

IDAP REPORT – SECTION 4.55(2) MODIFICATION

Property:	27-35 Punchbowl Road BELFIELD DA 2016/17/4
Proposal:	Section 4.55(2) Modification Application to modify basement layout, reconfiguration of commercial and residential layouts and revised external finishes schedule.
Applicant:	Eastern Pacific Design & Construct Pty Ltd
Owner:	Gazcorp Pty Ltd
Date of lodgement:	25 June 2020
Notification period:	14 to 28 July 2020
Submissions received:	Nil
Assessment officer:	M Rivera
Estimated cost of works:	\$31,463,039.00
Zoning:	B2 – Local Centre – SLEP 2012
Heritage:	Not a heritage item. Not within a heritage conservation area.
Flood affected:	Yes Yes Pre-existing variations against maximum building height (Clause 4.3) and maximum floor space ratio (Clause 4.4) provisions under SLEP 2012. No new variations proposed.
Is a Clause 4.6 Variation Proposed:	
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1: Locality plan. The subject site is outlined in yellow.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the Section 4.55(2) Modification Application to modify basement, commercial and residential layouts and revise the external finishes schedule.

Site and Locality

The site is located on the northern side of Punchbowl Road and is comprised of one allotment of land, being Lot 10 in DP 592982 and is known as 27-35 Punchbowl Road, Belfield (Figure 1). The site has an irregular “T” shape with the “T-head” adjoining Punchbowl Road. The site has an irregular frontage to Punchbowl Road of 81.96m, a rear boundary dimension of 47.23m and a depth of approximately 90m, and a total area of 5,572m².

The site is generally adjoined and surrounded by detached dwelling houses to the east and west; however, immediately adjoining the site to the west, at No. 37-39 Punchbowl Road and No. 90 Water Street, Belfield is an eight (8) storey mixed use development (DA2017/103). The construction works for this development is nearing completion.

Strathfield Local Environmental Plan

The site is zoned B2 – Local Centre under the provisions of Strathfield Local Environmental Plan 2012 (SLEP 2012) and the proposal is a permissible form of development with Council’s consent. The proposal satisfies all relevant objectives contained within the SLEP 2012.

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

The proposed modification generally satisfies the provisions of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65). This is discussed in more detail in the body of the report.

Development Control Plan

The proposed modification generally satisfies the provisions of Strathfield Consolidated Development Control Plan 2005 (SDCP 2005). This is discussed in more detail in the body of the report.

Notification

The application was notified in accordance with Council’s Community Participation Plan (CPP) for a minimum of 14 days, from 14 to 28 July 2020. No submissions were received during this period.

Issues

- Altered pedestrian access and entries;
- Changed heights of the approved building including plant rooms and lift overruns;
- Compliance with the Building Code of Australia (BCA); and
- Waste management.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, Development Application 2016/17/4 is recommended for approval subject to suitable conditions of consent (and as modified).

REPORT IN FULL

Proposal

The subject application seeks Council approval for the following modifications to the approved development:

Basement Level 2:

- Deletion of one (1) tandem parking spot. This will be replaced by a fan room;
- Deletion of OSD tank '2' along the north-west corner. The OSD tank at the north-east corner is modified to have an increase in volume; essentially combining the approved two (2) tanks into a singular tank (refer to Figure 5). OSD tank '3' will also be renamed as OSD tank '2';
- Provision of storage areas located underneath the approved OSD tanks '2' and tank '3' on Basement 2;
- Provision of two (2) fan rooms near the residential bike parking areas;
- Provision of two (2) additional tandem parking spots adjacent to the lift core;
- Re-location of most residential disabled parking spaces within this level instead of Basement 1. This is because the ceiling height clearance at Basement 1 is more restricted due to the increased slab thickness on the Lower Ground residential & communal open space;
- Provision of 108 residential parking spaces (including 10 disabled car spaces) on this level as opposed to the approved 111 residential parking spaces;
- Revised fire stairs (A,B & C) to comply with the Building Code of Australia (BCA) and relevant Australian Standard; and
- General re-arrangement of car parking spaces and storage cages to suit the changes as mentioned above. Bike parking, motor bike parking and car wash bay all remain unchanged.

Basement Level 1:

- Deletion of one (1) tandem parking spot. This will be replaced by a fan room;
- Deletion of OSD tank '2' along the north-west corner and replaced with a storage area. The OSD tank '3' in north-east corner is modified to have an increase in volume. OSD tank '3' will also be renamed as OSD tank '2';
- Provision of two (2) fan rooms near residential bike parking areas;
- Provision of an additional tandem parking spot adjacent to the Lift Core A;
- Provision of **77 residential parking (including 2 disabled car spaces)** on this level as opposed to the approved 72 residential parking spaces;
- Provision of a cleaner's room and water closet next to Lift Core A (refer to Figures 2 to 3). This area was previously a bulky good storage area ;
- Re-location of the approved boom gate to the main entry point of the carpark along Punchbowl Road to improve functionality;
- Re-shuffling of car parking spaces to suit and ensure all achieve the height clearance as per the relevant Australian Standard;

- Revised Fire Stairs (A, B and C) to comply with the BCA and relevant Australian Standard; and
- General re-arrangement of car parking spaces and storage cages to suit the changes as mentioned above. The visitor parking spaces, motor bike and bike parking all remain unchanged.

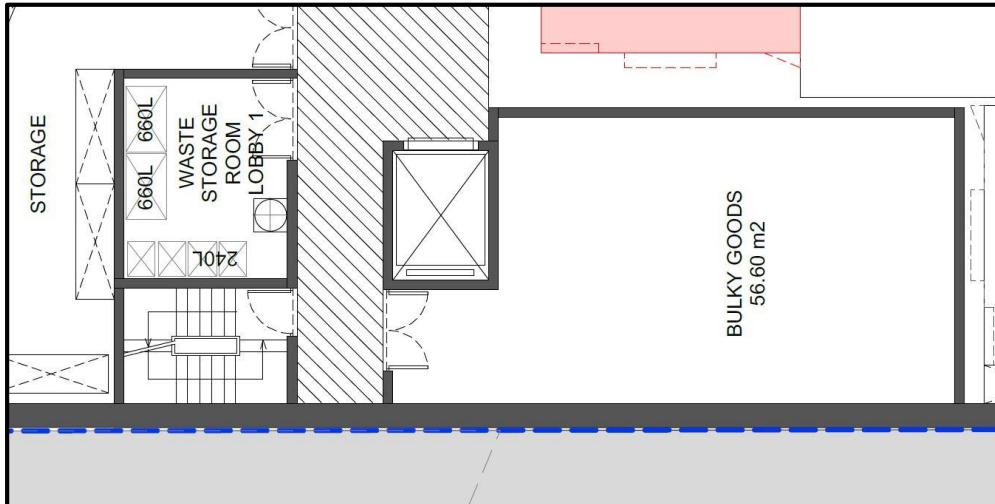


Figure 2: Approved Basement Level 1 – portion showing Lift Core A, waste storage room and bulky goods storage

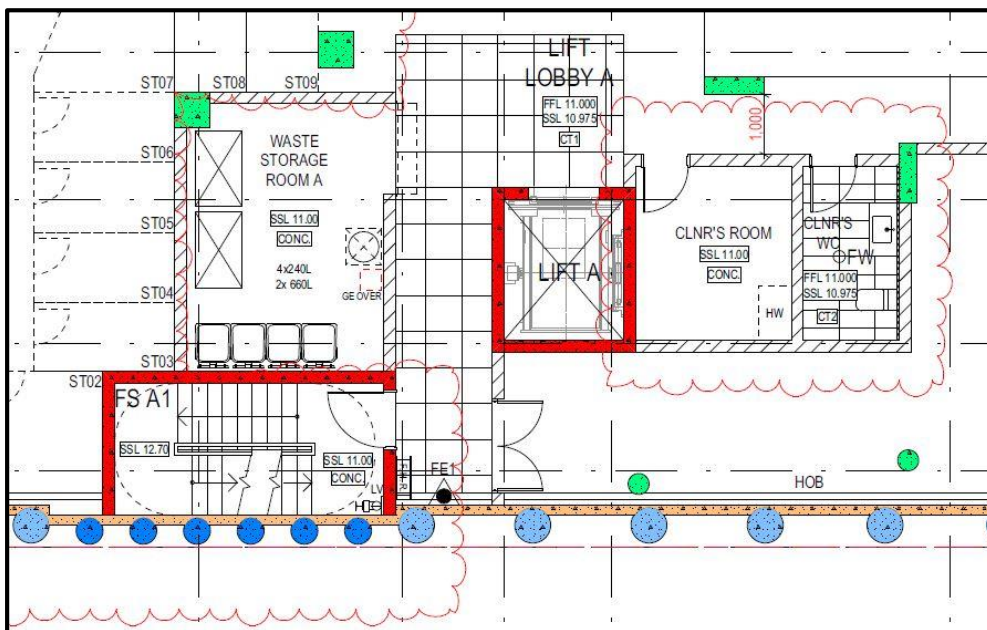


Figure 3: Proposed Basement Level 1 – portion showing Lift Core A, waste storage room, modified fire stairs and amended bulky goods storage comprising cleaner's room and water closet

Lower Ground Level:

- Deletion of the approved sprinkler valve room and hydrant pump room behind Lift Core A and replacement of this space with a storage room (refer to Figures 4 to 5). It is noted that the approved area was insufficient in size to cater for a suitably sized pump room;
- Provision of additional areas within the western side to allow for new grease traps, pump station, rainwater tank and an additional tandem parking space. It is noted that

the basement levels below (as currently approved) occupy this footprint (refer to Figures 6 to 7);

- Provision of two (2) fan rooms as reflected on the basement levels below;
- Deletion of the approved storage room next to Fire Stairs C and to be replaced a fire pump room, which is sufficiently sized to facilitate two (2) sprinkler pumps and a fire hydrant pump (refer to Figures 6 to 7);
- Provision of 29 retail/commercial car parking spaces (including 2 disabled car spaces) as opposed to the approved 26 retail/commercial car parking spaces. The three (3) additional parking spaces are required to suit the increased floor area for the respective retail/commercial units (refer to Ground Level modifications below). It is noted that the SCDGP 2005 requires the following:
 - Retail: one (1) space per 16m²; and
 - Commercial: one (1) space per 40m²; and
- Provision of additional storage areas within the eastern side (near the retail waste collection room). It is noted that this area is incorrectly hatched and annotated on the approved plans as deep soil landscaped area; however, this is in error as it is directly above the basement level (refer to Figures 8 to 9);
- Revised fire stairs (A,B & C) to comply with the BCA and relevant Australian Standard;
- Revised two (2) external lift and stairs on the eastern and western sides – i.e. Stair S02 and S03, Lift 01 and 02 to suit accordingly;
- Revised the structure slab level of the communal open space from the approved RL 14.00 to RL 13.80. This was modified for waterproofing measures and to improve the relationship between Building E and F lobbies, terraces and communal open spaces;
- Revised the footprint of OSD tank '2' along the north-east side (adjacent to Unit F105);
- Slight extension of the balcony area for Units E101, E103 and F101 (refer to Figures 10 to 11). It is noted that the approved plans indicated these spaces as unused spaces; and
- General rearrangement of car parking spaces and storage cages to suit the changes above. All other residential units remain unchanged except for the incorporated building services risers and garbage bin cupboard re-configuration.

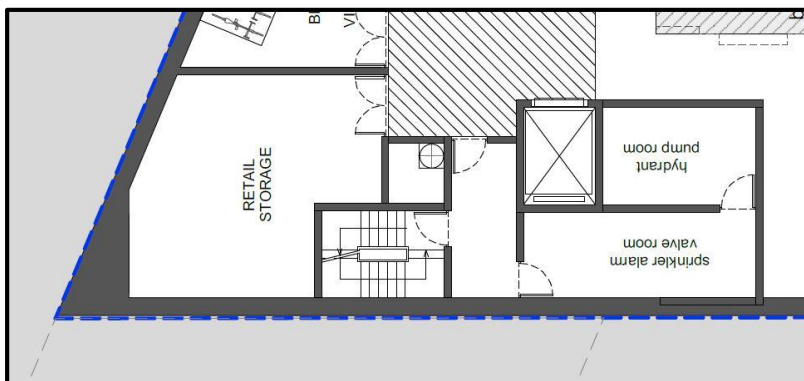


Figure 4: Approved Lower Ground – portion showing Lift Core A

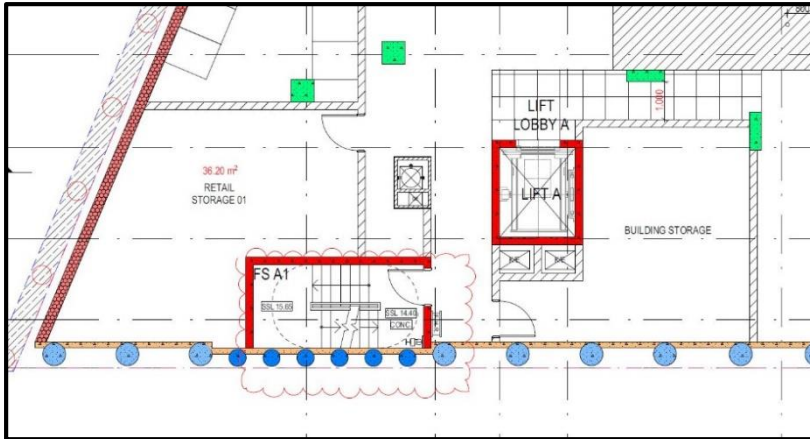


Figure 5: Proposed Lower Ground – portion showing Lift Core A

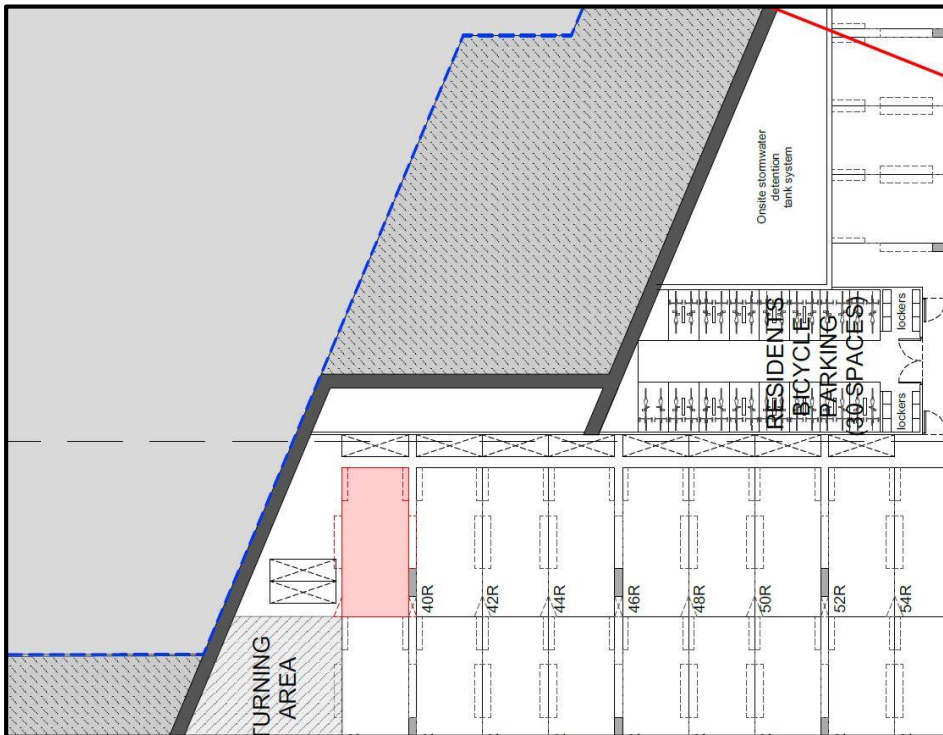


Figure 6: Approved Lower Ground – western portion

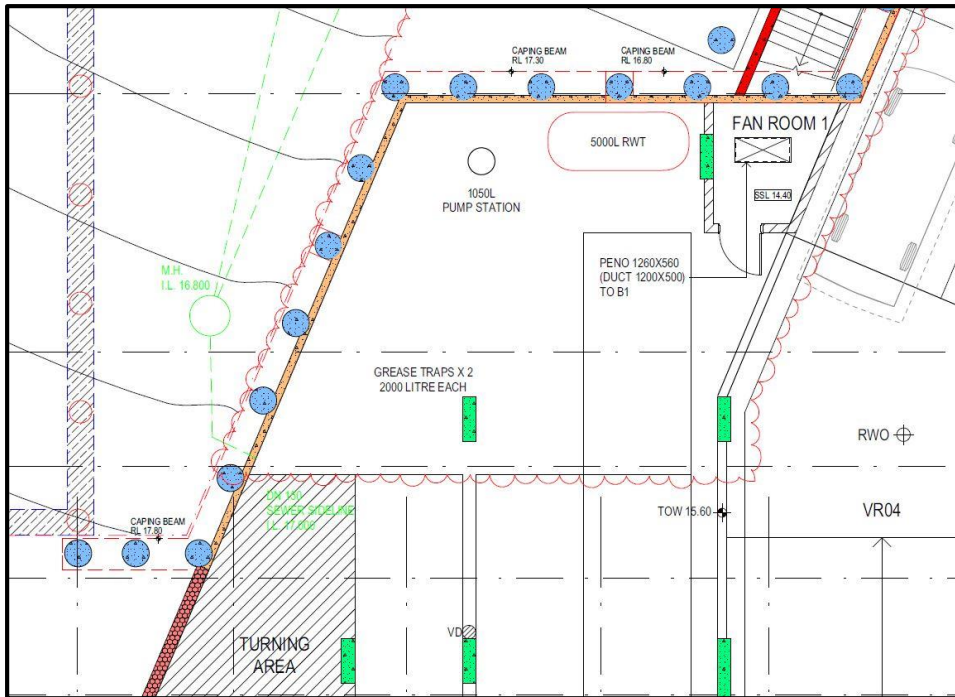


Figure 7: Proposed Lower Ground Level – western portion

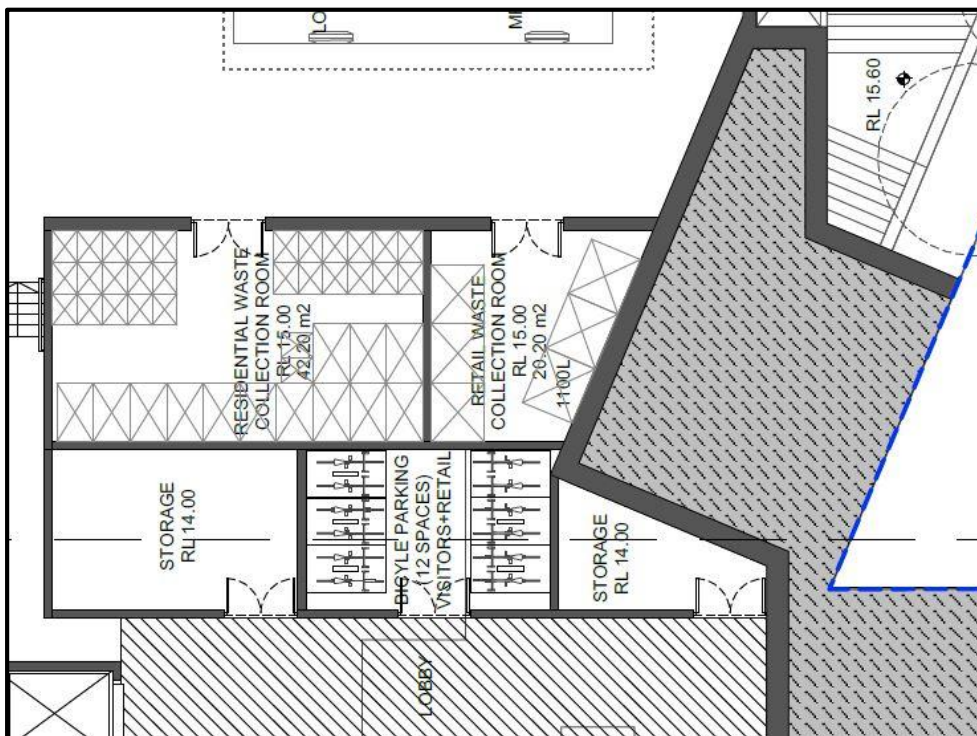


Figure 8: Approved Lower Ground Level – eastern portion

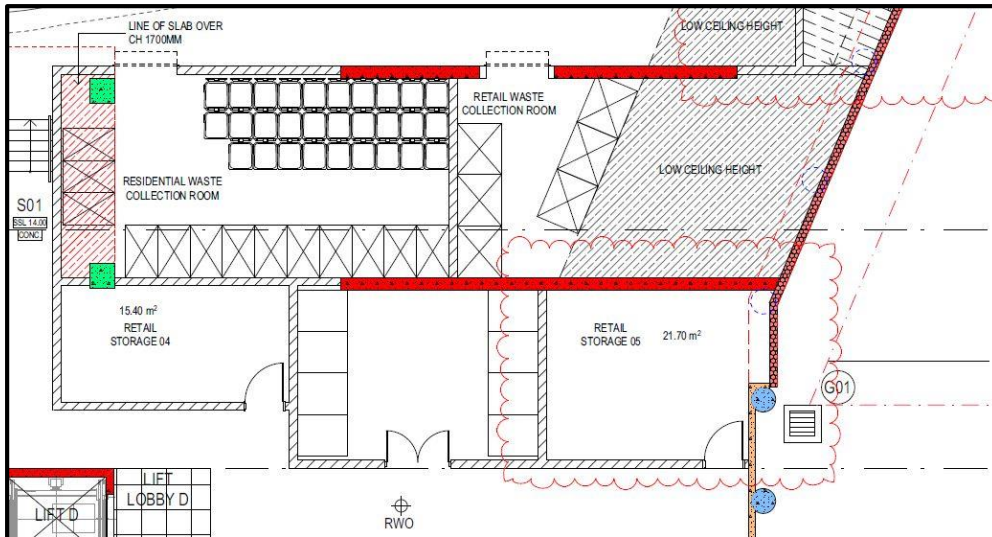


Figure 9: Proposed Lower Ground Level – eastern portion

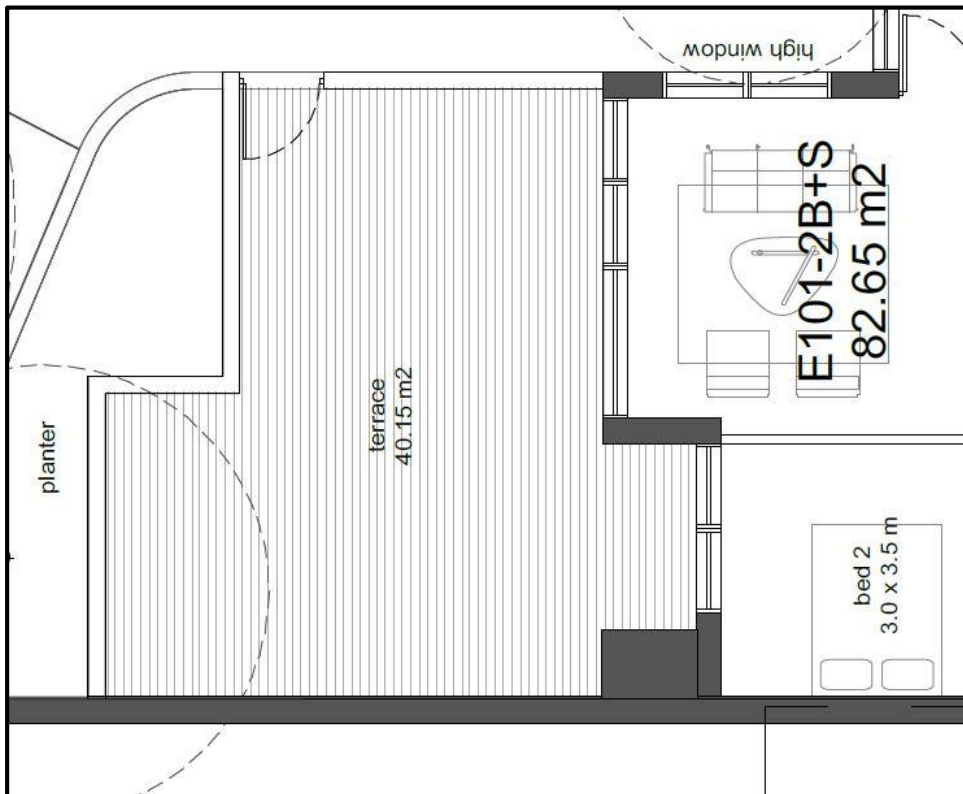


Figure 10: Approved Lower Ground Level – extension of balcony in Unit E101

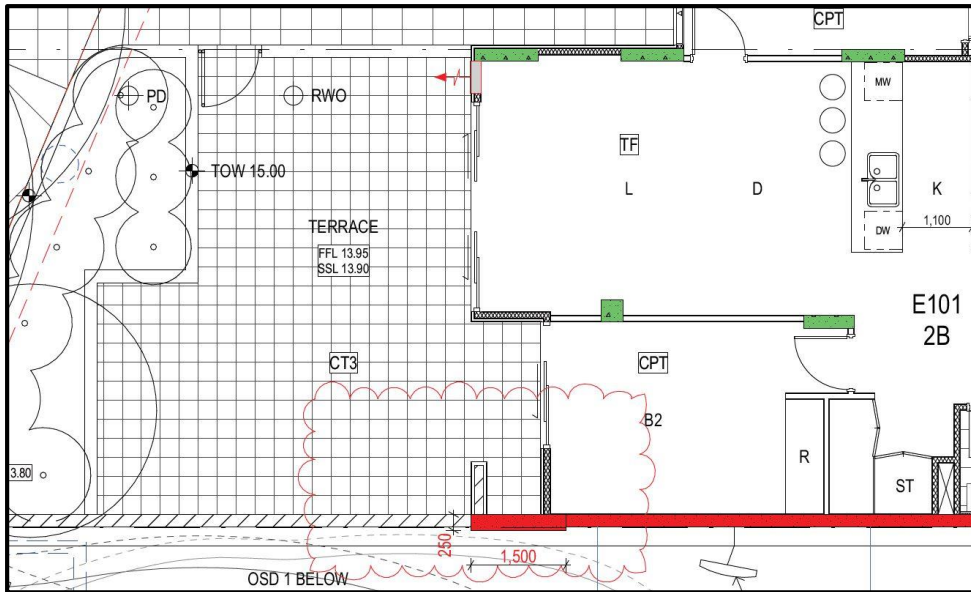


Figure 11: Proposed Lower Ground Level – extension of balcony in Unit E101

Ground Level:

- Increased floor areas of retail and commercial units (refer to Table 1). These changes have been undertaken to improve the serviceability and usability of the buildings and increased security for the residential tenants with a reduction to public interfacing within residential lobbies. The increased areas within existing retail/commercial tenancies were achieved through the rationalisation of the original DA approved ground floor design by way of the following;
- Inclusion of individual disability compliant water closets and adjoining kitchenettes within tenancies allowing for the subsequent removal of individual lobby water closets;
- Removal of individual lobby cleaners rooms with communal area provisions provided within basement; and
- Internal level changes associated with the reduction of ramping and stair requirements in with original design within commercial and retail tenancies.

	DA Approved	S4.55 Changes
Retail 1	111m ²	109.6m ²
Commercial 1	121m ²	112.36m ²
Commercial 2	84m ²	129.24m ²
Commercial 3	124m ²	152.39m ²
Retail 2	172m ²	198.39m ²
TOTAL	Retail = 283m ² Commercial = 329m ²	Retail = 307.99m ² (Increased by 18.99m ²) Commercial = 393.99m ² (Increased by 64.99m ²)

Table 1: Comparison of the floor areas of commercial and retail units between the approved development and proposed modifications (S4.55 Changes).

- Provision of fire sprinkler and fire hydrant along façade of Commercial Unit 1;

- Revised Fire Stairs (A, B and C) to comply with the BCA and relevant Australian Standard;
- Revised structure slab levels for the retail and commercial units appropriately relate with the existing ground levels along Punchbowl Road frontage. The revised structure slab level ensure that the majority of the approved internal ramps and steps within retail and commercial premises can be deleted and a singular structure slab level for each unit can be provided and disabled access facilitated. As a result of the revised structure slab levels, the glazing configuration and entry doors position been updated to suit;
- Revised Building A, B and C entry lobbies to eliminate ramps and relocated bike racks and storages to basement levels accordingly;
- Re-configuration of retail and commercial premises internal layout and to provide each unit with its own basin benchtop and water closet (refer to Figures 12 to 13);
- Revised two (2) external lift and stairs on the eastern and western sides – i.e. Stair S02 and S03, Lift 01 and 02 to suit accordingly;
- Revised landscaped areas adjacent to external Lift 02 and surrounding;
- Slight extension of the balcony area for Units E201, E203 and F201. It is noted that the approved plans indicated these spaces as unused spaces; and
- All other residential units remain unchanged except for the incorporated building services risers and garbage bin cupboard re-configuration.

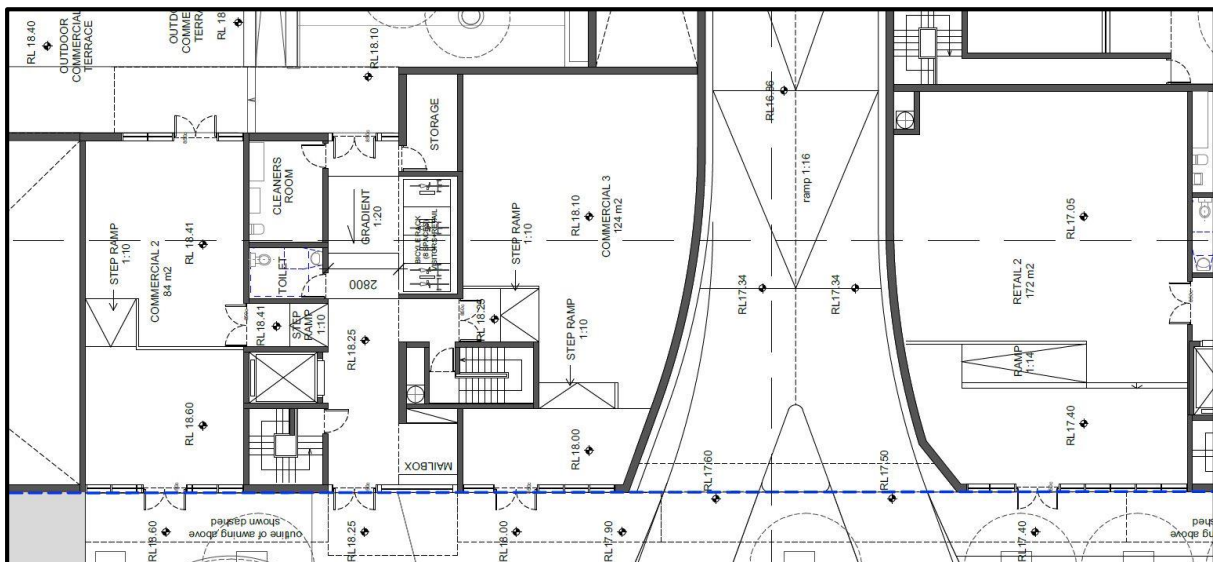


Figure 12: Approved Lower Ground Level – showing Commercial and Retail units



Figure 13: Proposed Lower Ground Level – showing Commercial and Retail units

Upper Ground Level to Level 2:

- Slight extension of the balcony area for Units E301, E303 and F301 on Upper Ground level and Units E401, E403 & F401 on Level 2. It is noted that the approved plans indicated these spaces as unused spaces; and
- All other residential units remain unchanged except for the incorporated building services risers and garbage bin cupboard re-configuration.

Level 3

- Extension of the balcony area for Unit E501 incorporating the unused space;
- Revised Building F hot water plant room to suit the development; and
- All other residential units remain unchanged except for the incorporated building services risers and garbage bin cupboard re-configuration.

Level 4:

- Revised Building E hot water plant room to suit the development; and
- All other residential units remain unchanged except for the incorporated building services risers and garbage bin cupboard re-configuration.

Level 5:

- Revised Building C hot water plant room to suit the development; and
- All other residential units remain unchanged except for the incorporated building services risers and garbage bin cupboard re-configuration.

Level 6

- All other residential units remain unchanged except for the incorporated building services risers and garbage bin cupboard re-configuration.

Roof:

- Revised Building A, B and D hot water plant rooms to suit the development.

External Façade:

- Revised Ground Floor retail and commercial elevation design along Punchbowl Road;
- Revised external finishes and materials. The changes relate to privacy screens and additional variants to the finishes. The southern façade remains largely unchanged. The locations of privacy screens remains unchanged. The proposed changes to privacy screen involve the finishes to the screening. Other changes to the external finishes and materials are as follows:
 - FB: Face brick finish to replace Terracotta Cladding previously approved
 - CPL: Planter walls to be cement render & paint finish
 - FCC1 & MCC1 & TCC1: clarifying specific colour of cladding
 - GLZ 1 & GLZ3: clarifying specific colour and finishes of glazing and framing
 - PS1 & PS2: clarifying specific colour and material of screen
 - PLF: clarifying specific colour and material of fence
- Revised sliding doors on all elevations to be of full height. A revised BASIX certificate was submitted to reflect the increased size of glazing;

- Revised sizes and configurations of some windows;
- Removal of the decorative components on the western elevation of the building at zero boundary – since the external wall will be sitting right next to adjoining building at No. 37-39 Punchbowl Road. It is noted that the adjoining building's wall is also constructed with a zero setback to the boundary – thereby ensuring no areas of exposed blank wall will be visible. As such, the approved decorative components on the western elevation where it adjoins the neighbouring building are superfluous.
- Updated elevations to reflect revised hot water plant rooms – their position and sizing.

On 7 October 2020, the applicant submitted an amended Schedule of Changes that stipulated the following modifications sought specifically for consent conditions:

- Condition 8b – that this condition to be modified as per below:
“All waste related items including required no. of bins shall be in accordance with Waste Management Plan Revision 3 by Dickens Solutions.”
- Condition 8d – that this condition be deleted entirely because under the current Australian Standard, water meters must be located on every floor on each block of building. The modified development is required to comply with this standard and accordingly, features an allocated water meter on each level's corridor for Block A, B, C, D, E and F respectively.
- Condition 21 – that this condition to be deleted entirely or modified in reference to the position of roller shutter and intercom. The position of these elements has been relocated to a more appropriate and practical location to control the entry and exit of vehicles to and from basement and to be able to be opened remotely by occupants of the building. The proposed re-position of the roller shutter is more functional and ideal than the approved position, which is immediately adjacent to the entry point. The proposed re-position will ensure that the waste collection truck is able to easily access the bin collection room at the lower ground level.

The Site and Locality

The site is located on the northern side of Punchbowl Road and is comprised of one allotment of land, being Lot 10 in DP 592982 and is known as 27-35 Punchbowl Road, Belfield (Figure 1). The site has an irregular “T” shape with the “T-head” adjoining Punchbowl Road. The site has a frontage to Punchbowl Road of 81.96m, a rear boundary dimension of 47.23m and a depth of approximately 90m. The eastern and western side boundaries are also highly irregular boundaries. The site has an area of 5,572m².

The site falls approximately 6m across the site with a high point of RL 19.88 at the south-west corner and a low point of RL 13.74 at the north-east corner. The site is under construction with previously existing buildings demolished and the creation of the approved basement and structural supports for the approved development currently under construction (refer to Figures 14 to 16).

The site is adjoined by low density detached dwelling houses to the east and west (other than at the corner of Water Street and Punchbowl Road). Immediately adjoining the site to the west and located at No. 37-39 Punchbowl Road and No. 90 Water Street, Belfield; is an approved 8-storey mixed use building with two (2) basement levels (DA2017/103). Construction works for this development is at near completion.



Figure 14: Eastern elevation of the mixed use building at No. 37-39 Punchbowl Road



Figure 15: North-western view of the site



Figure 16: North-eastern view of the site

Background

15 June 2017	DA2016/017 for the demolition and construction of a 4-7 storey mixed use building comprised of five (5) retail suites and 111 apartments, with basement parking for 221 cars, was approved by the Sydney Central Planning Panel.
7 June 2018	Section 4.55(2) modification application (2016/017/01) involving a revised design of the northernmost building (Building F, previously Building E) including provision of additional units and re-design of basement parking was approved by Strathfield Local Planning Panel (SLPP).
1 March 2018	<p>DA2017/101 for the demolition of existing structures and construction of an eight (8) storey mixed use development comprising 61 residential apartments, commercial and retail floor space at ground floor level and three (3) storeys of basement car parking, at No. 37-39 Punchbowl Road, Belfield and No. 90 Water Street, Belfield was granted Deferred Commencement consent by the SLPP.</p> <p>It is noted that this site was subject to a part 16m and part 22m maximum building height development standard under SLEP 2012. A Clause 4.6 Variation to vary the maximum building heights was accepted by the Panel. The height variation was 60% over the 16m maximum building height and 15.9% over the 22m maximum building height. The overall building height was approved at 25.6m.</p>
15 May 2018	The development consent for DA2017/101 at No. 37-39 Punchbowl Road, Belfield and No. 90 Water Street, Belfield was issued as the Deferred Commencement matters were satisfied.

21 August 2018	A pre-application meeting was held for the subject site in relation to a proposed additional eighth level to the approved residential flat building. The applicant advised that the urban design outcome had changed as a result of the adjoining corner site at No. 37-39 Punchbowl Road and No. 90 Water Street, Belfield gaining development consent for an eight (8) storey mixed use building including a residential flat building (DA 2017/101). The proposed amended design sought to address the transition in height between the approved building at No. 37-39 Punchbowl Road and the approved development on the subject site.
22 November 2018	Section 4.55(2) modification application (2016/017/02) involving a revised design comprising an additional eighth level to the approved residential flat building, was lodged to Council.
19 December 2019	Section 4.55(2) modification application (2016/017/02) was approved by the Sydney Eastern City Planning Panel.
25 June 2020	The subject modification application (DA2016/017/04), seeking approval for modifications relating to basement layout, reconfiguration of commercial and residential layouts and revised external finishes schedule, was lodged to Council.
14 July 2020	The subject application (DA2016/017/04) was notified in accordance with Strathfield Council's Community Participation Plan for a minimum period of 14 days. The notification period concluded on 28 July 2020. No submissions were received during this period.
22 July 2020	Additional information and clarification was sought regarding the following matters: <ul style="list-style-type: none"> • Date and time for a site visit; • Revised internal areas for the retail and commercial units; • Revised materials and finishes; and • Removal of decorative elements on the western elevation.
22 July 2020	Applicant provided additional information to clarify and resolve the above matters.
23 July 2020	The responsible Council officer conducted a site visit.
11 August 2020	The responsible Council officer advised that the heights of the plant rooms and lift overruns on the roof top have changed and increased from the approved development. The matter required further clarification and confirmation that this is the case as this will determine delegations.
17 August 2020	The applicant provided additional information to clarify the maximum heights of the proposed modification and confirmed that these remain unchanged from the approved development.
16 September 2020	A Design Review Panel (DRP) meeting was held with the DRP, Council, applicant and architect/s for the proposed development.

28 September 2020	<p>The applicant was seeking further clarification and amendments to the approved development, specifically:</p> <ul style="list-style-type: none"> • Amendments to Special Condition 8B and Special Condition 8D; • Clarification on Condition 21 (relating to entry to the basement); and • Clarification on Condition 28 (relating to the purpose built storage compartments).
29 September 2020	<p>The responsible Council officer provided clarification to the above enquiry and confirmed that:</p> <ul style="list-style-type: none"> • If the applicant would like to include amendments to Special Condition 8B and Special Condition 8D, the applicant must provide written confirmation and an amended Schedule of Changes describing the changes and justification for the changes. • With regard to clarification to Condition 21 – an amended plan must be provided to indicate that the basement security shutter is to be relocated to the bottom of the lower ground floor ramp. The applicant advised that the relocation is necessary as it enables access to both the loading bay and main waste storage room. Council advised that this information must be provided to the respective principal certifying authority to demonstrate compliance with Condition 21. It is noted that the areas that are situated before the relocated door (i.e. the loading bay and main waste storage room) must be appropriately secured and that the amended design reflects this. • With regard to clarification to Condition 28 – Council advised that consultation should be made with the principal certifying authority with regard to the final design of the enclosures of the storage spaces in order to confirm these satisfy the consent condition. The intention of providing solid material to the enclosures is for Crime Prevention Through Environmental Design (CPTED) purposes.
1 October 2020	<p>The DRP minutes were provided to Council. These minutes were sent to the applicant.</p>
1 October 2020	<p>The applicant contacted the responsible Council officer to seek clarification on the revised pedestrian access (specifically the ground floor lobby areas) and BCA compliance, which were identified as issues in the DRP minutes.</p>
2 October 2020	<p>The responsible Council officer provided a file note in response to the applicant – confirming that the matters relating to the revised pedestrian access and BCA compliance require resolution.</p>
7, 14 and 19 October 2020	<p>The applicant provided additional information including an amended Schedule of Finishes, Design Statement, revised Lower Ground Floor and Basement 1 Plans and Waste Management Report.</p>

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Referrals – Internal and External

INTERNAL REFERRALS

Traffic Engineer Comments

Council's Traffic Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

"There are no changes to the residential unit component.

The proposed on-site parking provision increases the retail/commercial car parking spaces by three (3), which satisfies the CDCP requirements. It is also noted that two (2) additional residential parking spaces are gained as a result of the S4.55. The visitor parking motorbike parking and bike parking remain unchanged.

The net traffic generation increase as a result of the S4.55 is negligible.

All aspects of the carpark and the associated vehicular access have been assessed against AS/NZS 2890 series and considered satisfactory."

Council's Traffic Engineer offered no objections to the proposal, subject to the imposition of modified conditions of consent.

Stormwater Engineer Comments

Council's Stormwater Engineer has commented on the proposed modification as follows:

"The stormwater drainage plans prepared by Xavier Knight rev C drawing no. C101-C102 dated 25.05.2020 and rev B drawing no. C100, C200-C202 dated 22.05.2020 job no. 190320 have been reviewed. Condition 31 in the consent of DA2016/017/03 has been addressed and can be removed."

Council's Stormwater Engineer offered no objections to the proposal, subject to the imposition of modified conditions of consent including the deletion of Condition 31.

Waste Officer Comments

Council's Waste Officer advised that:

"The amended plans do not comply with the minimum requirements for waste room and bulky waste room, as follows:

A minimum of 68m² residential bin collection room. Bins should be at a minimum rate of 1.1m² per 240L bin and 2.03m² per 660L bin and located in an area to suitably facilitate servicing on waste collection day. The layout of the waste and recycling storage room must allow easy unobstructed access to all bins (stacked bin arrangements are not acceptable) and allow the bins to be easily removed for servicing purposes, which is not the current case.

Bulky waste storage room must be a minimum of 48.8m²."

Special Condition 8b reads:

Special Conditions

8. Prior to the issue of a Construction Certificate, amended architectural plans shall be prepared and submitted to the Principal Certifying Authority including the following changes:
- a. The acoustic report prepared by Acouras Consultancy dated 17 November 2015 shall be updated to address the approved plans and the recommended measures of the report to address traffic noise shall be incorporated into the plans.
 - b. An updated Waste Management Plan which includes:
 - Provision of waste storage *room* /s capable of holding the following:
 - i. (23) x 660L bins for residential general waste;
 - ii. (31) x 240Lbins for residential recycling waste;
 - A minimum of 68m² residential bin collection room.
 - The bulk storage room shall have an area of 48.8m² and be conveniently located for access to the loading dock.

It is evident that the above condition was included in the consent with the intent of ensuring the waste management and storage areas for the approved development are sufficient in terms of the number of bins and in area and dimension. Council's Waste Officer noted that the proposed modification involves no changes to the number of residential units approved and thus, the proposed reduction in area for the residential bin collection room is not able to service the number of residential units. Accordingly, the proposed reduction of the residential bin collection room and associated changes to Condition 8b are not supported.

The applicant provided a Waste Management Report stipulating that:

"The size of the residential waste collection room can reasonably accommodate the required 23 x 1100L waste bins and 31 x 240L recycling bins. Given that the room has now been constructed and built accordingly to the approved plans, and due to the design constraints of the building, it is impossible to alter it any way without impacting on other infrastructure."

Council's Waste Officer re-affirmed that the development must comply with Condition 8b and further noted that the Waste Management Report incorrectly states the requirement of 23 x 1100L waste bins. This should be 23 x 660L waste bins.

The construction of the residential waste collection room, which is not in accordance with Condition 8b is considered a compliance issue. Accordingly, Condition 8b will only be amended to include a minimum size for the bulky storage room.

EXTERNAL REFERRALS

Ausgrid

The application was referred to Ausgrid as the site is located immediately adjacent to electricity transmission infrastructure. Ausgrid did not have any objections regarding the proposed modification.

Design Review Panel (DRP)

The application was referred to the DRP due to the following provision under Clause 115 (3B) of the Environmental Planning and Assessment Regulation 2000:

“If the qualified designer who gives the design verification under subclause (3) for an application for the modification of development consent (other than in relation to State significant development) does not verify that he or she also designed, or directed the design of, the development for which the consent was granted, the consent authority must refer the application to the relevant design review panel (if any) for advice as to whether the modifications diminish or detract from the design quality, or compromise the design intent, of the development for which the consent was granted.”

The following comments were received from the DRP:

“The Panel raises no issues with the modification to the colours and materials schedule, landscape plans or the increased height to the glass sliding doors.

The Panel acknowledges that the fire stairs may need to be reconfigured to satisfy BCA requirements however raises concern with the flow on effect on the design of the entries and lobbies, particularly B and C. As a consequence the entries now do not provide direct view into the courtyard from the street, and are now significantly narrower towards the street entrance, approximately only 1400mm in width. The approved design of these entries is wider, at 2400-2800mm, straight and effectively open, as gates are used rather than glazed doors. (Note it was the applicant’s responsibility to ensure BCA compliance in the first DA and the lack thereof should not be used as an excuse to compromise the entry and egress into such a large scale development).

The Panel questions if 1400mm wide entries is adequate in servicing the number of residents using the lobby and suggests that the fire stairs are relocated to the left (west) allowing the lobbies to remain as previously approved. The firestairs should be amended to ensure the width of the entry level of Lobby B and Lobby C are increased, and that the direct view from the street entry into the rear courtyard is retained.

The Panel recommends that the applicant submits a BCA report that demonstrates that the width of the lobbies and entrances are fully compliant with the relevant requirements for an apartment building of this scale. The change from open gates to glazed doors is also potentially an issue for BCA compliance and this also needs to be shown to be compliant.”

The applicant provided information in response to the above DRP comments.

Council’s response: On balance, the proposed changes to lobbies, which comprise of a reduced width for a portion of the lobbies as well as the incorporation of glazing to the doors and entries, provide an appropriately designed and easily identifiable entrance, access and pathway leading from the street frontage to the respective lobbies and to the courtyard doors. The modified entrances have suitable connection to and addressing of the public domain.

Despite the reduced width for a portion of the lobbies, it is noted that the rest of the lobbies either retain a similar width or have an increased width compared to the approved development. As such, a visual sight line from the courtyard door to the street frontage is demonstrated for each changed lobby area. Whilst these sight lines are moderately reduced compared to the approved lobbies, they appear to facilitate direct connections to open space and main streets and are able to maintain the intention and general visibility of the design.

In light of the above aspects, the proposed modification achieves the relevant objectives in the Apartment Design Guide relating to building entries, access, pathways and pedestrian links (i.e. Objectives 3G-1, 3G-2 and 3G-3) and related guidance under these objectives.

Transport for NSW (TfNSW)

The application was referred to TfNSW. TfNSW reviewed the application and advised that:

“The modifications pertains to works wholly within the site. TfNSW raised no objections to the proposed modification and the previous TfNSW response dated 19 April 2017 remain applicable to the development.”

Accordingly, the conditions of consent featuring the TfNSW recommendations (as per their previous response) will be imposed.

Natural Resources Access Regulator (NRAR)

The application was referred to the NRAR. NRAR confirmed that:

“The previously issued General Terms of Approval (GTA) are adequate and remain current.”

Accordingly, the conditions of consent featuring the GTA will be imposed.

Section 4.55 of the EP&A Act 1979

The application has been lodged under the provisions of Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* states the following:

“4.55 Modifications of consents – generally

- (2) Other modifications** *A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—*
 - (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
 - (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
 - (c) it has notified the application in accordance with—*

- (i) the regulations, if the regulations so require, or*
- (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1) and (1A) do not apply to such a modification.

With regards to subclause 'a', it is considered that the modifications sought as part of this application is substantially the same development as the development for which the consent was originally granted for. The proposed modifications specifically relate to revised fire stairs and pedestrian access, vehicular access and parking spaces, storage cages, slight increases in the gross floor area of the retail and commercial units, relocation of stormwater infrastructure and generally minor changes to façade treatments. The proposed modifications result in the same approved land use (i.e. a mixed use building) and are considered to have similar impacts in terms of amenity, privacy, overshadowing and streetscape.

With regards to subclause 'b', the modification application was notified for at least 14 days, in accordance with Strathfield Council's CPP. No submissions were received during notification period.

With regards to subclauses 'c' and 'd', the original application (DA2016/17) received one (1) submission and a petition with 113 signatures. It is noted that whilst there were 113 names on the petition, some of the signatures appeared repetitive indicating one (1) person was signing for other people. Submissions were received from the following premises:

- 86 Water Street, Belfield; and
- 88 Water Street, Belfield.

The modification application was notified as per the CPP to all surrounding neighbours (including the above objectors) and no submissions were received.

Section 4.55(3) of the *Environmental Planning and Assessment 1979* also applies to the modification application. Clause 3 states the following:

- (3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

The reasons for granting consent for the approved development were as follows:

"The Panel undertook a site inspection, reviewed the Council assessment report and considered the applicant's Clause 4.6 Variation request and agreed with the recommendation to approve the development.

The Panel acknowledged the irregular T shape of the site. The Panel accepts the Clause 4.6 variation request and considered it resulted in a better planning outcome. The proposed setbacks and landscaping further reduced the visual impacts and bulk and scale on the adjoining low density detached dwellings.

Conditions addressing additional landscaping and improved visual amenity of the eastern and western walls of Punchbowl Road were agreed.”

Considering the nature of the proposed modification, the above reasons for granting consent apply. The proposed modification retains the approved land use as a mixed use building. The nature and extent of works proposed ensure that the modification reflects similar compliance as the approved development, with regard to the relevant planning provisions and considerations, including those under the State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65), SLEP 2012 and SCDGP 2005. Essentially, the proposed modification retains a near identical design as the approved built form and as such, is similar in terms of its response to the site’s constraints and context and the generation of potential environmental and social impacts. The proposed modification remains consistent and compatible with the other modern built forms along Parramatta Road and immediate locality and is considered an appropriate and acceptable planning outcome.

Section 4.15 Assessment – EP&A Act 1979

The following is an assessment of the application with regard to Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*.

(1) *Matters for consideration – general*

In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provision of:***
- (i) *any environmental planning instrument,***

State Environmental Planning Policy (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

An amended BASIX Certificate was submitted as part of the modification application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

State Environmental Planning Policy (Infrastructure) 2007

The original application was identified as integrated development under Clause 101 of the State Environmental Planning Policy (Infrastructure) 2007 as it has frontage to a classified road (Punchbowl Road). Concurrence was received from TfNSW for the original application on 19 April 2017. The recommendations within the concurrence were included in the original consent. As per above, the TfNSW advised that these recommendations remain applicable to the proposed modification.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider the suitability of the site in its current state, contaminated state or following the completion of remediation works for the purpose for which development consent is being sought. The site has a history of industrial use and as such has the potential to be contaminated. The original development application was supported by a Phase 2 Environmental Site Assessment prepared by Environmental Investigation Services. The report found that the site can be made suitable for the proposed development, subject to compliance with the recommendations of the report which included the preparation of a Remediation Action Plan, Validation Assessment and a Hazardous Materials Assessment. These requirements were imposed through conditions of consent. The subject modification application is not anticipated to trigger requirements for additional investigations beyond those already required by condition.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

Clause 115 of the Environmental Planning and Assessment Regulation 2000 contains the following provisions that apply to the proposed modifications:

“(3) In addition, if an application for the modification of a development consent under section 4.55 (2) or section 4.56 (1) of the Act relates to residential apartment development and the development application was required to be accompanied by a design verification from a qualified designer under clause 50 (1A), the application must be accompanied by a statement by a qualified designer.

(3A) The statement by the qualified designer must—

(a) verify that he or she designed, or directed the design of, the modification of the development and, if applicable, the development for which the development consent was granted, and

(b) provide an explanation of how—

(i) the design quality principles are addressed in the development, and

(ii) in terms of the Apartment Design Guide, the objectives of that guide have been achieved in the development, and

(c) verify that the modifications do not diminish or detract from the design quality, or compromise the design intent, of the development for which the development consent was granted.

(3B) If the qualified designer who gives the design verification under subclause (3) for an application for the modification of development consent (other than in relation to State significant development) does not verify that he or she also designed, or directed the design of, the development for which the consent was granted, the consent authority must refer the application to the relevant design review panel (if any) for advice as to whether the modifications diminish or detract from the design

quality, or compromise the design intent, of the development for which the consent was granted.”

With regard to the above, the applicant confirmed that the qualified designer for the proposed modification did not direct the design of the approved development. Accordingly, the modification application was referred to and assessed by the DRP.

The proposed modification was assessed against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide (ADG). A summary of this assessment is contained in the table below:

Principle	Objective	Proposed
Context and neighbourhood character	<p>Responding to context involves identifying the desirable elements of an area's existing or future character.</p> <p>Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>The proposed modification is considered to appropriately respond to the local context and the desired future character of the area.</p> <p>The proposed modification involves numerous (but minor) changes to the building with the most notable change being commercial and retail units on the ground floor and the façade treatments presented to Punchbowl Road.</p> <p>The proposed changes to the commercial and retail units are considered a desirable planning outcome given that the amended size of these units are more generous, appropriate facilities are provided and the finished floor levels appear to relate better with the existing topography and eliminate the need for excess ramps and steps. Accordingly, compliance with BCA in relation to accessibility is further improved by the modified design.</p> <p>The new façade treatments clarify the conceptual materials and finishes that were originally approved as these provide suitable detail on the actual materiality and colouration. The DRP confirmed that the proposed façade treatments are appropriate and acceptable.</p>
Built form and scale	<p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p>	<p>The proposed modification does not involve any changes to the built form that would result in changes to its compliance with the maximum building height and maximum floor</p>

Principle	Objective	Proposed
	<p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>space ratio provisions under the SLEP 2012. The slight extension of the Lower Ground Floor to encompass the basement levels below is considered minor in nature and comprise of storage and service rooms and access to these spaces. It is noted that this extension is located at the rear of the site and is not visible from any street/public domain. Therefore, the bulk and scale and general presentation of the modified building is near identical to the approved development.</p> <p>The number of residential, commercial and retail units are unchanged. The applicant confirmed that <i>"the increased areas within the approved commercial and retail units were achieved through the rationalisation of the approved ground floor design by way of the following:</i></p> <ul style="list-style-type: none"> <i>• Inclusion of individual disability compliant water closets and adjoining kitchenettes within tenancies allowing for the subsequent removal of individual lobby water closets</i> <i>• Removal of individual lobby cleaners rooms with communal area provisions provided within basement; and</i> <i>• Internal level changes associated with the reduction of ramping and stair requirements in with original design within commercial and retail units changed layout is contained wholly within the approved building footprint."</i>
Density	Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.	As above.

Principle	Objective	Proposed
	<p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	
Sustainability	<p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The proposal complies with BASIX and provides good solar access and natural ventilation to heat and cool the building alongside building products which provide high insulation properties. This is demonstrated by the amended BASIX certificate provided.</p>
Landscape	<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p>	<p>The proposed modification does not involve any changes to the approved landscaping treatments surrounding the built form.</p> <p>The proposed modification results in a similar and desirable outcome in terms of amenity for future occupants and contributing to landscape character of the streetscape and neighbourhood as the approved development.</p>

Principle	Objective	Proposed
	Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	
Amenity	<p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>The proposed modification is considered an acceptable design outcome that provides internal and external amenity for both occupants and neighbours. The proposed modification does not result in additional overshadowing, visual amenity or privacy impacts.</p> <p>The increased areas within the balconies do not result in an extension of these balconies into the approved setback zones and only incorporate the small, unusable portions. The proposed changes to the balconies satisfy the minimum balcony size and dimension requirements under the ADG and will result in similar privacy impacts as the approved development.</p> <p>The approved communal open spaces remain identical to the approved development.</p>
Safety	<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposed modification involves minimal changes that do not affect this aspect of the ADG. As with the approved development, balconies are orientated to overlook the public domain and ground level private open space to optimise safety and security within the development.</p>

Principle	Objective	Proposed
Housing diversity and social interaction	<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>The proposed modification does not alter the approved apartment mix nor the communal spaces and transient zones.</p> <p>With respect to housing diversity and social interaction, the proposed modification provides the same design outcome as per the approved development and affords the similar opportunities for social interaction amongst future occupants.</p>
Aesthetics	<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The proposed modification results in a building that is appropriately designed and articulated. The proposed modification incorporates a mixture of rendering and fibre cement external walls, timber and metal cladding, metal/colourbond balustrades, aluminium window frames and glazing. These materials and the proposed colouration will result in a contextually appropriate, well-designed and presented building that respects the surrounding area, and will have suitable longevity.</p>

Apartment Design Guide

An assessment of the modification application against the relevant design criteria of the Apartment Design Guide has been undertaken in the tables below.

Design Criteria	Required	Proposed	Compliance
3B – Orientation	<p>Responsive to streetscape and site.</p> <p>Designed to optimise solar access and minimise overlooking.</p> <p>4 hours solar access retained to neighbouring</p>	<p>The orientation of the development remains as approved. The extension of the Lower Ground Floor to encompass the basement levels below will have negligible impacts in</p>	Yes.

Design Criteria	Required	Proposed	Compliance
	buildings or does not further reduce solar access by more than 20%	terms of solar access and overshadowing.	
3C – Public Domain Interface	<p>Direct street entry to ground floor apartments.</p> <p>Balconies/windows orientated to overlook the public domain.</p> <p>Front fence design is permeable.</p> <p>Opportunities for concealment minimised.</p> <p>Services concealed.</p> <p>Access ramps minimised.</p>	<p>No significant change from the approved development; however, the finished floor levels of the commercial and retail units have been modified to eliminate the need to internal steps/ramping within these units.</p>	Yes and predominantly unaltered.
3D – Communal Open Space	<p>Min. 25% (1,393m²) – Site area 5,572m²</p> <p>Min 2h to 50% communal open space at mid-winter</p> <p>Consolidated area</p>	<p>31.2% (1,740m²) of communal open space provided. Communal open space remains as approved.</p>	Yes and is unaltered.
3E – Deep Soil Zones	<p>Min. 7% (390.04m²) Site area 5,572m²</p> <p>6m min. dimension</p>	<p>15.4% (860m²) deep soil landscaping retained in the approved development.</p>	Yes and is unaltered.
3F – Visual Privacy	<p>Up to 4 storeys:</p> <ul style="list-style-type: none"> • 12m between habitable rooms/ balconies • 9m between habitable and non-habitable rooms • 6m between non-habitable rooms 	<p>The overall building design and separations remain as approved.</p>	Yes and is unaltered.

Design Criteria	Required	Proposed	Compliance
	Up to 8 storeys: 9-18m <ul style="list-style-type: none"> • 18m between habitable rooms/ balconies • 12m between habitable and non-habitable rooms • 9m between no-habitable rooms 		
3G – Pedestrian Access and Entries	Entry addresses public domain. Clearly identifiable. Steps and ramps integrated into building design.	The pedestrian access and entry remains as approved.	Yes and is unaltered.
3H – Vehicle Access	Integrated into façade. Visual impact minimised. Entry behind the building line or from secondary frontage. Clear sight lines. Garbage collection screened. Pedestrian and vehicle access separated.	The vehicle access remains as approved.	Yes and is unaltered.
3J – Bicycle and Car Parking	Within 800m of a railway station: Min RMS Rate applies: Secure undercover bicycle parking should be provided that is easily accessible from both	The approved bicycle spaces are not proposed to change. The site is not within 800m of a railway station. Therefore car parking rates in accordance with	Yes and is unaltered. Refer to Part I of SCDGP 2005.

Design Criteria	Required	Proposed	Compliance
	the public domain and common areas.	Council's DCP rates apply.	
4A – Solar and Daylight Access	<p>Min. 70% receive 2 hours solar access. Max. 15% units have no solar access.</p> <p>Light wells, skylights and highlight windows.</p>	<p>71% of the apartments receive 2hrs of direct sunlight to their living rooms and private open space in mid-winter.</p> <p>The modification complies with a maximum of 15% of the apartment having no solar access.</p>	Yes and unchanged from previous approved modification (DA2016/17/02).
4B – Natural Ventilation	<p>Min. 60% are cross ventilated in first 9 storeys. Cross-over/ Cross-through max 18m depth Light wells are not the primary source of ventilation for habitable rooms Single aspect units have limited depth to maximise ventilation</p>	<p>61% of the apartments are cross-ventilated.</p> <p>The maximum crossover/ cross-through depth is 13.5m.</p> <p>No light wells have been relied upon for ventilation and single aspect units have been minimised in depth to maximise ventilation.</p>	Yes and unchanged from previous approved modification (DA2016/17/02).
4C – Ceiling Heights	<p>Habitable: 2.7m Non-habitable: 2.4m Mixed use: 3.3m ground floor</p>	Minimum 2.7m floor to ceiling heights to habitable rooms.	Yes and unaltered.
4D – Apartment Size and Layout	<p>1 bed: 50m² 2 bed: 70m² 3 bed: 90m² Additional bathrooms +5m².</p> <p>Each habitable room must have a window >10% floor area of the room.</p> <p>Habitable room depths = max 2.5 x ceiling height. Or if open plan layout = max 8m from a</p>	No changes to apartment sizes and layout.	Yes and unaltered.

Design Criteria	Required	Proposed	Compliance
	window. Master bed: min 10m ² Other bedroom: min 9m ² Living rooms min. width: Studio and 1 bed: 3.6m, 2 and 3 bed: 4m. Crossover/through: min 4m		
4E – Private Open Space and Balconies	1 bed: 8m ² , min depth 2m 2 bed: 10m ² , min depth 2m 3 bed: 12m ² , min depth 2.4m	The proposed increases to the balconies comply with the minimum requirements.	Yes
4F – Acoustic Privacy	Max. 8 apartments off a single core >10 storeys: max 40 units/ lift	A maximum of 8 apartments are off a single core.	Yes and unaltered.
4G – Storage	Studio: 4m ³ 1-bed: 6m ³ 2-bed: 8m ³	The storage for the residential units remain as approved. The additional storage gained in the Lower Ground Floor will further improve amenity.	Yes
4J – Noise and Pollution	Site building to maximise noise insulation. Noise attenuation utilised where necessary.	An acoustic report accompanied the original application in order to address traffic noise from Punchbowl Road. A condition of consent was imposed requiring the acoustic report to be updated to reflect the amended design.	Yes, subject to conditions.
4K – Apartment Mix	Variety of apartment types. Appropriate apartment mix. Different apartments distributed	Unchanged.	Yes and unaltered.

Design Criteria	Required	Proposed	Compliance
	throughout the building.		
4L – Ground Floor Apartments	Direct street access. Casual surveillance whilst providing privacy.	This modification application does not involve any changes to the ground floor apartments.	Yes and unaltered.
4M – Facades	Composition of building elements. Defined base, middle and top. Building services integrated into the façade.	As confirmed by DRP, the proposed changes to the façade treatments are appropriate and provide sufficient articulation, modulation, visual interest and presentation.	Yes
4N – Roof Design	Roof design integrated into the building. Incorporates sustainability features. May include common open space.	No change is proposed to the approved roof form.	Yes and unaltered.
4O – Landscape Design	Responsive to streetscape. Viable and sustainable.	The proposed modification does not involve any changes to the approved landscape design.	Yes and unaltered.
4P – Planting on Structures	Appropriate soil profiles and structural design Irrigation and drainage systems	This modification does not involve any changes to the design of plantings on structures.	Yes and unaltered.
4Q – Universal Design	Variety of adaptable apartments	No changes proposed for the approved adaptable units.	Yes and unchanged from previous approved modification (DA2016/17/02).
4U – Energy Efficiency	Adequate natural light to habitable areas	A compliant amended BASIX certificate was submitted.	Yes.
4V – Water Management and Conservation	Efficient fixtures/ fitting WSUD integrated	A compliant amended BASIX certificate was submitted.	Yes.

Design Criteria	Required	Proposed	Compliance
	Rainwater storage and reuse		
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	The modification application will result in a minor increase in the amount of waste generated by the site. Conditions of consent have been modified/added to ensure adequate waste storage is provided and the amended Waste Management Plan is reflected in the modified design.	Yes.
4X – Building Maintenance	Material selection reduces ongoing maintenance costs.	No significant change from the approved DA.	Yes.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012 (SLEP 2012)

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

Cl. 1.2(2)	Aims	Complies
(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f)	<i>To identify and protect environmental and cultural heritage</i>	N/A
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

The development as modified by the subject modification application is consistent with the general aims of the SLEP 2012 being a quality mixed use building providing employment and housing opportunities.

Permissibility

The subject site is within the B2 – Local Centre zone under the SLEP 2012.

The proposal does not modify the approved uses on the site, including a mixed use building (residential flat building and commercial and retail premises), which are permissible land uses within the B2 – Local Centre zone.

Zone Objectives

An assessment of the proposal against the objectives of the B2 – Local Centre zone is included below:

Objectives	Complies
➤ <i>To provide a range of retail, business, entertainment and community uses that serve</i>	Yes
➤ <i>To encourage employment opportunities in accessible locations.</i>	Yes
➤ <i>To maximum public transport patronage and encourage walking and cycling.</i>	Yes

The proposed modification meets the above objectives of the B2 – Local Centre zone.

Part 4 – Principal Development Standards

Clauses	Requirements	Approved	Proposed	Complies
4.1A Min. lot sizes for residential flat buildings	1000m ²	5,572m ²	5,572m ²	Yes and unchanged.
4.3 Height of buildings	Rear portion: 13m	Rear portion: 15.3m	Rear portion: 15.3m	No and unchanged.
	Front portion: 16m	Front portion: 22.8m	Front portion: 22.8m	No and unchanged.
4.4 Floor space ratio	Rear portion: 1.4:1 (3,787m ²)	Rear portion: 1.47:1 (3,976m ²)	Rear portion: 1.47:1 (3,976m ²)	No and unchanged.
	Front portion: 3:1 (8,124m ²)	Front portion: 2.84:1 (7,690m ²)	Front portion: 2.84:1 (7,690m ²)	Yes and unchanged.

Part 5 – Miscellaneous Provisions

The provisions under Part 5 of the SLEP 2012 are not relevant to the proposed modification.

Part 6 – Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as having Class 5 soils and is located within 500m of Class 4 acid sulfate soils. The proposal is not located on land below RL 5 AHD and therefore, the original development application, and the subject modification application was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP 2012.

Earthworks

The proposed modification does not involve any additional earthworks beyond the original approval. The additional car parking spaces proposed are provided by way of reconfiguring the approved basement, rather than by enlargement of the approved basement. Therefore, the proposal is still considered to comply with the objectives of this Clause.

Flood Planning

The north-western portion of the site is within the 1 in 100-year overland flow path for the Coxs River and Coxs Creek Flood Area. The original application was considered to be designed in accordance with the objectives of this Clause, and given the extent of the modifications proposed, and that the modifications are contained within the approved building footprint, it is considered that there is no change to the original assessment of the proposal against the objectives of this Clause.

Essential Services

The subject site is considered to be adequately serviced for the purposes of the proposed development as modified.

- (ii) *any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and***

There are no draft planning instruments that are applicable to this site.

- (iii) *any development control plan,***

Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005)

Part C – Multiple-Unit Housing, Part H – Waste Minimisation and Part I – Parking of the SCDCP 2005 are of relevance to the assessment of the modification application.

Part C – Multiple- Unit Housing (SCDCP 2005)

Clause 6A of SEPP 65 confirms that in the event of any inconsistency between the controls of the ADG and any development control plan, the objectives, design criteria and design guidance set out in the ADG prevail.

This confirms that if the SCDCP 2005 contains provisions that specify requirements, standards or controls in relation to the following matters, those provisions are of no effect:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,

- (f) private open space and balconies,
- (g) natural ventilation,
- (h) storage,
- (l) parking.

These matters, as of relevance to the proposed modification, have been addressed in the ADG assessment above where it has been determined that the proposal is satisfactory.

The remaining matters of relevance provided in the DCP are addressed in the table below. It is noted that the DCP has not been updated since the up-zoning of the land along Punchbowl Road and as such many of the controls are no longer relevant to the assessment of the application as they are in conflict with the LEP controls and as such are overridden.

Section	Development Control	Required	Proposed	Compliance
2.2	Building street setback and site requirements	Minimum width 30m Minimum arterial road frontage 25m Minimum site area 1,000m ²	Width varies from 45-81m 81m Area: 5,572m ²	Yes – unchanged.
	Building envelope and setbacks	3.5m vertically at boundary and project inwards at 45°.	ADG prevails.	N/A
2.3	Dwelling unit and building design	15% of the development is required to be designed as adaptable housing for older people or people with disabilities.	ADG prevails.	N/A
		No single building should have a continuous wall length of more than 30m without separation.	The building features appropriate articulation and modulation.	Yes – unchanged.
		Walls greater than 10m in length to be broken down or staggered.	As per above.	Yes – unchanged.
		Parking for people with disabilities.	Accessible parking spaces provided within the basement levels.	Yes
		Building materials and finishes are to be sympathetic to/with the adjoining buildings and streetscape.	The external materials and finishes, as modified, are sympathetic to the adjoining buildings and streetscape character.	Yes
	Unit sizes and lot layout	1 bed = 70m ² 2 bed = 85m ² 3 bed = 100m ² More than 3 bed = 110m ²	ADG prevails	N/A

Section	Development Control	Required	Proposed	Compliance
2.4	Energy efficiency	Application is required to provide a NatHERS certificate. Each dwelling must achieve 3.5 star NatHERS rating.	An amended BASIX certificate was provided. Refer to BASIX SEPP discussion.	Yes
2.4	Solar access	50% of the principle private open space achieves a minimum of three (3) hours solar access during the winter solstice.	Solar access in ADG prevails.	N/A
		Solar access to habitable rooms and private open space of adjoining properties be provided for a minimum of three (3) hours during winter solstice.	Solar access in ADG prevails.	N/A
	Natural space heating and cooling	Reduce the need to artificially heat and cool dwellings.	The proposed modification achieves the minimum cross ventilation and solar access requirements as per the ADG.	Yes – unchanged.
	Natural lighting	Reduce reliance on artificial lighting.	As above.	Yes
	Water management	Mandatory water storage 10 dwell= 500lt / dwell each dwell thereafter = 250 lt / dwell	As per BASIX Certificate.	Yes
2.5	Streetscape orientation	Compatible with the existing character and address the street frontage.	The proposed modification is considered compatible with the existing streetscape character and provides a similar presentation to the street as the approved development.	Yes
		Dwellings facing the street will have frontage and apparent access.	Ground floor units – particularly the retail and commercial units feature entrances and	Yes

Section	Development Control	Required	Proposed	Compliance
			glazing to address the street.	
2.7	Open space and landscaping	RFBs – Landscaped area does not include any area for driveways, parking, side setback less than 1.2m in width, pools, outbuildings.	ADG prevails.	N/A
		At least 60% of the landscaped area must remain as unpaved 'soft' landscaping.	ADG prevails.	N/A
		35% of the landscaped area is to be provided as deep soil landscaping this excludes basement underneath areas.	ADG prevails.	N/A
		10% of the site area is to be provided as communal open space, with a minimum dimension of 7m.	ADG prevails.	N/A
		RFBs – where dwellings do not have access to ground level open space at least one (1) main balcony is to have a size of 122 (up to 2 bed) and 15m ² (3 or more bed). Balconies must have a depth of 2m.	ADG prevails.	N/A
2.8	Privacy and security	Windows are not to be located less than 9m apart from other dwellings.	ADG prevails.	N/A
		Windows to be offset from adjoining dwelling by 0.5m; Have a sill height of 1.7m; or have obscure glazing to a height of 1.7m.	ADG prevails.	N/A
		Bedrooms not to adjoin living rooms/ garages of	ADG prevails.	N/A

Section	Development Control	Required	Proposed	Compliance
		adjoining dwellings.		
		A balcony on the second storey of a townhouse must not overlook and adjoining property	ADG prevails.	N/A
		Locked Shared pedestrian entries.	ADG prevails.	N/A
		Casual surveillance of street and public areas.	ADG prevails.	N/A

Part H – Waste Minimisation (SCDCP 2005)

Council's Waste Officer's advised that a minimum of 23 x 660L bins must be provided for general waste and 31 x 240L bins (an increase in 3 x 240L bins) are to be provided for recycling waste for the residential use. The residential bin collection room within the basement level, as annotated on the amended plans, is insufficient in size. Condition 8b was endorsed in a previous modification (DA2016/017/01 – approved 7 June 2018) to ensure that the size of this room is amended to be of sufficient size in order to accommodate the minimum bin numbers and related collection of these bins. Council's Waste Officer recommended continued endorsement of this condition; except with regard to the bulk storage room, which has been increased in size as per the amended plans.

Part I – Car Parking (SCDCP 2005)

The commercial and retail components of the development are proposed to be modified, however; Council's Traffic Engineer confirmed that the proposed car parking spaces demonstrate compliance against the requirements and rates as per the SCDCP 2005.

(iv) Any matters prescribed by the regulations, that apply to the land to which the development application relates,

The provisions of this clause are not relevant to the modification and have been addressed/considered as part of the original development consent.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The proposed development, as modified, is of a scale and character that is in keeping with other developments being constructed in the locality. Accordingly, the proposal is not considered to have a significant impact on the natural and built environment or any negative social or economic impacts on the locality.

(c) the suitability of the site for the development,

It is considered that the proposed development, as modified, is of a scale and design that is suitable for the site having regard to its size and shape, its topography, vegetation and relationship to adjoining developments.

(d) any submissions made in accordance with this Act or the regulations,

In accordance with the provisions of Council's CPP, the application was placed on neighbour notification for a period of 14 days where adjoining property owners were notified in writing of the proposal and invited to comment. No submissions were received during the notification period.

(e) the public interest.

The proposed development, as modified, is of a scale and character that does not conflict with the public interest.

Local Infrastructure Contributions

Section 7.13 of the *Environmental Planning and Assessment Act 1979* relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. This section prescribes in part as follows:

A consent authority may impose a condition under Section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

STRATHFIELD SECTION 7.11/7.12 CONTRIBUTIONS PLAN

Section 7.11 Contributions apply to the proposed modification in accordance with the Strathfield Direct Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$262,350.28
Provision of Major Open Space	\$1,267,196.44
Provision of Local Open Space	\$278,747.57
Provision Roads and Traffic Management	\$45,898.89
Administration	\$24,922.05
TOTAL	\$1,879,880.24

It is noted that the difference from the original fee is provided in the modified condition.

Signed:

**M Rivera
Planner**

Date: 21 October 2020

☒ I confirm that I have determined the abovementioned development application with the delegations assigned to my position;

- ☒ I have reviewed the details of this modified development application and I also certify that Section 7.11/7.12 Contributions are applicable to this development and have been levied accordingly;

Report and recommendations have been peer reviewed and concurred with.

Signed:
J Gillies
Senior Planner

Date: 27 October 2020

Conclusion

The application for modification has been assessed having regard to the Heads of Consideration under Section 4.15 (1) of the *Environmental Planning and Assessment Act 1979*, the provisions of the SLEP 2012 and SCDP 2005.

Recommendation

Pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, the proposed modification(s) to Development Consent No. 2016/017 involving the modification of the basement level, reconfiguration of commercial and residential layouts and revision of external finishes for the approved mixed use development at 27-35 Punchbowl Road, Belfield be **APPROVED**, subject to:

1. The original conditions of consent Application (DA2016/017) as approved by Sydney Central Planning Panel on 15 June 2017 for demolition and construction of a 4-7 storey mixed use building comprised of 5 retail suites and (111) apartments, with basement parking for 221 cars.
2. As modified by the Section 4.55(2) application (DA2016/017/1) approved by the Strathfield Local Planning Panel;
3. As modified by the Section 4.55(2) application (DA2016/017/2) involving:
 - Modify Condition 1 relating to the approved plans;
 - Amend Condition 8 relating to the minimum number of waste bins;
 - Amend Condition 15 relating to Section 7.11 contributions; and
 - Amend Condition 18 relating to minimum number of car parking space.
4. As modified by the Section 4.55(2) application (DA2016/017/04) as follows:
 - Modify Development Description;
 - Modify Condition 1 relating to the approved plans;
 - Modify Condition 8b relating to the bulk storage room;

- Modify Condition 8d relating to water meters;
- Modify Condition 15 relating to Section 7.11 contributions;
- Modify Condition 18 relating to number of parking spaces;
- Modify Condition 21 relating to the security gates/shutter; and
- Delete Condition 31.

Accordingly, Development Consent No.2016/017 is approved as following:

Revised Development Description:

Demolition and construction of a 4-7 storey mixed use building comprised of 5 retail suites and (122) apartments, with basement parking for ~~234~~ **239** cars.

MODIFIED BY: DA2016/017/04 30 October 2020

Condition No.1

Plans

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

1. Existing/Demolition Plan, Drawing No. A-180, Rev G, prepared by Olsson & Associates Architects, dated 26/4/17.

~~Basement 2, Drawing No. A-2B2, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Basement 1, Drawing No. A-2B1, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Lower Ground Level, Drawing No. A-201, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Ground Level, Drawing No. A-202, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Upper Ground Level, Drawing No. A-203, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Level 2, Drawing No. A-204, Rev 6, prepared by Olsson & Associates Architects, dated 11/4/2019, received by Council 14 April 2019.~~

~~Level 3, Drawing No. A-205, Rev 6, prepared by Olsson & Associates Architects, dated 11/4/2019, received by Council 14 April 2019.~~

~~Level 4, Drawing No. A-206, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Level 5, Drawing No. A-207, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Level 6, Drawing No. A-208, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Roof Plan, Drawing No. A-209, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Adaptable Apartments, Drawing No. A-250, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~N-S Elevations, Drawing No. A-301, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~E-W Elevations, Drawing No. A-302, Rev 6, prepared by Olsson & Associates Architects, dated 11/04/2019, received by Council 14 April 2019.~~

~~Privacy Screens, Drawing No. A-310, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Sections I, Drawing No. A-401, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Sections II, Drawing No. A-402, Rev 5, prepared by Olsson & Associates Architects, dated 29/10/2018, received by Council 22 November 2018.~~

~~Materials & Finishes, Drawing No. A-501, Rev 3, prepared by Olsson & Associates Architects, dated 28/2/2018, received by Council 7 March 2018.~~

Drawing A-0201A – Basement 2 Plan Sheet 1, Revision 10, prepared by SWA Group, dated 10.06.2020

Drawing A-0201B – Basement 2 Plan Sheet 2, Revision 09, prepared by SWA Group, dated 10.06.2020

Drawing A-0202A – Basement 1 Plan Sheet 1, Revision 10, prepared by SWA Group, dated 10.06.2020

Drawing A-0203B Drawing A-0203A – Lower Ground Floorplan Sheet 1, Revision 12, prepared by SWA Group, dated 07.10.2020

**Drawing A203B – Lower Ground Floorplan Sheet 2, Revision 12,
prepared by SWA Group, dated 10.06.2020**

**Drawing A-0204A – Ground Level Floorplan Sheet 1, Revision 08,
prepared by SWA Group, dated 10.06.2020**

**Drawing A-0204B – Ground Level Floorplan Sheet 2, Revision 09,
prepared by SWA Group, dated 10.06.2020**

**Drawing A-0205A – Upper Ground Floorplan Sheet 1, Revision 07,
prepared by SWA Group, dated 10.06.2020**

**Drawing A-0205B – Upper Ground Floorplan Sheet 2, Revision 08,
prepared by SWA Group, dated 10.06.2020**

**Drawing A-0206A – Level 2 Floorplan Sheet 1, Revision 07, prepared by
SWA Group, dated 10.06.2020**

**Drawing A-0206B – Level 2 Floorplan Sheet 2, Revision 08, prepared by
SWA Group, dated 10.06.2020**

**Drawing A-0207A – Level 3 Floorplan Sheet 1, Revision 07, prepared by
SWA Group, dated 10.06.2020**

**Drawing A-0207B – Level 3 Floorplan Sheet 2, Revision 09, prepared by
SWA Group, dated 17.08.2020**

**Drawing A-0208A – Level 4 Floorplan Sheet 1, Revision 07, prepared by
SWA Group, dated 10.06.2020**

**Drawing A-0208B – Level 4 Floorplan Sheet 2, Revision 08, prepared by
SWA Group, dated 17.08.2020**

**Drawing A-0209 – Level 5 Floorplan Sheet 1, Revision 08, prepared by
SWA Group, dated 17.08.2020**

**Drawing A-0210 – Level 6 Floorplan Sheet 1, Revision 07, prepared by
SWA Group, dated 10.06.2020**

**Drawing A-0211 – Roof Plan Sheet 1, Revision 08, prepared by SWA
Group, dated 17.08.2020**

**Drawing A-0212A – Site Plan Sheet 1, Revision 02, prepared by SWA
Group, dated 17.08.2020**

**Drawing A-0212B – Site Plan Sheet 2, Revision 02, prepared by SWA
Group, dated 17.08.2020**

**Drawing A-0230 – Materials & Finishes, Revision 01, prepared by SWA
Group, dated 10.06.2020**

Drawing A-0301 – North Elevation, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0302 – South Elevation, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0303 – East Elevation, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0304 – West Elevation, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0401 – Section 01, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0402 – Section 02, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0403 – Section 03, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0404 – Section 04, Revision 04, prepared by SWA Group, dated 17.08.2020

Drawing A-0405 – Section 05, Revision 04, prepared by SWA Group, dated 17.08.2020

~~Landscape Plan LA-01, Issue 4, prepared by Jila, dated 17/11/2017, received by Council 7 March 2018.~~

~~Landscape Plan LA-02, Issue 4, prepared by Jila, dated 17/11/2017, received by Council 7 March 2018.~~

Landscape Plan 1, job/drawing no. 79.20/147'A', prepared by iScape Landscape Architecture and dated September 2020

~~Drainage Plans, Revision B, Drawing Nos, H-01 – H-14, Sheets 1/14 – 14/14, prepared by Green Arrow, dated 26.4.2017~~

Stormwater Management Plan – Basement 2, C100, Rev B, prepared by Xavier Knight and dated 22 May 2020

Stormwater Management Plan – Basement 1, C101, Rev B, prepared by Xavier Knight and dated 22 May 2020

Stormwater Management Plan – Lower Ground Floor, C102, Rev B, prepared by Xavier Knight and dated 22 May 2020

Drainage Details – Sheet 1, C200, Rev B, prepared by Xavier Knight and dated 22 May 2020

Drainage Details – Sheet 2, C201, Rev B, prepared by Xavier Knight and dated 22 May 2020

Drainage Details – Sheet 3, C202, Rev B, prepared by Xavier Knight and dated 22 May 2020

Geotechnical Investigation Report prepared by J K Geotechnics, dated 15 January 2016.

Phase 2 Environmental Site Assessment, prepared by Environmental Investigation Services, dated 5 February 2016.

Acoustic Report prepared by Acouras Consultancy, dated 17.11 .2015

Access Compliance Report, Issue F, dated 29/10/2018 prepared by Vista Access Architects, received by Council 22 November 2018.

Waste Management Plan prepared by Elephants Foot Recycling Solutions, dated 13/9/2016.

~~BASIX Certificate No.678913M_05 issued 01 November 2018, received by Council 22 November 2018.~~

BASIX Certificate No.678913M_06, prepared by Certified Energy issued 22 April 2020

BCA Report prepared by Design Right Consulting, dated 29 October 2018, received by Council 22 November 2018.

MODIFIED BY: DA2016/017/04 30 October 2020

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.

Contamination

5. A Remediation Action Plan (RAP) shall be prepared to outline remedial measures for the site as recommended in Section 10 of the Phase 2 Environmental Site Assessment report prepared by Environmental Investigation Services, dated 5 February 2016. The RAP shall include remediation of the lead contamination at BH9 and removal of the UST and associated fuel infrastructure.

6. A Validation Assessment (VA) report shall be prepared on completion of the remediation as recommended in Section 10 of the Phase 2 Environmental Site Assessment report prepared by Environmental Investigation Services, dated 5 February 2016. The VA shall include additional groundwater monitoring following removal of the USTs. A copy of the RAP and VA shall be provided to Council prior to the commencement of any works on the site, other than those required to complete the remediation works.
7. A Hazardous Materials Assessment (Hazmat) as recommended in Section 10 of the Phase 2 Environmental Site Assessment report prepared by Environmental Investigation Services, dated 5 February 2016 shall be prepared for the existing buildings prior to the commencement of demolition work. A copy of the Hazmat shall be provided to Council.

Special Conditions

8. Prior to the issue of a Construction Certificate, amended architectural plans shall be prepared and submitted to the Principal Certifying Authority including the following changes:
 - a. The acoustic report prepared by Acouras Consultancy dated 17 November 2015 shall be updated to address the approved plans and the recommended measures of the report to address traffic noise shall be incorporated into the plans.
 - b. An updated Waste Management Plan which includes:
 - Provision of waste storage room is capable of holding the following:
 - i. (23) x 660L bins for residential general waste; ii. (31) x 240Lbins for residential recycling waste;
 - A minimum of 68m² residential bin collection room.
 - The bulk storage room shall have ~~an~~ **a minimum** area of 48.8m² and be conveniently located for access to the loading dock.

MODIFIED BY: DA2016/017/04 30 October 2020

- c. A roller door with a minimum width of (1.5 m) is to be provided to the waste storage room and the bulky waste room.
- d. ~~A room for~~ **The** provision of individual water meters ~~is to be located at or near ground level~~ **within the approved building and as per the relevant Australian Standard/s.**

MODIFIED BY: DA2016/017/04 30 October 2020

- e. A minimum (23) units throughout the development shall achieve the Liveable Housing Guideline's silver level universal design features.
- f. Unit E502 shall be increased by an additional 3m² in floor space so as to achieve compliance with the minimum 95m² floor space required as per the ADG.

9. **Prior to the issue of a Construction Certificate**, amended landscape plans and details shall be prepared and submitted to the Principal Certifying Authority showing the following changes:

- a. A 10-12m maturity height tree shall be planted adjoining the western boundary opposite Apartment E1 01 ; "(Minimum 1 OOI)"
- b. An additional 15-20m and 10-12m maturity height tree shall be planted adjoining the western boundary, within the deep soil zone in the nature play area (may replace existing proposed tree); "(Minimum 100l),,
- c. 4 x 8-10m maturity height trees shall be planted adjoining the eastern boundary between the residential waste collection room and Apartment E104. Where necessary the hard landscaped areas are to be reduced in size and mounding/raised planter boxes provided to ensure suitable soil area to support the trees; "(Minimum 1 OOI)" (d) An additional 10-12m maturity height tree shall be planted adjoining the western boundary, opposite lobby 4 (to the west of the proposed lemon Scented Gum); "(Minimum 100l)"
- d. The proposed Australian Tree Ferns to the north of Retail Suite 1 in the deep soil area are to be replaced with trees to reach a minimum maturity height of 10m, with a narrow growth habit;
- e. Details are to be provided showing how the retail terraces and shared child play area are to be secured such that the general public cannot enter the remainder of the communal open space of the development. The security measures are not to prevent access by residents of the development (key operated);
- f. The access proposed from Commercial Suite 3 to the communal open space (northern facade) is to be removed and the area between the two smaller retail terraces (to Suites 1 and 2) and the apartment building is to become communal open space accessible only to residents of the development;
- g. A second child play area shall be provided at the north-western corner of the site which is accessible only by residents of the development;
- h. Additional casual seating is to be provided throughout the communal open space areas affording opportunities in the sun and dappled shade;
- i. Planter boxes (minimum 1m wide) shall be provided to separate paved areas within the communal open space area and adjoining private areas of open space; and
- j. BBQ areas are to be provided, with a minimum of 1 BBQ, access to a tap and table and seating for at least 8 persons under a shelter in the following locations:
 - north-west corner of site;
 - north-east corner of site, and
 - to the east of the retail terraces.

Details shall be provided of soil profiles and structural design for planting on slabs, irrigation systems and drainage.

- k. A minimum of 6 native street trees shall be planted along the Punchbowl Road frontage to reach a maturity height of 15 metres (minimum 200L). Street trees shall not be planted between, or within 3 metres of, the driveways and shall not be planted in the area of land to be dedicated for road widening. The trees shall be chosen from Council's recommended tree list.
- l. 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.
- m. 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(1 A) 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
- n. 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.
- o. A Works Permit shall be obtained from Strathfield Council at least five (5) working days prior any work (including demolition, excavation and the erection of site fencing/hording). The approved Works Permit and any approved Construction Traffic Management Plan must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed. The permit must be retained on site at all times.
- p. 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.

- q. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

10. In accordance with the provisions of Section 7.13 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:

The revised S7.11 Contributions for the ~~DA2016/017/02~~ **DA2016/017/04** are as follows:

Provision of Community Facilities	\$ 266,467.37
Provision of Major Open Space	\$ 1,272,051.83
Provision of Local Open Space	\$ 279,643.70
Provision Roads and Traffic Management	\$ 46,619.19
Administration	\$ 25,001.99
TOTAL	\$1,889,784.07

Provision of Community Facilities	\$262,350.28
Provision of Major Open Space	\$1,267,196.44
Provision of Local Open Space	\$278,747.57
Provision Roads and Traffic Management	\$45,898.89
Administration	\$24,922.05
TOTAL	\$1,879,880.24

As the contributions applicable to the original development application (as modified) have been paid, the following additional contributions are applicable under ~~DA2016/017/02~~ **DA2016/017/04**:

Provision of Community Facilities	\$10,235.05
Provision of Major Open Space	\$46,566.43
Provision of Local Open Space	\$10,247.31
Provision Roads and Traffic Management	\$2,480.29
Administration	\$ 1,717.61
TOTAL	\$ 71,246.68

Provision of Community Facilities	\$6,117.96
Provision of Major Open Space	\$42,476.04
Provision of Local Open Space	\$9,351.18
Provision Roads and Traffic Management	\$1,759.99
Administration	\$1,637.67
TOTAL	\$61,342.85

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate **for the modification.**

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Direct Development Contributions Plan may be downloaded from Council's website.

MODIFIED BY: DA2016/017/04 30 October 2020

11. A security payment of \$22,254.00 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 street tree protection bond	\$ 2,000.00
Refundable works bond	\$20,000.00
Non-refundable administration fee (\$127/bd)	\$ 254.00
TOTAL	\$22,254.00

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. installation and maintenance of sediment control measures for the duration of construction activities;
 - c. tree final inspection to ensure that Council's street trees have been retained, protected or replanted in accordance with conditions of consent and/or Arborists' report for the post final inspection twelve (12) month period; 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.
12. 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

13. A total of (234) off-street parking spaces, hard paved, line-marked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

~~Residents: 183~~

~~Visitors: 25~~

~~Retail/commercial: 26~~

TOTAL: 234

Residents: 185

Visitors: 25

Retail/commercial: 29

TOTAL: 239

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

Residential parking spaces shall be designated at a rate of at least one (1) space per 1 and 2 bedroom unit and two (2) spaces per 3 bedroom unit.

If it is proposed to strata subdivide the development in the future, parking designation shall be strictly in accordance with this condition.

MODIFIED BY: DA2016/017/04 30 October 2020

14. Prior to the issue of any Occupation Certificate, fixed signage shall be placed within the basement car park of the building adjacent to the lift stating that Council will not issue residential parking permits for owners and residents of the subject site.
15. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
16. The entry point to the basement carpark area **that is beyond the loading dock and before the residential parking** shall be fitted with security gates/shutter to control the entry and exit of vehicles to and from the basement. Any security gates/shutter shall be designed in order to ensure it is able to be opened remotely by occupants of the building.

MODIFIED BY: DA2016/017/04 30 October 2020

17. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
18. All vehicles entering and leaving the site shall be driven in a forward direction only.
19. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.

20. The vehicle spaces must not be enclosed with walls or meshed security screens without the prior approval of Council.
21. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.
22. 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.
23. Purpose built storage compartment(s) shall be provided to and within each of the resident car parking bays and/or associated dwellings at the following rates:

o 6m³ for each one (1) bedroom unit o 8m³ for each two (2) bedroom unit, and o 10m³ for each unit with three (3) bedrooms or more.

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

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

24. An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition). The suitability of the proposed length and duration of the Works Zone is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

25. A detailed Construction Site Traffic Management Plan (CTMP) must be submitted to and approved by Council, prior to commencement of any site work (including demolition). The approved CTMP must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed.

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

- (a) A description of the demolition, excavation and construction works
- (b) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements

- (c) Any proposed road and/or footpath closures
- (d) Proposed site access locations for personnel, deliveries and materials
- (e) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- (f) Provision for loading and unloading of goods and materials
- (g) Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network
- (h) Impacts of the work and vehicular movements on the road network, traffic and pedestrians
- (i) Proposed hours of construction related activities and vehicular movements to and from the site
OJ Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)
- (k) Any activities proposed to be located or impact upon Council's road , footways or any public place
- (l) Measures to maintain public safety and convenience
- (m) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc).

Drainage/Stormwater

26. ~~The Stormwater Concept Plans do not show a clear connection of the rising main from basement pump well 1 to the OSD tank 1. As such, prior to the issue of a Construction Certificate, an amended stormwater concept plan is to be prepared by a suitably qualified Hydraulic Engineer and submitted to the Principal Certifying Authority for approval demonstrating the following modifications:~~

- ~~(a) Connection of rising main from basement pump well 1 to the OSD tank 1.~~

DELETED BY: DA2016/017/04 30 October 2020

27. 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 Storm water Management Code.

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, prior to the issue of a Construction Certificate.

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 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.

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

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

30. Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
31. For drainage works within public land or connecting to Council's stormwater drainage system the following inspections will be required:-
- (a) After the excavation of pipeline trenches.
 - (b) After the laying of all pipes prior to backfilling.
 - (c) After the completion of all pits and connection points.

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

32. All pits shall be constructed in accordance with Australian Standard AS3500.3.
33. All subsoil drainage must be designed to meet the requirements of AS3500.
34. The proposed basement pump out system capacity shall be capable of handling 4 hours of 1 OOyr ARI storm event and the catchment contributing to it shall be limited to the subsoil drainage and the basement access ramp area only. The pipes under the basement shall not be PVC or HDPE. The rising main shall be connected to the Silt Arrestor Pit. Final details of this system are to be submitted with the Construction Certificate application.
35. Grated drains shall be provided along the basement entry at the vehicular crossing(s) and the terraces on the lower ground floor and are to connect to the internal drainage system.

36. The OSD basin must be graded to drain completely and gradients shall not be less than 1 %. Discharge restriction from the OSD shall be by use of appropriately sized short length of reduced diameter pipe and weir; orifice plate shall not be used and a co-efficient of 0.8 shall be used for design of the pipe. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
37. All surface inlet drains upstream of the on-site detention basin must be designed so that there is no overflow before the storage is full.
38. 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.
39. 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.
40. A Positive Covenant under Section 8BE of the Conveyancing Act shall be created on the title of the property detailing the:
 - a. On-site stormwater detention system **AND**
 - b. All Water Sensitive Urban Design components

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/use of the building.

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

41. Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.
42. The sediment tank shall be inspected quarterly and cleaned as necessary. The accumulated sediment should be disposed off site as per standard practice and National guidelines. A record of quarterly maintenance of the sediment tank shall be kept and produced when requested by Council.
43. A detailed design of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate and shall include, but not be limited to:

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

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

44. All approved stormwater works are required to be carried out in accordance with the conditions of consent, approved construction certificate plans, "Strathfield Council WSUD Reference Guideline" and the Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands (SEQ Healthy Waterways Partnership) Version 1.1 April 2010 or subsequent versions that may be updated.
45. A suitably qualified Engineer is required to inspect and certify the proposed development at the completion of each of the following construction phases (if any):
 - a. Installation of the overflow pit and bulking out/trimming profiling;
 - b. Installation of under drainage;
 - c. Installation of cleanout points;
 - d. Installation of drainage layer;
 - e. Installation of transition layer;
 - f. Installation of filtration media;
 - g. Laying of geofabric protection for build-out phase; (viii) Laying of turf temporary protection layer, and (ix) Final planting.
46. An Operational Management and Maintenance Report is required to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate outlining the proposed long term operational management and maintenance requirements of the 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.
47. The utility services within the area of effect of the proposed drainage works (i.e. gas, water, sewer, electricity, telephone, etc) shall be physically located prior to the commencement of drainage works in Loftus Lane. The relevant authority's written consent for excavation adjacent to their services shall be obtained. Any adjustments required shall be at no cost to Council.
48. A Works Permit shall be obtained from Council's Customer service Centre prior to undertaking any works on public/Council-controlled lands. This includes any work on the nature strip, footpath, driveways, Council's drainage kerb & guttering and roadways.
49. The applicant or any contractors carrying out works in public or Council's controlled lands shall have public liability insurance cover to the value of \$20 million, and shall provide proof of such cover prior to carrying out the works.

50. Upon completion of drainage works within the road reserve full works-as executed plans prepared and signed by a registered surveyor, shall be submitted for Council's approval. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and locations for the drainage structures and works.
51. The affected areas i.e. roadway, nature strip, footpath, kerb & guttering and driveways shall be reinstated to the satisfaction of Manager Infrastructure Planning at no cost to Council.

Public Authority Matters

52. Prior to the issue of an Occupation Certificate all existing overhead electricity and telecommunication cabling adjacent to the development site shall be consolidated into a single Aerial Bundle Cable (ABC) at the applicants' expense in accordance with the specifications of AusGrid and the telecommunications supplier.

Landscaping/Tree Matters

53. The trees listed below shall be retained at all times:

<u>Tree</u>	<u>Location</u>	<u>Protection (m) zone</u>	<u>Excavation (m) zone</u>
Group of 4 Trees noted for retention	5 x 5	Punchbowl Road frontage	4.8
Trees on adjoining properties	-	-	-

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

- a. A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to *AS4687-Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- b. Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with *AS4970-2009: Protection of Trees on Development Sites*.
- c. No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.

- d. The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
 - e. The tree protection zone shall be regularly watered.
 - f. Any major structural roots which are encountered shall be pruned by a qualified Arborist.
 - g. No excavation or construction shall be carried out within the stated *Structural Root Zone* distances from the base of the trunk surface.
 - h. Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.
54. A minimum 600mm deep root deflection barrier shall be provided on both sides of the proposed driveway crossing(s) and footpaths.
55. All noxious weeds on the site shall be removed and destroyed as per their classification under the Noxious Weeds Act.
56. The following listed trees are permitted to be removed to accommodate the proposed development however, any of the trees listed below that are located on adjoining properties must only be removed after consent from the tree's owner has been sought and obtained in writing:

Tree	Height/Spread (m)	Location
3. Eucalyptus saligna	10 x 8	Punchbowl Road frontage
4. Eucalyptus sp.	8 x 5	Eastern Elevation

57. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).
58. 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.
59. Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along side and rear boundaries to provide privacy screening and shall be maintained at all times.
- Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
60. To protect existing trees, masonry fence piers must be setback a minimum 3.0 metre radius from the retained trees on the Punchbowl Rd frontage and all masonry walling between the piers within this zone must be supported on concrete beams (not strip footings).
61. Manual excavation and manual sawing of all roots is required within canopy spread of the retained trees on the Punchbowl Rd frontage.

62. A minimum level 5 (AQF5) Consultant Arborist who is currently a member or is eligible for membership to the *Institute of Australian Consulting Arboriculturists* (IACA) or *Arboriculture Australia* (AA) is to be contracted by the applicant to undertake/monitor pruning of the required branches of the retained trees on the Punchbowl Rd frontage.
63. Prior to the issue of an occupation certificate the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape implementation plan certifying that landscaping has been provided accordance with the landscape plan prepared by Jane Irwin Landscape Architect (Drawing No. LA-01, Rev 3) 19/4/17, as amended by conditions of this consent and the Landscape provisions contained within section 10.0 of Part A of the Strathfield Council Development Control Plan.

Construction Matters

64. Prior to the commencement of any construction or demolition work, the Applicant or principal contractor must, subject to obtaining permission from the respective property owners, provide dilapidation reports prepared by a suitably qualified person (such as a structural engineer), on the buildings located on any lot adjacent to the subject site, inclusive of ancillary structures. A copy of the respective report must be provided to the Principal Certifying Authority and neighbouring property owners that are the subject of that report.
65. 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.
66. 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).
67. 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.
68. 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.
69. 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.
70. 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.

71. 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.
72. 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;
- the location and level of nearby foundations and footings (site and neighbouring);
 - proposed method of excavation;
 - Permanent and temporary support measures for excavation;
 - Potential settlements affecting footings and foundations;
 - Ground water levels (if any);
 - Batter slopes;
 - Potential vibration cause by method of excavation; and
 - De-watering including seepage and offsite 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.

73. 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.
74. 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.

Building Matters

75. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street. If it is proposed to strata subdivide the building, the lot numbers and unit numbers shall be the same as those

nominated on the approved plans and be in accordance with Council's requirements. For strata subdivision, parking spaces shall have the same lot number as the residential portion and shall not be numbered separately.

76. Prior to the issue of an Occupation Certificate, the applicant shall submit evidence to the Principal Certifying Authority that a Master TV antenna has been installed on the roof of the building that services all apartments.

Sustainability

77. 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

78. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
79. 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.
80. 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.
81. 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

82. 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.
83. Each 12 months after the installation of essential fire or other safety measures, the owner of a building must submit an Annual Fire Safety Statement for the building to Council. In addition a copy of the statement must be given to the NSW Fire Commissioner and a copy displayed prominently in the building.

Hoardings

84. If 'A' type hoarding is to be erected about the building site, it is to comply with NSW Workcover's requirements; shall have a minimum height of 1.8 m and comply with AS1725-2003 (Galvanized Rail-Less Chain-Wire Security Fences

and Gates) or AS 4687-2007 (Temporary Fencing and Hoardings). Inverted trench mesh is not an acceptable 'A' type hoarding and as such does not satisfy AS 1725-2003 and as such shall not be installed to the building site.

85. An overhead 'B' type hoarding shall be constructed where buildings over 7.5 m in height above the footpath level and within 3.6 m of the street alignment are being erected or demolished or where the outer part of such a building adjoining a public way is being altered. Where the height of the building or the position of the site is such that danger is likely to occur from falling objects, additional safety hoarding shall be provided to the satisfaction of the principal certifying authority and Workcover NSW.
86. An overhead 'B' type hoarding shall be constructed where material is being hoisted over or across a public way.
87. The following additional requirements apply to the erection of a 'B' type hoarding:
 - a. No advertisement of any kind shall be affixed to hoarding with the exception of a board not exceeding 2400 -mm by 1800-mm on which may be shown the architects, builders and principal certifying authority company name / contact details or any particulars regarding the subject building, and notices regarding the existing or future occupancies in the building.
 - b. A sign reading 'billposters will be Prosecuted' shall be attached or printed upon the front of the hoarding
 - c. A hydrant or other footpath box shall not be covered in any way or access to it impeded
 - d. Cranes shall not be placed upon the public way unless a permit has been obtained under section 68 Local Government Act, 1993.
 - e. The hoarding must be so constructed that it will not obstruct the view of traffic lights of motorists or pedestrians.
 - f. The use of the roadway for the storage of building materials is not permitted.
 - g. Where materials are being hoisted over a public way a sign shall be attached or printed upon the front of the hoarding at the decking level with the lettering 'Lifting Operation Above'. The lettering shall not be less than 300-mm in height.
 - h. Persons undertaking the work in accordance with this Approval must hold this Approval/Permit on-site for inspection.
 - i. Approval for a temporary protective structure does not permit use of the roadway for general loading and unloading from construction vehicles. This requires a separate Construction Zone Application.
 - j. An appropriate qualified practising structural engineer shall certify the structural stability / adequacy of the erected 'B' type hoarding. A copy of

the certificate shall be forward to the principal certifying authority and to Council, where Council is not the principal certifying authority.

88. The builder shall erect and maintain all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary and must be in place before the approved activity commences.
89. Permits are required to erect Class 'A' or 'B' type hoardings. If any type hoarding is to occupy a section of Council's property, that section will require a permit for the occupation of Council's property. The applicant, owner, builder or site supervisor must apply for specific permits and pay the appropriate hoarding fees as adopted by Council's Fees and Charges schedule. The application form is available from Council's Customer Service Department.

Air Quality

90. As required by the Protection of the Environment Operations (Noise Control) Regulation 200S, air-conditioning units or heat pump water heaters shall not be audible in the habitable rooms of any other residential premises before 7am or after 10pm on any Saturday, Sunday or public holiday, or before 7am or after 10pm on any other day.
91. Prior to the issue of any Occupation Certificate the Principal Certifying Authority shall confirm that the development has been constructed in accordance with the recommended methodology within the endorsed Acoustic report to ensure noise levels do not exceed:
 - a. In any bedroom in the building-35 dB(A) at any time between 10 pm and 7 am,
 - b. Anywhere else in the building (other than a garage, kitchen, bathroom or hallway)-40 dB(A) at any time.

Subdivision

92. The strata subdivision of the development shall be subject to a separate application.

Disabled Access

93. The Access Compliance Report, prepared by Vista Access Architects shall be updated to address the approved plans, as amended by the conditions of this consent, and the required accessibility design features are to be included in the Construction Certificate plans.
94. Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia , the relevant standards and the requirements of the Disability (Access to Premises - Buildings) Standards 2010. Details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

95. Accessible car parking spaces for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
96. Prior to the issue of a Construction Certificate, certification shall be submitted to the Principal Certifying Authority demonstrating that at least 20% of the residential units meet the silver level Universal Design Guide requirements of the Liveable Housing Design. In order to meet the requirements, the following must be achieved:
- a. A safe continuous and step free path of travel from the street entrance *and/or* parking area to a dwelling entrance that is level.
 - b. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.
 - c. A toilet on the ground (or entry) level that provides easy access.
 - d. A bathroom that contains a hobless (step-free) shower recess.
 - e. Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date
 - f. A continuous handrail on one side of any stairway where there is a rise of more than one metre.
 - g. Stairways are designed to reduce the likelihood of injury and also enable future adaptation.

Waste Management

97. 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:-
- a. type and likely quantity of waste arising from the demolition and construction activities;
 - b. storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;
 - c. 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;
 - d. provision for a suitable number of 660 litre garbage bins and 240 litre recycling bins for the residential development; and
 - e. fit out 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.

98. Prior to the issue of any Occupation Certificate waste identification and educational signage is to be installed within or adjacent to the waste storage room in accordance with the requirements Part H "Waste Minimisation and Management" of the Strathfield Consolidated Development Control Plan 2005.

99. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property as follows :
- a. Full and free right must be provided to Strathfield Council employees or its authorised contractors to:
 - (i) Enter upon the land and remove any waste products using any vehicle or equipment as necessary;
 - b. The owner of the lot burdened shall be solely responsible for the cost of maintaining in good and sufficient repair at all times the internal roads or access ways used by Strathfield Council for the purpose of exercising its rights as set out in clause (a) above.

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.

Land Contamination

100. All soil material removed from the site is to be classified in accordance with the "Waste Classification Guidelines, Part 1: Classifying Waste" NSW DECC and disposed of at a suitably licensed facility. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.

Geotechnical

102. The recommended additional geotechnical investigation work recommended in Section 4 of the Geotechnical Investigation Report prepared by J K Geotechnics, dated 15 January 2016 shall be undertaken prior to the commencement of the excavation works approved by this consent. The construction recommendations contained in Section 4 of the Geotechnical Investigation Report prepared by J K Geotechnics, dated 15 January 2016 shall be carried out during construction of the project.

Finish of Driveway Opening

103. The walls of the driveway opening are to be finished in the material identified as MCC1 (matching the ground floor front facade material) as shown on the approved materials and finishes schedule.

Operable Conditions

104. The retail and commercial suites shall operate only between the hours of 9am and 5.30pm Monday to Friday and 9am-4pm Saturdays, except with separate approval. No approval is granted for use of the external retail/commercial courtyards, which require separate development consent for use. No approval is granted for the use of the retail/commercial suites as cafes/restaurants and such use would require separate development consent.

Integrated Development

Roads and Maritime Service

105. Roads and Maritime has previously vested a strip of land as road along the Punchbowl Road frontage of the subject property as shown by grey colour on the attached Aerial - "X".

A strip of land along the Punchbowl Road frontage of the subject property is affected in by a Road Widening Order under Section 25 of the Roads Act 1993 as published in Government Gazette 100 of 30-08-1957 as shown by pink colour on the attached Aerial- "X" and DP447679.

Therefore all new buildings or structures together with any improvements integral to the future use of the site are to be erected clear of the land acquired or reserved for road widening unlimited in height or depth. No substantial trees or trees with the potential to be substantial trees are to be planted in the area acquired or reserved for road widening for road.

106. The construction of the new left in and left out kerb and gutter crossing including the raised median within the property boundary on Punchbowl Road shall be in accordance Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 9598 7798).

Detailed design plans of the proposed kerb and gutter crossings are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works. A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

107. All vehicles are to enter and exit the site in a forward direction.
108. All vehicles are to be wholly contained on site before being required to stop.
109. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

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

Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 8849 2114
Fax 8849 2766

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

110. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Details should be forwarded to: Suppiah.Thillai@rms.nsw.gov.au

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax:88492766.

111. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Punchbowl Road.
112. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Punchbowl Road during construction activities.

NSW Office of Water

General

113. An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
114. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
115. Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:
- Any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and
 - Any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and

- c. where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
116. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
117. OPI Water requires documentation (referred to as a 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report).

Reports need to be submitted to OPI Water at Parramatta Office, in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation

118. The following shall be included in the initial report:
- a. measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.
 - b. a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.
 - c. details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.
 - d. a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [OPI Water prefers that groundwater level measurements should be undertaken on a continuous basis using automatic loggers in monitoring bores.]
119. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.
120. Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the

natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.

121. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
122. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability determined by slug testing, pump-testing or other means).
123. A copy of a valid consent for the development shall be provided in the initial report.
124. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
125. Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary.

The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

126. Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
127. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of

groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.

128. Measurement and monitoring arrangements to the satisfaction of DPI Water are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.
129. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/so The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
130. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
131. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.
132. Access to groundwater management works used in the activity is to be provided to permit inspection when required by **DPI** Water under appropriate safety procedures.

Following excavation

133. Following completion of the dewatering operations, the applicant shall submit to **DPI** Water, Parramatta Office, the completion report which shall include:
 - (a) Detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and
 - (b) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and
 - (c) A detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.
134. The completion report is to be assessed by **DPI** Water prior to any certifying agency's approval for occupation or use of the completed construction.