

**COMMENCING:** 6.58 pm

**PRESENT:** Councillor G Vaccari (Chairman)  
Councillor R Datta  
Councillor S Kokkolis  
Councillor S Ok

**STAFF:** A/General Manager (Director Operations)  
A/Director Corporate Services (Manager Finance)  
A/ Director Technical Services  
Group Manager Planning and Environment  
Strategic Planning Coordinator  
Governance Coordinator  
Personal Assistant to Director Corporate Services

### **1. PECUNIARY INTEREST/CONFLICT OF INTEREST**

Councillor Vaccari advised that he had declared a conflict of interest in Item 1. DA2012/041/01 – 80 Park Road, Homebush at a previous meeting however, that interest has since dissipated and he intends to remain in the meeting room for discussion on this matter.

### **2. CONFIRMATION OF MINUTES**

**P33/13**

**RESOLVED:** (Kokkolis/Ok)

That the minutes of the Liveable Neighbourhoods Committee Meeting of the Council held on 29 May 2013, copies of which have been furnished to each Councillor, be taken as read and confirmed as a true and correct record of that meeting and that the Chairman and General Manager be authorised to sign such minutes.

Voting on this item was unanimous.

### **3. APOLOGIES**

Apologies were tendered on behalf of Councillors Bott, McLucas and Soulos for non attendance.

**P34/13**

**RESOLVED:** (Kokkolis/Ok)

That the apologies tendered on behalf of Councillors Bott, McLucas and Soulos for non attendance be accepted and leave of absence granted.

Voting on this item was unanimous.

**4. DEFERRED/OUTSTANDING MATTERS AWAITING REPORT**

**1. DA2012/110 – 69-77 Courallie Avenue, Homebush**

Noted.

**2. DA2012/103 – 548-552A Liverpool Road, Strathfield South**

Noted.

**3. DA2013/006 – 92 Underwood Road, Homebush**

Noted.

**5. REPORTS BY OFFICERS**

**1. DA2012/041/01 – 80 Park Road, Homebush**

**P35/13**

**RESOLVED:** (Kokkolis/Vaccari)

That DA2012/041/01 for the deletion of one (1) ground floor apartment, internal reconfigurations resulting in a total of 19 units, deletion of one (1) level of basement car parking, modification to the common entry lobby and amendments to the landscaped design at 80 Parks Road, Homebush, be APPROVED subject to the following conditions:

**Condition 1 to be amended to read:**

Basement Floor Plan, Drawing No. S96-01 Issue A dated 20/02/2013 prepared by Urban Link received by Council on 22 April 2013;

Ground Floor Plan, Drawing No. S96-02 Issue A dated 20/02/2013 prepared by Urban Link received by Council on 22 April 2013;

First Floor Plan, Drawing No. S96-03 Issue A dated 20/02/2013 prepared by Urban Link received by Council on 22 April 2013;

Second Floor Plan, Drawing No. S96-04 Issue A dated 20/02/2013 prepared by Urban Link received by Council on 22 April 2013;

Third Floor Plan, Drawing No. S96-05 Issue A dated 20/02/2013 prepared by Urban Link received by Council on 22 April 2013;

Roof Plan, Drawing No. S96-06 Issue A dated 20/02/2013 prepared by Urban Link received by Council on 22 April 2013;

South-East Elevation (Powell Street), Drawing No. S96-07 Issue B dated 20/02/2013 prepared by Urban Link received by Council on 2 May 2013;

Elevations (Sheet 2), Drawing No. S96-08 Issue A dated 20/02/2013 prepared by Urban Link received by Council on 3 June 2013;

Elevations (North-West) Dwg 1501 Issue B prepared by Gazi Al Ali Architect, dated 26 November 2012;

Landscape Plan, Drawing No. L-01/2 Issue D dated 17/04/13 prepared by RFA Landscape Architects received by Council on 22 April 2013;

Landscape Plan, Drawing No. L-02/2 Issue D dated 17/04/13 prepared by RFA Landscape Architects received by Council on 22 April 2013;

BASIX Certificate No. 486211M issued on 3 June 2013;

Waste Management Plan dated 12 April 2012.

**Condition 10 shall be amended to read:**

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and Strathfield Section 94 Contributions Plan 2001, 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	\$ 17,870.20
Provision of Major Open Space	\$ 86,007.80
Provision of Local Open Space	\$ 34,506.60
Provision Roads and traffic Management	\$ 3,713.00
Administration	\$ 3,661.60
<b>TOTAL</b>	<b>\$145,759.20</b>

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 1<sup>st</sup> July in any year, the amount of the contribution under this condition, shall be indexed in accordance with clause 4 Part E of the Strathfield Section 94 Contributions Plan 2001.

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

**Condition 14 shall be amended to read:**

A total of 22 off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Residents	20 (including two (2) disabled bays)
Visitors	2
<b>TOTAL</b>	<b>22</b>

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

**Condition to be added:**

Units 9 and 14 shall be reconfigured to ensure that the internal design of the units is in accordance with Australian Standard AS4299 Adaptable Housing.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**

Voting on this item was unanimous.

**2. DA2012/124 – 38-40 Albert Road, Strathfield**

In accordance with Council's Code of Meeting Practice the following persons addressed the meeting:

In Support	Objector
Ms Katie Inglis	Mr Valentino Brzevski

**P36/13**

**RESOLVED:** (Vaccari/Ok)

That DA2012/124 for the demolition of existing structures and construction of an (11) storey mixed use development comprising a ground floor commercial tenancy with eight (8) x one (1) bedroom units, (33) x two (2) bedroom units and one x (1) three (3) bedroom unit above four (4) levels of basement car parking at Nos. 38-40 Albert Road, Strathfield be APPROVED subject to the following conditions:

**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/Roof Plan Project No. 12-004 Dwg No. 0002 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Basement 4 Project No. 12-004 Dwg No. 2000 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Basement 3 Project No. 12-004 Dwg No. 2001 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Basement 2 Project No. 12-004 Dwg No. 2002 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Basement 1 Project No. 12-004 Dwg No. 2003 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Ground Floor Plan Project No. 12-004 Dwg No. 2004 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

First Floor Plan Project No. 12-004 Dwg No. 2005 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Second Floor Plan Project No. 12-004 Dwg No. 2006 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Third Floor Plan Project No. 12-004 Dwg No. 2007 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Fourth Floor Plan Project No. 12-004 Dwg No. 2008 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Fifth Floor Plan Project No. 12-004 Dwg No. 2009 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Sixth Floor Plan Project No. 12-004 Dwg No. 2010 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Seventh Floor Plan Project No. 12-004 Dwg No. 2011 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Eighth Floor Plan Project No. 12-004 Dwg No. 2012 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Ninth Floor Plan Project No. 12-004 Dwg No. 2013 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013.

Roof Plan Project No. 12-004 Dwg No. 2014 Issue d prepared by Urban Link Pty Ltd received by Council 14 May 2013.

North/South Elevation Project No. 12-004 Dwg No. 2100 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

West/East Elevation Project No. 12-004 Dwg No. 2101 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Section AA/BB Project No. 12-004 Dwg No. 2200 Issue C prepared by Urban Link Pty Ltd received by Council 28 March 2013.

3D Perspective Project No. 12-004 Dwg No. 4001 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Photomontage & Entrance Detail Project No. 12-004 Dwg No. 4002 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Waste Management Plan Project No. 12-004 Dwg No. 2015 Issue D prepared by Urban Link Pty Ltd received by Council 28 March 2013.

Demolition Plan Dwg No.1201 Issue A prepared by Urban Link Pty Ltd received by Council 26 September 2012.

Driveway Detail Dwg No.2201 Issue A prepared by Urban Link Pty Ltd received by Council 26 September 2012.

Driveway Detail 2 Dwg No.2202 Issue A prepared by Urban Link Pty Ltd received by Council 26 September 2012.

Driveway Detail Dwg No.2203 Issue A prepared by Urban Link Pty Ltd received by Council 26 September 2012.

Site and Roof Drainage Plan Dwg No. 12MR45281/D01 Issue A prepared by United Consulting Engineers received by Council 26 September 2012.

Ground Floor Drainage Plan Dwg No. 12MB45281/D02 Issue D prepared by United Consulting Engineers received by Council 26 September 2012.

Basement Drainage Plan Dwg No. 12MB45281/D03 Issue A prepared by United Consulting Engineers received by Council 26 September 2012.

Soil and Water Management Plan Dwg No. 12MB45281/D04 Issue B prepared by United Consulting Engineers received by Council 26 September 2012.

BASIX Certificate No. 440399M Issued 22 August 2012

ABSA Certificate prepared by Greenworld Architectural Drafting issued 22 August 2012.

Acoustic Report prepared by Acoustic Solutions Pty Ltd received by Council 26 September 2012.

Preliminary Environmental Site Assessment prepared by Benviron Group received by Council 26 September 2012.

Flood Impact Report prepared by EZE Hydraulic Engineers Pty Ltd received by Council 26 September 2012.

Waste Management Plan Demolition and Construction prepared by Urban Link Pty Ltd received by Council 26 September 2012.

Traffic Statement prepared by Traffic Solutions Pty Ltd prepared by Urban Link Pty Ltd received by Council 26 September 2012.

Supplementary Traffic Statement prepared by Traffic Solutions Pty Ltd prepared by Urban Link Pty Ltd received by Council 4 February 2013.

Schedule of Finishes 1 Issue E prepared by Urban Link Pty Ltd received by Council 28 May 2013.

Schedule of Finishes 2 Issue E prepared by Urban Link Pty Ltd received by Council 28 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 underside and fascia of the proposed awning shall be constructed of Alucobond with a boxed gutter draining all stormwater to the approved drainage system within the site. Additional detail of the proposed awning, drainage and finishes shall be prepared in accordance with the approved colours and finishes schedule and architectural plans and submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
6. The building is to be constructed of Architectural Framing System Logicwall. The external skin of the building is to be Cemirseal Waterblock Fibrous Cement Sheeting manufactured by CSR with an acrylic render finish.

The acrylic render finish is to be *Dulux Acra Tex* in colours consistent with the approved schedule of finishes referenced above.

**Prior to the issue of an Occupation Certificate**, a certificate from the acrylic render manufacturer certifying that the finish has been applied in accordance with the manufacturer's specification shall be prepared and submitted to the Principal Certifying Authority.

7. **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 by a registered and suitably qualified Landscape Architect in accordance with the following:
  - a) The amended design must follow established 'best practice' landscape design principles providing a landscape scheme which will enhance both residential amenity and the appearance of the building within the streetscape;
  - b) A low maintenance planting scheme must be proposed for the single storey roof of the basement entry, located adjacent to the western boundary of the site;
  - c) A low maintenance planting scheme must also be proposed to the single storey green-roof elements proposed at the first floor to the northern and southern elevations of the building;
  - d) A planting scheme must be prepared for the ground floor common open space area adjacent to the rear of the site. The planting scheme is to encourage passive recreation by future residents and must also provide suitable evergreen screening between the building and the rear acoustic wall.

This area of common open space is to be highly accessible by future residents and must not be separated from the at-grade parking area by a 'glass wall' as annotated on Ground Floor Plan Project No. 12-004 Dwg No.

2004 Issue D prepared by Urban Link Pty Ltd received by Council 14 May 2013;

- e) Three (3) x established Water Gum (*tristanopsis laurina 'luscious'*) of minimum 100L container size must be planted in the nature strip adjoining the Raw Square frontage of the site.

These three (3) specimens are required to be planted at equal intervals and must be provided within tree pits designed in accordance with the concept of Water Sensitive Urban Design. Note: The design of the awning may be required to be slightly modified in order to accommodate for the future growth of these street trees.

The chosen specimens are to be vigorous and well established, free from disease and pests, of good form, consistent with species or variety, hardened off, not soft or forced, with large healthy roots systems with no evidence of root curl, restriction or damage. Trees are to have a single leader and clear straight trunk.

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

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

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

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

Until such time as these trees are permanently established, any damaged or unhealthy trees shall promptly be replaced at the expense of the land owner of Nos. 38-40 Albert Road, Strathfield.

Further information regarding this requirement is able to be obtained from Council's Tree Coordinator, during regular business hours on 9748 9999. Should Council not act as the Certifying Authority a copy of the plan shall be forwarded to Council **as part of the Construction 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 separate development application shall be lodged with and approved by the Council for the use of the ground floor commercial tenancy prior to any occupation or fit-out.
10. 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.
11. 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.
  12. **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.
  13. Storage of goods or the use of portable clotheslines on balconies visible from a public place is strictly prohibited.
  14. 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.
  15. 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**

16. 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	\$ 36,054.70
Provision of Major Open Space	\$176,768.30
Provision of Local Open Space	\$ 58,846.00
Provision Roads and traffic Management	\$ 7,801.00
Administration	\$ 7,487.60
<b>TOTAL</b>	<b>\$286,957.60</b>

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 1<sup>st</sup> 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.**

17. 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 (\$127bd)	\$ 127.00
<b>TOTAL</b>	<b>\$8,127.00</b>

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;
  - (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.
18. 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**

19. A total of (54) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Residents	(33)
Resident – Accessible	(9)
Visitors	(9)
Retail/Commercial	(2)
<u>Retail/Commercial - Accessible</u>	<u>(1)</u>
<b>TOTAL</b>	<b>54</b>

20. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
21. Where entry points to carpark areas are fitted with security gates/shutter and access to visitor parking is required to be provided a suitable communication system shall be provided at the entry point to allow the security gates/shutter to be opened remotely by occupants of the building.
22. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
23. All vehicles entering and leaving the site shall be driven in a forward direction only.
24. The vehicle spaces must not be enclosed with walls or meshed security screens without the prior approval of Council.
25. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.
26. Reconstruct the footpath, kerb and gutter to Council's specifications for the full frontage of the development site at the completion of all building works.
27. All parking spaces which are adjacent to a wall shall be a minimum width of 2.8m.
28. A designated bicycle parking area must be provided within the basement, with sufficient space for parking at least one (1) bicycle per two (2) dwellings.
29. A minimum height clearance of 2.5m shall be provided at all disabled parking spaces.
30. 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 rate:
- 6m<sup>3</sup> for each one (1) bedroom unit
  - 8m<sup>3</sup> for each two (2) bedroom unit, and
  - 10m<sup>3</sup> for each unit with three (3) bedrooms or more.

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.**

31. As the proposed development will generate additional pedestrian movements at the signalised intersection of Albert Road and Raw Square, the developer shall construct a new pedestrian crossing and associated signal phasing on the Albert Road west approach to the intersection at no cost to RMS or Council. These works must be completed **prior to the issue of an Occupation Certificate.**

The design and construction of the signalised pedestrian crossing on Albert Road shall be in accordance with RMS requirements. Details of these requirements should be obtained from RMS' Project Services Manager, Traffic Projects Section, Parramatta on 8849 2496. An updated Traffic Signal Design Plan shall be submitted to the Traffic Projects Section for review and approval.

The developer will be required to enter into a Works Authorisation Deed with the RMS for the abovementioned signal and Civil works. In this regard, the developer is required to submit detailed design plans and all relevant additional information as may be required in the RMS' Work Authorisation Deed documentation for each specific change to the road network for the RMS' Assessment and final decision concerning the work.

32. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
33. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
34. All vehicles, including construction vehicles, must enter and leave the site in a forward direction.

#### **Drainage/Stormwater**

35. Details of silt fence and other erosion and sediment control measures shall be shown in plan form and shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.** This shall include a plan identifying all stormwater pits with specific sediment protection measures each one.
36. Approved sediment and erosion control measures shall be implemented prior to commencement of works and maintained during construction and until all disturbed areas have been revegetated and established **to the satisfaction of the Principal Certifying Authority.**
37. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.
38. The lowest habitable floor level shall be no less than the 1 in 100 year flood plus half a metre freeboard (i.e. 10.3m + 0.5m = 10.8m Australian Height Datum). A suitably qualified surveyor shall be engaged to certify the finished floor levels of habitable

rooms comply with this requirement **prior to the issue of an Occupation Certificate.**

39. The structure of the building below the 1 in 100 year flood plus half a metre freeboard (i.e. 10.3m + 0.5m = 10.8m Australian Height Datum) shall be constructed from flood compatible building materials. A certificate from a suitably qualified Engineer demonstrating that the building complies with this requirement must be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
40. An Engineer's report shall be required to certify that the structure can withstand the forces of floodwater including debris and buoyancy up to and including a 1 in 100 year flood plus half a metre freeboard (i.e. 10.3m + 0.5m = 10.8m Australian Height Datum). A certificate from a suitably qualified Engineer demonstrating that the building complies with this requirement must be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
41. The basement shall be protected from inundation of floodwaters for floods up to and including the 1 in 100 year flood plus 0.1m freeboard (i.e. 10.3m + 0.1m = 10.4m Australian Height Datum). A suitably qualified surveyor shall be engaged to certify the finished levels of the crest of the basement entry ramp **prior to the issue of an Occupation Certificate.**
42. Suitable warning systems signage and exits shall be provided to ensure the safe evacuation of persons from the basement to the lowest habitable floor level during times of flood. The Principal Certifying Authority must confirm these systems work and are completely operational, **prior to the issue of an Occupation Certificate.**
43. The driveway providing access from the basement car park shall be as high as practical and generally rising in the egress direction.
44. Reliable access for pedestrians or vehicles shall be provided from the lowest habitable floor level to a location above the Probable Maximum Flood.
45. Fencing over or near the Sydney Water culvert shall be constructed as permeable and in a manner that does not obstruct the flow of floodwaters so as to have an adverse impact on flooding.
46. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to through the onsite detention (OSD) to the Sydney Water stormwater system.
47. 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 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.**
48. 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 and

approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

49. 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.
50. Overland flow 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.
51. **Prior to the issue of an 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.
52. Works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of an Occupation Certificate.**

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.

53. Grated drains shall be provided along the property boundary at the vehicular crossing(s) and are to connect to the internal drainage system.
54. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the surface flow path and on-site detention system with finished level to be 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 approved by the consent authority **prior to the issue of an Occupation Certificate.**

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.

55. Boundary fencing shall be erected in such a manner as to not interfere with the natural flow of ground and surface water to the detriment of any other party.
56. Basement drainage shall be provided in accordance with the endorsed concept plan that includes a pump out system to manage water in the basement.
57. Details of the proposed method of basement drainage shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans and any requirements of Council's Stormwater Management Code and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

58. An alarm system shall be designed to provide warning for failure of pump or other equipment related to the basement drainage and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
59. Alarm system shall be provided at locations that are highly visible, such as driveway entrance and other suitable locations.
60. An operation and maintenance manual of the basement drainage pump system and alarm shall be approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.** A summary of instructions shall also be placed on the wall near the pump/alarm control panel.
61. **Prior to the issue of an Occupation Certificate** written verification from a suitably qualified professional civil engineer shall be obtained, stating that basement drainage and related work including the alarm system are operational and has been constructed in accordance with the approved plans.

#### Public Authority Matters

62. **Prior to the issue of an Occupation Certificate** 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 Energy Australia 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 Energy Australia 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 power lines 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 Energy Australia and the telecommunications carriers' requirements.
63. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.
64. 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.**

Furthermore, any adjustments required shall be at no cost to Council or any public authority. The relevant authorities' written consent for any adjustments or works

affecting their services shall be obtained and a copy provided to Council **prior to the issue of a Construction Certificate.**

### **Landscaping/Tree Matters**

65. 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.

### **Signage**

66. No signage is approved under the subject application. All building identification signage, fascia and under awning signage will be subject to a future Development Application.

### **Construction Matters**

67. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**
68. 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.
69. 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.

70. 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.
71. 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.



72. 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.
73. 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.
- 74.. 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.
75. 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.**
76. To maintain pedestrian safety in the proximity of the site, a suitable low level artificial lighting system must be installed on the underside of the awning and at the pedestrian entrances to the residential and commercial components of the building.

Details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.

77. The proposed location of residential letterboxes is unacceptable. Residential letterboxes are to be configured so that they are concealed from public view whilst remaining consistent with the requirements of Australia Post. Amended plans demonstrating compliance with this requirement are to be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

### **Building Matters**

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

### **Sustainability**

79. 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.**

### **Demolition**

80. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
81. 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.**
82. 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.**
83. 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**

84. 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.**
85. 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.

86. 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 E2.6/G3.8/H1.2	1851 (Pt5) 1981, 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				

### **Hoardings**

87. No advertisements of any kind shall be affixed to hoardings except for a board not exceeding 2.4m x 1.8m on which may be shown the architect's/builder's/demolisher's names or any particulars regarding the subject building and notices regarding the existing or future occupancies in the building.
88. Hoardings/overhead protective structures at ground level shall have mesh wire or other such material fixed to the surface to a height at least 2 metres in order to preclude the fixing of posters.
89. A sign with the words "Billposters Will Be Prosecuted" shall be attached or printed on the hoarding/overhead protective structures at regular intervals so it is visible from the street or any adjoining public place.
90. Any hoarding, fence or awning is to be removed when the work has been completed.

### **Air Quality**

91. Full compliance shall be given to the recommendations contained in the endorsed acoustic consultant's report.
92. As required by the Protection of the Environment Operations (Noise Control) Regulation 2008, air-conditioning units or heat pump water heaters shall not be

audible in the habitable rooms of any other residential premises before 8am or after 10pm on any Saturday, Sunday or public holiday, or before 7am or after 10pm on any other day.

93. All windows and sliders to be glazed and laminated in accordance with Section 8.1 of the Acoustic Report (Traffic & Rail), prepared by Acoustic Solutions P/L dated 10 August 2012.
94. All external doors are to comply with Section 8.1 of the Acoustic Report (Traffic & Rail), prepared by Acoustic Solutions P/L dated 10 August 2012.
95. All external walls are to be constructed to comply with Section 8.1 of the Acoustic Report (Traffic & Rail), prepared by Acoustic Solutions P/L dated 10 August 2012.
96. All roofing is to be constructed in accordance with Section 8.1 of the Acoustic Report (Traffic & Rail), prepared by Acoustic Solutions P/L dated 10 August 2012.
97. Mechanical ventilation is to be installed as per section 8.2 of the Acoustic Report (Traffic and Rail), prepared by Acoustic Solutions P/L dated 10 August 2012.
98. A 1.8m fence is to be installed along the western and southern boundaries of the proposed development to minimise any offensive noise levels that may arise.

#### **Subdivision**

99. The strata subdivision of the development shall be subject to a future development application.
100. **Prior to the issue of an Occupation Certificate**, Lot 1 in Deposited Plan 229683 and Lot A in Deposited Plan 324603 shall be consolidated and the Right-of-Carriageway between the two (2) allotments extinguished.

#### **Disabled Access**

101. 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**.
102. 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**.
103. A car parking space 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**.

### Waste Management

104. The roller door to the waste storage room, located on the ground floor of the development must be fitted with a suitable 'master key' system **prior to the issue of an Occupation Certificate**. Written approval of the selected master key system must be obtained from Council prior to installation in order to ensure the master key system is able to be incorporated in other residential development within the municipality, for ease of collection.
105. 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.
106. 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**.

### Land Contamination

107. Full compliance shall be given to the recommendations contained in the endorsed Preliminary Site Assessment.
108. Any soils proposed for removal from the site should be initially classified in accordance with the '*Waste Classification Guidelines, Part 1: Classifying Waste*' issued by NEW Department of Environment and Climate Change.
109. A Hazardous Materials Assessment Report (HAZMAT) should be undertaken in order to identify all potential hazards associated with demolition and removal of the existing structures on site.
110. Any new information which comes to light during demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.
111. 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.
112. Details of the appropriate validation of imported fill material are to be submitted with any application for future development of the site. All fill imported onto the site is to be validated during remediation works by sampling and analysis of the fill material in accordance with the applicable guidelines to ensure that the material is not contaminated.

### Groundwater

113. A full Geotechnical investigation must be undertaken in order to determine whether excavation for the proposed basement will impact the water table. The proposed demonstrating full compliance with any associated licensing requirements of the

NSW Office of Water. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Voting on this item was unanimous.

**3. DA2013/037 – Lot 13, 5-7 Juno Parade, Greenacre**

**P37/13**

**RESOLVED:** (Vaccari/Kokkolis)

PART 1. 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:

**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	Nil.
Administration	\$ 2,366.00
<b>TOTAL</b>	<b>\$85,176.00</b>

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 1<sup>st</sup> 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
<b>TOTAL</b>	<b>\$4,127.00</b>

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>
<b>TOTAL</b>	<b>(15)</b>

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 E2.6/G3.8/H1.2	1851 (Pt5) 1981, 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:
- The transmission of unacceptable vibration to any surrounding occupancy; and
  - 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.

PART 2. That the residential neighbours be consulted with regard to fencing heights and possible measures to ameliorate any identified issues.

Voting on this item was unanimous.

### **4. Potential Planning Proposal for Smallwood Avenue Precinct**

In accordance with Councils Code of Meeting Practice Ms Joyce Tozer, objector, addressed the meeting.

#### **P38/13**

**RESOLVED:** (Vaccari/Kokkolis)

1. That Council determine the exact number of land owners in the precinct and undertake a survey of all of the landowners in the Smallwood Avenue precinct to further investigate the community's view in relation to supporting a change of zoning from R4 - High Density Residential and B4 Mixed Use to R2 - Low Density Residential through the preparation of a Planning Proposal.
2. That all land owners be advised that they can avail themselves of free advice from Council Planners if they so desire, so that they fully understand the issue at hand.
3. That a further report be presented to Council for consideration following results of the land owner contacts including deidentified responses from every land owner in the precinct.

Voting on this item was unanimous.

**5. NSW Planning White Paper**

**P39/13**

**RESOLVED:** (Vaccari/Ok)

1. That the draft submission prepared in response to the NSW Government's White Paper be endorsed by Council to be forwarded to the Department of Planning and Infrastructure.
2. That the section of the draft submission relating to building regulation certification be strengthened, indicating that in the opinion of Strathfield Council private certifiers should be appointed to projects from a panel overseen by the Department of Planning or an appropriate peak body.

Voting on this item was unanimous.

**6. Enfield Intermodal Logistics Centre Site Zoning Update**

**P40/13**

**RESOLVED:** (Kokkolis/Datta)

That Council note the update in regard to the Enfield Intermodal Logistics Centre site zoning and support the actions taken by Council as outlined in the report.

Voting on this item was unanimous.

**7. Camden Lodge 102 Burlington Road, Homebush**

**P41/13**

**RESOLVED:** (Kokkolis/Ok)

That Council note the update concerning "Camden Lodge" 102 Burlington Road Homebush.

Voting on this item was unanimous.

**8. Leaders Forum – Local Government Review Panel Report and the Planning White Paper**

**P42/13**

**RESOLVED:** (Ok/Vaccari)

That Council note the report on upcoming forums on the Local Government Review Panel Report and the Planning White Paper.

Voting on this item was unanimous.

**6. MATTERS OF URGENCY IN ACCORDANCE WITH CLAUSE 241 OF THE LOCAL GOVERNMENT (GENERAL) REGULATION, 2005**

Nil.

**7. CLOSED SESSION**

Nil.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7.34 PM**

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The foregoing minutes were confirmed at the LIVEABLE NEIGHBOURHOODS COMMITTEE MEETING of the Council of the Municipality of Strathfield held on 16 July 2013.

Chairman \_\_\_\_\_ General Manager \_\_\_\_\_