

IDAP REPORT

Property:	136-144 Parramatta Road Homebush Lot: 8 DP: 1262238 DA2021.24
Proposal:	Erection of 11 LED-illuminated business identification and wayfinding signs in support of the approved ground floor pub.
Applicant:	Mecone NSW Pty Ltd (Addison Boykin)
Owner:	136 Parramatta Road Pty Ltd and Iris Property Group Pty Ltd
Date of lodgement:	17 February 2021
Notification period:	26/02/2021- 12/03/2021
Submissions received:	NIL
Assessment officer:	E Black
Estimated cost of works:	\$205,398.00
Zoning:	B4-Mixed Use - SLEP 2012
Heritage:	No
Flood affected:	Yes
Is a Clause 4.6 Variation Proposed:	No
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1: Locality plan

EXECUTIVE SUMMARY

Proposal

Development consent is sought for eleven (11) illuminated signs that are in association with an approved pub located on the ground level of a mixed-use development at 136 -144 Parramatta Road, Homebush. The purpose of the signs is to identify the businesses, advertise events and provide customers with directions. The signs includes a double-sided pylon sign, wall mounted signs and other unclassified signage. The proposal was sent to Transport for NSW for concurrence, as it was located on a classified road. Transport for NSW did not oppose the signage or impose any conditions.

Site and Locality

The site is identified as 136 Parramatta Road Homebush, and has a legal description of Lot: 8 DP1262238. The site is a rectangular shaped corner allotment and is located on the southern side of Parramatta Road and the western and northern sides of Loftus Lane. It adjoins a six (6) storey shop-top housing development to the west. The site has a width of 30.17m, a depth of 50.29m and an overall site area of 1,516m². The site is currently under construction for a 32m high mixed-use building with a pub at ground level.

The current streetscape, along Parramatta Road, is characterised by bulky goods, caryards and multilevel mix-use residential and commercial development. To the rear of the site, development along Loftus Lane is generally medium density, such as town houses.

Strathfield Local Environmental Plan

The site is zoned B4 Mixed-Use 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 26 February 2021- 12 March 2021 where no submissions were received.

Issues

Issues include:

- The impact of illumination generated from the signs on the surrounding residential apartments and on road users.

Conclusion

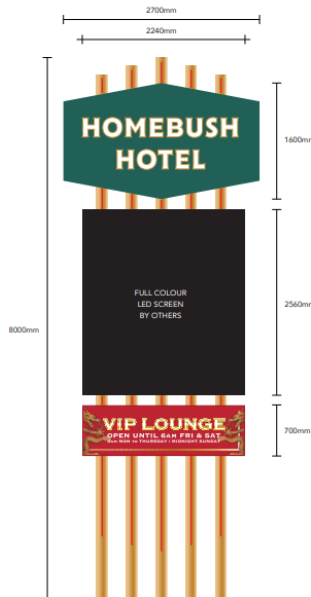
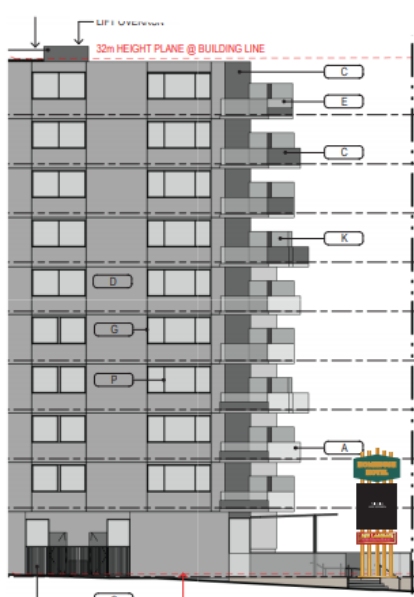

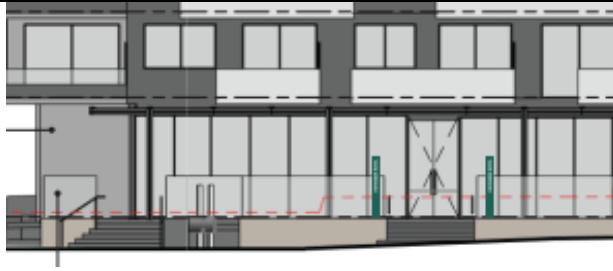
Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2021/24 is recommended for **approval**, subject to suitable conditions of consent.










REPORT IN FULL





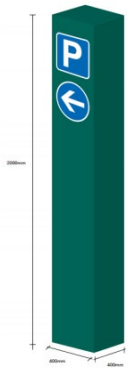
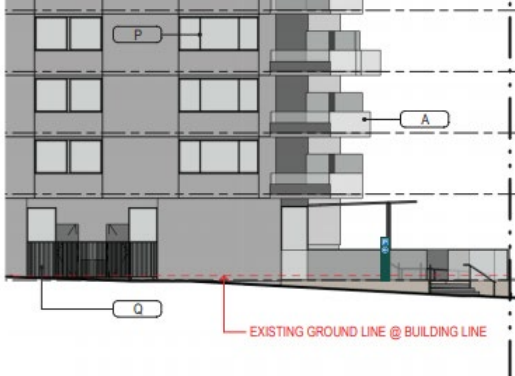
Proposal

Council has received an application for eleven (11) illuminated signs for the approved pub. These signs include business identification signs including a sign for a food van, a screen to promote events and way finding signs for entrances. The colours of the signs are limited to yellow, red, green, blue and off white colours. However, the LED screen is full colour. The table below provides the details of the proposed signage.

Table 1: Details of the proposed signage.

Item	Sign	Location
1.		
<p>Image 1: Double-sided Homebush Hotel Pylon Sign Containing 3 signs. - Frame (8m high x 2.7m wide)</p> <ul style="list-style-type: none"> • Top sign Identification - Homebush Hotel - 1600mm high x 2240mm wide) • LED Screen - 2560mm high x 2240mm wide • Bottom Sign: Identification VIP lounge - 700mm high x 2240mm wide • Neon red light strips along the pylons 		<p>Image 1a: Located on the corner of Loftus Lane and Parramatta road. Shows the height of the top sign and led light is at the height of the first floor</p>
2.		
<p>Image 2: Wayfinding sign with illuminated letters - Dimensions: 2,000mm high x 300mm wide x 300mm deep</p>		<p>Image 2a: Located at the top of the stairs facing Parramatta Road.</p>

3.		
Image 3: Business ID sign - 400mm high x 6,360mm wide with illuminated letters		Image 3a: Located on the front façade facing Parramatta Road.
4.		
4a.		
Image 4. Food Van 2x food van identification signs located in the outdoor food stand to the Parramatta Road frontage. Sign 4a: Dimensions: 750mm high x 2,400mm wide Sign 4b: Dimensions: 500mm high x 1,800mm wide.		Image 4a: Located at the western side of the approved development forecourt facing Parramatta Road. Near the adjoining residential mixed use development at 146-152 Parramatta Rd.
5.		
Image 5: Way finding Signage - Curved sign over the side entrance to the gaming area to the east of the building. Dimensions: 315mm tall x 1,880mm high x 315mm deep. Lighting details: • Illuminated 3D letters • Red LED border lights • Canopy (lightbulb) lights behind sign		Image 5a: Located facing Loftus Lane (side) facing car yard
6.		
Image 6. Way finding Signage Wall mounted curved sign over rear entrance to the Loftus Lane entrance. Dimensions: 400mm		Image 6a. Located facing Loftus Lane (rear) facing park and townhouses.

	high x 2,400mm wide x 350mm deep. Lighting details: • Red LED border lights	
7.		
Image 7. Way finding Signage. Flush wall mounted wayfinding sign over Loftus Lane vehicle entry to basement carpark Dimensions: 300mm high x 2,400mm wide x 150mm deep. Lighting details: • Internal LEDs		Image 7a. Located facing Lofus Lane (south west) opposite town house development (see Image 15)
8.		
Image 8: Way finding signage Horizontal double sided projected wall sign over the side entrance to the gaming area to the east of the building. Dimensions: 800mm high x 1,000mm wide x 150mm deep. Lighting details: • Red LED border lights • White illuminated letters		Image 8a. Located facing Loftus Lane opposite car yard and a small pocket park.
9		
Image 9: entry feature pole sign located in front of the building line on Parramatta Road frontage. Dimensions: 2,000mm high x 400mm wide x 400mm deep Lighting details: • Illuminated letters		Image 9a: Corner of Lofus lane and Parramatta Road.

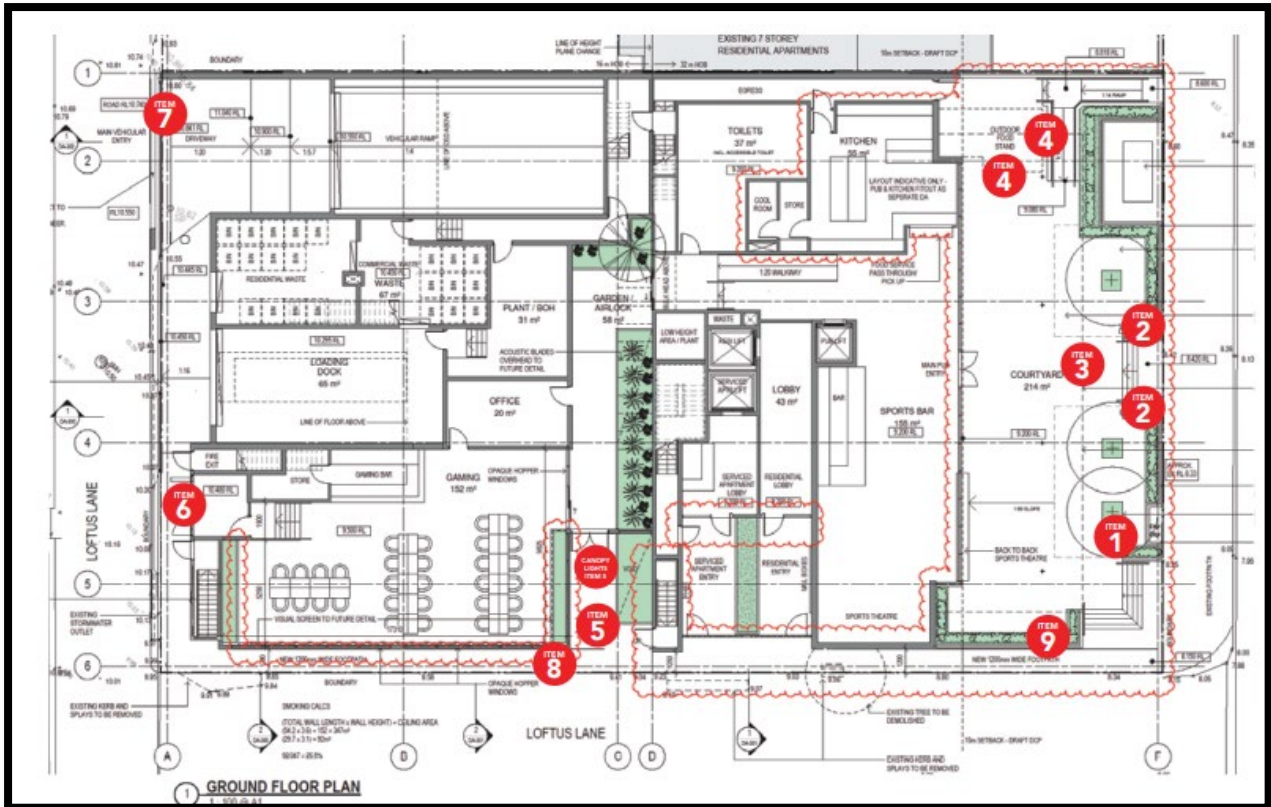


Image 10: Location of signs (not to scale) Please note the position of sign 1 which is the pylon sign in relation to the tree.

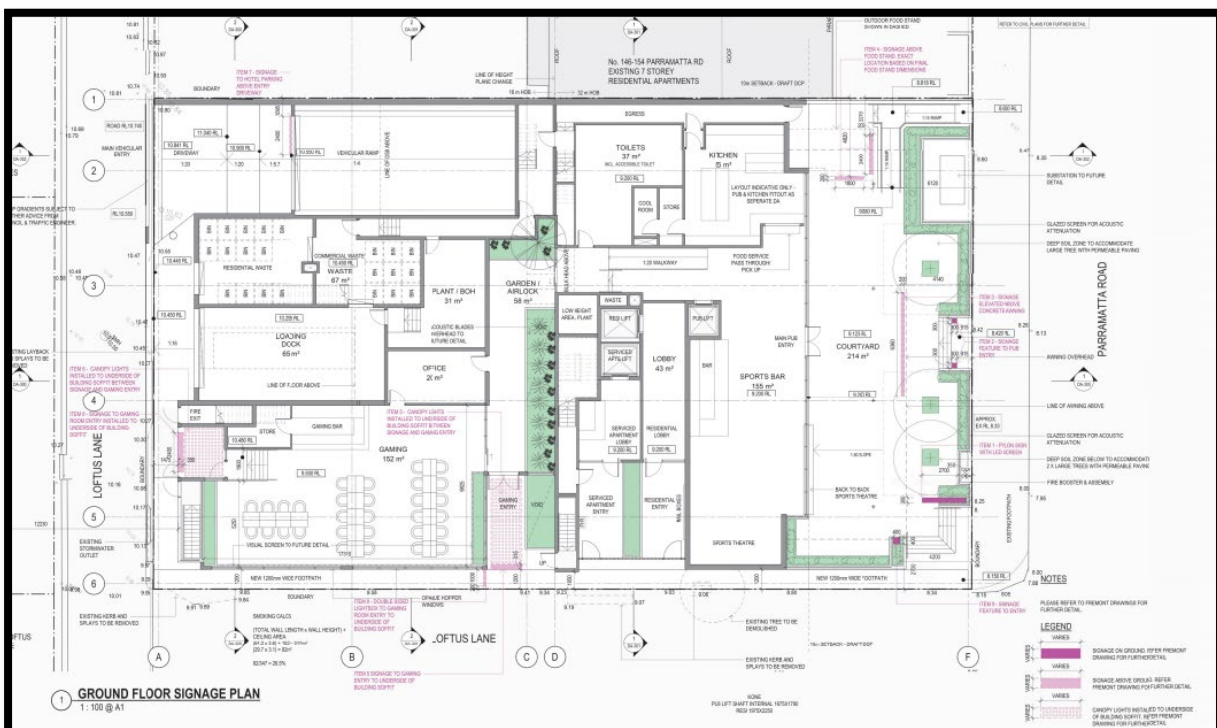


Image 12: The applicant has provided an amended plan. This will become part of the approved plan set. The pylon signage has now been relocated so that it won't interfere with the 8m tree in the forecourt.

The Site and Locality

The subject site is legally described as Lot 8 DP1262238 and is commonly known as 136-144 Parramatta Rd, Homebush. The site has a width of 30.17m, a depth of 50.29m and an overall site area of 1,516m². The site is located on the southern side of Parramatta Road on the corner of Loftus Lane. It adjoins a six (6) storey mixed-use residential building with empty shops on the ground floor to the west. It is opposite a mixed-use apartment buildings to the north, a car yard to the east and low density residential townhouses to the south. The site is currently under construction for a 32m mixed-use development comprising of a pub at ground level with residential apartments above and three (3) levels of basement car parking.

The current immediate streetscape is characterised by multilevel mix-use residential development and caryards along Parramatta Road. To the rear of the property the streetscape is characterised by townhouses and a park.

The wider surrounding area is characterised by a mix of warehouses, caryards and apartment blocks with ground floor commercial shops.



Image 13: Location of Subject Site and immediate surrounding development

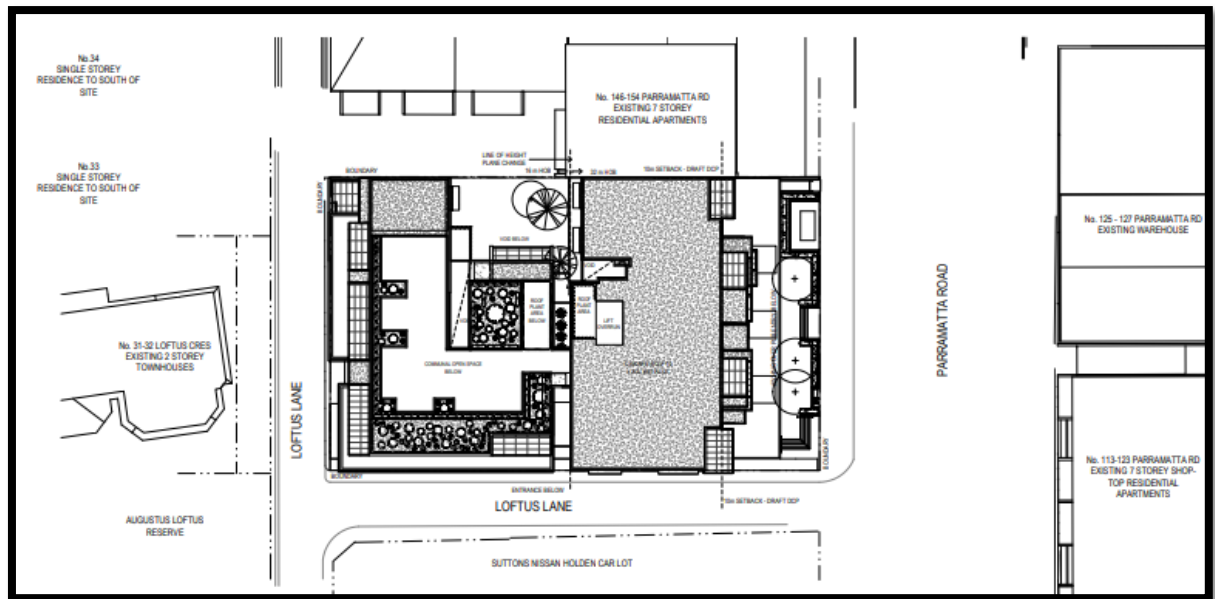


Image 14: Site Plan



Image 15: 146 Parramatta Road which adjoins the site to the west



Image 16: Townhouses on Loftus Lane behind the development.



Image 17: Caryards to the east of the site



Image 18: Mixed use development opposite the site.

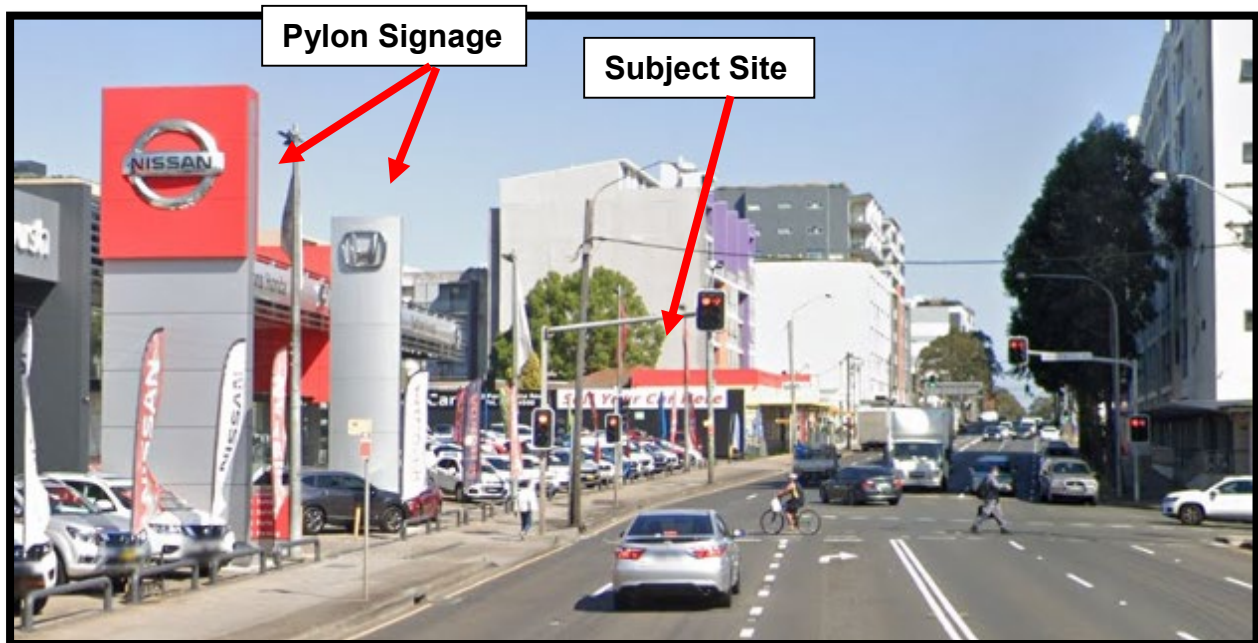


Image 19: Existing Pylon Signs along Parramatta Road

Background

- 7 November 2019:** The Strathfield Local Planning Panel granted approval to DA2019/057 for construction of a mixed use development comprising of a ground floor pub, serviced apartments and residential apartments above three (3) levels of basement parking.
- 17 February 2021:** The subject application for signage was lodged.

26 February 2021- 12 March 2021:	The application was notified in accordance with Council's Community Participation Plan. No submissions were received during this period.
8 March 2021:	Council's assessment officer referred the subject application to Transport for NSW for concurrence.
26 March 2021:	An additional Information letter was sent to the applicant requesting: <ul style="list-style-type: none"> • Side elevation of all signs; • Site plan to indicate exact size and location of proposed signage; and • Statement of Environmental Effects to clarify proposed operational hours of signage illumination (i.e. hours in the day and days in the week). It is requested that you provide justification for the proposed operational hours. Written response from Transport for NSW was received.
26 March 2021:	Amended plans received which provided:
6 April 2021:	The measurement of the depth of signs and a site plan showing location. Additional information on hours of operation (10am-12am (7 days a week) and mitigation of impact from light spillage.
11 June 2021:	The assessment officer undertook a site visit.
24 June 2021	The internal comments from council's Traffic Manager with conditions were received.
7 July 2021	The internal comments from the Council's Environmental Health Manager were received.
12 July 2021:	A further information letter was sent to the applicant. This letter requested information in relation to the pylon sign and the close proximity to the proposed tree in the forecourt of the hotel. It also requested information as to if the pylon sign was double sided.
	The applicant provided a scaled amended signage location plan. This plan relocated the pylon sign away from the tree. The applicant also included a letter from an arborist stating canopy height will be over the pylon sign height and the sign will not interfere with the survival of the tree.
19 July 2021	The assessment officer discussed the conditions on Illumination with council's Environmental Health Officer and updated conditions based on these discussions. This included reducing hours of illumination for the van signage from 10pm to 9:30pm as it was located in the forecourt of the hotel. No flashing lights for the van and limiting the intensity of illumination for signs at the rear of the property which face the townhouses.

Referrals – Internal and External

Traffic Comments:

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

Environmental Health Comments:

Council's Environmental Health Manager raised no objections to the proposal, subject to the imposition of recommended conditions of consent.

Transport for NSW:

Transport for NSW stated in their letter of the 26 March that *“the proposed development is unlikely to have an impact on the classified road network.”*

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

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 B4-Mixed Use and the proposal is a permissible form of development with Council's consent.

Part 4 – Principal Development Standards

There are no principal development standards under the SLEP 2012 that are triggered by the proposal.

Part 5 – Miscellaneous Provisions

There are no provisions contained in Part 5 that are applicable to the proposed development.

Part 6 – Additional Local Provisions

The adequacy of the site for development in relation to these local provisions have already been assessed by Strathfield Council under DA2019/57 which approved the 32m mixed use development. The site has now been excavated, therefore the following provisions are no longer relevant:

- Acid Sulfate Soils
- Earthworks
- Flood Planning
- Essential Services

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

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The subject site has a frontage to a classified road (Parramatta Road). Clause 101 of the SEPP (Infrastructure) requires Council to consider any adverse impacts to the operation of a classified road as result of the proposed development. The most prominent of the signs that will be directly facing Parramatta Road is the 8 metre double sided pylon sign. The application was referred to the Transport for NSW for comment. Transport for NSW had no objection to the signage.

The aims and objectives outlined within the SEPP are considered to be satisfied.

STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE

SEPP 64 establishes a number of considerations for development involving the installation of signage. An assessment of the proposed development against the requirements of SEPP 64 is provided below:

Assessment Criteria	Required	Proposed	Compliance
1. Character of the Area	Compatible with existing and likely future character of the area.	The signs <u>will not be</u> out of character for the area as a number of pylon signs along Parramatta Rd currently exist (see Image 19)	Yes
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no theme for the area. However, the sign is similar in height and width as other pylon signs in the vicinity (See Image 19).	Yes
2. Special Areas	Does the proposal detract from the amenity or visual quality of any a) environmentally sensitive areas; b) heritage areas; c) natural or other conservation areas; d) open space; e) waterways; f) rural landscapes; or g) residential areas?	There is no environmental sensitive areas in immediate vicinity that is likely to be affected by the signage. It will not impact on any sensitive landscapes.	Yes
3. Views and Vistas	a) Obscure or compromise important view? b) Dominate the skyline and reduce the quality of vistas? c) Respect the viewing rights of other advertisers?	a) The pylon sign is not located in an area with an important view. b) The 8m pylon sign is the most apparent of the signs. It will be located in front of a mature tree and a 32m high building. As such the sign is unlikely to dominate the skyline. c) It is also located far enough away from other pylon signs to	Yes

		respect viewing rights (see image 19)	
4. Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The signs are of a scale that is suitable for the setting.	Yes
	Does the proposal: a) Contribute to visual interest? b) Reduce clutter by rationalising and simplifying existing signage? c) Screen unsightliness? d) Protrude above buildings, structures or tree canopies? e) Require ongoing vegetation management?	The design chooses limited colours to reduce clutter. The sign will be screened partly by the proposed vegetation. It is well below the building line for surrounding development. Amended plans show that the sign has been moved away from the tree and it will no longer be compromised. It is unlikely that there will be ongoing vegetation management as the sign is located away from trees.	Yes
5. Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage is of an appropriate scale when compared to the building. It will provide the branding for the hotel. It generally is in subtle colours which is appropriate for the surrounding residential development.	Yes
6 Associated devices and logos with advertisements and advertising structures	Have any safety devices, platforms, lighting devices or logos been designed as part of the structure?	No safety devices. VIP advertising proposed with Logo.	Yes
7 Illumination	Would illumination: a) Result in unacceptable glare? b) Affect safety for pedestrians, vehicles or aircraft? c) Detract from nearby residence or accommodation?	The signage is located in a business area that allows for residential accommodation. As such the signs will be surrounded by residential uses. The food van is located on the western boundary next to residential units, the pylon sign opposite apartments and the rear VIP entrance and carpark sign facing townhouses on Loftud Lane.	Mitigation measures have been conditioned limiting operational times, illumination brightness and that the signs cannot flash.
	Can illumination be adjusted or subject to curfew?	Yes, the times and illumination can be adjusted. Hours of hotel operation are from 10am to 12am. The forecourt is operational till 10pm.	Conditions imposed include the hours of illumination and that the signs require a built-in ambient

		Hours conditioned include 12am to 11:30pm for the hotel signs. Given the public bar will be closed at 12pm as part of their current hours of operation conditions, the turning off of these lights will also signal to the patrons that the business is closing. The front courtyard use is restricted to 10pm as such the light from the food van will be restricted to 9:30 pm for the same reason.	sensors to adjust the brightness of the screen based on the natural light.
	8. Safety	Would the proposal: a) Reduce safety for any public road? b) Reduce safety for pedestrians or cyclists? c) Reduce safety, for children by obscuring sight lines from public areas?	The pylon sign will not obscure sight lines from Loftus lane as its located 7m from the intersection.

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 proposed development does not result in the removal or loss of any trees or vegetation subject to the provision of this SEPP.

The aims and objectives outlined within the SEPP are considered to be satisfied.

(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 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.

Part J - Erection and Display of Advertising Signs and Structures is concerned mainly with signs that impact on public space by extending over public spaces. These signs will all be located on private property.

An analyses on the pylon sign is shown in the table below.

Applicable DCP Controls	DCP Controls	Development Proposal	Compliance/ Comment
Part J - Erection and Display of Advertising Signs and Structures			
Item 10 - Pole or pylon signs: Projection over road Maximum area Height above ground	Not more than 1.2m 44.6m ² 15.2m	N/A 21.6m ² (height 8m by width 2.7m) 8m	Yes - The proposed signage will be located wholly within the subject site and will not project over any road alignment.
21. Signs in all areas	i) Sign is not prone to deterioration in appearance and is not redundant, unsightly or objectionable	Signs will use muted colours of green, red and blue. They are not unsightly or objectionable.	Yes
	ii) obscures or interferes with road traffic signs	Will include a LED screen which may cause interference	A condition will be included in the consent which requires the signage illumination to comply with the Transport Corridor Outdoor Advertising and Signage Guidelines (NSW Department of Planning and Environment, November 2007)
2.6 Erection And Display Of Advertisements Along Parramatta Road Maximum height:	(i) Advertisements, in general, identify the building and its function but don't advertise the products sold on the subject premises.	The LED screen will be used for the hotel. To inform of events etc.	
	(v) Illuminated advertisements at night are permissible provided they comply with the guidelines set out elsewhere in the DCP.	Complies with the pylon sign	Yes
Unclassified signs Considered on merit		A food van is proposed with unclassified signs,	The food van illuminated signage will be limited to 9:30pm. This is half an hour before the approved operations are to cease in the forecourt.

PART H – Waste Management (SCDCP 2005)

In accordance with Part H of Strathfield CDCP 2005, a waste management plan was submitted with the application. The plan details measure for waste during demolition and construction, and the on-going waste generated by the development during its use. It is considered that this plan adequately address Part H and considered satisfactory.

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

The proposed development does not involve the demolition of a building. Should this application be approved, appropriate conditions of consent may be imposed to ensure compliance with the requirements of the above standard.

(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 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 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 Councils 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 signage are of a scale and character that will not conflict with the public interest. Nearby signs are of a similar height and style to these signs.

These signs, however, will be the first in the immediate area to be illuminated. As such conditions in relation to the illumination have been included to mitigate glare for surrounding residents.

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).

STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

Section 7.12 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan.

Based on the Cost of Works of \$205,398.00 and in accordance with Council's s7.12 Indirect Contributions Plan, a contribution of 1% of the cost of works is applicable. In this regard, the contribution is as follows;

Local Amenity Improvement Levy	\$2053
---------------------------------------	---------------

Conclusion

The application 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 SCDCP 2005.

Following detailed assessment it is considered that Development Application No. 24/2021 should be approved subject to conditions.

Signed: 
E Black
Specialist Planner Heritage

Date: 19 July 2021

- ☒ I confirm that I have determined the abovementioned development application with the delegations assigned to my position;
- ☒ I have reviewed the details of this 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: **MCR**
Miguel Rivera
Senior Planner

Date: 20 July 2021.

The following conditions of consent are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.

- (b) To protect the environment.
- (c) To ensure that there is no unacceptable impact on the amenity of the area, or to private and public property.
- (d) It is in the public interest.

DEVELOPMENT DETAILS

(1) Approved Plans & Documentation

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Item 1	BD4405	06.10.2020	1	FREMONT
Item 2	BD4405	06.10.2020	1	FREMONT
Item 3	BD4405	06.10.2020	1	FREMONT
Item 4	BD4405	06.10.2020	1	FREMONT
Item 5	BD4405	06.10.2020	1	FREMONT
Item 6	BD4405	06.10.2020	1	FREMONT
Item 7	BD4405	06.10.2020	1	FREMONT
Item 8	BD4405	06.10.2020	1	FREMONT
Item 9	BD4405	06.10.2020	1	FREMONT
Locations	BD4405	06.10.2020	1	FREMONT
Ground floor signage	DA-901	13.07.21	P2	Sqillace
Statement of Environmental Effects for business identification and wayfinding signage		January 2021		Mecone

(2) **Nature and Content of Signage**

All signage (including displays from the screens) must only relate to the Homebush Hotel. No general advertising of businesses, companies, organisations, goods or services which do not relate to the Homebush Hotel are permitted to be displayed at any time. No signage must be used for advertising. All signage must be designed and/or operated as follows:

- Dwell times for any image **display must not be less than 10 seconds**;
- Any images contained within the sign must be displayed in completely static manner without any motion;
- Any images must not be mistaken for traffic control device such as red, amber, green circle.
- Disability glare from bright light signs must be minimised for all road users and adjacent residents; and
- The sign must be orientated in a manner that does not create headlight reflections in the driver's line of sight. As a guideline, angling a sign five degrees away from right angles to the driver's line of sight can minimise headlight reflections.
- Flashing lights are prohibited.

SEPRARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

(3) **Section 138 Roads Act 1993 and Section 68 Local Government Act 1993**

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;

- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a “works zone”;
- (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (j) Stormwater & ancillary works in the road reserve; and
- (k) Stormwater & ancillary to public infrastructure on private land
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council’s roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council's website www.strathfield.nsw.gov.au. For further information, please contact Council’s Customer Service Centre on (02) 9748 9999.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

(4) Fees to be Paid

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council’s adopted Fees and Charges applicable at the time of payment (available at www.strathfield.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact council prior to the payment of s7.11 or s7.12 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation.	\$ 718.00

See https://portal.longservice.nsw.gov.au/bci/levy/	
Security Damage Deposit	\$ 5,250.00
Administration Fee for Damage Deposit	\$ 130.00
DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$2053.00

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

A Section 7.12 contribution has been levied on the subject development pursuant to the Strathfield Section 94A Indirect Development Contributions Plan.

Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

Timing of Payment

The contribution must be paid and receipted by Council:

- For development that involves a construction certificate prior to the release of the Construction Certificate.

Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website www.strathfield.nsw.gov.au.

(5) Damage Deposit – Minor Works

In order to insure against damage to Council property the following is required:

- Pay Council, before the issue of the Construction Certificate, a damage security deposit for the cost of making good any damage caused to any Council property as a result of the development: \$5,250.00

- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: \$130.00
- (c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

(6) **Structural Details**

Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the PCA.

PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)

(7) **Utility Arrangements**

Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicants expense.

DURING CONSTRUCTION

(8) **Hours of Construction for Demolition and Building Work**

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

Note: A penalty infringement notice may be issued for any offence.

OPERATIONAL CONDITIONS (ON-GOING)

(9) Outdoor Lighting

To avoid annoyance to the occupants of adjoining premises or glare to motorist on nearby roads, outdoor lighting must comply with *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*.

(10) Lighting – General Nuisance

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.

Flashing, moving or intermittent lights or signs are prohibited.

(11) Signage illumination Specifications

- A. That the pylon sign includes a built-in ambient sensor to adjust the brightness of the screen based on the natural light available.
- B. The lighting intensity of any of the illuminated signage must be capable of modification or control after installation. Any illuminated signage must not exceed levels for Zones 2 (facing Parramatta Road), Zone 3 (carpark entrance sign) and Zone 4 (lights and illuminated signs facing Loftus Lane) under “Table 6” of the Transport Corridor Outdoor Advertising and Signage Guidelines (NSW Department of Planning and Environment, November 2007).

(12) Hours of Operation (Signage)

The approved hours of operation shall be restricted to the following:

Homebush Hotel Signage

10am-11:30pm (seven days a week)

Mobile Food Van signage (front courtyard)

10am-9:30pm (seven days a week)

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

(13) Requirement for a Construction Certificate

The erection of a building must not commence until a Construction Certificate has been issued.

(14) Appointment of a PCA

The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner - Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

(15) Notification of Critical Stage Inspections

No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

(16) Notice of Commencement

The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

(17) Critical Stage Inspections

The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the [Environmental Planning and Assessment Regulation 2000](#).

(18) Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

PRESCRIBED CONDITIONS

(19) Clause 98 – Building Code of Australia & Home Building Act 1989

Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the [Home Building Act 1989](#) relates, there is a requirement for a contract of insurance to be in force before any work commences.

(20) Clause 98A – Erection of Signs

Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PCA and the Principal Contractor.

ADVISORY NOTES

1. Review of Determination

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney East Planning Panel or the Land & Environment Court.

2. Appeal Rights

Division 8.3 (Reviews and appeals) Part 8 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

3. Lapsing of Consent

This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

4. Access to NSW Legislations (Acts, Regulations and Planning Instruments)

NSW legislation can be accessed free of charge at www.legislation.nsw.gov.au

5. Long Service Levy

The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

6. Site Safety Fencing

Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).