

SUMMARY

PROPERTY:	5-7 Juno Parade, Greenacre Lot 13 in Deposited Plan 1133214
DA NO.:	2013/037
APPLICATION TYPE:	New Industrial Warehouse
REPORT BY:	Sophie Olsen
RECOMMENDATION:	APPROVAL
SUBMISSIONS:	Nil
ZONING:	IN1 – General Industrial
DATE APPLICATION LODGED:	2 May 2013
APPLICANT:	Classic Corporation Pty Ltd
OWNER:	Classic Corporation Pty Ltd

INTRODUCTION

Approval is sought for the construction and use of an industrial warehouse for the storage, assembly and distribution of building products with an ancillary office and showroom.

The subject application has been assessed against the relevant provisions of the Strathfield Local Environmental Plan 2012, Part D – ‘Industrial Development’ of the Strathfield Consolidated Development Control Plan 2005 and Council’s Stormwater Management Code.

Overall, the proposal is generally satisfactory and is recommended for conditional approval.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located in the south-eastern corner of the Bellfrog Road industrial subdivision and is accessed by a 46m driveway which runs adjacent to Cox’s Creek, a concrete culvert adjoining the eastern boundary of the industrial area. The site is currently used by Hannas Civil Engineering for the storage of building materials, temporary office buildings and scaffolding.

As demonstrated in the excerpt from the subdivision plan for the Bellfrog Street industrial area which is reproduced below, the subject site has an approximate area of 3,511m² and is generally regular in shape with a southern boundary of 69.955m which adjoins residential properties fronting Juno Parade. The northern and western boundaries of the site measure 45.13m and 69.6m respectively and both adjoin vacant industrial sites identified as Lots 12 and 14 respectively. The eastern boundary of the site measures 90.4m and provides the western half of the vehicular access to the site. The eastern half of the driveway is provided as a right of carriageway, shared with the adjoining Lot 14.

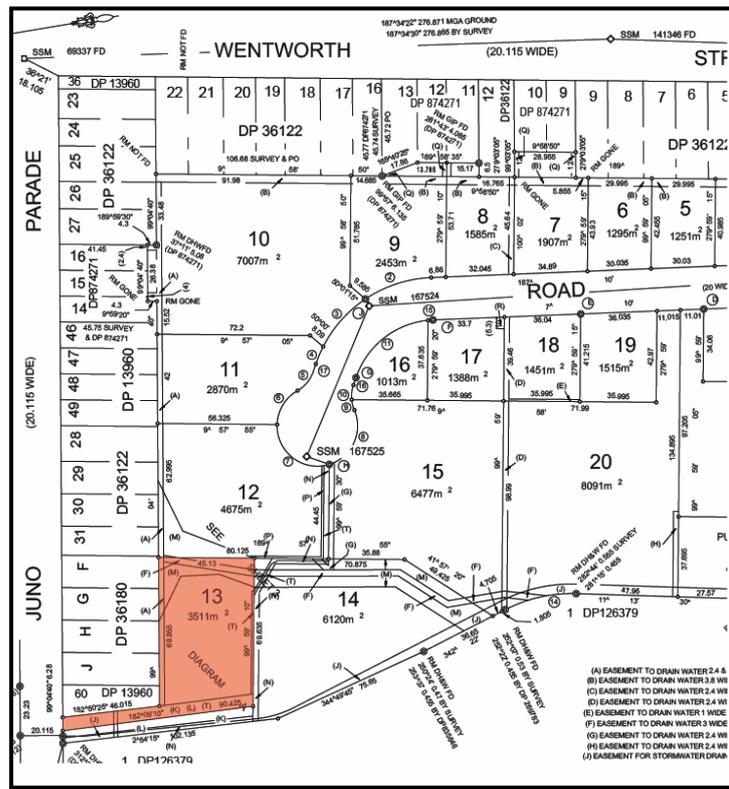


Image 1: Excerpt from the approved plan of subdivision for the Bellfrog Street industrial precinct. The subject site, Lot 13, is highlighted.

The site is relatively flat following the filling of the previous Enfield brick pit and its subdivision into multiple lots in 2007. The site is affected by a number of easements for utilities and overland flow which follow the northern, southern and western boundaries of the site. Council's records indicate that the subject site is affected by flooding to a level of RL16.4AHD.

Development located in the vicinity of the site represents an interface between residential and industrial uses. The Enfield Intermodal Terminal (Sydney Ports) site is located to the north of Bellfrog Street subdivision behind an existing concrete acoustic wall. The location of the subject allotment within the Bellfrog Street subdivision is such that it directly adjoins four (4) residential properties located at 9 to 15 Juno Parade.

Overall, the future character of allotments within the Bellfrog Street subdivision will become increasingly industrial in nature as the remaining vacant sites within the subdivision are developed. As a result of the battle-axe configuration of the existing subdivision pattern, the building façade will not be visible from Juno Parade or Bellfrog Street.



Image 2: As demonstrated in the photograph above, the overland flow path (easement) adjacent to the western boundary of the site has the characteristics of a grassed swale.



Image 3: Stormwater pit located within the overland flow path (easement).



Image 4: Photograph taken looking north-east from the boundary of the subject site. Photograph shows the existing Right of Carriageway entrance to the adjoining site, Lot 14. Directly to the east of the site is the Cox Creek concrete culvert and an existing industrial estate fronting Punchbowl Road.

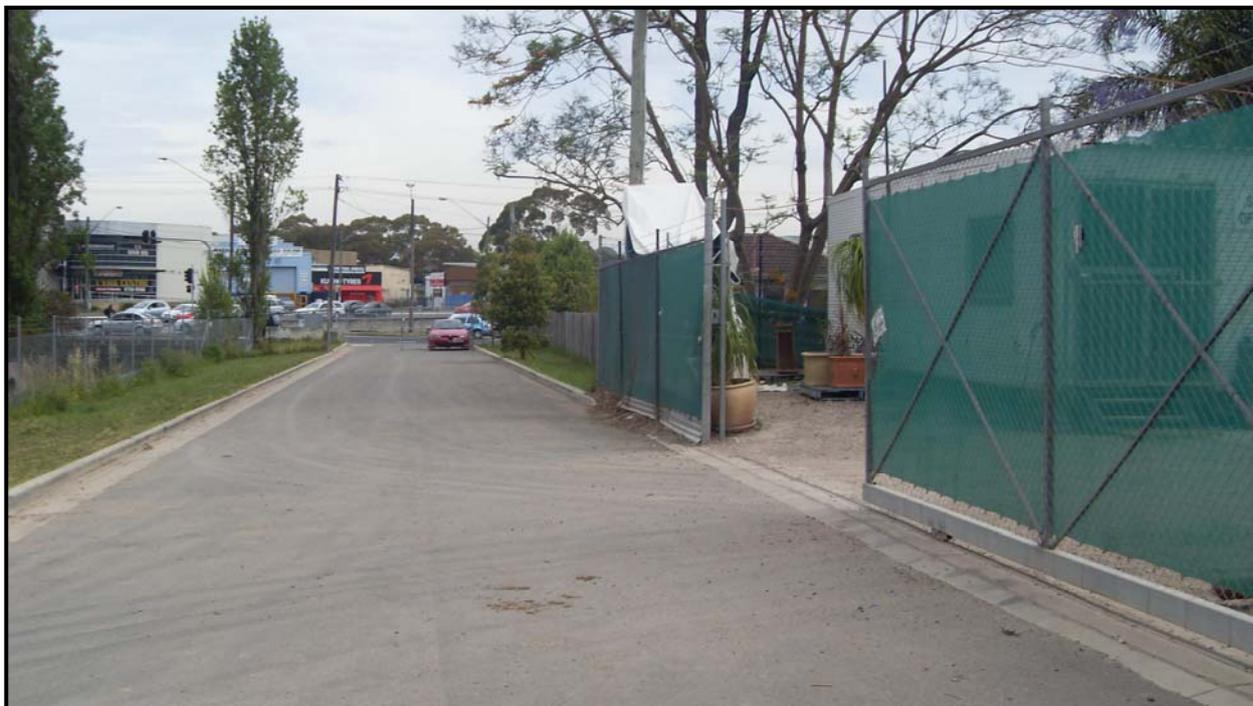


Image 5: Photograph taken from the front (eastern) boundary of the subject site looking south toward Juno Parade, along the existing Right of Carriageway.

PROPOSAL

The application seeks Council approval for the construction and use of an industrial warehouse for the storage, assembly and distribution of building products with an ancillary office and showroom.

The elements of the proposal are:

Construction

- Construction of an industrial warehouse (1,978m²) with mezzanine display area (188m²) and first floor office (200m²);
- Installation of a concrete hardstand area to the eastern side of the warehouse providing two (2) loading areas for heavy rigid vehicles, two (2) loading/unloading areas for regular vehicles and (15) car parking spaces; and
- Construction of associated drainage, landscaping and site works.

Site Operation

- Use of the site for storage, assembly and distribution of powder coated aluminium building components including windows, doors, shower screens and shop fronts;
- Proposed hours of operation are as follows:
Monday to Friday: 6:00am to 6:00pm.
Weekends & Public Holidays: Closed.
- Maximum of seven (7) people are to be employed;
- Maximum of six (6) heavy rigid (12.5m) truck movements per day. The applicant's Acoustic Engineer has noted that the loading and unloading of goods is the primary source of noise, and accordingly these activities are to be carried out entirely within the warehouse building; and
- The applicant has advised that no retail sale or trade of goods is to occur from the site as orders are received through online and mail orders in association with catalogue distribution.

A site plan and elevations are **attached (2)**.

BACKGROUND

14 August 2007	DA2007/018 proposing a 25 lot subdivision at 1-7 Juno Parade, Greenacre was approved by the Planning Committee subject to deferred commencement conditions.
10 July 2009	The subdivision certificate for 1-7 Juno Parade, Greenacre was issued by Council.

Following the issue of the subdivision certificate a number of pre-development application meetings and development applications have been received by Council. As a result, construction of industrial and warehouse buildings is currently underway on a number of sites in the subdivision.

Background pertinent to the subject application:

- | | |
|-------------------|--|
| 12 September 2012 | Pre-Lodgement Meeting held with Council Officers. Discussion included site layout, setbacks, flooding, easements, water sensitive urban design, traffic management and threatened species. |
| 11 October 2012 | DA2012/131 proposing to construct and use a warehouse building for the storage, assembly and distribution of building products with an ancillary office was lodged with Council. |
| 1 March 2013 | DA2012/131 was voluntarily withdrawn by the applicant due to a number of issues arising in the assessment of the proposal, primarily relating to construction over Council easements. |
| 2 May 2013 | DA2013/037 was lodged with Council. The subject application presents a modified building footprint which is retracted to respect the location of existing easements. |

ASSESSMENT - Pursuant to Section 79C of the Environmental Planning and Assessment Act, 1979

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

(a) (i) Environmental Planning Instruments:

Section 5A of the Environmental Planning and Assessment Act, 1979

Section 5A of the Environmental Planning and Assessment Act, 1979 (the Act) requires Council to consider whether there is likely to be a significant impact on threatened species, populations, ecological communities, or their habitats in the administration of Part 4 of the Act.

Pursuant to Schedule 1 of the Threatened Species Conservation Act, 1995 the Green and Golden Bell Frog (GGBF) are identified as an endangered species.

In accordance with Section 5A, a seven (7) part test has been submitted with the subject application and has found that the proposal is not likely to significantly affect the GGBF and nearby habitat.

This seven (7) part test has been reviewed by Council's Natural Resource Coordinator and is considered satisfactory and accordingly, a Species Impact Statement is not required.

However, noting the proximity of the site to the dedicated GGBF ponds (approximately 100m) and the existing grass easement for overland flow which adjoins the rear boundary, Council's Natural Resources Coordinator has suggested additional understorey planting of grasses such as *Lomandra longifolia* be undertaken to provide future potential habitat for migrating GGBF's in the future. This is particularly suited to the remnant triangular portion of land on the western side of the overland flow easement, adjacent to the rear, western boundary.

Therefore, subject to a condition relating to the abovementioned landscaping requirement and other standard conditions of consent relating to frog protection, the proposal will satisfy Section 5A of the Act, and therefore will ensure that the proposed development does not adversely impact the GGBF population.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No. 55 (SEPP 55) requires Council to consider whether land is contaminated, is suitable in its contaminated state for the proposed development or if the land requires remediation and will be satisfactory once remediation works are completed.

An environmental site audit undertaken in 1997 determined that the existing brick pit did not require remediation. Subsequent to this, DA9900/278 was approved granting consent to the filling of the brick pit with 'virgin excavated natural material' (VENM) or clean fill. This consent included a number of conditions requiring the applicant to propose a system of validation for all incoming fill material in order to ensure the site would be suitable for future development (Condition no. 48).

In accordance with this condition and several other conditions, the applicant submitted an Environmental Management Plan in 2002 wherein it was recognised that imported fill would be validated.

Accordingly, the subject site is considered to be satisfactory in relation to the application of SEPP 55.

(ii) Other Environmental Planning Instruments:

Strathfield Local Environmental Plan 2012

The subject site is zoned IN1 General Industrial under the Strathfield Local Environmental Plan (SLEP), 2012. The use of the proposed warehouse is most appropriately defined as an *industrial activity* which involves the assembly, storage and distribution of pre-fabricated aluminium building components. An industrial activity with an ancillary office and showroom area is deemed permissible within the IN1 General Industrial zone, subject to Council consent.

The proposal has a maximum building height of 11.5m which complies with the maximum permitted building height of 12.0m under Clause 4.3. The proposed floor space ratio (FSR) of 0.67:1 (2,366m²) complies with the maximum permitted FSR of 1:1 (3,511m²) under Clause 4.4 of the draft SLEP 2011. It is further noted that the site is not

affected by acid sulphate soils and accordingly is not required to be considered in accordance with Clause 6.1 of the draft SLEP 2011.

It is considered that the proposed development and future use of the subject site will satisfy the objectives of the IN1 zoning by providing employment opportunities for local residents whilst ensuring adverse impacts on existing development nearby is minimised. Overall, the proposed development has been considered with regard to the relevant provisions of the SLEP 2012 and is satisfactory.

Section 94 Contributions

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

Provision of Community Facilities	Nil.
Provision of Major Open Space	\$70,980.00
Provision of Local Open Space	\$11,830.00
Provision Roads and Traffic Management Administration	Nil.
	\$ 2,366.00
TOTAL	\$85,176.00

An appropriate condition of consent will be imposed requiring the payment of the above contributions prior to the issue of a Construction Certificate in accordance with the abovementioned contributions plan.

(iii) Development Control Plans:

Part D – ‘Industrial Development’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

Section	Development Control	Required	Proposed	Compliance
2.2	Contamination	Consideration as to whether the site is potentially contaminated.	Council has considered the potential for the site to be contaminated in accordance with SEPP No. 55 as discussed earlier in this report.	Yes
2.3	Subdivision	1,000m ² min lot size.	No subdivision proposed, nonetheless the subject site is 3,511m ²	Yes
2.4	Development Adjoining Residential Zones	Sympathetic in height, scale, siting and character of existing and/or nearby residential development.	Height, siting and character of the building is acceptable.	Yes
		Solar access to windows of habitable rooms and majority of POS of adjoining residential properties is substantially maintained for 3hrs between 9:00am and 3:00pm at winter solstice.	Solar access to habitable rooms and more than 50% of private open space of adjoining residential dwellings is retained at the winter solstice.	Yes

Section	Development Control	Required	Proposed	Compliance
		Windows facing residential areas to be treated to avoid overlooking.	No windows facing residential properties.	Yes
		Goods, plant equipment and other materials to be stored within the building or screened.	All goods and plant suitably screened.	Yes
2.5	Density, Bulk and Scale	Height max. 10.0m	Overridden by Clause 4.3 of the SLEP 2012 which provides a maximum height of 12.0m	Yes
		FSR max. 1:1 (3,511m ²)	0.67:1 (2,366m ²)	Yes
		Office and showroom to be ancillary to the main industrial activity. Areas greater than 25% to be substantiated as being necessary.	Ancillary office and showroom area is 388m ² or 16% of floor area.	Yes
2.6	Setbacks	Front setback min. 10.0m	Setback to warehouse varies from 19.14m to 15.77m due to the irregular nature of the allotment and the adjacent right of carriageway.	Yes
		Side and rear boundary setbacks to non industrial uses considered on the merits of the application.	Southern side setback to residential properties fronting Juno Parade is 2.45m.	Yes, acceptable however refer to discussion.
		Setbacks shall not contain buildings or storage areas but may contain parking and manoeuvring areas.	Side setbacks only contain landscaping.	Yes
2.7	Building Requirements and Materials	Walls visible from public place shall not be cement render.	The proposed development is to be constructed of painted pre-cast concrete panel walls which are articulated by feature sections ('frames') of painted timber along the southern boundary. This feature has been successfully incorporated to break up the bulk of the building as viewed from Juno Parade and the adjoining residential properties.	Yes, however refer to discussion.
		Only downpipes for roof water to be visible from public place.	Downpipes are the only service element external to the proposed building.	Yes
		Long blank walls to street frontage to be avoided or screened/landscaped.	Façade treatment is acceptable and incorporates a mixture of materials and	Yes

Section	Development Control	Required	Proposed	Compliance
			provides a cantilevered office which looks out toward the right of carriageway and Cox's Creek.	
		Building materials and colours to be compatible with existing industrial development	Materials and finishes provide an acceptable mixture of precast concrete panels in a stone and charcoal palate.	Yes
		Offices/showrooms should face street front.	Offices address the right of carriageway.	Yes
		Buildings to be designed to: <ul style="list-style-type: none"> Architecturally express the structure; Visually reinforce entrances/office components; Introduce variation in unit design; Introduce solid surfaces, horizontal and vertical modulation; Balance between large expanse of glass and masonry – glazing to be modulated 	The architectural design successfully expresses the structure providing a clear entry to the office area and windows which look east toward the right of carriageway/site entrance. Surface finishes to the southern elevation successfully work to break the bulk of the building.	Yes
		Materials and colours schedule submitted.	Colours and finishes schedule provided and is acceptable.	Yes
2.8	Energy Efficiency and Water Conservation	Oriented in favour of solar access.	Site will benefit from solar access based on allotment pattern and northerly/easterly orientation of windows to the office area will ensure sufficient solar access is provided.	Yes
		Glazing to north facades encouraged and discouraged to the western façade.	No glazing proposed to the western façade.	Yes
		Rainwater tank required for landscape and non-domestic supplies.	Stormwater design has been assessed by Council's Development Engineer and is acceptable.	Yes
		10L/m ² of roof area requires 20,000L capacity for the proposal.	2x 10,000L RW tank provided.	Yes
		Automatic landscape irrigation systems to be connected to rainwater tank.	No details.	Yes – subject to condition of consent.

Section	Development Control	Required	Proposed	Compliance
		<p>Fit out with AAA Australian Standard Water Conservation Rating appliances.</p> <p>Hot water system to be greenhouse gas friendly with minimum 3.5 SEDA Hot Water Greenhouse Score.</p> <p>Top star rated energy smart appliances and lighting is required.</p> <p>All external lighting and lighting of common areas are required to be lit using renewable energy sources generated on site.</p>	<p>No details.</p> <p>No details.</p> <p>No details.</p> <p>No details.</p>	<p>Yes – subject to condition of consent.</p>
2.9/ 2.9.1	Parking, Access and Manoeuvring	Design to meet AS 2890.1-2004 AS2890.2-1989 and provisions of Part I of the SCDCP 2005.	<p>Vehicular entry to the site is acceptable.</p> <p>The proposed development provides one (1) accessible parking space for persons with a disability in accordance with AS2890.6:2009.</p>	<p>Yes</p> <p>Yes</p>
	<i>Note: Car parking calculations to be rounded up.</i>	<p>1/50m² where office component under 20% of total GFA. Additional office component assessed at 1/40m².</p> <p>Office Area: 388m² Therefore, 7.76 spaces required.</p> <p>PLUS 1/300m² warehouse GFA.</p> <p>Warehouse Area: 1,978m² Therefore 6.6 spaces required.</p> <p>Based on the above rates, the development requires 14.36 (15) parking spaces.</p> <p>Total of (15) required.</p>	<p>Total of (15) off-street parking spaces provided.</p>	<p>Yes.</p>
		Delivery and service 1/800m ² GFA up to 8000m ² plus 1 space per 1000m ² thereafter.	Four (4) bays/loading areas provided.	Yes.

Section	Development Control	Required	Proposed	Compliance
		2.47 (3) delivery/service vehicle spaces required.		
		Car parking areas located in front setback area.	All parking spaces are located in the front setback area.	Yes
		Loading/unloading area to be separated to avoid conflict.	Acceptable loading arrangements.	Yes.
		Car parking to be landscaped with trees for shading.	Limited landscaping forward of the building line.	No, refer to discussion.
		No parking shall be located within buildings.	No parking in buildings – only loading docks.	Yes
2.9.2/ 2.9.3	Access and Manoeuvring	Access via non-residential street.	Access via Juno Parade-residential street, due to the existing pattern of subdivision.	No, refer to discussion.
		Location of driveways to meet AS2890.1-2004.	Existing location of driveway is acceptable.	Yes
		Separate driveways for ingress and egress where traffic volumes are substantial.	Separate driveways are not provided, however the proposed traffic volumes are not intended to be substantial.	Yes
		Driveway areas visible to the street shall have a featured surface.	Not applicable as the driveway will not be visible from the street due to the battleaxe configuration of the site.	Yes.
2.9.4	Site Design	All vehicles to enter and exit in forward direction.	Heavy Rigid Vehicles will enter the Right of Carriageway (ROC) from Juno Parade in a forward direction and utilise the ROC to manoeuvre into loading bays.	Yes
		Minimum interference to traffic on adjoining roads.	Proposed use is not considered to be traffic generating and accordingly will be unlikely to interfere with the efficient functioning of nearby roads.	Yes
		Specific service vehicles may require special design/layout.	Largest tucks accessing the site are to be Heavy Rigid Vehicles (max 12.5m in length). The site has been designed in order to accommodate the movement of such vehicles.	Yes

Section	Development Control	Required	Proposed	Compliance
		All servicing and waste collection to be carried out wholly within the site.	Acceptable waste storage area is identified within the warehouse.	Yes
		Entrance and exit points and car parking areas to ensure pedestrian safety within and outside the site.	Pedestrian safety within and outside the site is not compromised as the proposal provides clearly visible pedestrian crossings to ensure no conflict occurs.	Yes.
		No vehicle manoeuvring permitted within buildings.	Vehicle manoeuvring within the site is satisfactory.	Yes
2.9.5	Unloading and Loading	All loading/unloading to take place within the property.	Loading/unloading will occur within the warehouse building to minimise noise.	Yes
		No stormwater pits shall be located in loading/unloading areas.	Council's Development Engineer has undertaken an assessment of the proposal and is satisfied with the location of stormwater pits.	Yes
		Loading/unloading areas to be screened from the street.	Loading and unloading will not be visible from Juno Parade due to the configuration of the site.	Yes
2.10	Landscaping and Fencing	All landscaping to be in accordance with Strathfield Landscape Code.	Not applicable as the draft landscaping code is not endorsed.	N/A
		Landscape plan prepared by Landscaped Architect to be submitted.	<p>Concept landscape plan provided however has not been prepared by a landscape architect.</p> <p>Conditions to be imposed to ensure a Landscape Plan is prepared by a Landscaped Architect and that all plantings are indigenous species.</p> <p>As previously discussed, Council's Natural Resource Coordinator has suggested a planting scheme for the rear grassed swale/floodway to provide potential GGBF habitat. This will be imposed by way of a special condition of consent.</p>	Yes – subject to condition of consent.
		Continuous deep soil landscaped area min. 1.2m in width is required to the street frontage with continuous tree canopy and coverage of shrubs and/or groundcovers.	Limited landscaping forward of the building line as a result of a number of site constraints. As the site is not visible within the streetscape the limited landscaping is considered acceptable.	Yes, however refer to discussion.

Section	Development Control	Required	Proposed	Compliance
		Continuous deep soil landscape areas are required to all adjacent common boundaries forward of the building line in accordance with the following; <ul style="list-style-type: none"> 4,000m² to 10,000m² = 2.0m 	Limited landscaping forward of the building line. Refer to above and the detailed discussion provided under 'Likely Impacts' below.	No, refer to discussion.
		All plants are to be Australian Native Species.	All species proposed are Australian Natives.	Yes.
		All trees required are to be min. 50L container sizes for general trees or 100L for street trees.	Subject to condition of consent.	Yes – subject to condition of consent.
		Tree planting is required in parking areas.	As previously discussed, there is limited opportunity to provide plantings forward of the building line, where the parking is located.	No, refer to discussion.
		Screen planting is required to all car parks, manoeuvring areas, garbage and storage areas.	As above.	No, refer to discussion.
		All landscape areas are to have a permanent edge.	No detail submitted.	Yes – subject to condition of consent.
		Mulched with 75mm of organic mulch	No detail submitted.	Yes – subject to condition of consent.
		Fully automated irrigation system is to be specified to all landscape areas.	No detail submitted.	Yes – subject to condition of consent.
		On site storm water detention systems to be separated from deep soil plantings.	Located within front setback. Deemed acceptable by Council's Development Engineer.	Yes
		Outdoor seating + lunch areas are to be provided and enhanced by landscaping.	Outdoor seating area provided toward the rear of the site, adjacent to the easement.	Yes.
2.10.2	Fencing	Solid fences 1.0m max in height to street frontages.	No fencing proposed forward of the building line.	N/A

Section	Development Control	Required	Proposed	Compliance
		Side and rear boundary fencing shall be min. 1.8m and of brick, masonry, timber or landscaping material.	2.0m high steel security fence proposed.	Yes
		Security fencing should be powder coated steel post/picket fencing of black or dark green colour.	Acceptable powder coated finish.	Yes
2.11	Signage	Refer Part J – SCDCP 2005. Max. area of signage permitted is 34m ² based on frontage of the subject site.	The proposed development seeks to provide 18m ² of flush to wall signage.	Yes
		Bright or fluorescent colours are not permitted unless associated with a logo.	Company name and logo is to be laser cut with a silver metal finish.	Yes
2.12	Site Drainage and Water Management	Concept plan to be submitted.	Reviewed by Council's Development Engineer – proposal is satisfactory.	Yes
2.13	Utilities	S.73 Sydney Water certificate required prior to Construction Certificate.	Will be required as a condition of consent.	Yes – subject to condition of consent.
2.16	Waste Management	Refer to Part H – SCDCP 2005.	WMP to be amended to provide additional detail.	Yes – subject to condition of consent.

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

The application was accompanied by a Waste Management Plan prepared generally in accordance with the standard template provided within Part H of the SCDCP 2005.

The architectural plans provide sufficient areas for managing and handling waste associated with the proposed operation of the site, however insufficient detail of waste contractor arrangements and collection have been provided.

Accordingly, a comprehensive WMP detailing the recycling, disposal and collection of waste associated with construction and future ongoing use remains outstanding and an appropriate condition of consent will be imposed requiring this detail to be submitted prior to the issue of a Construction Certificate.

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

The proposed development incorporates manufactured Water Sensitive Urban Design (WSUD) features such as 'Stormfilters' and 'EnviroPods' within the conventional OSD

system to improve the quality of water being discharged from the site in accordance with the environmental targets provided by Part N of the SCDCP 2005.

A series of appropriate conditions of consent will be imposed to ensure the proposed development installs and maintains the proposed WSUD features for the life of the development in accordance with the objectives and controls of Part N of the SCDCP 2005.

(iiia) Planning Agreements (or draft agreements):

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

(iv) Matters Prescribed by the Regulations

Clause 92 of the Environmental Planning and Assessment Regulation requires Council to take into consideration the provisions of the Government Coastal Policy and the relevant Australian Standard for the demolition of buildings in the determination of a development application.

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

(v) Any Coastal Zone Management Plan:

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

The proposed development is located on a site that is not subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

(b) Likely Impacts:

Site Constraints & Flooding

The subject site is constrained by the location of easements, overland flow paths and flooding. The location of the subject site on the periphery of residential development, presents a further constraint for future development and use of the site. It is considered that the proposed development has successfully responded to these constraints and will be unlikely to adversely impact residential amenity or natural characteristics of flooding.

Firstly, the proposed development has included architectural detailing to the southern wall in order to ensure an unrelieved expanse of blank warehouse wall does not present to the rear of the adjoining residential properties. The design incorporates a clever use

of painted timber 'frames' which will successfully work to break the bulky appearance of the wall. A number of screening plants are also proposed along this boundary to soften the overall appearance of the development when viewed from the adjoining residential dwellings.

The proposed warehouse is setback 2.45m from the southern boundary which adjoins the rear of residential properties located along Juno Parade. As a result of this substantial setback, a minimum of 50% of the rear private open space of the adjoining residential dwellings receive a minimum of three (3) hours sunlight at the winter solstice (June 21), which satisfies Council's requirement provided by Section 2.4 of Part D of the Strathfield Consolidated Development Control Plan (SCDCP) 2005.

The footprint of the proposed warehouse has also been reduced from the previously submitted Development Application to respond to the restrictions imposed on the site by the existing easements. This will ensure the proposal complies with the requirements of Council's Stormwater Management Code which prohibits structures within easements. However, it is noted that the 1 in 100 year flood extent shown on the drainage works-as-executed plans extends outside the drainage easement which has been secured for the overland flow path. Whilst the footprint of the warehouse corresponds to the location of easements, the rear of the building falls within the 1 in 100 year flood extent. The portion of the building which is proposed to be located within the flood extent is shown hatched on image 6, below.

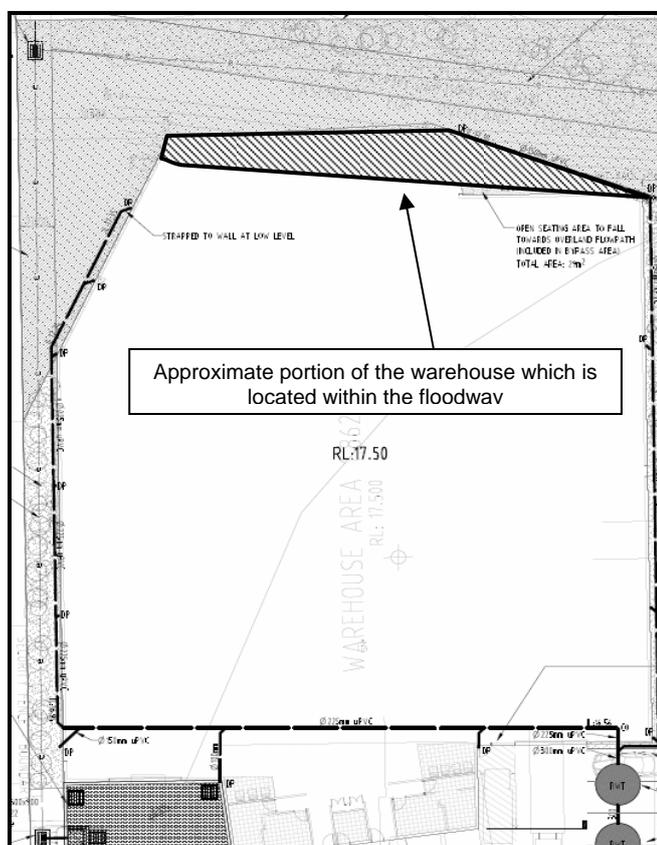


Image 6: Excerpt from the Concept Stormwater Management Plan prepared for the subject site by S&G Consultants Ptv Ltd

In order to ensure the proposed development does not alter the existing characteristics of flooding within the Bellfrog Street and Juno Parade catchment area, a special condition of consent has been recommended requiring this rear portion of the warehouse to be provided on piers. The imposition of this condition has been discussed with the applicant who is generally agreeable.

Notwithstanding these site constraints, the warehouse has been designed to maximize the future usability of the site. Due to the substantial setback required from the rear boundary, the warehouse has been moved forward toward the eastern (front) boundary which adjoins the Right of Carriageway. As a result, there is limited ability to provide landscaping within the front setback as this area is predominantly required to be designated for parking and loading/unloading of vehicles.

This presents several non-compliances with the landscaping controls of Part D of the SCDCP, particularly in relation to screening of car parking areas and the provision of deep soil landscaping along the side boundaries. These non-compliances are considered acceptable as the site has a battle-axe configuration and the façade of the building will not be directly visible from surrounding streets. Further, the large portion of area to the rear of the property which contains the easements will be retained as soft landscaping in order to ensure natural infiltration of stormwater continues to occur from the site.

Overall, the development requires several variances to the landscaping provisions of Part D of the SCDCP 2005. However, these variances are considered minor in nature as the proposal is able to achieve a quality outcome.

Residential Amenity

The proposed development has been thoughtfully designed in order to ensure residential amenity is not unduly impacted by the warehouse and its future tenant. The warehouse is proposed to be used for the storage, assembly and distribution of building products and as the business currently operates from an existing site in Belmore, a full examination of the acoustic impact of the business operations has been undertaken by an Acoustic Consultant.

The findings of this assessment have revealed that the majority of the noise generated by the business stems from loading and unloading activities. Accordingly, the development has been designed to enable all loading and unloading to occur within the warehouse and an appropriate condition of consent has been recommended to ensure this occurs.

It is also noted that the only access to the subject site is via Juno Parade, which is a residential street, contrary to Section 2.9 of Part D of the SCDCP 2005. This is the unfortunate result of the existing subdivision pattern and is unable to be avoided. However, the business operations are not considered traffic generating, with a maximum of six (6) heavy rigid vehicle movements per day and operations restricted to Monday to Friday.

Overall, it is considered that the proposed development will provide a warehouse which meets the specific operational needs of the future tenant without unduly impacting the

high level of amenity enjoyed by nearby residents or the natural characteristics of flooding.

(c) Suitability of the Site:

The proposed development has adequately considered the constraints imposed by the natural flood hazard, easements and proximity to residential dwellings, and will ensure that the future use of the warehouse will be appropriately accommodated in the site. Accordingly, the subject site is considered suitable for the proposed development.

(d) Submissions:

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 9 May 2013 to 24 May 2013 and there were no written submissions received.

(e) Public Interest:

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments (EPI's), development control plans and by Council ensuring that any adverse effects on the surrounding area and the environment are minimised.

As the proposed development has adequately considered such requirements, and will be unlikely to adversely impact nearby residential amenity and the natural characteristics of flooding, approval of the application would not be contrary to the public interest.

INTEGRATED DEVELOPMENT

There are no approvals required by other authorities pursuant to the Integrated Development provisions, of the Environmental Planning and Assessment Act, 1979.

INTERNAL REFERRALS

The application was forwarded to Council's Development Engineer, Drainage Engineer, Natural Resources Coordinator and Environmental Health Officer for comment.

Council's Drainage Engineer raised concern with the location of the warehouse within the 1 in 100 year flood extent, which extends further than the easement for overland flow. As previously discussed however, this issue has been overcome through a recommended condition of consent requiring this portion of the warehouse to be constructed on piers. This construction method is considered an acceptable Engineering solution as the flow of floodwater will be able to continue to pass unobstructed, under the warehouse in the event of rising floodwaters.

CONCLUSION

The proposed development is permissible in the subject zoning and is generally consistent with the relevant objectives and development standards provided within the Strathfield Local Environmental Plan, 2012.

The proposal generally complies with the development controls of the Strathfield Consolidated DCP 2005 and will provide a functional warehouse with an ancillary office and showroom area for the future tenant. The development has been designed in order to mitigate potential impacts on nearby residential development and the natural environment and accordingly, is recommended for approval, subject to the imposition of conditions of consent.

RECOMMENDATION

That DA2013/037 for the construction and use of an industrial warehouse for the storage, assembly and distribution of building products with an ancillary office and showroom at Lot 13, 5-7 Juno Parade, Greenacre be APPROVED subject to the following conditions:

CONDITIONS OF CONSENT

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 subject to any amendments "in red" and any variation as required by conditions of this consent:

Site Plan Dwg No. 12003-A-0400 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Ground Level Dwg No. 12003-A-1100 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

First Level Dwg No. 12003-A-1101 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Second Level Dwg No. 12003-A-1102 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Roof Level Dwg No. 12003-A-1103 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Truck Turning Diagram Dwg No. 12003-A-1104 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Sections Dwg No. 12003-A-1105 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Elevations 1 of 2 Dwg No. 12003-A-1500 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Elevations 2 of 2 Dwg No. 12003-A-1501 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

External Material Selection Dwg No. 12003-A-1502 issue A prepared by Morris Bray Martin Ollmann Architects received by Council 2 May 2013.

Stormwater Concept Plan SW01 Revision C prepared by S&G Consultants Pty Ltd received by Council 9 May 2013.

Stormwater Concept Plan SW02 Revision C prepared by S&G Consultants Pty Ltd received by Council 9 May 2013.

Assessment of Traffic and Parking Implications prepared by Transport and Traffic Planning Associates received by Council 2 May 2013.

Flood Impact Assessment Report Issue B prepared by S&G Consultants Pty Ltd received by Council 2 May 2013.

Revised Noise Assessment prepared by SLR Consulting Pty Ltd received by Council 2 May 2013.

Impact Assessment prepared by Biosphere Environmental Consultants received by Council 2 May 2013.

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.

Special Conditions

5. The applicant is required to engage a suitably qualified surveyor to undertake an analysis of the subject site and determine the exact location of the floodway through the rear of the allotment.

The applicant shall submit amended architectural plans and detailed structural plans to the Principal Certifying Authority **prior to the issue of a Construction Certificate** which indicate that the portion of the building that encroaches into the 100 year flood extent is designed on piers.

The design of these piers are to be such that there are no changes in overland flow or flooding characteristics and are to be designed by a suitably qualified Structural Engineer. A Structural Engineer shall certify the amended plans and must confirm that the structure can withstand the forces of floodwater, debris and buoyancy forces up to and including a 100 year flood plus freeboard.

Where Council is not the Principal Certifying Authority, all the abovementioned information must be forwarded to Council **upon issue of a Construction Certificate.**

6. Service vehicles accessing the site must be restricted to Heavy Rigid Vehicles in accordance with AS2890.2:2002 with a maximum overall length of 12.5m.

Larger vehicles are not to access the site at any time **without the prior written approval of Strathfield Council.**

7. The proposed warehouse must be provided with a minimum finished floor level of RL16.9AHD. A certificate from a suitably qualified surveyor confirming that the warehouse has been constructed with a minimum finished floor level of RL16.9AHD must be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate.**

General

8. The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
9. 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.
10. **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.
11. 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.
12. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

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

Provision of Community Facilities	Nil.
Provision of Major Open Space	\$70,980.00
Provision of Local Open Space	\$11,830.00
Provision Roads and Traffic Management Administration	Nil.
	\$ 2,366.00
TOTAL	\$85,176.00

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.

The required contribution shall be paid **prior to the issue of a Construction Certificate or as otherwise specified in writing by Council.**

14. A security payment of \$4,127.00 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	\$4,000.00
Non-refundable administration fee (\$127bd)	\$ 127.00
TOTAL	\$4,127.00

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.
15. 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

16. A total of (15) off-street parking spaces, hard paved, line marked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Employees & Visitors	(14)
<u>Accessible</u>	<u>(1)</u>
TOTAL	(15)

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

17. All vehicles associated with the approved use shall be parked within the parking spaces provided on site and not on the adjacent footpath, access driveways or landscaped areas.

18. Two (2) vehicle loading/unloading bays must be provided within the front setback of the proposed warehouse and must be marked, labelled and drained in accordance with the approved plans.
19. Two (2) Heavy Rigid Vehicle loading/unloading bays must be provided within the two (2) roller door entries to the proposed warehouse and must be marked, labelled and drained in accordance with the approved plans.
20. All vehicles entering and leaving the site shall be driven in a forward direction only.
21. All vehicles shall enter and leave the Juno Parade entry to the site by making a left turn in/left turn out manoeuvre only. Suitable signage indicating this restriction on vehicles entering and leaving the site must be erected within the right of carriageway so that it is visible to site users.
22. Appropriate provision shall be made for existing vehicles to ensure clear visibility of pedestrians and vehicles on the road.
23. The off-street car parking spaces together with access driveways shall be available at all times to employees and customers.
24. The loading dock shall not be used for storage purposes at any time.
25. All costs for traffic management measures associated with the proposed development, including any permanent regulatory signs and line marking, shall be borne by the developer.
26. All turning circles, aisle widths, car parking spaces and access shall strictly comply with the minimum requirements set out in AS2890.2:2004 (Australia/New Zealand Standard Part 2: Off-street car parking).

Drainage/Stormwater

27. Stormwater runoff from all roof and impervious surfaces shall be collected into an on-site stormwater detention system and discharged by means of a gravity fed system to Council's existing pit within the existing easement as shown on the concept stormwater management plan prepared by S&G Consultants Pty Ltd Drawing no. SW01 & SW02 Revision C dated 06.05.2013 received by Council 9 May 2013.
28. 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**. A reflux valve shall be installed within the outlet pipe of the on-site detention tank to prevent backwater effect.
29. Enviropod or similar shall be installed into all stormwater drainage pits within the site. Details shall be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate**.

30. Rainwater tank(s) of minimum 20,000 Litres shall be installed within the site to collect runoff from all roof area. The applicant must connect the rainwater tank(s) to all toilets for toilet flushing and at least one outdoor tap within the development. Details of the system prepared by a qualified engineer shall be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.** This rainwater tank must meet and be installed in accordance with, the requirements of all applicable regulatory authorities. NSW health does not recommend that rainwater be used for human consumption in areas with potable water supply.
31. The gutters, downpipes and pipes shall be sized for the 100 year, 5 minute storm event. Overflow from the rainwater tanks must be collected and discharged by means of a gravity pipe system and shall be connected to the OSD tank system proposed for this development.
32. 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.
33. 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/OR** the requirements of Council's Stormwater Management Code and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

In this project the above engineering plans 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, **once the Construction Certificate is issued.**
34. The boundary fences shall be designed by a suitably qualified engineer and constructed in materials that allow unobstructed passage of surface stormwater flows. Fencing details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
35. Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path system draining the site (if any).
36. Detailed design of the water sensitive urban design (WSUD) components (stormwater treatment measures) including but not limited to levels, high flow bypass details, clean out points and maintenance schedule(s) shall be prepared by a suitably qualified professional engineer experienced in Water Sensitive Urban Design in accordance with the approved plans, approval conditions, Strathfield Council DCP 2005 Part N- Water Sensitive Urban Design, Strathfield Council WSUD Reference Guideline and WSUD Technical Design Guidelines for South East Queensland (SEQ Healthy Waterways Partnership) Version 1 June 2006 or subsequent versions that may be updated **prior to the issue of a Construction Certificate.**

37. An Operational Management and Maintenance Report is required to be submitted to the Principle Certifying Authority **prior to the issue of an Occupation Certificate** to provide an outline of the proposed long term operational management and maintenance requirements of the stormwater system on the site. A schedule or timetable for the proposed regular inspection and monitoring of the devices, maintenance techniques, reporting and record keeping requirements and associated rectification procedure shall be included in the report.

Council recommends a visual inspection at least 2 times per year. Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm.

38. (1) A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of lot 23A detailing the:
- a) on-site stormwater detention system(s)
 - b) water sensitive urban design component(s)
- incorporated in the development. 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 accepted by Council **prior to the issue of a Subdivision Certificate**.
- (2) The positive covenant referred to in (1) above is required to prevent future modification or alteration without the written consent of Council, and to ensure suitable maintenance is carried out.
39. (1) **Prior to the issue of the Occupation Certificate**, 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 and conditions of approval.
- (2) In addition, full works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and accepted by Council. 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 and finished ground and pavement surface levels and water sensitive urban design components.
- (3) Certification is also required from a suitably qualified stormwater quality specialist to verify that the stormwater treatment measures have been constructed generally in accordance with the approved plans, conditions of approval and Strathfield Council WSUD Reference Guidelines.
40. Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from the 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**.

41. (1) For drainage works
- a) Within Council controlled lands
 - b) Connecting to Council's stormwater drainage system inspections will be required:
 - i. After the excavation of pipeline trenches.
 - ii. After laying of all pipes prior to backfilling.
 - iii. After the completion of all pits and connection points.
- (2) A minimum of 48 hours notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Infrastructure Planning Section on 9748-9999 during office hours.
- (3) Work is not to proceed until the works are inspected and approved by Council.

Landscaping/Tree Matters

42. All noxious weeds on the site shall be removed and destroyed as per their classification under the Noxious Weeds Act.
43. **Prior to the issue of a construction certificate** the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape plan prepared generally in accordance with the landscape plan prepared by Morris Bray Martin Ollmann Landscape Plan Dwg No. 12003-A-9006. The plans shall include the following:
- (a) All species are to be Australian Native;
 - (b) All tree plantings are to be a minimum of 50L container size;
 - (c) All garden areas within the site are required to be provided with a permanent edge;
 - (d) All landscaped areas are to be provided with a fully automated irrigation system, connected to the rainwater tanks provided within the site, and
 - (e) All landscaped areas are required to be mulched with 75mm of organic mulch **prior to the issue of a Construction Certificate.**

Should Council not act as the Certifying Authority a copy of the plan shall be forwarded to Council **as part of the Construction Certificate.**

44. The triangular portion of land located adjacent to the western boundary is required to be densely planted with understorey and ground cover specimens such as *Lomandra longifolia* which will provide potential future habitat for the Green and Golden Bellfrog. The Principal Certifying Authority is required to visually inspect this portion of land and ensure that plantings have occurred **prior to the issue of an Occupation Certificate.**

Site Operation

45. The hours of operation shall be restricted to 6:00 am to 6:00pm Monday to Friday with no work permitted on Saturday, Sunday and public holidays.
46. A maximum of seven (7) employees are to be present within the site at any time.
47. A maximum of six (6) heavy rigid vehicles are permitted to access the site daily.

48. No retail sale of any goods shall take place from the site.
49. All operations/activities shall be carried out wholly within the building.
50. The storage of goods, materials, equipment, machinery, refuse, or refuse bins (including industrial waste containers) shall be carried out in an area specifically designed for that purpose and not within the road reserve except in accordance with Council's Materials on the Footpath Policy.
51. Any proposed lighting of the site shall be designed, located or shielded to ensure the amenity of the surrounding area is not adversely affected by light overspill and details shall be submitted to and approved by the Principal Certifying Authority **prior to the installation** thereof.
52. The display of signage, other than signage which is approved by this consent or signage which is exempt development, is strictly prohibited.
53. No flashing lights or flashing animated signs shall be erected on the property.
54. No advertising flags, banners or the like are to be erected on or attached to the façade of the warehouse at any time.

Construction Matters

55. 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.**
56. 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).
57. 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.
58. 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) car park/garage 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.

59. 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.

If the existing ground levels are altered during construction, Council may require a survey plan of the finished ground levels to be prepared and submitted **prior to the issue of an Occupation Certificate** to determine if there have been changes to the pre-development levels and if there are any impacts on adjoining properties as a result.

60. 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.
61. 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.
62. 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:
- Must preserve and protect the building from damage; and
 - If necessary, must underpin and support the building in an approved manner, and
 - 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.
63. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Building Matters

64. The external glass used in the building shall have a reflectivity index of less than 20%. Details and specifications of the glass shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate**.
65. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street.
66. Where building intruder alarms are installed in the building they shall be fitted with an automated “cut-off” timing device and operated as per the Protection of the Environment Operations (Noise Control) Regulation 2008.

Sustainability

67. 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:
- Toilet flushing;
 - Garden irrigation;
 - Car washing and similar outdoor uses; and
 - Fire fighting.
68. In accordance with Section 2.8 of Part D of the Strathfield Consolidated Development Control Plan 2005, amended plans demonstrating compliance with the following are to be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate:**
- (a) All irrigation systems provided to landscaping within the site are to be connected to the proposed rainwater tank;
 - (b) Any appliances provided internally within the warehouses must have a minimum AAA Australian Standard Water Conservation Rating;
 - (c) All hot water systems provided within the warehouses must have a minimum 3.5 SEDA Hot Water Greenhouse Score;
 - (d) All external lighting and common areas are required to be lit using renewable energy resources generated within the site, and
 - (e) All appliances/white goods installed within the warehouse are required to be of a three (3) star rating or greater.

Fire Safety Measures

69. 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.**
70. As soon as practicable after a final safety certificate is issued, the owner of the building to which it relates:
- 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;
 - shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to Council for registration; and
 - shall ensure the current fire safety schedule is prominently displayed in the building.
71. The following is a schedule of existing and/or new essential fire or other safety measures required to be installed, and the minimum standard to which these measures must be designed, installed and/or maintained under Part 7B of the Environmental Planning & Assessment Regulation:

New Measures

	Essential fire or other Safety Measures	Minimum Standard Performance			
			Building Code of Australia (BCA96A1) Part/Clause/Specification	Australian Standard No. or other reference	
1.	Access panels, doors & hoppers to fire resisting shafts	C1-3	C3.13/5	Spec C1.1/8	
2.	Automatic fail safe devices	C	C3.6, D2.21/2	Spec C3.4	
3.	Automatic fire detection & alarm systems	E G	E2.2, G3.8	Spec E1.7/G3.8	1851 (Pt8) 1989 1603, Pt1/4/6, 3786 1670-1995
4.	Automatic fire suppression systems	C	C2.3, E1.5	Spec E1.5/G3.8	1851 (Pt3) 1985 2118.1/4/6 1995
5.	Emergency lighting	E	E4.2, 4.4		2293 (Pt1) 1987/88/92
6.	Emergency lifts	E	E3.4		1735.2 1993
7.	Emergency warning and inter-communication systems	E H	E4.9	Spec G3.8	2220-1989/89/93
8.	Exit signs	E	E4.5-4.8		2293 (Pt1/2) 1987/88/92
9.	Fire control centres and rooms	E	E1.8	Spec E1.8	
10.	Fire dampers	C E			1668 (Pt1/2) 1991
11.	Fire doors	C3	C3.4	Spec C3.4	1851 (Pt7) 1984 1905 (Pt1) 90 (Pt2) 89
12.	Fire hydrant systems	E	E1.3		1851 (Pt4), 2419.1 1996
13.	Fire seals protecting openings in fire	C	C3.4/D1.12 C3.12/15	C3.4/D1.12	4702-1995
14.	Fire shutters	C2/3	C3.4	Spec C3.4	1905 (Pt2) 1989
15.	Fire windows	C	C3.2	Spec C3.4	
16.	Hose reel systems	E	E1.4		1851 (Pt2) 1989 1221-1991, 2441- 1988
17.	Lightweight construction	C	C1.8	Spec C1.8	
18.	Mechanical air handling systems	CEH	E2.2/7 H1.2	Spec E2.2/6 G3.8, H1.2	1851 (Pt6) 1983 1668 (Pt1/2) 1991
19.	Perimeter vehicle access for emergency vehicles	C	C2.4		
20.	Portable fire extinguishers	E	E1.6		1851 (Pt1) 1989, 2444-1995
21.	Safety curtains in proscenium opening	H	H1.3	Spec H1.3	
22.	Smoke and heat vents	C	C2.3	Spec	1851 (Pt5) 1981,

				E2.6/G3.8/H1.2	2427-1983
23.	Smoke dampers	E2 H1			
24.	Smoke detectors and heat detectors	C, D, E, G	C3.5-8/11 E2.4	Spec E2.2/G3.8	1603 (Pts 1/2/4/6) 3786
25.	Smoke doors	C, D	C2.5/3.4 D2.6	Spec C3.4	
26.	Solid-core doors	C	C3.11		Self closing & tight fitting solid-core door(s) not less than 35 mm thick
27.	Stand-by power systems	CHE GH			
28.	Wall wetting sprinkler and drencher systems	C	C3.4	Spec C3.4	
29.	Warning and operations signs	CEG H			
30.	Other				

Air Quality

72. Prior to commencement of operations, the future tenant shall provide surrounding residential neighbours with a manned 24 hour telephone number to call in the event of an emergency (including any excessive noise generation).
73. The future tenant must develop and implement a noise management plan including induction training for employees which emphasises the importance of behaviour to minimise excessive on-site noise generation to neighbouring residents.
74. The future tenant must display signs along the site access road and at the entrance of the site to alert employees and visitors (particularly vehicle drivers) to minimise vehicular noise emissions, particularly during manoeuvring. Training should also be regularly conducted to ensure regular delivery drivers are aware of the Company's noise management plan and procedures.
75. The use of the premises shall not give rise to:
- (a) The transmission of unacceptable vibration to any surrounding occupancy; and
 - (b) A noise level exceeding the background (L_{90}) noise level by more than 5dB(A) when measured from an adjoining premises. The source noise level shall be assessed as an $LA_{eq,15min}$ reading and adjusted in accordance with current EPA Guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and intermittency or any subsequent guidelines.
76. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

77. In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

Disabled Access

78. Access to the building 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.**
79. Sanitary facilities for persons with disabilities shall be provided in the building 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.**

Frog Protection Measures

80. Soil or landscaping materials are not to be accepted onto the site without certification that these materials have been heat treated in accordance with Established Industry Standards to kill chytrid spores. Certification demonstrating that soil and landscaping materials have been appropriately treated is required to be **retained and submitted to the Principal Certifying Authority.**
81. **Prior to works commencing on site,** a frog exclusion fence must be installed along the eastern boundary of the site which adjoins Cox's Creek in accordance with the recommendations provided in the Impact Assessment Report prepared by Biosphere Environmental Consultants received by Council 2 May 2013.
82. If the frog exclusion fence is breached at any time during construction, a suitably qualified Herpetologist is required to be consulted to determine whether new surveys are required to be commissioned in order to determine whether Green and Golden Bell Frogs are present within the site.
83. During construction work, unsealed surfaces are required to be regularly watered to reduce or prevent windblown dust. In addition, hessian fabric is required to be affixed to the fencing constructed around the ephemeral area and other cyclone wire boundary fencing to catch any wind-blown dust particles.

Waste Management

84. Submission of a comprehensive Waste Management Plan to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.** Such plan shall address demolition, construction and operation waste arising from the development and shall include:-
- type and likely quantity of waste arising from the demolition and construction activities;

- storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;
- type and likely quantity of trade and operational waste arising from the proposed development, including storage and collection details. Note: Strathfield Council does not provide a trade waste service;
- storage, disposal, collection and recycling arrangements for all trade and operational waste; and
- fitout details of any garbage/waste enclosures and storage areas.

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.

LIST OF ATTACHMENTS

1. **Notification Map**
2. **Site plans and elevations.**