

File No: DA2015/100
Contact: Planning Department/vg

Alceon Group Pty Ltd
c/- Metro Property Development – Mark Girgis
PO Box 6380
NORTH SYDNEY NSW 2059

NOTICE OF DETERMINATION

issued under Section 81(1)(a) of the
Environmental Planning and Assessment Act 1979

Development Application No. 2015/100

Land to be developed 84 Centenary Drive Strathfield
LOT 302 DP 1208910

Proposed development Demolition of existing site structures and the construction of (24) x two (2) storey townhouses, (27) x three (3) storey townhouses and two (2) x nine (9) storey residential flat buildings comprising (195) units above two (2) levels of basement parking with associated landscaping and civil works.


DETERMINATION

APPROVAL granted subject to the conditions contained within this consent.

Made on 18 May 2016
(Joint Regional Planning Panel)

Consent to operate from 19 May 2016

Consent to lapse on 19 May 2021



PART A - PRESCRIBED CONDITIONS

BASIX Commitments

- A The applicant shall comply with the prescribed conditions of development consent under clause 97A of the Environmental Planning and Assessment Regulation 2000.

National Construction Code and Home Building Act 1989

- B The applicant shall comply with the prescribed conditions of development consent under clauses 98, 98A and 98B of the Environmental Planning and Assessment Regulation 2000.

Long Service Levy

- C Payment of the Long Service Levy as required by section 109F(1) of the Environmental Planning & Assessment Act 1979 for all building work over \$25,000. (Note: The cost of the building work must be rounded to the nearest \$100.)
- D The Long Service Levy shall be paid at Council's Customer Service Centre or evidence of direct payment to the Long Service Payments Corporation shall be provided to Council **prior to the issue of a Construction Certificate**.

Shoring and Adequacy of Adjoining Property

- E Pursuant to Clause 98E and Clause 136H of the Environmental Planning and Assessment Regulation 2000, if a development (subject of a Development Consent or Complying Development Certificate) involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- protect and support the adjoining premises from possible damage from the excavation
 - where necessary, underpin the adjoining premises to prevent any such damage.

If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

PART B – OTHER CONDITIONS

Plans

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

Development Impact Assessment prepared by Lee Hancock Consulting Arborist dated 1/25/16 and received by Council on 28 January 2016.

Masterplan, Drawing Nos. DA0.03, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council on 31 March 2016.

Demolition Plan, Drawing No. 11.01, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council on 31 March 2016.

ARCHITECTURAL PLANS

Drawing No. DA1.06 Revision B, prepared by Marchese Partners, dated 30/12/15 and received by Council 31 March 2016.

Drawing No. 12.01, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA1.00A, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.00B, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.01A, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.01B, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.02A, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.02B, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.03A, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.03B, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.04, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.05, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.07, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No A1.108, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No A1.09, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.10, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA1.11, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA1.12, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA2.01A, Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA2.01B, Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA2.01C Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA3.01A, Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA2.01D, Revision E, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 14.01, Revision A, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 14.03, Revision A, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 6.07, Revision A, prepared by Marchese Partners, dated 21/3/2016 and received by Council 19 April 2016.

Drawing No. DA 5.08, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 16.00, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 16.01, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 7.04, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 8.01, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 14.04, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 14.05, Revision B, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 6.04, Revision A, prepared by Marchese Partners, dated 21/3/2016 and received by Council 19 April 2016.

Drawing No. DA 6.05, Revision A, prepared by Marchese Partners, dated 21/3/2016 and received by Council 19 April 2016.

Drawing No. DA 6.06, Revision A, prepared by Marchese Partners, dated 21/3/2016 and received by Council 19 April 2016.

Drawing No. DA 5.01, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 5.02, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 5.03, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 5.04, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 5.05, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 5.10, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 5.12, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 6.01, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 6.02, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 7.02, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No DA 7.03, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

DA 14.02, Revision C, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 6.03, Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 7.01, Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 12.02, Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

Drawing No. DA 12.03, Revision D, prepared by Marchese Partners, dated 21/3/2016 and received by Council 31 March 2016.

LANDSCAPE PLANS

Drawing No. 102, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 103, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 104, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 105, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 106, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 107, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 108, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 109, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 215, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 216, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 217, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 110, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 111, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 112, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 113, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 114, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 205, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 206, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 207, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 211, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 212, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 213 Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 115, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 204, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 209, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 210, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 116, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 117, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 118, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

Drawing No. 208, Issue B, prepared by Arcadia Landscape Architecture, dated March 2016 and received by Council on 31 March 2016.

ENGINEERING WORKS PLANS

Drawing No. 80216033-DA005, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA010, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA015, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA020, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA030, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA031, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA032, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA033, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA034, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA035, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA036, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA037, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA040, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA050, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA080, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA081, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA090, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA091, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Drawing No. 80216033-DA100, Revision 01, prepared by Cardno, dated Mar' 16 and received by Council on 31 March 2016.

Amending Plan

Attachment A, dated 4.5.16, prepared by Eugene Marchese.

BASIX CERTIFICATES

Stage 1 - Basix Report Revision 3 No. 654819M_03 dated 28 April 2016 prepared by Wood and Grieve Engineers received by Council 29 April 2016.

Stage 2 - Basix Report Revision 3 No. 658364M_03 dated 29 April 2016 prepared by Wood and Grieve Engineers received by Council 29 April 2016.

2. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
4. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.
5. The construction of the drainage infrastructure on South Strathfield High School shall be constructed in a manner that does not detrimentally impact any tree on that property for which consent has not been granted to remove. In this regard such work shall be carried out under the supervision of a suitably experienced and qualified minimum AQF Level 5 Arborist who shall identify the method of construction to be used in order to ensure the long term health of the trees.

Special Conditions

6. Amended architectural plans are to be provided to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate, incorporating the following changes:
 - (a) Amendment to the basement design (Levels 1 and 2) under Apartment Building B to provide a deep soil planting area with dimensions of 4m x 4m in lieu of the proposed areas which have a dimension of approximately 4m x 3.5m. The landscape plans and architectural plans shall indicate the planting of *Corymbia maculata* in these deep soil areas in accordance with the recommendations of the Arborist Report.
 - (b) Amendment to the parking provision and dwelling entry area for all of the southern townhouses which are proposed to have a single garage and open car parking space (i.e. Townhouses S2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25 and 26). The amendments, as illustrated in Attachment A, dated 4.5.16, prepared by Eugene Marchese, are required to achieving the following:
 - (i) Two (2) car parking spaces meeting the required dimensions of AS2890.1;
 - (ii) A pedestrian path aligning with the front door measuring at least 950mm;
 - (iii) A minimum setback of 5.8m between the end of the carport or car space and the southern side of the southern loop road; and

- (iv) The provision of a bin storage area for one (1) x garbage, recycling and greenwaste bin per townhouse.

NOTE: These amendments must be undertaken whilst complying with the FSR control of 1.2:1 applicable to the whole site the subject of the development consent.

- (c) Redesign of the proposed private courtyards located between the three (3) rows of southern townhouses (i.e. of Townhouses S10, 11, 18 and 19) to achieve the following:
 - (i) Increase to the landscaping on the northern side of the proposed courtyard fencing to improve communal landscaping visible from the northern link road;
 - (ii) Setback of the proposed courtyard fence adjoining the visitor parking space located off the southern loop road to provide a minimum 3m communal landscape setback to the north of the visitor parking space;
 - (iii) Divide the remaining space into two (2) private courtyards;
 - (iv) Deletion of any ground level opening in the wall of any townhouse that adjoins the courtyard of the opposite townhouse in order to overcome privacy concerns; and
 - (v) Provision of privacy treatments as necessary to the side windows at the upper levels of each townhouse with a side courtyard such that overlooking down into another townhouse's courtyard is not possible.
- (d) Provision of obscure glazing to the ground level openings of Townhouses S1 and S27 in the western and eastern facades respectively to a minimum height of 1.5m above the floor level to provide privacy from the loop road.
- (e) Provision of an acoustic fence, constructed of lapped and capped timber or colourbond fencing with no gap at the bottom, along the eastern boundary of the site to a minimum height of 1.8m.
- (f) The glazing within the eastern elevation of the easternmost townhouses at the first and second floor level shall be frosted and the windows shall either be fixed or awning style to ensure overlooking of the rear yards to the east does not occur.
- (g) Relocation of the two (2) northernmost accessible parking spaces within the basement which are located off the east/west aisle next to the access ramp. These two (2) spaces are to be swapped with the three (3) southernmost non-accessible spaces located to the west of the bulk goods allocation room within Basement 1.

- 7. Amended landscape plans are to be provided to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate, demonstrating the following:

- (a) The trees to be planted in the deep soil zones identified in Condition 6(a) above being *Corymbia maculata* of 400L pot size;

- (b) Provision of a small tree (5-6m at maturity, can be deciduous) in the courtyard of each northern townhouse, with the following exception of the courtyards of Townhouses N4, N5, N9, N10, N14, N15, N19 and N20 where a tree to achieve a minimum maturity height of 10m in order to increase the landscaped setting of the area surrounding the single storey components of the townhouses;
 - (c) Relocation of the trees proposed to be planted between the open car spaces of the southern row of townhouses 1m to the north to allow for improved vehicular manoeuvring into the car parking spaces;
 - (d) Provision of one (1) of the proposed trees with the communal landscaped areas identified in Condition 6 (c) to reach a minimum mature height of 15m;
 - (e) Provision of Eucalyptus sclerophylla (Scribbly Gum) at minimum 8m centres along the southern half of the eastern boundary of the site, increasing the size of the landscape area as necessary to accommodate the trees whilst still allowing compliant access for emergency vehicles under the provisions of FRNSW Guidelines for Emergency Vehicle Access, Policy No. 4;
 - (f) Deletion of the stormwater detention basins shown on the adjoining golf course land which have been superseded by the approved concept stormwater plans;
 - (g) Replacement of the proposed cobbled surface of the loop road around the townhouses with a surface that will not cause acoustic issues for adjoining residents.
8. Any community title and/or strata subdivision of the proposed development shall be the subject of a separate application. The allocation of parking in any such subdivisions are to be consistent with the conditions of this consent.
9. The Acoustic Report, dated 22/1/2016, prepared by Wood & Grieve Engineers shall be reviewed and amended as required to address the amended design of the development and the recommendations within Table 14 of that report are to be amended as necessary. The architectural plans shall be amended to identify the provision of all acoustic measures identified in the amended acoustic report **prior to the issue of a Construction Certificate.**
10. **Prior to the issue of a Construction Certificate for the Townhouses** a plan is to be prepared showing how the Strathfield Golf Club car park is to be fenced off from the access handle shown in Drawing titled "Subdivision Diagram – Areas Approximate Only", PR127780, Issue D, prepared by RPS. The plan is to show a single gated access from the access handle to the golf club car park and is to show how parking spaces that are currently partially located within the access handle will be reline-marked. The fencing and reline-marking works are to be completed **prior to commencement of any works for the Townhouses** and shall be certified to comply with AS2890.1.

11. The existing drainage system draining stormwater from Strathfield South High School shall not be demolished until an alternative system is constructed (whether that system is a temporary or permanent system). The permanent drainage works shown to be carried out within the grounds of South Strathfield High School and all downstream connections of those works to the drainage system within Strathfield Golf Course are to be completed **prior to the issue of an Occupation Certificate for the Townhouses**. The drainage works shall not encroach more than 10% into the Tree Protection Zone of any tree which is listed for retention.
12. The drainage works identified above are to be covered by an easement for drainage in favour of the owner of Strathfield South High School. Evidence of the registration of the easement with LPI shall be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate for the Townhouses**.
13. **Prior to an Occupation Certificate for the Townhouses** all building works, infrastructure and landscaping works identified as being within proposed Lot 3001, inclusive of access handle, on Drawing PR127780, Issue D, prepared by RPS, of this consent must be completed and all conditions of consent relating to the Townhouses must be satisfied.
14. **Prior to the release of any Occupation Certificate for the Townhouses or the release of any community or strata title Subdivision Certificate for the Townhouses** a covenant shall be placed on the entire property identified as Lot 3001 in Drawing titled "Subdivision Diagram – Areas Approximate Only", PR127780, Issue D, prepared by RPS. The covenant shall have the effect of identifying that the site is fully developed in conjunction with Lot 3002 in the same plan to the maximum FSR of 1.2:1.

The covenant shall have the effect of preventing "double dipping" (ref: Clause 4.5(9) Strathfield LEP 2012) and shall state that proposed Lot 3001 is a "restricted lot" by identifying that no further FSR is able to be placed on the lot. Council shall be a signatory to the covenant.

Evidence of the creation and registration of the covenant with LPI shall be provided to Council and the Principal Certifying Authority **prior to the release of any Occupation Certificate for the Townhouses**.
15. **Within 5 years of the issue of an Occupation Certificate for the Townhouses**, the communal open space identified in the legend as 01 and 03, adjoining the residential flat building identified on Drawing No. 115, Issue B, prepared by Arcadia Landscape Architects and dated March 2016, with design detailed on Drawing Nos. 203 and 204, Issue B, prepared by Arcadia Landscape Architects and dated March 2016 shall be completed to the satisfaction of Council.
16. **Prior to the commencement of any works in relation to the Residential Flat Buildings**, other than demolition works, the underground petroleum storage tank shall be removed and the excavated area shall be validated to determine if the surrounding soil is impacted with petroleum hydrocarbons. Validation certificates shall be submitted to the Principal Certifying Authority and Council. If any significant leakage is confirmed to have occurred then further ground water sampling shall be performed and any required

remediation shall be completed **prior to the issue of a Construction Certificate.**

17. **Prior to the issue of any Occupation Certificate for the Residential Flat Buildings,** an easement for use and access to the communal open space established under Condition 15 above shall be prepared in favour of the allotment of land identified as proposed Lot 3001 in Drawing titled "Subdivision Diagram – Areas Approximate Only", PR127780, Issue D, prepared by RPS permitting access to and use of the communal open space by the occupants and guests of all townhouses. Details of the registration of the easement with LPI are to be provided to Council and the Principal Certifying Authority **prior to the issue of any Occupation Certificate for the Residential Flat Buildings.**

18. Accessible and functional bicycle storage shall be provided within the basement for use by residents and visitors to the site **prior to the issue of any Occupation Certificate for the Residential Flat Buildings.**

19. Purpose built storage compartment(s) shall be provided to and within each of the resident car parking bays and/or associated dwellings at the following rates:
- 6m³ for each one (1) bedroom unit
 - 8m³ for each two (2) bedroom unit, and
 - 10m³ for each unit with three (3) bedrooms or more.

In order to deter theft, the security compartments shall be designed in a manner to conceal from view and secure their contents i.e. through the use of dense, solid material and a shroud covered padlock (or similar).

Amended plans showing the location and configuration of each of storage compartment(s) shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of the Construction Certificate the Residential Flat Buildings.**

20. **Prior to the issue of any Occupation Certificate for the Residential Flat Buildings** the Principal Certifying Authority shall be satisfied that all building works, infrastructure and landscaping works identified within Proposed Lot 3002 on Drawing PR127780, Issue D, prepared by RPS, of this consent have been completed and all conditions of consent relating to the Residential Flat Buildings have been satisfied.
21. No Occupation Certificate for the Residential Flat Buildings shall be issued until an Occupation Certificate for the Townhouses has been issued.
22. Each set of tandem parking spaces located in the basement shall only be allocated to the same apartment in any future strata subdivision.

General

23. For residential flat developments which are subject to State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Development and required to be accompanied by a design verification from a qualified designer under Clause 50(1A) of the Environmental Planning and Assessment Act Regulation 2000, a certifying authority must not issue:

- (a) a **Construction Certificate** unless the certifying authority has received a design verification statement from a qualified designer that verifies 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 in Part 2 of SEPP No. 65, in accordance with Clause 143A of the Regulations; and
 - (b) an **Occupation Certificate** to authorise a person to commence occupation or use of the residential flat building unless the certifying authority has received a design verification statement from a qualified designer that 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 SEPP No. 65, in accordance with Clause 154A of the Regulations.
- 24. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit must be retained on site at all times.
- 25. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
- 26. Storage of goods or the use of portable clotheslines on balconies visible from a public place is strictly prohibited.
- 27. All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.
- 28. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20million and shall provide proof of such cover to Council prior to carrying out works.
- 29. A detailed Construction Site Traffic Management Plan (CTMP) must be submitted to and approved by Council, **prior to commencement of any site work including demolition.**

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

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

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

Financial Matters

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

Provision of Community Facilities	\$ 253,370.70
Provision of Major Open Space	\$1,185,708.30
Provision of Local Open Space	\$ 217,255.50
Provision Roads and Traffic Management	\$ 37,494.00
Administration	\$ 50,435.60
TOTAL	\$1,744,264.10

The total amount of the contribution is valid as at the date of determination and is subject to annual indexation. If the contribution is paid after 1st July in any year, the amount of the contribution under this condition shall be indexed in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

31. A security payment of \$8,127.00 in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council **prior to the issue of a Construction Certificate**. The security payment is GST inclusive and comprises the following:

Refundable works bond	\$8,000.00
Non-refundable administration fee (\$127/bd)	\$127.00
TOTAL	\$8,127.00

The security payment covers the following matters and will be released upon satisfactory completion of these items:

- (a) road and stormwater drainage works in roadways and public areas;
- (b) connection to Council's stormwater drainage system;
- (c) installation and maintenance of sediment control measures for the duration of construction activities, and
- (d) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The

security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.

32. Fees are payable where Council is appointed as principal certifying authority to carry out the post-approval inspections. A quotation for the fees can be obtained by contacting Council and the fees shall be paid **prior to the carrying out of any of the inspections.**

Any re-inspection which is necessary due to site access not being available, defective work, or the matter not being ready for inspection will be charged in accordance with Council's Fees and Charges Policy. Council will advise in writing if an additional re-inspection is required and the re-inspection fee shall be paid **prior to release of the damage deposit.** If the additional fee is not paid it will be deducted from the damage deposit.

Parking/Traffic Matters

33. Each townhouse shall be provided with two (2) off street parking spaces
Ten (10) visitor spaces shall be provided for the Townhouses.

A minimum of **(293)** car parking spaces are to be provided within the basement and are to be allocated on the following basis:

1 bed apartments	1 space
2 bed apartments	minimum 1 space, maximum 2 spaces
3 bed apartments	2 spaces
Visitors	36 (including 1 accessible space)
Accessible spaces	1 per adaptable apartment (total of 29)

These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

The accessible parking spaces are to be allocated closest to the lift core to provide access to the relevant adaptable apartment.

34. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
35. The entry point to the basement carpark area shall be fitted with security gates/shutter to control the entry and exit of vehicles to and from the basement. Any security gates/shutter shall be designed in order to ensure it is able to be opened remotely by occupants of the building.
36. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
37. All vehicles entering and leaving the site shall be driven in a forward direction only.
38. All driveways shall be separated from landscaped areas by a minimum 150mm high concrete kerb or similar.
39. The vehicle spaces must not be enclosed with walls or meshed security screens.

40. The footpath, kerb and gutter shall be reconstructed to Council's specifications for the full frontage of the development site **prior to the issue of an Occupation Certificate.**

41. One (1) car wash bay shall be provided within the basement for use by residents. This car wash bay shall be drained in accordance with the requirements of Sydney Water.

Plans demonstrating compliance with this requirement must be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.** This information shall also form part of any future development application for the Strata Subdivision of the development.

Drainage/Stormwater

42. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to a new trunk drainage system that services the proposed development and located at the rear via separate onsite stormwater detention systems. The onsite stormwater detention tanks will connect directly into this system. The **internal drainage system** has been designed generally satisfactory and is depicted on the **concept** drainage plans prepared by **Cardno job no.80216033 revision 1 dated 31.03.2016.**

43. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans **AND** the requirements of Council's Stormwater Management Code.

In this project the engineering plans (identified in the above condition) are satisfactory as Concept plans. The assessment authority, (either (a) Council, or (b) a Private Certifier), is to satisfy themselves of the adequacy of the above plans for the purposes of Construction. They are to independently determine what details, if any, are to be added to the Construction Certificate plans, in order for the issue of the Construction Certificate.

Where a Private Certifier issues the Construction Certificate a copy must be provided to Council, **prior to the issue of a Construction Certificate.**

44. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system. The storage system shall be designed in accordance with the endorsed concept stormwater plans **AND/OR** Council's Stormwater Management Code. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

45. An Operational Management and Maintenance Report is required to be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate** outlining the proposed long term operational management and maintenance requirements of the onsite stormwater detention systems on the subject site.

A schedule or timetable for the proposed regular inspection and monitoring of the systems, maintenance techniques, reporting and record keeping

requirements and associated rectification procedure shall be included in the report.

46. **Prior to the issue of an Occupation Certificate/use of the building**, written verification from a suitably qualified professional civil engineer shall be obtained, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans.

In addition, detailed works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.

47. Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate**.

48. For drainage works within public land or connecting to Council's stormwater drainage system the following inspections will be required:-

- (a) After the excavation of pipeline trenches.
- (b) After the laying of all pipes prior to backfilling.
- (c) After the completion of all pits and connection points.

A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Engineering Works and Services section on 9748-9999 during office hours. Work is not to proceed until the works are inspected and approved by Council.

49. All pits shall be constructed in accordance with Australian Standard AS3500.3.

50. All subsoil drainage must be designed to meet the requirements of AS3500.

51. Access to the basement car park, head room for basement entry, driveway ramp and turning circles shall be designed in accordance with AS 2890.1-2004.

52. The proposed basement pump out system is to be strictly in accordance with the requirements set out in Strathfield Council's Stormwater Management Code 1994. The rising main shall be connected to the OSD tank/basin. Final details of this system are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate for the Residential Flat Building**.

53. All surface inlet drains upstream of the on-site detention basin must be designed so that there is no overflow before the storage is full.

54. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
55. Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties.
56. Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.
57. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:
 - (a) On-site stormwater detention system AND
 - (b) All Water Sensitive Urban Design components

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

The Positive Covenant is required to prevent future modification or alteration without the written consent of the consent authority, and to ensure suitable maintenance is carried out.

58. A detailed design 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** and shall include, but not be limited to:

Batters, levels, underdrains, high flow bypass details, clean out points, filter media details, mulching details, material specification, planting details, inlet scour protection areas, maintenance access ramps and maintenance schedule(s).

The design shall be prepared by a suitably qualified professional engineer experienced in Water Sensitive Urban Design in accordance with the approved plans, conditions of consent, Strathfield Council's Development Control Plan Part N - Water Sensitive Urban Design 2005, Strathfield Council WSUD Reference Guideline and WSUD Technical Design Guidelines for South East Queensland (SEQ Healthy Waterways Partnership) Version 1 June 2006 or subsequent updated versions.

59. All approved stormwater works are required to be carried out in accordance with the conditions of consent, approved construction certificate plans, "Strathfield Council WSUD Reference Guideline" and the Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands (SEQ Healthy Waterways Partnership) Version 1.1 April 2010 or subsequent versions that may be updated.

60. A suitably qualified Engineer is required to inspect and certify the proposed development at the completion of each of the following construction phases(if any):
- (i) Installation of the overflow pit and bulking out/trimming profiling;
 - (ii) Installation of under drainage;
 - (iii) Installation of cleanout points;
 - (iv) Installation of drainage layer;
 - (v) Installation of transition layer;
 - (vi) Installation of filtration media;
 - (vii) Laying of geofabric protection for build-out phase;
 - (viii) Laying of turf temporary protection layer, and
 - (ix) Final planting.

Public Authority Matters

61. **Prior to the issue of an Occupation Certificate for the Residential Flat Buildings** all existing overhead electricity and telecommunication cabling adjacent to the development site shall be placed underground at the applicants' expense in accordance with the specifications of ausgrid and the telecommunications supplier and the following requirements:
- (a) Where the property is located on the **opposite side of the street** to the main power lines and telecommunication cables, the services are to be placed underground from the development site to the nearest location on the opposite side of the street for connection to the existing mains supply as directed by ausgrid and the telecommunications carrier. The method of construction across the road carriageway shall be by directional boring beneath the road pavement; **OR**
 - (b) Where the property is located on the **same side of the street** as the main overhead power lines and telecommunication cables, all services are to be placed underground for the full length of the frontage of the site. Any overhead powerlines and telecommunication cables that cross the road from the development site must also be placed underground and the cabling installed and distributed to properties in accordance with ausgrid and the telecommunications carriers' requirements.
62. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.
63. Where undergrounding services, a plan indicating the depth and location of all services (i.e., gas, water sewer, electricity, telecommunication, traffic lights, etc) within the area affected by the development shall be submitted to Council **prior to the issue of a Construction Certificate**.

Landscaping/Tree Matters

64. The trees listed below shall be retained at all times as identified in the Arborist Report prepared by Lee Hancock, Consulting Arborist, dated 25/1/2016:

<u>Tree</u>	<u>Tree No. and Location</u> <u>(Arborist Report)</u>	<u>Protection</u> <u>Zone (m)</u>	<u>Excavatio</u> <u>n Zone</u> <u>(m)</u>
Liquidamber styraciflua Liquidambar	Lot 300, N1	6.6	2.8
Eucalyptus robusta (Swamp Mahogany)	Lot 300, N2	7.4	2.9
Syncarpia glomulifera(Turpentine)	Lot 300, N7	6.24	2.6
Syncarpia glomulifera(Turpentine)	Lot 300, N8	6.12	2.6
Lophostemon confertus (Brushbox)	Lot 300, N9	6.18	2.6
Pinus taeda (Loblolly Pine)	Lot 300, N11	6.6	2.8
Lophostemon confertus (Brushbox)	Lot 300, N12	6.24	2.5
Lophostemon confertus (Brushbox)	Lot 300, N13	9.24	3.0
Lophostemon confertus (Brushbox)	Lot 300, N15	4.92	2.3
Lophostemon confertus (Brushbox)	Lot 300, N16	9.24	3.0
Lophostemon confertus (Brushbox)	Lot 300, N18	3.96	2.3
Lophostemon confertus (Brushbox)	Lot 300, N20	7.56	2.7
Lophostemon confertus (Brushbox)	Lot 300, N22	5.88	2.5
Lophostemon confertus (Brushbox)	Lot 300, N24	8.04	2.8
Pinus taeda (Loblolly Pine)	Lot 300, N25	6.36	2.7
Pinus taeda (Loblolly Pine)	Lot 300, N27	6.48	2.8
Pinus taeda (Loblolly Pine)	Lot 300, N28	6.84	2.8
Pinus taeda (Loblolly Pine)	Lot 300, N29	6.0	2.7
Sapium sebiferum(Chinese Tallowwood)	Lot 301, Tree 22	6.9	2.8
Eucalyptus teriticornis (Forest Red Gum)	Strathfield South High School, Tree 96	7.5	2.8
Corymbia maculate (Spotted Gum)	Strathfield South High School, Tree 101C	6.0	2.7

And protected by the establishment of a **protection zone** (in accordance with Australian Standard AS4970-Protection of trees on development sites) before any site works begin (including any demolition/excavation). The protection zone shall be maintained for the duration of works on each stage and implemented as follows:

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-Temporary fencing and hoardings for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- (b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS 1319-Safety signs for the occupational environment.
- (c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- (d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- (e) The tree protection zone shall be regularly watered.
- (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- (g) **No excavation or construction shall be carried out** within the stated Structural Root Zone distances from the base of the trunk surface.
- (h) Only permeable surfaces (e.g. Decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

65. The following listed trees are permitted to be removed to accommodate the proposed development however, any of the trees listed below that are located on adjoining properties must only be removed after consent from the tree's owner has been sought and obtained in writing:

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>
1) Trees as noted for removal in the Arborist report prepared by Lee Hancock, Consulting Arborist, dated 25/1/2016:	Up to 22m	As per tree removal location plan at Appendix A of Arborist Report

66. Consent is given for the removal of trees as specified subject to the following:

- (a) A minimum of one (1) replacement native tree selected from Strathfield Council's recommended tree list is to be planted within the property boundary for each tree that is removed.

- (b) Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003.
 - (c) Replacement trees shall be minimum 50 litre container size. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting. Supplied trees are to have an appropriate stem taper. Roots shall generally grow in an outwards (radial) or downwards direction.
 - (d) All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.
 - (e) Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.
 - (f) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius from the base of the tree.
67. All noxious weeds on the site shall be removed and destroyed as per their classification under the Noxious Weeds Act 1993.
68. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).
69. Manual excavation and manual sawing of all roots is required within the TPZ of trees to be retained.
70. All common and private landscape areas including all planters are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and all relevant Australian Standards.
71. **Prior to the issue of a Construction Certificate** the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape implementation report certifying that landscaping has been provided generally in accordance with the landscape plan prepared by **Arcadia Landscape Architecture** Issue B March 2016 and the Landscape provisions contained within section 10.0 of Part A of the Strathfield Council Development Control Plan.

Construction Matters

72. **Prior to the commencement of any construction or demolition work**, the Applicant or principal contractor must, subject to obtaining permission from the respective property owners, provide dilapidation reports prepared by a suitably qualified person (such as a structural engineer), on the buildings located on any lot adjacent to the subject site, inclusive of ancillary structures. A copy of the respective report must be provided to the Principal Certifying Authority and neighbouring property owners that are the subject of that report.

73. The proposed development shall comply with the National Construction Code and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**
74. Footings shall be designed in accordance with the soil classification of H, or Highly Reactive (unless determined to the contrary by a suitably qualified person).
75. If the soil conditions require it retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and adequate provision must be made for drainage.
76. The existing ground levels shall not be altered except in accordance with the levels shown on the approved plans as part of this consent. Finished ground surface levels shall match the existing levels at the property boundary. Any survey plan shall also show the extension of these levels in relation to adjoining properties.
77. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
78. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.
79. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (a) Must preserve and protect the building from damage; and
 - (b) If necessary, must underpin and support the building in an approved manner, and
 - (c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
80. There are built structures which may be in the zone of influence of the proposed works and excavations on the site. A qualified practicing geotechnical engineer must prepare a Construction Methodology Report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure.

The report must be submitted with the application for a Construction Certificate and must include an investigation to determine the design parameters appropriate to the specific development and site. This would typically include;

- (a) The location and level of nearby foundations and footings (site and neighbouring);
- (b) Proposed method of excavation;
- (c) Permanent and temporary support measures for excavation;
- (d) Potential settlements affecting footings and foundations;
- (e) Ground water levels (if any);
- (f) Batter slopes;
- (g) Potential vibration cause by method of excavation; and
- (h) De-watering including seepage and off site disposal rate (if any).

Excavation, retention, underpinning and construction must be undertaken onsite by an excavation contractor with specialist excavation experience. A suitably qualified geotechnical engineer, specialising in excavation must supervise the excavation procedure.

- 81. The owners of the adjoining allotments of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- 82. The common access pathways, letterboxes and entry doorways to the building shall be provided with suitable low level artificial lighting systems to ensure safe and convenient access at night. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
- 83. To maintain pedestrian safety in common areas suitable lighting is to be provided on the development site adjoining each street frontage and near pedestrian main entrances to the site. Details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
- 84. Certification shall be obtained from a registered surveyor at the following stage(s) of construction confirming that the building has been constructed in accordance with the approved plans including any approved amendments (S.96 approvals) and plans and details required by Council as conditions of development consent:
 - (a) footings excavation prior to placement of concrete;
 - (b) basement level prior to placement of concrete or pavement;
 - (c) ground floor and first floor levels;
 - (d) roof ridge height;
 - (e) all floors of the building, roof eaves and all roof ridges;
 - (f) wall setbacks from property boundaries and street alignment;
 - (g) dimensions and areas of balconies/courtyards;
 - (h) vehicular ramp gradients.

Copies of the surveyor's certificates must be submitted to and accepted by Council at the stages nominated above.

Building Matters

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

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

Sustainability

86. Water collected in the rainwater tank must be roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:
- (a) Toilet flushing;
 - (b) Clothes washing;
 - (c) Garden irrigation;
 - (d) Car washing and similar outdoor uses;
 - (e) Filling swimming pools, spa pools and ornamental ponds; and
 - (f) Fire fighting.
87. Water heating systems to multi-unit residential developments shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate for the Residential Flat Buildings.**

Demolition

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

Fire Safety Measures

92. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the building and specified in the fire safety schedule. The final fire safety certificate shall be provided **prior to the issue of an Occupation Certificate for the Residential Flat Buildings.**
93. As soon as practicable after a final safety certificate is issued, the owner of the building to which it relates:

- (a) Shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to the Commissioner of NSW Fire Brigades;
- (b) Shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to Council for registration; and
- (c) Shall ensure the current fire safety schedule is prominently displayed in the building.

Disabled Access

- 94. Access to the apartment buildings for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate for the Residential Flat Buildings.**
- 95. Car parking spaces for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate for the Residential Flat Buildings.**

Waste Management

- 96. Full compliance must be given to the endorsed Waste Management Plan submitted for the proposed development. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.
- 97. The waste storage room shall be designed to comply with the relevant standards and details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate for the Residential Flat Buildings.**
- 98. **Prior to the issue of any Occupation Certificate for the Townhouses,** detail of the agreement between the body corporate and a private waste collection agent for the regular collection and disposal of garbage, recycling and green waste bins from each of the townhouse dwellings shall be submitted to the Principal Certifying Authority **and** Council. Note, each dwelling must be provided with one (1) x garbage, one (1) x recycling and one (1) x green waste bin.
- 99. **Prior to the issue of any Occupation Certificate for the Residential Flat Buildings,** detail of the agreement between the body corporate and a private waste collection agent for the regular collection and disposal of garbage and recycling bins from the basement of the residential flat building shall be submitted to the Principal Certifying Authority **and** Council. This agreement shall confirm the size and height of the collection vehicle enables waste to be collected underground from within the basement.
- 100. Prior to the issue of a Construction Certificate a comprehensive Waste Management Plan shall be submitted to the Principal Certifying Authority addressing demolition, construction and operation waste arising from the development and shall include:-

- (a) type and likely quantity of waste arising from the demolition and construction activities;
- (b) storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;
- (c) provision for a suitable number of garbage bins and recycling bins for the residential development; and
- (d) fitout details of any garbage/waste enclosures, storage and collection areas within the property including the required clearance within the basement and provision of turning areas to permit the collection of waste from within the basement.

Full compliance must be given to the endorsed Waste Management Plan submitted for the proposed development. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.

Land Contamination

101. All fill imported on to the site shall be validated by an appropriately qualified person/body to ensure the imported fill is suitable, from a contamination perspective, for the proposed land use. Fill imported onto the site shall also be compatible with the existing soil characteristics for site drainage purposes.

Hoardings

102. If 'A' type hoarding is to be erected about the building site, it is to comply with NSW Workcover's requirements; shall have a minimum height of 1.8 m and comply with AS1725-2003 (Galvanized Rail-Less Chain-Wire Security Fences and Gates) or AS 4687-2007 (Temporary Fencing and Hoardings). Inverted trench mesh is not an acceptable 'A' type hoarding and as such does not satisfy AS1725-2003 and as such shall not be installed to the building site.
103. An overhead 'B' type hoarding shall be constructed where buildings over 7.5 m in height above the footpath level and within 3.6 m of the street alignment are being erected or demolished or where the outer part of such a building adjoining a public way is being altered. Where the height of the building or the position of the site is such that danger is likely to occur from falling objects, additional safety hoarding shall be provided to the satisfaction of the principal certifying authority and Workcover NSW.
104. An overhead 'B' type hoarding shall be constructed where material is being hoisted over or across a public way.
105. The following additional requirements apply to the erection of a 'B' type hoarding:
- (a) No advertisement of any kind shall be affixed to hoarding with the exception of a board not exceeding 2400 –mm by 1800-mm on which may be shown the architects, builders and principal certifying authority company name / contact details or any particulars regarding the subject building, and notices regarding the existing or future occupancies in the building.

- (b) A sign reading 'Billposters will be Prosecuted' shall be attached or printed upon the front of the hoarding.
 - (c) A hydrant or other footpath box shall not be covered in any way or access to it impeded.
 - (d) Cranes shall not be placed upon the public way unless a permit has been obtained under section 68 Local Government Act, 1993.
 - (e) The hoarding must be so constructed that it will not obstruct the view of traffic lights of motorists or pedestrians.
 - (f) The use of the roadway for the storage of building materials is not permitted.
 - (g) Where materials are being hoisted over a public way a sign shall be attached or printed upon the front of the hoarding at the decking level with the lettering 'Lifting Operation Above'. The lettering shall not be less than 300-mm in height.
 - (h) Persons undertaking the work in accordance with this Approval must hold this Approval/Permit on-site for inspection.
 - (i) Approval for a temporary protective structure does not permit use of the roadway for general loading and unloading from construction vehicles. This requires a separate Construction Zone Application.
 - (j) An appropriate qualified practising structural engineer shall certify the structural stability / adequacy of the erected 'B' type hoarding. A copy of the certificate shall be forward to the principal certifying authority and to Council, where Council is not the principal certifying authority.
106. The builder shall erect and maintain all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary and must be in place before the approved activity commences.
107. Permits are required to erect Class 'A' or 'B' type hoardings. If any type hoarding is to occupy a section of Council's property, that section will require a permit for the occupation of Council's property. The applicant, owner, builder or site supervisor must apply for specific permits. The application form is available from Council's Customer Service Department.

Acoustic

108. Full compliance shall be given to the recommendations contained in the endorsed acoustic consultant's report. Prior to the issue of an Occupation Certificate for each stage, a suitably qualified Acoustic Engineer shall certify that the buildings have been constructed in accordance with the minimum recommendations of the endorsed Acoustic Report and the requirements of Clause 102 of SEPP (Infrastructure) 2007 to ensure that the following LAeq levels are not exceeded:
- (a) in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,
 - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.
109. Air Conditioning plant and commercial ventilation details shall be submitted to a suitable Acoustic Consultant for review. A supplementary acoustic report shall be prepared and submitted to the Principal Certifying Authority for review and any recommendations shall be incorporated into architectural plans **prior to the issue of a Construction Certificate.**

Office of Water General Terms of Approval

Prior to Construction

110. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in a report provided to the Consent Authority prior to the commencement of construction.

Requirements for dealing with groundwater during excavation

111. If for any reason the take of groundwater during construction is expected to exceed 3ML in a 12 month period, then an authorisation shall be obtained for the take of groundwater as part of the activity.
112. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application.

Requirements for dealing with the on-going take of groundwater post-construction

113. Monitoring (measurement and recording) of discharge volumes arising from groundwater extraction must be undertaken on a monthly basis for the life of the building using a method compliant with the NSW Water Extraction Monitoring Policy; (e.g. pumping diary, pump revolution meter, operating hour meter, electricity meter or flow meter). The design of the drainage system to isolate groundwater inflows from other sources is the responsibility of the proponent of the development (i.e. the developer).
114. Such records are to be maintained by the building management for the life of the development to demonstrate the negligible take of groundwater. Where sump pumps have not been operated during the calendar month this must nevertheless be identified in the monitoring record (e.g. as a 'nil' entry). Should the annual take of groundwater exceed 2.5 ML DPI Water should be contacted for advice.

Roads and Maritime Service Conditions

115. A strip of land has previously acquired & dedicated as road along the Centenary Drive frontage of the subject property, as shown by grey colour on the attached Aerial – "X".
- All building 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 Centenary Drive boundary.
116. All demolition and construction activity associated with the proposed development is to be contained on site before stopping. A construction zone or "Works Zone" will not be permitted on Centenary Drive.
117. All vehicles are to enter and exit the site in a forward direction.

118. All vehicles are to be wholly contained on site before being required to stop.
119. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Centenary Drive during construction activities.
120. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Roads and Maritime for determination prior to the issue of a construction certificate.
121. Should the post development storm water discharge from the subject site into the Roads and Maritime system exceed the pre-development discharge, detailed design plans and hydraulic calculations of any charges are to be submitted to Roads and Maritime for approval, prior to the commencement of works.

Details should be forwarded to:

Sydney Asset Management
Roads and Maritime Services
PO BOX 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

122. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage.
123. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

The report and any enquiries should be forwarded to:

Project Engineer, External Works
Sydney Asset Management; Roads and Maritime Services
PO Box 973 Parramatta CBD 2124

Telephone 8848 2114 : Fax 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days' notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

SIGNED on behalf of
Strathfield Municipal Council



SOPHIE OLSEN
A/MANAGER PLANNING & DEVELOPMENT

ADVISORY NOTES

- i. If an Underground Storage Tank or Underground Petroleum Storage System is decommissioned, a validation report for the storage site must be provided to Council no later than 60 days after the system is decommissioned, or if remediation of the site is required, no later than 60 days after the remediation is completed. Any validation report must be prepared in accordance with DECC guidelines.

Note: These requirements do not apply to any decommissioning of a storage system that took place before 1 June 2008. The maximum penalty for non-compliance is 100 penalty units (for an individual) or 200 penalty units (for a corporation).

- ii. Council encourages the reuse and recycling of waste materials during demolition and construction. In this regard, separation and recycling should be undertaken as follows:
- Masonry products (bricks, concrete, concrete tile roofs) should be sent for crushing/recycling;
 - Timber waste to be separated and sent for recycling;
 - Metals to be separated and sent for recycling;
 - Clean waste plasterboard to be returned to the supplier for recycling (excluding plasterboard from demolition); and
 - Mixed waste (plastic wrapping, cardboard etc.) to be sent to a licensed recycling or disposal facility.

The above can be achieved by constructing a minimum of five (5) trade waste compounds on the site. Each waste compound should be adequately sized to enclose the waste and all waste should be adequately secured and contained within the designated areas and not be permitted to leave the site. Personal waste should not litter the site. Copies of any weighbridge receipts should be kept for presentation to the Principal Certifying Authority.

- iii. All existing trees on the site and all street trees are covered by Council's Tree Preservation Order and shall not be removed, lopped or pruned unless there is express permission stipulated in a condition of this consent or there is written approval from the Council.

- iv. Prior to occupation of any multi-unit development the applicant should arrange for the supply and delivery of a suitable number of mobile garbage receptacles and recycling receptacles.

The waste receptacle must be to the approval of Strathfield Municipal Council to ensure that receptacles are compatible with Council's waste collection vehicles and meet the requirements of any conditions of consent. Council does not supply waste storage bins free of charge and payment will need to be made to Council prior to delivery of the required bins. A waste service availability charge will apply to the development site from the date of issue of the occupation certificate. The charge is for the collection of domestic waste from all residential dwelling units and is payable by the owner of the development site.

- v. The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Human Rights and Equal Opportunity Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility.
- vi. Information regarding the location of underground services may be obtained from Dial Before You Dig (Telephone 1100 or www.dialbeforeyoudig.com.au). Inquirers should provide DBYD with the street/road name and number, side of street/road and the nearest cross street/road.
- vii. A Construction Certificate shall be obtained in accordance with Section 81A (2)(a) of the Act, prior to the commencement of any work on site. Council can provide this service for you and you may contact Council's Development Assessment Unit on 9748 9999 for further information.
- viii. An Occupation Certificate is to be issued by the Principal Certifying Authority prior to the occupation of the building.
- ix. The use of Council's footway in accordance with this consent shall not occur until an agreement with Council is entered into for the use of the footway and the applicable fees paid.
- x. Section 82A of the Act allows the applicant/owner to request Council to review the determination of the application. Any such request must be made within six (6) months of this Notice of Determination being issued and be accompanied by the required fee.

An application under this Section of Act cannot be made for:

- (a) a determination in respect of designated development, or
 - (b) a determination in respect of integrated development, or
 - (c) a determination made by the council under section 116E in respect of an application by the Crown.
- xi. If you are dissatisfied with this decision, Section 97 of the Act gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this Notice of Determination.

- xii. Section 125 of the Act provides that any person who contravenes or causes or permits to be contravened the conditions of this consent or the Tree Preservation Order shall be guilty of an offence.
- xiii. Section 126 of the Act provides that a person guilty of an offence against this Act may be liable to penalties. Penalty infringement notices (on-the-spot fines) can also be issued for breaches of the conditions of development consent.
- xiv. The contributions required under Section 94 of the Act are set out in the Section 94 Contributions Plan which can be viewed at Council's Customer Service Centre, 65 Homebush Road, Strathfield during normal business hours.
- xv. Approved Insurers for Residential Building work under the Home Building Act 1989 are listed on the Department of Fair Trading's website:

www.fairtrading.nsw.gov.au
Other contact details for the Department are:
Phone: 9895 0111
E-Mail: enquiry@fairtrading.nsw.gov.au
- xvi. Applicants are advised to ensure all gutters are designed and installed in accordance with the National Construction Code and the relevant Australian Standards.
- xvii. In accordance with Clause 162A of the Environmental Planning and Assessment Regulation 2000, critical stage inspections are to be carried out by the Principal Certifying Authority (PCA) or by another authority if the PCA so agrees. Failure to undertake these inspections can prevent the issue of an Occupation Certificate and may result in penalties.
- xviii. Where Council is appointed as the Principal Certifying Authority (PCA), a Certificate of Adequacy prepared by a suitably qualified and experienced Structural Engineer, shall be provided with the Construction Certificate application stating that the existing structure is suitable to support the additional loads proposed to be placed upon it and that it complies with the Structural Provisions of the National Construction Code (NCC).
- xix. For the purposes of improved resident safety, it is recommended that the windows of dwellings be fitted with appropriate devices capable of being locked into a fixed position with such openings generally being a maximum of 100mm wide provided that compliance with the NCC in terms of lighting and ventilation is still achieved.
- cc: Strathfield Golf Club
The Clubhouse
84 Centenary Drive
Strathfield NSW 2135