 3 x 660L litre mobile bins.
- (c) Green Waste – 1 x 660L litre mobile bins.

The size of the waste storage room is to be based on a minimum area 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 must be nominated as being responsible for transferring the bins to the collection point and back into the waste storage room.

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. must be provided to Council for approval.

A 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.

Condition reason: To ensure appropriate management of waste.

26. 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 an area for the 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).

Condition reason: To ensure appropriate management of waste.

27. Commercial and Industrial Waste

Appropriate waste and recycling containers and facilities must be provided according to the approved 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.

The WMP must 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.

Condition reason: To ensure the appropriate management of waste through the separation of commercial and residential waste.

28. Acoustic Requirements

Compliance with submitted Acoustic Report:

The Construction Certificate plans must demonstrate compliance with the Acoustic Report submitted and approved by Council, titled ACU STEM Centre of Education Excellence Acoustic DA Report revision 3 prepared by ADP Consulting Pty Ltd and dated 12 March 2025.

Acoustic Report – General Operation of Premises

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

Condition reason: To ensure compliance with the acoustic report and to protect surrounding acoustic amenity.

29. Detailed Site Investigation

The detailed site investigation prepared by Alliance Geotechnical Pty Ltd, titled Detailed Site Investigation Report, Portion of Lot 11 in DP 869042, 179 Albert Road, Strathfield NSW 2135 dated 10/06/2025, reference 18761-ER-1-2 rev0 and all the recommendations stated within the report forms part of the development consent.

Condition reason: To condition the supporting report.

30. Remedial Action Plan

Prior to the issue of a construction certificate, the site is to be remediated in accordance with:

- i. The approved Remedial Action Plan, prepared by Alliance Geotechnical Pty Ltd, titled *Remedial Action Plan, Portion of Lot 11 in DP 869042, 179 Albert Road, Strathfield NSW 2135*, dated 18/08/2025, reference 18761-ER-1-3 rev 1
- ii. State Environmental Planning Policy (Resilience and Hazards) 2021;
- iii. The guidelines in force under the Contamination Land Management Act 1997; and

The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation.

Any variations to the approved remedial action plan must be submitted to and approved in writing by Council prior to the continuing of such work.

Condition reason: To ensure appropriate site remediation and validation

31. Fire Safety Measures

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 must be submitted to the Principal Certifier. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list.

Condition reason: Fire safety and statutory requirements.

32. Structural Details

Engineer's details for all reinforced concrete work, structural beams, columns & other structural members must be prepared by a suitably qualified practising Structural Engineer. These details are to be submitted to the Principal Certifier for approval.

A copy must be forwarded to Council where Council is not the Principal Certifier.

Condition reason: To ensure works are structurally sound.

33. Access for Persons with a Disability

Access and sanitary facilities for persons with disabilities must be provided to the premises in accordance with the requirements of the Premises Standards and the Building Code of Australia. Details must be submitted prior to the Construction Certificate Application for approval by the Principal Certifier.

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

34. Long Service Levy

Before the issue of the relevant construction certificate the long service levy of **\$93,068.00** as calculated at the date of this consent, must be paid to the Long Service Corporation of Council under the *Building and Construction industry Long Service Payments Act 1986*, section 34, and evidence of the payment is to be provided to the certified.

Condition reason: To ensure the long service levy is paid

35. Payment of security deposits

Before the issue of the relevant construction certificate, the applicant must:

- a) make payment of \$38,522.00 for a security deposit and \$155.00 for Administration Fee to the consent authority, and
- b) if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed

36. Housing and productivity contribution

Housing and productivity contribution Before the issue of the construction certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and Productivity Contribution	Amount
Total housing and productivity contribution	\$40,171.87

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order). The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees. The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution. The amount of the contribution may also be reduced under the HPC Order, including if payment is made before 1 July 2025.

Condition reason: To require contributions towards the provision of regional infrastructure.

BEFORE BUILDING WORK COMMENCES

37. Tree protection measures

Before any site work commences, the principal certifier, or council where a principal certifier is not required, must be satisfied the measures for tree protection detailed in the construction site management plan are in place.

Condition Reason: To protect and retain trees.

38. Dilapidation report

Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier that all reasonable steps were taken to obtain access to the adjoining properties.

No less than 7 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time.

Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

39. Erosion and sediment controls in place

Before any site work commences, principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan which was provided to principal certifier are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the erosion and sediment control plan.

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways

40. Physical Connection of On-Site detention tank to existing stormwater pit

The invert of the existing stormwater pit into which it is proposed to discharge the stormwater, is to be confirmed and the outlet pipe is to have adequate grade prior to any relevant construction work.

Condition reason: To ensure proper drainage via gravity to existing drainage system.

41. Demolition & Asbestos

The demolition work must 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 must 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 must be submitted to the Principal Certifier 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 or Regulation that a license is not required.

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

Condition reason: Safety, amenity and protection of public infrastructure and the environment.

42. Demolition Notification Requirements

The following notification requirements apply to this consent:

- (a) The builder must notify adjoining residents five (5) working days prior to demolition. Such notification will be a clearly written note giving the date demolition will commence, contact details of the builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification must 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 builder must 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 must be erected in a prominent visible position (from street frontage) on the site. The sign must be erected prior to demolition work commencing and will remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

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

43. Payment of fees

Before any site work commences, the following must be paid to council and written evidence of these payments provided to principal certifier": [formatting]

a) inspection fees

Condition reason: To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property.

44. 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.

Condition reason: To ensure safety, amenity and protection of public infrastructure and the environment.

DURING BUILDING WORK

45. Tree Removal on Private Land

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

Condition Reason: To ensure tree preservation and pruning is undertaken in accordance with AS4373:2007.

46. Tree protection during work

While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:

- a) the construction site management plan approved under this consent,
- b) the relevant requirements of AS 4970 Protection of trees on development sites,
- c) Part O of council's relevant development control plan (in force as at the date of determination of this consent) and
- d) any arborist's report approved under this consent.

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Condition Reason: To protect trees during the carrying out of site work.

47. Cost of Work to be Borne by the Applicant

The applicant must pay 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 must be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction must be maintained in a state of good repair and condition throughout the course of construction.

Condition reason: To protect Council's roads, reserves and public infrastructure.

48. Responsibility for changes to public infrastructure

While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.

Condition reason: To ensure payment of approved changes to public infrastructure.

49. 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 under Section 68 of the Local Government Act 1993. Penalty infringement Notices may be issued for any offences and severe penalties apply.

Condition reason: To maintain public safety.

50. Construction Management Plan

The builder must ensure that the approved Construction Traffic Management Plan is to be strictly complied with and kept on site at all times during construction works.

Condition reason: To provide safe access to and from the site and protection of public infrastructure and the environment.

51. Waste Classification and disposal of contaminated materials

All soils and material, liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and

related guidelines, the 'Waste Classification Guidelines' (NSW EPA, 2014), prior to off-site disposal.

The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to the principal certifier before off-site disposal. A copy of the waste classification report must be submitted to Council prior to issuing of an occupation certificate.

All waste material must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to Council prior to issuing of an occupation certificate.

All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

Condition reason: To classify soils and materials.

52. Unexpected Finds

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental consultant appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Council.

Council may also request that an NSW EPA Accredited Site Auditor is involved to assist with the assessment of any unexpected finds, review any contamination information and prepare a site audit report and site audit statement. The applicant must adhere to any additional conditions which may be imposed by the NSW EPA Accredited Site Auditor.

Condition reason: To address unexpected finds including unexpected contamination

53. Procedure for critical stage inspections

While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied and the work may proceed in accordance with this consent and the relevant construction certificate.

Condition reason: To require approval to proceed with building work following each critical stage inspection.

54. Registered Surveyors Report

A report must be submitted to the Principal Certifier 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 Principal Certifier is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

Condition reason: To ensure buildings are sited and positioned in the approved location

55. Hours of work

Site work must only be carried out between the following times –

For building construction and delivery of machinery and materials from 7:00am to 6:00pm on Monday to Saturday (excluding Public Holidays)

For demolition, excavation and/or construction works that involve heavy machinery, noisy trades, or the like from 7:00am to 5:00pm on Monday to Friday and 8:00am to 1:00pm Saturdays (excluding Public Holidays).

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

Condition reason: To protect the amenity of the surrounding area during construction.

56. Ground Levels and Retaining Walls

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

Condition reason: To maintain existing ground levels and protect existing overland flow.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

57. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.

Condition Reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)

58. Maintenance Schedule – On-site Stormwater Management

A Maintenance Schedule for the proposed on-site stormwater management measures must be prepared by a suitably qualified professional hydraulic engineer and submitted to Council. The Maintenance Schedule must outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

Condition reason: To ensure the approved stormwater disposal system is maintained at its designed capacity.

59. Post-construction dilapidation report

Before the issue of an occupation certificate a post- construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier detailing whether:

- a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
- b) where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and

a copy of the post-construction dilapidation report must be provided to council (where council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s).

Condition reason: To identify any damage to adjoining properties resulting from site work on the development site.

60. Repair of infrastructure

Before the issue of an occupation certificate:

- a) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or
- b) if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent.

Condition reason: To ensure any damage to public infrastructure is rectified.

61. Works-as-executed plans and any other documentary evidence

Before the issue of the relevant occupation certificate works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:

- a) All stormwater drainage systems and storage systems, and
- b) The following matters that council requires to be documented
- c) A copy of the plans must be provided to council with the occupation certificate.

Condition reason: To confirm the location of works once constructed that will become council assets

62. Acoustic Compliance – General Operation of Premises

The proposed use of the premises and the operation of all plant and equipment must 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 must certify that the operation of the plant equipment will 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 must be assessed as an LAeq, 15 min in accordance with the NSW Environment Protection Authority's "NSW industrial Noise Policy for Industry 2017".

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

Condition reason: Noise attenuation and protection of amenity

63. Validation Report

Prior to issue of the occupation certificate, the proponent must submit a detailed validation report to Council.

The validation report must be prepared in accordance with:

- i. 'Managing Land Contamination: Planning Guidelines (Department of Urban Affairs and Planning and NSW EPA, 1998);
- ii. Relevant EPA Guidelines, noting the guidelines for 'Consultants Reporting of Contaminated Land 2020 and
- iii. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013).

The validation report must be prepared or reviewed and approved by an appropriately qualified environmental consultant.

The validation report must verify that the land is suitable for the proposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the Remedial Action Plan, Portion of Lot 11 in DP 869042, 179 Albert Road, Strathfield NSW 2135, prepared by Alliance Geotechnical Pty Ltd, dated 18/08/2025, reference 18761-ER-1-3 rev 1.

Condition reason: To validate that land is suitable for its proposed use.

64. Long Term Environmental Management Plan

Where the validation report identifies the need for the implementation of a long-term environmental management plan, the plan must be submitted to Council and the principal certifier. The ongoing environmental management plan must be prepared in accordance with:

- i. NSW Contaminated Land Planning Guidelines;
- ii. Relevant EPA endorsed guidelines; and
- iii. *National Environmental Protection (Assessment of Site Contamination) Measure 1999* (as amended 2013).

The long-term environmental management plan must be prepared or reviewed and approved by a suitably qualified environmental consultant.

The long-term environmental management plan must be submitted to, and approved by, Council prior to the issue of an occupation certificate.

The long-term environmental management plan must describe the nature and location of the contamination and prescribe how the contaminants will be managed/monitored and the responsible parties for this management/monitoring in the long-term.

The long-term environmental management plan must specifically outline the construction details, and the requirements of management and monitoring of the containment cell to ensure it is maintained appropriately, its integrity remains intact, and to avoid migration of contamination. The ongoing environmental management plan must also include a contingency plan if the systems fail.

Condition reason: To ensure compliance with the legislative requirements.

65. Fire Safety Before Occupation or Use

In accordance with Clause 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 - NSW Legislation, on completion of building works and prior to the issue of any Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Clause 83 of that Regulation. The Fire Safety Certificate must be in the form or to the effect of Clause 86 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 - NSW Legislation. Additionally, 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 must 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.
- (b) That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the Schedule.

A copy of the certificate must 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.

Condition reason: Fire safety and statutory requirement.

OCCUPATION AND ONGOING USE

66. Maintenance of wastewater and stormwater treatment device

During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable).

Condition reason: To protect sewerage and stormwater systems.

67. Standing Vehicles on Public Roads

Motor vehicles awaiting repair or under repair, or waiting delivery, must not be stored, parked, or otherwise permitted to stand in a public street. All such vehicles must be accommodated within the premises.

Condition reason: Compliance and mitigate traffic impacts on the surrounding area.

68. Loading & Unloading of Vehicles

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

Condition reason: Compliance and mitigate traffic impacts on the surrounding area.

69. Maximum Vehicle Size

Medium Rigid Vehicle 11m

The maximum size of truck using the proposed development must be limited to Medium Rigid Vehicle as denoted in AS2890.2-2018: Parking Facilities – Off-street commercial vehicle facilities.

Condition reason: Safety and traffic management.

70. Amenity of the Neighbourhood

The implementation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or response of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.

Condition reason: To protect the amenity of surrounding development and protect public safety.

71. Outdoor Lighting

To avoid nuisance to the occupants of adjoining premises or glare to motorists on nearby roads, outdoor lighting must comply with *AS 4282-2023: Control of the obtrusive effects of outdoor lighting*.

Condition reason: To protect the amenity of surrounding development and protect public safety.

72. Lighting – General Nuisance

Any lighting on the site must 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.

Condition reason: To protect the amenity of surrounding development and protect public safety.

73. Further Odour/Dust Assessment

Should it be found that odour or dust issues (relating to the development) arise (through complaint or otherwise), the owner/ occupier must, upon request by Council, employ the services of an appropriately qualified consultant to assess the issue, and provide a report with recommendations to rectify the situation. A copy of this assessment report must be submitted to Council for approval and from there, attenuation works must be implemented to resolve the issue. Submission of the report must be within 30 days from the date requested by Council.

Condition reason: To address air pollution.

74. Acoustic Assessment

Should a noise issue (relating to the development) not previously identified arise (through complaint or otherwise), the owner/occupier must, upon request by Council, employ the services of a suitably qualified acoustic consultant to undertake a post-occupation assessment of the development and complete an acoustic report with recommendations to rectify the noise issue. A copy of this acoustic assessment report must be submitted to Council for approval and from there noise attenuation works must be implemented. Submission of the acoustic report must be within 30 days from the date requested by Council.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

Condition reason: To address noise pollution.

75. 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 must be given within 12 months after the last such statement was given.
- (c) An annual fire safety statement must be given in or to the effect of Clause 92 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 - NSW Legislation.
- (d) A copy of the statement must be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.

Condition reason: Fire safety and statutory requirements.