

IDAP REPORT – SECTION 4.55(1A) MODIFICATION

Property:	177 Parramatta Road HOMEBUSH WEST DA 2016/047/04
Proposal:	Section 4.55(1A) Modification Application incorporating external facade changes, deletion of Condition 43A and modification to hours of operation.
Applicant:	Ra Property Services Pty Ltd
Owner:	R.A Property Services P/L
Date of lodgement:	14 September 2020
Notification period:	25 September 2020 to 10 October 2020
Submissions received:	Nil
Assessment officer:	ND
Estimated cost of works:	\$960,000.00
Zoning:	B6-Enterprise Corridor - SLEP 2012
Heritage:	No
Flood affected:	Yes
Is a Clause 4.6 Variation Proposed:	No
RECOMMENDATION OF OFFICER:	APPROVAL

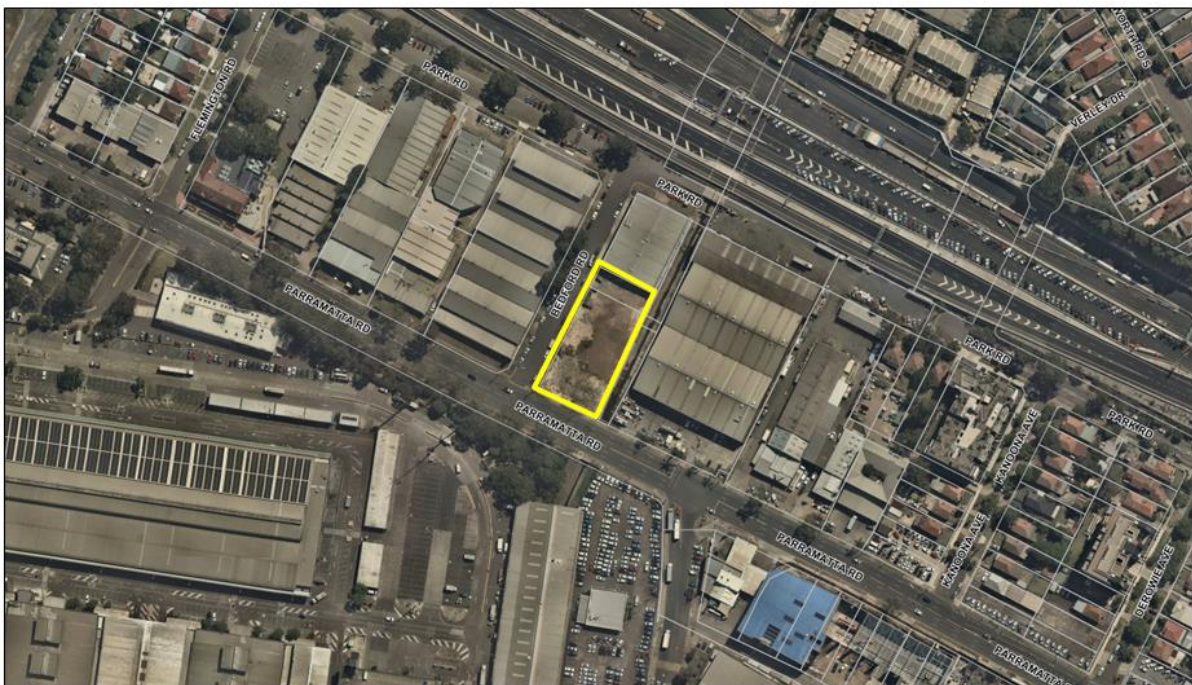


Figure 1: Locality plan. The subject site is outlined in yellow.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the Section 4.55(1A) Modification Application incorporating external facade changes, deletion of Condition 43A relating to canopy tree planting and modification to hours of operation.

Site and Locality

The subject site is located at the north-eastern corner of the intersection of Parramatta Road and Bedford Road (Figure 1). The site is rectangular in shape, comprising a 37m frontage to Parramatta Road, 77m frontage to Bedford Road and a total site area of 2,736.2m². A Sydney Water stormwater channel adjoins the site along the rear property line (eastern boundary). Surrounding development primarily includes warehouse, distribution centres and bulky goods. Sydney Markets is located opposite the site at 250-318 Parramatta Road.

Strathfield Local Environmental Plan

The site is zoned B6-Enterprise Corridor under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal satisfies all relevant objectives contained within the LEP.

Development Control Plan

The proposed development generally satisfies the provisions of Strathfield Consolidated DCP 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 from 25 September 2020 to 10 October 2020 where no submissions were received.

Issues

- Landscaping
- Hours of Operation

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, Development Application 2016/047/04 is recommended for approval subject to revised conditions of consent.

REPORT IN FULL

Proposal

Development consent is being sought for the Section 4.55(1A) Modification Application incorporating external facade changes, deletion of Condition 43A relating to canopy tree planting and modification to hours of operation. Specially, the proposal involves:

- Simplification and reduction in height of the 'upper roof' (over the warehouse storage and mezzanine area) to align with 'lower roof' area along Parramatta Road façade;
- Removal of highlight louvres along north-western façade (fronting Bedford Street) and manual louvres along southern wall of mezzanine;
- Reduction in building height to north-eastern portion of warehouse by 1.34m as a result of reduced internal floor to ceiling heights;
- Reduction in cement shed and warehouse storage ceiling height from 6m to 4.6m;
- Reconfiguration of internal mezzanine stairs;
- Extension of column to underside of roof along south-eastern corner of warehouse;
- Extension of the southern wall of mezzanine to south-eastern corner of warehouse;
- Reduced ceiling height over north-eastern parking area to 4.6m;
- Removal of canopy tree planting required as per Condition 43A.

Hours of Operation

The proposal seeks to modify the hours of operation of the site. The approved hours of operation are currently as follows:

- 6am to 5.00pm Monday to Friday inclusive and Saturday 6am to 3.00pm. No operation on Sundays or public holidays.

The proposed hours of operation are as follows:

- 5:30am to 5.00pm Monday to Friday inclusive and Saturday 5:30am to 3.00pm. No operation on Sundays or public holidays.

The Site and Locality

The subject site is located at the north-eastern corner of the intersection of Parramatta Road and Bedford Road (Figure 1). The site is rectangular in shape, comprising a 37m frontage to Parramatta Road, 77m frontage to Bedford Road and a total site area of 2,736.2m². A Sydney Water stormwater channel adjoins the site along the rear property line (eastern boundary). Surrounding development primarily includes warehouse, distribution centres and bulky goods. Sydney Markets is located opposite the site at 250-318 Parramatta Road.



Figure 2: View of subject site showing commencement of works.

Background

<u>14 September 2016</u>	Council approved DA2016/047 for the demolition of existing structures, construction of a warehouse, hardstand area, storage bunkers and use of the site for the sale of hardware, building and landscaping supplies.
<u>19 July 2017</u>	Section 96(1A) modification (DA2016/047/01) to delete Condition No. 4 requiring the construction of a skillion roof structure over the bunkers was approved by Council's IDAP.
<u>21 March 2019</u>	Section 4.55(1A) modification (DA2016/047/02) to re-locate the storage bunkers and roller doors, install solar panels and modify the rear setback. Was approved by Council's IDAP.
<u>14 September 2020</u>	Subject application lodged with Council.
<u>24 September 2020</u>	Referral request to Transport for NSW sent.
<u>30 September 2020</u>	Referral request to Sydney Water sent.
<u>25 September 2020 to 10 October 2020</u>	Application placed on public notification for 14 days.

<u>30 September 2020</u>	Site inspection undertaken.
<u>8 October 2020</u>	Transport for NSW comments received.
<u>19 October 2020</u>	Telephone discussion between the Applicant and the Assessment Officer to discuss the proposed deletion of Condition No. 43A relating to canopy tree planting. The Assessment Officer stated that the deletion of Condition is not supported with the Applicant not supportive of the modified tree planting recommended by Council Tree Management Coordinator. The Assessment Officer requested that an alternative planting schedule be submitted for further consideration.
<u>22 October</u>	The Applicant submitted an alternative planting schedule.

Referrals – Internal and External

Internal Referrals

Landscaping Comments

Council's Tree Management Coordinator provided the following comments:

"I do not agree with the deletion of this condition requiring the planting of trees adjacent to Parramatta Road. The stormwater canal structure is more than capable of coexisting with the proposed 2x 15 metre high trees. The tree species shown on the site plan are appropriate. As with all trees the tree root systems will grow and adapt to the conditions available of the site.

Alternatively, the planting of these important canopy trees can still be carried out by planting an increase number of smaller growing trees having a smaller trunk diameter and as a group of trees that provide the same site area and tree canopy cover of larger growing trees. In this regard, as one option, the condition 43a can be amended to provide;

- Four (4) long lived Australian native trees capable of a potential mature height of 8-10 metres.*
- All trees planted on the site as part of the landscape works are to be planted from 100-200 litre containers.*
- All trees planted on the site are to comply with AS 2303.2018 – Tree stock for landscape use."*

The comments made by Council's Tree Management Coordinator are noted. During the assessment process, the Applicant nominated an alternative tree planting schedule for the landscaped areas.

Engineering Comments

Council's Development Engineer raised no objection to the modified proposal and recommended no additional conditions of consent.

Environmental Health Comments

Council's Environmental Health Officer provided the following comments:

"The likely environmental impact of the proposed changes would be an increase in noise to the surrounding areas.

The nearest sensitive receivers are residential properties approximately 185m SWS of the proposed development. Other residential properties are about 200m to the NEN and 250m NE and 250m SSE of the proposed development. Other uses in the area include the Sydney Markets which operate 24 hours a day, the M4 Motorway and other industrial premises with a variety of operating hours.

Given the location and the other noise generating activities such as the markets, Parramatta Road and the M4 Motorway and lack of nearby residential receivers it is unlikely the starting at 5:30am will cause an offensive noise to other receivers. However, consideration of the site must be undertaken when designing the acoustic attenuation of any future residential property proposed adjacent to the site.

The impact of lowering the roof is negligible. The loading and unloading of materials is to be undertaken outside and moved into the warehouse on forklift. This is consistent with procedures listed in Acoustic Report R150468R1. Procedures showed all trucks were to be unloaded and loaded outside. In this regard the lowering of the warehouse height is not expected to increase noise from the development."

External Referrals

Transport for NSW

Transport for NSW provided the following comments:

"TfNSW has reviewed the modification application and notes the proposed modifications pertain to changes within the site. As such, TfNSW raises no objections to the proposed modifications and reiterates that the conditions of the previous letter dated 17 May 2016 remain applicable to the proposal."

Sydney Water

Sydney Water provided the following comments:

- *Sydney Water notes this modification's proposal to delete condition 43A(b) and the removal of two canopy trees in the proposed landscaping of the area abutting Sydney Water's stormwater channel.*
- *Sydney Water has no objection to this modification or the planting of trees in this area, provided the location and species/type of trees adhere to the indicative dimensional requirements under Diagram 5 within Sydney Water's Technical Guidelines - Building Over and Adjacent to Pipe Assets. This can be found on Sydney Water's website.*

Due to the proximity of the proposed development to Sydney Water assets, we recommend that the Council impose the following conditions of consent:

Building Plan Approval

The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met."

Section 4.55 of the EP&A Act 1979

The application has been lodged under the provisions of S4.55(1A) of the EPA Act 1979. The application is considered to be of minor environmental impact and is substantially the same development for which consent was originally granted. The use of the development being a

hardware, building and landscaping supply premises has not been altered and the bulk and scale of the development remains compatible with the streetscape.

The application has been notified in accordance with the provisions of Council's CPP and no submissions were received.

An assessment of the modification application against the matters referred to in Section 4.15(1) of the *EPA&A Act 1979* is included in this report. The recommendation report of the original development consent has been taken into consideration and the proposal as modified is consistent with the reasons for the approval; being a business that is similar to the warehouses and bulky goods development surrounding the site.

Sydney Water Act 1994

In accordance with Section 78 of the *Sydney Water Act 1994* the application was referred to Sydney Water as the subject site adjoins a Sydney Water assets (stormwater canal). Comments from Sydney Water were received, raising no objections to the modifications subject to any trees are in a location and species/type that comply with the requirements of Diagram 5 in Sydney Water's *Technical Guidelines – Building Over and Adjacent to Pipe Assets*. As the deletion of Condition No. 43A is not supported, it is recommended that the condition is modified in response to Sydney Water's comments.

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,***

STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012

The development site is subject to the Strathfield Local Environmental Plan 2012

Part 2 – Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

The subject site is zoned B6-Enterprise Corridor and the proposal as modified is a permissible form of development with Council's consent.

Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development Standards	Approved Development	Development Proposal	Compliance/ Comment
4.3 Height of Buildings	16m	9.43m	8.24m	Yes

4.4 Floor Space Ratio	1.5:1 (4,104m ²)	0.47:1 (1,274.54m ²)	Unchanged	Yes
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Part 5 – Miscellaneous Provisions

The proposed modifications will not alter the assessment of Part 5 of the SLEP 2012 as originally approved.

Part 6 – Additional Local Provisions

The proposed modifications will not alter the assessment of Part 6 of the SLEP 2012 as originally approved

It is considered that the proposed modifications satisfy the aims, objectives and development standards, where relevant, of the Strathfield LEP 2012.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND (SEPP 55)

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration.

A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations.

The objectives outlined within SEPP55 are considered to be satisfied.

STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of SLEP 2012 relating to the preservation of trees and vegetation.

The intent of this SEPP is consistent with the objectives of the repealed Standard where the primary aims/objectives are related to the protection of the biodiversity values of trees and other vegetation on the site.

The proposal was referred to Council's Tree Management Coordinator who did not support the deletion of Condition 43A which requires two (2) new 15m height canopy tree plantings to be provided the front south-eastern property boundary. Alternatively, the Tree Management Coordinator has suggested that four (4) native tree plantings capable of achieving a mature height of 8-10m be planted in lieu of the 2 x 15m height trees. The Applicant objected to the recommendation put forward by Council's Tree Management Coordinator and nominated alternative trees species. This component of the application is discussed in further detail in the Part D SCDCP 2005 assessment.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 104 of the SEPP (Infrastructure) 2007 requires consideration be made for traffic-generating development within a commercial premise with 2,500m² site area that provides direct access to a classified road. As the site is approximately 2,700m² and provides direct access to Parramatta Road, the proposal was referred to Transport for NSW for comment whom raised no objection to the modified proposal. The application does not propose to modify

the approved driveway locations for access and egress through the site. Additionally, no change is proposed to the frequency or capacities of truck deliveries through the site to result in any additional impact on the surrounding road network beyond which has been approved.

(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,

The proposed development, as modified, is subject to the provisions of the Strathfield Consolidated Development Control Plan 2005. The following comments are made with respect to the proposal satisfying the objectives and controls contained within the DCP, where applicable to the proposed changes;

Applicable DCP Controls	DCP Controls	Approved	Development Proposal	Compliance/ Comment
Building Envelope				
Heights: Floor to ceiling heights:	10m above NGL	9.43m	8.24m (main warehouse)	Yes – Overall building height has been reduced by 1m.
Setbacks: Front: Side: Side: Rear:	10m 5m (min) to corner lots 10m (min) from watercourse Merit Assessment	18m 2m to Bedford Rd, nil setback to rear and eastern side boundary.	All unchanged	Yes – All unchanged
Landscaping				
Landscaping/ Deep soil Provisions:	A continuous deep soil landscape area of a minimum of 2m in width required across all street frontages	2m landscape strip provided along Parramatta Road frontage and a landscape area in the south-eastern corner of the site.	The initial proposal sought to delete Condition No. 43A requiring the planting of canopy trees in the landscaped areas. During the assessment process the Applicant nominated an alternative tree planting schedule.	Yes. The proposed planting of Jelly Bush and Water Gum trees is appropriate for the site location. Modified conditions of consent are recommended.
Vehicle Access and Parking				

No. of Parking Spaces:	Warehouses: 1 space per 300m2 GFA + Delivery and service vehicles associated with a development: 1 space per 800m2 GFA up to 8,000m2	18 parking spaces approved	Slight modification to off-street parking arrangement to re-align angled parking spaces in front setback and relocate parking space 14 to front setback	Yes – Unchanged with modified arrangement unlikely to adversely affect movement through the site.
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Streetscape Impacts

The proposal seeks deletion of several aluminium breezeway louvres to the south-western and north-western extremities of the building. The proposal will result in a minor reduction in overall building height by approximately 1m. The roof pitch over the cement warehouse portion of the development has been modified to slope down towards the centre of the site as opposed to sloping down toward the site boundary in the east. This achieves an improved visual break in the bulk and scale of the development as viewed from Parramatta Road.

The proposal will not result in any change to the approved front, rear and side setbacks thus resulting in an overall bulk and scale which is similar to that which was originally approved. Accordingly, the development remains suitable and compatible with that of existing industrial development surrounding the site.

Landscaping

As previously discussed, the initial proposal sought to delete seeks to delete the condition pertaining to a requirement for 2 x 15m height canopy trees to be planted in the front south-eastern portion of the site. Council's Tree Management Officer recommended the planting of four (4) x 8-10m height canopy trees be planted in lieu of the 2 x 15m height trees. During the assessment process the Applicant nominated the planting of two (2) *Leptospermum polygalifolium* (Jelly Bush) with a mature height of 5m. Given the site location and characteristics (solar access, flood affectation), the proposed plant species are considered acceptable. Given the generous dimensions of the front landscaped areas there is opportunity to increase the number of Jelly Bush plantings and further improve the presentation of the development. It is recommended that Condition No. 43A is modified to ensure that proposed the tree planting in the south-eastern corner and on the Parramatta Road frontage is appropriate and complemented with shrubs and ground covers.

PART H – Waste Management (SCDCP 2005)

A waste management plan was submitted with the original application. The existing plan adequately accommodates the modified development.

(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,*

Given the location of the subject site, surrounding land uses and distance from residential accommodation the proposed increase in the hours of operation from 6:00am to 5:30am Monday to Saturday is considered appropriate and is not anticipated to result in unreasonable impacts to the surrounding properties. Council's Environmental Health Officer raised no objection to the modified hours of operation.

Overall, the proposed development, as modified, is of a scale and character that is in keeping with its surroundings and 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 Community Participation Plan, the application was placed on neighbour notification for a period of fourteen (14) days where adjoining property owners were notified in writing of the proposal and invited to comment. No submissions were received.

(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 EP&A 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).

Section 7.11 contributions are not applicable to the proposed development as they were levied previously under the parent application.

Conclusion

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

Following detailed assessment it is considered that Development Application No. 2016/047/4 should be approved subject to modified conditions of consent below:

1. The original consents of consent of Development Application No. 2016/047 as approved by Council on 14 September 2016 for the demolition of existing structures, construction of a warehouse, hardstand area, storage bunkers and use of the site for the sale of hardware, building and landscaping supplies;
2. As modified by the Section 96(1A) Modification Application DA2016/047/01 as approved by IDAP on 19 July 2017 involving the deletion of Condition No. 4;
3. As modified by the Section 4.55(1A) Modification Application DA2016/047/02 as approved by IDAP on 21 March 2019 involving the re-location of the storage bunkers, roller doors, install solar panel and modify the rear setback; and
4. As modified by the Section 4.55(1A) Modification Application DA2016/047/04 as follows:
 - Modification of Condition No. 1 reflecting the amended plans;
 - Modification of Condition No. 24 and 25 regarding stormwater design;
 - Modification of Condition No. 43A regarding landscaping;
 - Modification of Condition No. 44 regarding hours of operation; and
 - Addition of Condition No. 96 regarding Sydney Water requirements.

Signed: N Doughty
Planning Officer

Date: 26 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 revised Section 7.11/7.12 Contributions are not applicable to this development;

Report and recommendations have been peer reviewed and concurred with.

Signed: M. Rivera
Development Assessment Planner

Date: 26 October 2020

PART B - OTHER CONDITIONS

Plans

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

Demolition Plan Job No.1153-11 Issue I Drawing No.A100 prepared by Katris Architects, received by Council 4 April 2016.

Site Plans/Calcs and Landscape Plan Drawing No.1440 prepared by Site Design + Studios, received by Council 15 June 2016.

~~Ground Floor Plan Job No.1153-11 Issue L Drawing No.L101 prepared by Katris Architects, received by Council 5 December 2018.~~

~~Mezzanine Plan Job No.1153-11 Issue L Drawing No.L102 prepared by Katris Architects, received by Council 5 December 2018.~~

~~Roof Plan Job No.1153-11 Issue L Drawing No.L103 prepared by Katris Architects, received by Council 5 December 2018.~~

~~North and South Elevations Job No.1153-11 Issue L Drawing No.L104 prepared by Katris Architects, received by Council 5 December 2018.~~

~~West and East Elevations Job No.1153-11 Issue L Drawing No.L105 prepared by Katris Architects, received by Council 5 December 2018.~~

~~Section Job No.1153-11 Issue L Drawing No.L106 prepared by Katris Architects, received by Council 5 December 2018.~~

Ground Floor Plan Job No.1153-11 Issue M Drawing No.M101 prepared by Katris Architects, received by Council 14 September 2020.

Mezzanine Plan Job No.1153-11 Issue M Drawing No.M103 prepared by Katris Architects, received by Council 14 September 2020.

Roof Plan Job No.1153-11 Issue M Drawing No.M105 prepared by Katris Architects, received by Council 14 September 2020.

South West and North East Elevation Job No.1153-11 Issue M Drawing No.M106 prepared by Katris Architects, received by Council 14 September 2020.

North West and South East Elevation Job No.1153-11 Issue M Drawing No.M107 prepared by Katris Architects, received by Council 14 September 2020.

Section A-A and Section B-B Plan Job No.1153-11 Issue M Drawing No.M108 prepared by Katris Architects, received by Council 14 September 2020.

Materials and Finishes Job No.1153-11 Issue I Drawing No.A110 prepared by Katris Architects, received by Council 15 June 2016.

Stormwater Layout Plan Ground Level Project No.180836, Drawing No.101, Issue D, prepared by Australian Consulting Engineers, received by Council 14 September 2020.

OSD & WSUD Details & Calculation Project No.180836, Drawing No.102, Issue C, prepared by Australian Consulting Engineers, received by Council 14 September 2020

Stormwater drainage Sections and Details Project No.180836, Drawing No.103, Issue C, prepared by Australian Consulting Engineers, received by Council 14 September 2020

Sediment and Erosion Control Plan Project No.180836, Drawing No.104, Issue B, prepared by Australian Consulting Engineers, received by Council 14 September 2020

Miscellaneous Details Sheet Project No.180836, Drawing No.105, Issue C, prepared by Australian Consulting Engineers, received by Council 14 September 2020

Catchment Plan and WSUD MUSIC results Project No.180836, Drawing No.106, Issue B, prepared by Australian Consulting Engineers, received by Council 14 September 2020

Stormwater Layout Plan and Roof Plan Project No.180836, Drawing No.107, Issue B, prepared by Australian Consulting Engineers, received by Council 14 September 2020

~~Ground Floor Stormwater Plan Project No.177Parra Page No. 101 Issue A prepared by Lomford Engineers, received by Council 5 December 2018.~~

~~Erosion Control Plan Project No.177Parra Page No. 301 Issue A prepared by Lomford Engineers, received by Council 5 December 2018.~~

~~Hydraulic Details Project No.177Parra Page No. 201 Issue A prepared by Lomford Engineers, received by Council 5 December 2018.~~

Dust Management Plan Ref 16043 Ltr 040216 NH prepared by Wilkinson Murray, received by Council 4 April 2016.

Waste Management Plan Ref 7722 prepared by Katris Architects, received by Council 4 April 2016.

Noise Impact Assessment Ref R150468R1 Revision 0 prepared by Rodney Stevens, received by Council 3 November 2015.

Traffic and Parking Assessment Report prepared by Terraffic Pty Ltd, received by Council 4 April 2016.

Energy Efficiency Evaluation Section J of BCA 2016 revision 2 prepared by Partners Energy Revision, received by Council 14 September 2020

MODIFIED: 6 November 2020 (DA2016/047/4)

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.

General

4. **DELETED 19 July 2017 (DA2016/047/01)**
5. 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.

6. A Works Permit shall be obtained from Strathfield Council at least five (5) working days prior to the commencement of any works on public/Council-controlled areas including the erection of site fencing and demolition or excavation. The permit must be retained on site at all times.
7. **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.

Financial Matters

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

Provision of Major Open Space	\$25,993.63
Provision of Local Open Space	\$10,397.45
Provision Roads and traffic Management	\$2,599.36
Administration	\$866.45
TOTAL	\$39,856.90

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.

The required contribution shall be paid **prior to the issue of a Construction Certificate**.

9. A security payment of **\$4,127.00** in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council **prior to the issue of a Construction Certificate**. The security payment is GST inclusive and comprises the following:

Refundable works bond	\$4,000.00
Non-refundable administration fee (\$127/bd)	\$127.00
TOTAL	\$4,127.00

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

- (a) Road and stormwater drainage works in roadways and public areas;
- (b) Construction of the On-Site Stormwater Detention system;
- (c) Installation and maintenance of sediment control measures for the duration of construction activities;
- (d) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may

- be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition; and
- (e) Submission of drainage works-as executed plans and will be released upon satisfactory completion of these items.

10. 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

11. Plant and machinery stored upon the subject site shall be limited to the following:

Plant	No.
6m tipper	3
7m tipper	1
7m flat top truck	1
9m flat top truck	1
11m flat top truck	1

All plant is to be parked within the designated parking spaces as shown upon Site Plans/Cals and landscape Plan Drawing No. 1440 prepared by Site Design + Studios, received by Council 15 June 2016.

12. **Prior to the issue of any Occupation Certificate,** an inward opening gate shall be provided to the driveway to Parramatta Road. This gate shall remain closed when not in use and a sign shall be erected clearly visible from Parramatta Road stating "no entry".
13. Vehicles exiting the site to Parramatta Road shall be restricted to **left out only.** A sign shall be erected in a suitable location adjacent to the exist gate.
14. A total of eighteen (18) off-street parking spaces and seven (7) loading bays, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans.
15. All vehicles associated with the approved use shall be parked within the parking spaces on the site and not on adjacent footpath, access driveways or landscaped areas.
16. Vehicles accessing the site shall be limited to a maximum length of 11m. A suitable sign shall be erected in a suitable location adjacent to all entries to the site.
17. A sign shall be erected in a suitable location on the site advising that parking is available for visitors/customers.

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

Drainage/Stormwater

23. **DELETED 21 March 2019 (DA2016/047/02)**
24. The top of the retaining walls along the boundaries and all openings and entries to the site on the upstream and downstream side shall comply with the RL indicated upon the Stormwater Plans project No. 180836 prepared by the Australian Consulting Engineers, received by Council 14 September 2020 ~~Hydraulic Details Project No, 15-177 Parra Issue D prepared by Lomford Engineers, received by Council 15 June 2016~~ and the levels indicated in Council's Powell's Creek Flood Study.

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25. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to an existing stormwater channel that services the proposed development. The onsite stormwater detention basin will connect directly into this existing stormwater channel as per the requirements outlined by Sydney Water/Strathfield Council. The internal drainage system has been designed generally satisfactory and is depicted on the concept drainage plans prepared by the **Australian Consulting Engineers Dwg 000, 101 to 107, Project No. 180836. Lomford Engineers Sheets No ` & 2 Issue F and D dated 02.06.2016 Project no.15-177PARRA.**

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

In this project the 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.**

27. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system. The storage system shall be designed in accordance with the endorsed concept stormwater plans **AND/OR** Council's Stormwater

Management Code. Details of the storage system shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

28. **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.

29. 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.**

30. 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.

31. All pits shall be constructed in accordance with Australian Standard AS3500.3.
32. All subsoil drainage must be designed to meet the requirements of AS3500;
33. 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.
34. 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.
- 34A. Amended plans demonstrating compliance with the following measures shall be submitted to and approved by the Principal Certifying Authority prior to the issue of an amended Construction Certificate:
- (a) The storage bunkers along the rear property boundary are to be suspended with a minimum clearance of the 1 in 100 year storm event flood levels;
 - (b) The finished floor levels of the cement shed and warehouse storage building, warehouse and bulky goods retail with associated office building are to be no less than the 1 in 100 year storm event flood levels.
- 34B. The Applicant is to submit, for approval by the Principal certifying Authority, a Flood Impact Assessment Report prepared by a suitably qualified professional

hydraulics/civil engineer. A copy of the Flood Impact Assessment Report is to be submitted to Council for its records prior to the issue of a Construction Certificate.

35. Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties.
36. 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.
37. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:
 - (a) On-site stormwater detention system AND
 - (b) All Water Sensitive Urban Design components

The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. A registered copy of the document shall be submitted to 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.

38. 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.

39. 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.
40. A suitably qualified Engineer is required to inspect and certify the proposed development at the completion of each of the following construction phases(if any):
 - (i) Installation of the overflow pit and bulking out/trimming profiling;
 - (ii) Installation of under drainage;
 - (iii) Installation of cleanout points;
 - (iv) Installation of drainage layer;
 - (v) Installation of transition layer;
 - (vi) Installation of filtration media;

- (vii) Laying of geofabric protection for build-out phase;
- (viii) Laying of turf temporary protection layer, and
- (ix) Final planting.

41. An Operational Management and Maintenance Report is required to be submitted to the Principal Certifying Authority **prior to the issue of a Subdivision 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.

Landscaping/Tree Matters

42. 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.
43. **Prior to the issue of a construction certificate** the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape plan prepared generally in accordance with the landscape plan prepared by SiteDesign Studios (Drawing No. 1440) dated 01.06.16 and the Landscape provisions contained within Section 2.10 of art D of the Strathfield Council Development Control Plan.
- 43A. Amended plans demonstrating compliance with the following measures shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.
- (a) The location of vehicle car space No. 14 is to remain as per the original consent;
 - (b) A deep soil landscaping strip is to be provided in the southern corner of the site adjacent to the storage bunkers and Parramatta Road entry. The landscape area is to be a minimum of 3m in width and 13m in length and planted with **three (3) Leptospermum polygalifolium (Jelly Bush)** ~~two (2) canopy trees with a minimum mature height of 15m;~~, **native shrubs, ground covers and grasses. The location of the Leptospermum polygalifolium (Jelly Bush) shall adhere to the indicative dimensional requirements under Diagram 5 of Sydney Water's Technical Guidelines – Building Over and Adjacent to Pipe Assets.**
 - (c) The driveway from Parramatta is to be a minimum width of 4m at the property boundary line.
 - (d) **The deep soil landscaping strip along Parramatta Road is to be planted with three (3) Tristaniopsis laurina 'luscious' (Water Gum), native shrubs, ground covers and grasses.**

Alternative tree species to those prescribed in condition (b) and (d) must be approved by Council.

Trees are to conform to the NATSPEC Guide and Guide for Assessing the Quality of and Purchasing of Landscape Trees by Ross Clarke, 2003. All plants are to be true to type, healthy and vigorous at time of delivery and plating, shall be pest and disease free, free from injury and self-supporting. All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at the height of the main stem, others as necessary to stabilise the plant.

At the completion of all works, photographic evidence that the conditions have been complied with shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

All trees and plants forming part of the landscaping must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease control, replacement of dead or dying plants and other operations required to maintain healthy trees, plants and turfed areas

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Site Operation

44. ~~The hours of operation shall be restricted to 6am to 5pm Monday to Friday and 6am to 3pm Saturday. No operations are permitted on Sundays or public holidays.~~

The hours of operation shall be restricted to 5:30am to 5pm Monday to Friday and 5:30am to 3pm Saturday. No operations are permitted on Sundays or public holidays.

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45. No more than (12) staff members are to be present upon the site at any time.
46. The delivery and despatch of goods, material and the like to and from the premises shall only take place during the approved hours of operation.
47. The delivery of goods to the site shall be limited to a maximum of ten (10) deliveries per day. A register of deliveries is to be maintained upon the site at all times. Such a register is to be made readily available to Council officers upon request.
48. The storage of goods, materials, equipment, machinery, refuse, or refuse bins (including industrial waste containers) shall be carried out in an area specifically designed for that purpose and not within the road reserve except in accordance with Council's Materials on the Footpath Policy.
49. Any proposed lighting of the site shall be designed, located or shielded to ensure the amenity of the surrounding area is not adversely affected by light overspill and details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
50. The discharge of surface water from the site (including that from within the building) shall be in accordance with the requirements of Council and Sydney Water. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate**.
51. The business identification pole sign shall not flash, chase or pulsate.
52. The sign shall not obstruct sight lines for motorists and shall not be flood lit.
53. The display of signage, other than signage which is approved by this consent or signage which is exempt development, is strictly prohibited.
54. No flashing lights or flashing animated signs shall be erected on the property.

55. No advertising flags, banners or the like are to be erected on or attached to the shopfront.
56. No advertising, corporate colours, logos or decal are to be applied or painted or placed within 1 metre of the shopfront windows so as to be visible from outside without the prior written approval of Council.

Construction Matters

57. **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.
58. The proposed development shall comply with the National Construction Code and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**.
59. 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.
60. Certification shall be obtained from a registered surveyor at the following stage(s) of construction confirming that the building has been constructed in accordance with the approved plans including any approved amendments (S.96 approvals) and plans and details required by Council as conditions of development consent:
 - (a) footings excavation prior to placement of concrete;
 - (b) ground floor and first floor levels;
 - (c) all floors of the building, roof eaves and all roof ridges;
 - (d) wall setbacks from property boundaries and street alignment;

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

61. 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.
62. If the existing ground levels are altered during construction, Council may require a survey plan of the finished ground levels to be prepared and submitted **prior to the issue of an Occupation Certificate** to determine if there have been changes to the pre-development levels and if there are any impacts on adjoining properties as a result.
63. 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.

64. The public area adjacent to a work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
65. 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.
66. Certification of the structural adequacy of the sign shall be prepared by a suitably qualified person and submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate**.
67. All temporary buildings shall be removed from the site at the completion of the development.
68. A certificate from a practising and suitably qualified structural engineer certifying that the existing structure is capable of supporting the new superimposed loads from the proposed development shall be submitted **prior to the issue of a Construction Certificate**.
69. A detailed Construction Site Traffic Management Plan (CTMP) must be submitted to and approved by Council, prior to commencement of any site work (including demolition).

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

- (a) A description of the demolition, excavation and construction works
- (b) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
- (c) Any proposed road and/or footpath closures
- (d) Proposed site access locations for personnel, deliveries and materials
- (e) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- (f) Provision for loading and unloading of goods and materials
- (g) Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network
- (h) Impacts of the work and vehicular movements on the road network, traffic and pedestrians
- (i) Proposed hours of construction related activities and vehicular movements to and from the site
- (j) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)

Building Matters

70. The external glass used in the building shall have a reflectivity index of less than 20%. Details and specifications of the glass shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate**.

Demolition

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

72. 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.**
73. 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.**
74. 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

75. 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.**
76. 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

77. If 'A' type hoarding is to be erected about the building site, it is to comply with NSW Workcover's requirements; shall have a minimum height of 1.8 m and comply with AS1725-2003 (Galvanized Rail-Less Chain-Wire Security Fences and Gates) or AS 4687-2007 (Temporary Fencing and Hoardings). Inverted trench mesh is not an acceptable 'A' type hoarding and as such does not satisfy AS1725-2003 and as such shall not be installed to the building site.
78. 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.
79. An overhead 'B' type hoarding shall be constructed where material is being hoisted over or across a public way.
80. 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.
81. 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.
82. Permits are required to erect Class 'A' or 'B' type hoardings. If any type hoarding is to occupy a section of Council's property, that section will require a permit for the occupation of Council's property. The applicant, owner, builder or site supervisor must apply for specific permits. The application form is available from Council's Customer Service Department.

Air Quality

83. Dust emissions from the stockpiles shall be suppressed by a permanently installed irrigation system and details shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**. The irrigation system shall be installed in accordance with the approved details prior to the work/use commencing and maintained at all times to Council's satisfaction.
84. Full compliance shall be given to the recommendations contained in the endorsed dust management plan.
85. Full compliance shall be given to the recommendations contained in the endorsed acoustic consultant's report.
86. The use of the premises shall not give rise to:
- (a) The transmission of unacceptable vibration to any surrounding occupancy; and
 - (b) A noise level exceeding the background (L_{90}) noise level by more than 5dB(A) when measured from an adjoining premises. The source noise level shall be assessed as an $LA_{eq,15min}$ reading and adjusted in accordance with current EPA Guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and intermittency or any subsequent guidelines.

Disabled Access

87. 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.**

88. Sanitary facilities for persons with disabilities shall be provided in the building in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
89. A carparking space for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Waste Management

90. 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.

Roads and Maritime Services

91. All buildings and structures, together with any improvements integral to the future use of the site, are to be wholly within the freehold property (unlimited in height or depth), along the Parramatta Road boundary.
92. The redundant driveway on Parramatta Road boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the new driveway and kerb and gutter on Parramatta Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained from Road and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 8849 2138).

Detailed design plans of the proposed gutter crossing 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.

93. 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 Parramatta Road.
94. The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

Subdivision

95. The existing allotments shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered as a deposited plan with the Land and Property Information Office must be submitted to Council, prior to the issue of any occupation certificate for the development.

Sydney Water

96. **The approved plans must be submitted to a Sydney Water Tap in™ to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap in™ agent has appropriately stamped the plans prior to the issue of the Construction Certificate.**

ADDED: 6 November 2020 (DA2016/047/4)