

IDAP REPORT

Property:	201 Parramatta Road, Homebush West Lot 101 DP 1262255 DA2021.138
Proposal:	Internal alterations and conversion of part of ground floor and mezzanine level storage and breakout rooms to create ancillary offices within industrial warehouse development.
Applicant:	Trumen Norman Homebush Pty Ltd
Owner:	Sydney Olympic Park Authority
Date of lodgement:	18 June 2021
Notification period:	25 June 2021 to 09 July 2021
Submissions received:	Nil
Assessment officer:	P Santos
Estimated cost of works:	\$693,179.00
Zoning:	B6 – Enterprise Corridor - SLEP 2012
Heritage:	Adjacent to a Heritage Conservation Area – “C6” – Welfare Street Conservation Area, Inter-war Bungalow Style Group
Flood affected:	Yes
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1. Aerial imagery of the subject site (outlined) and the immediate locality.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the internal alterations and conversion of part of ground floor and mezzanine level storage and breakout rooms to create ancillary offices within industrial warehouse development.

Site and Locality

The subject site is legally described as Lot 101 DP 1262255, commonly known as 201 Parramatta Road, Homebush West. The units that are the subject of this development application are units 1 to 4 of the CDC-approved warehouse/distribution centre development.

The whole property is located on the northern side of Parramatta Road and has an area of 26,100m² (2.6ha).

The lot is irregular in shape and has frontages of 208.58m to Parramatta Road to the south, and 30.63m to Flemington Road to the east. The site benefits from vehicular access via an access handle off Flemington 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 June 2021 to 09 July 2021, where no submissions were received.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, Development Application 2021/138 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the internal alterations and conversion of part of ground floor and mezzanine level storage and breakout rooms to create ancillary offices within industrial warehouse development.

More specifically, the proposal includes:

Building 1 - Lot B

Ground Level –

- Conversion of a breakout space to a 110m² office/retail space.

First Level –

- Conversion of a breakout space to a 133m² office/retail space.

Building 1 – Unit 4

Mezzanine Level –

- Conversion of the 327m² storage to an office.

Units 5-8

Mezzanine Level –

- Conversion to a 28m², 28m², 30m² and 59m², respectively.

Ancillary/External Works

- Two new parking spaces along the access handle.

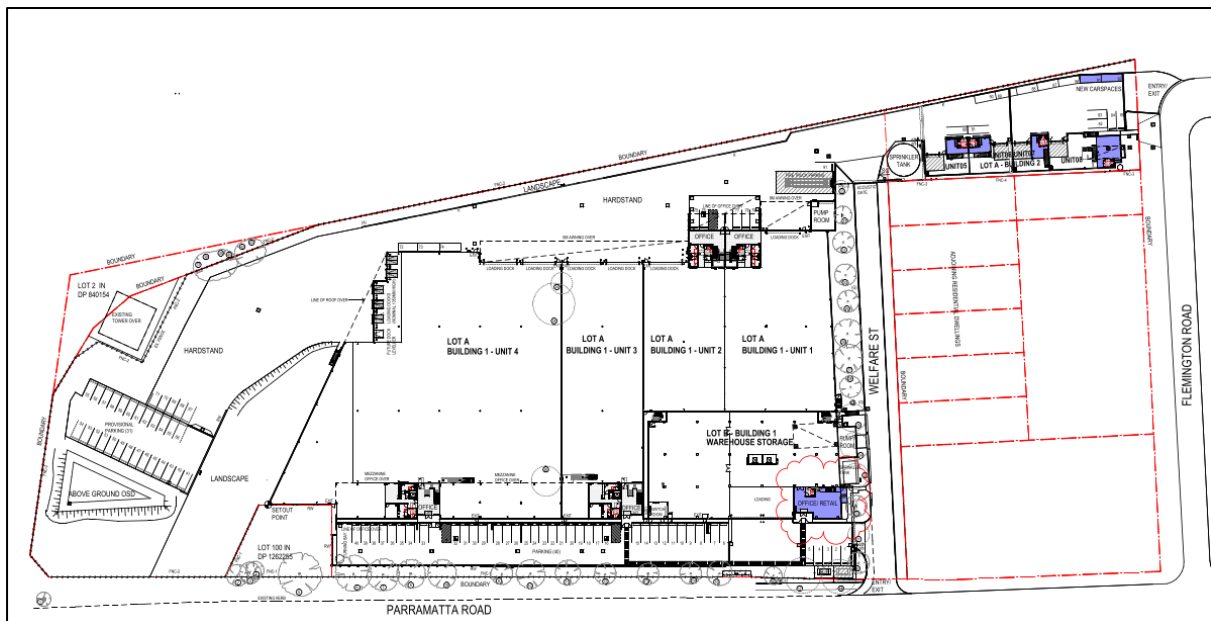


Figure 2. Extract of the site plan.

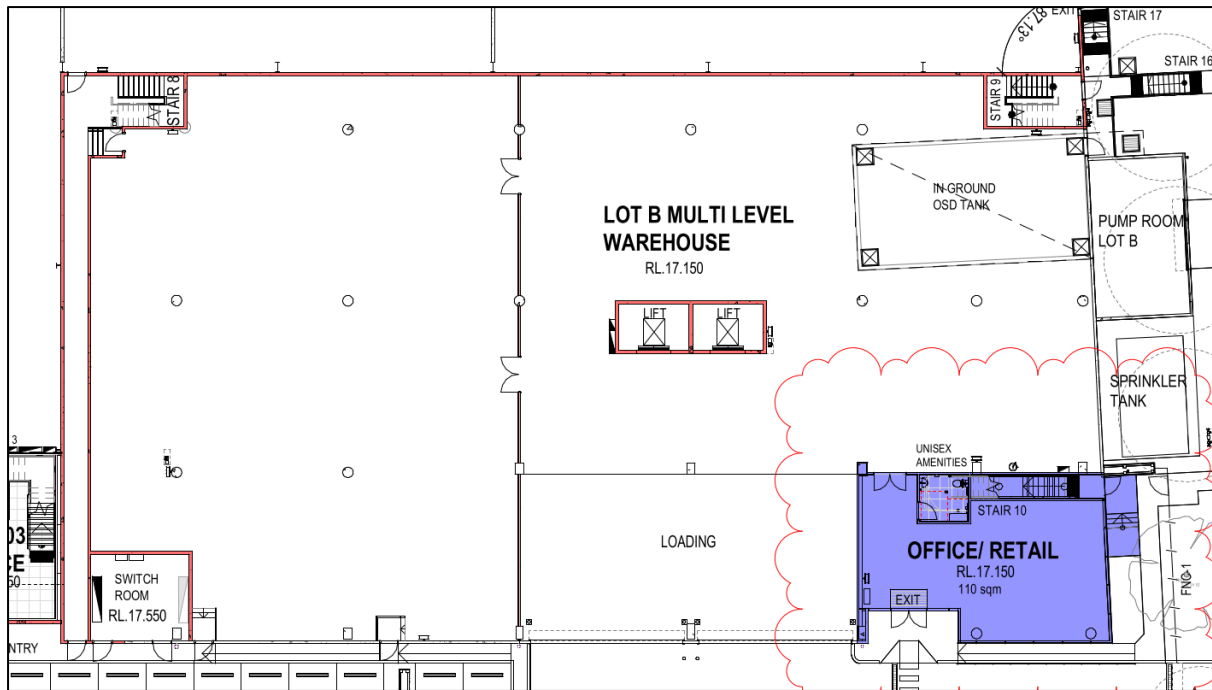


Figure 3. Extract of the proposed ground floor alterations and addition – Lot B Building 1.

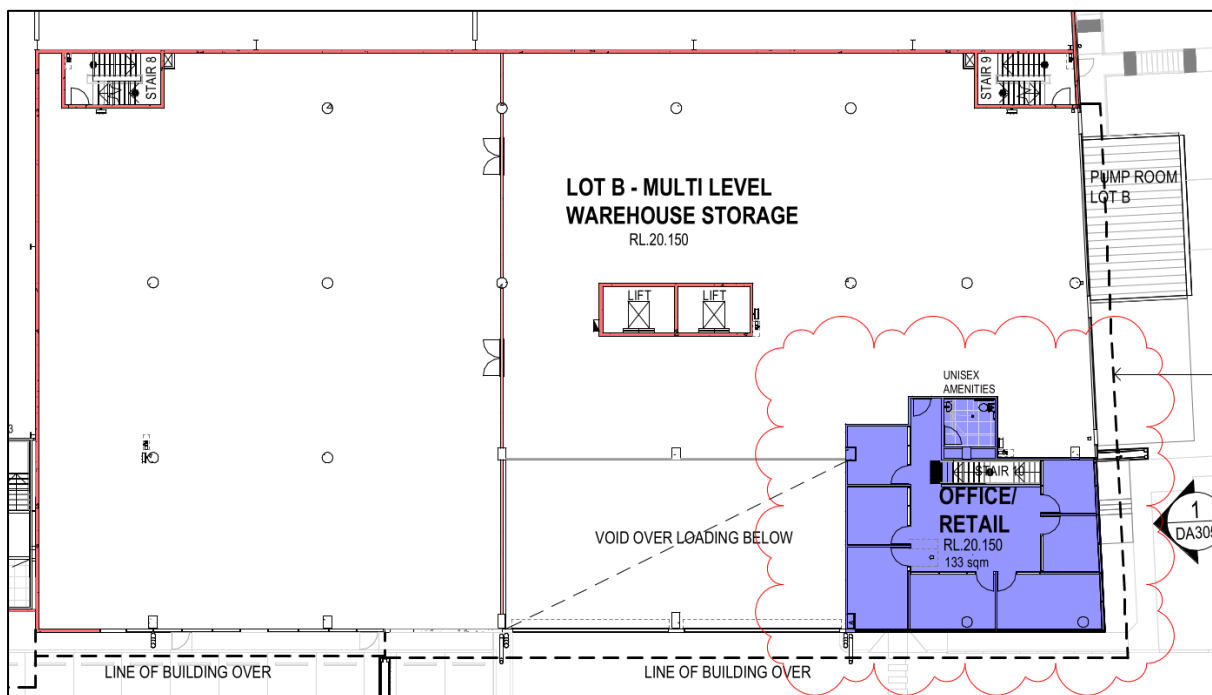


Figure 4. Extract of the proposed first floor alterations – Lot B Building 1.

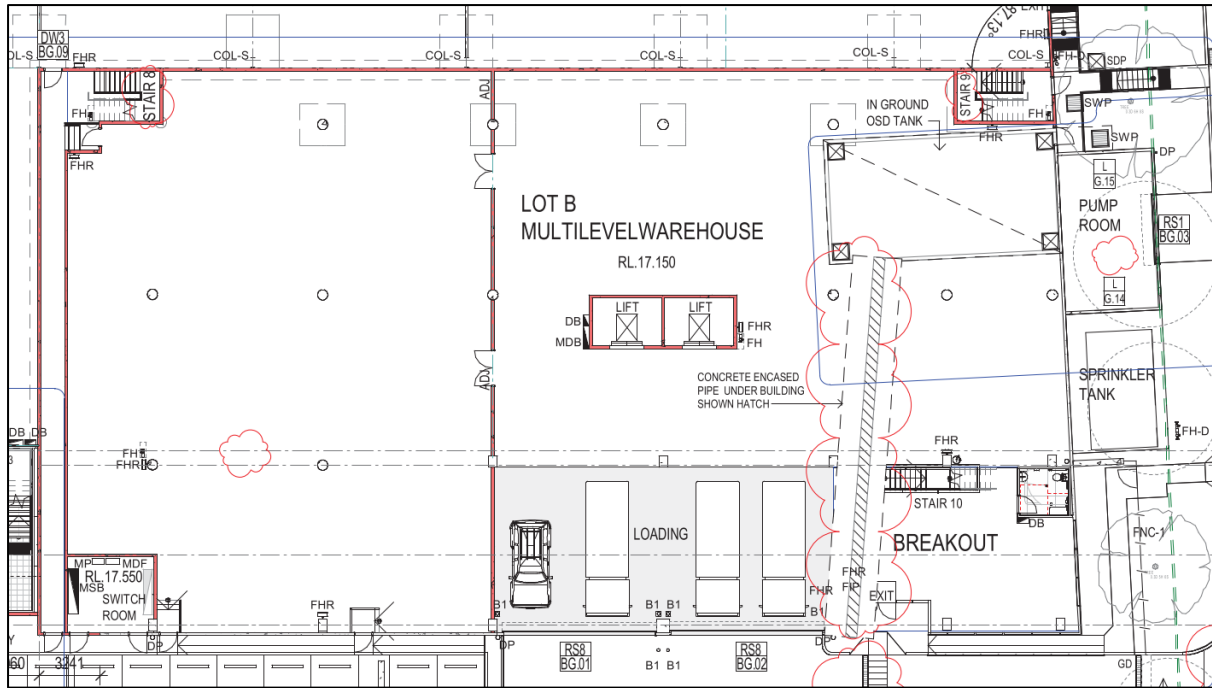


Figure 5. Extract of the approved ground floor – Lot B Building 1, in CDC-20083.

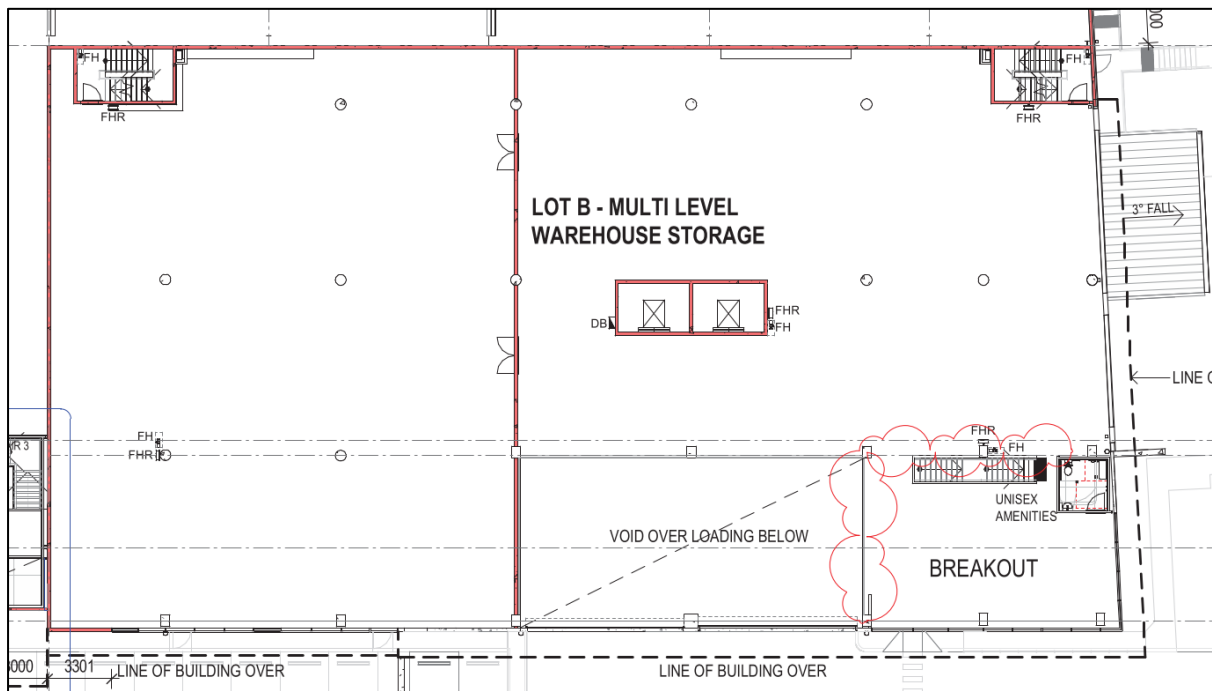


Figure 6. Extract of the approved first floor – Lot B Building 1, in CDC-20083.

Figure 8. Extract of the proposed mezzanine level alteration – unit 4.

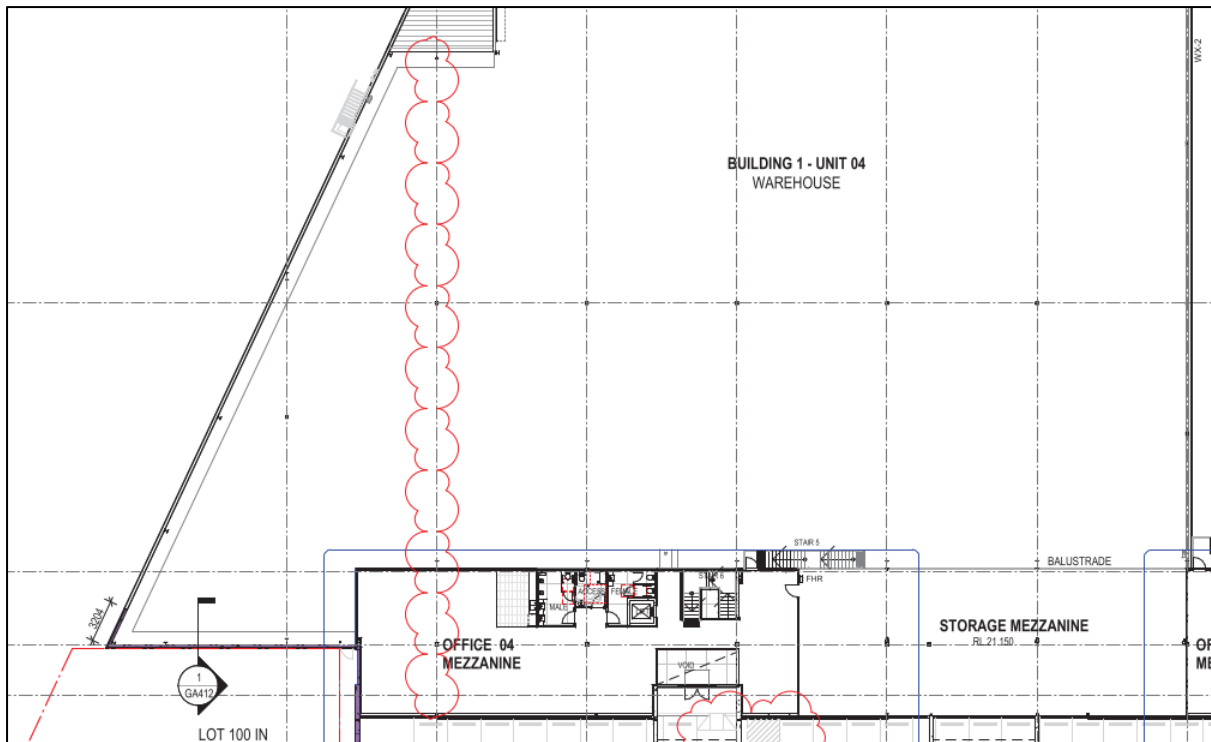


Figure 9. Extract of the approved storage on the mezzanine level in CDC-20083 – unit 4.

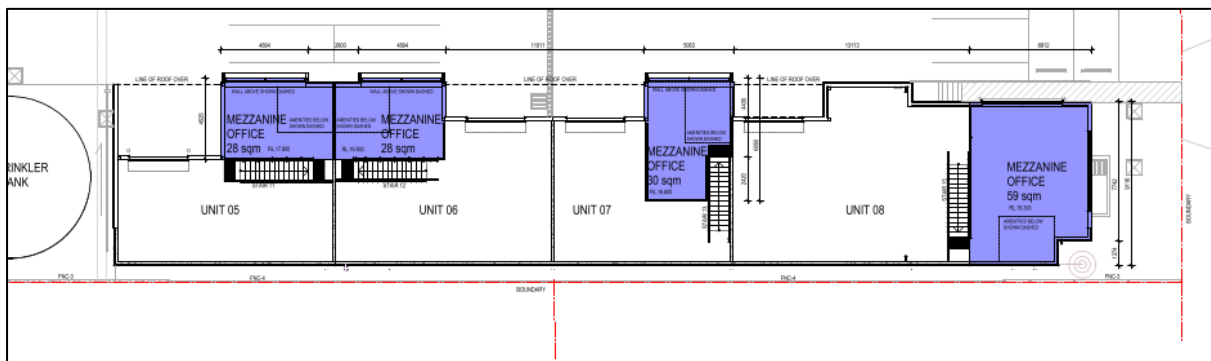


Figure 10. Extract of the proposed mezzanine level for units 5-8.

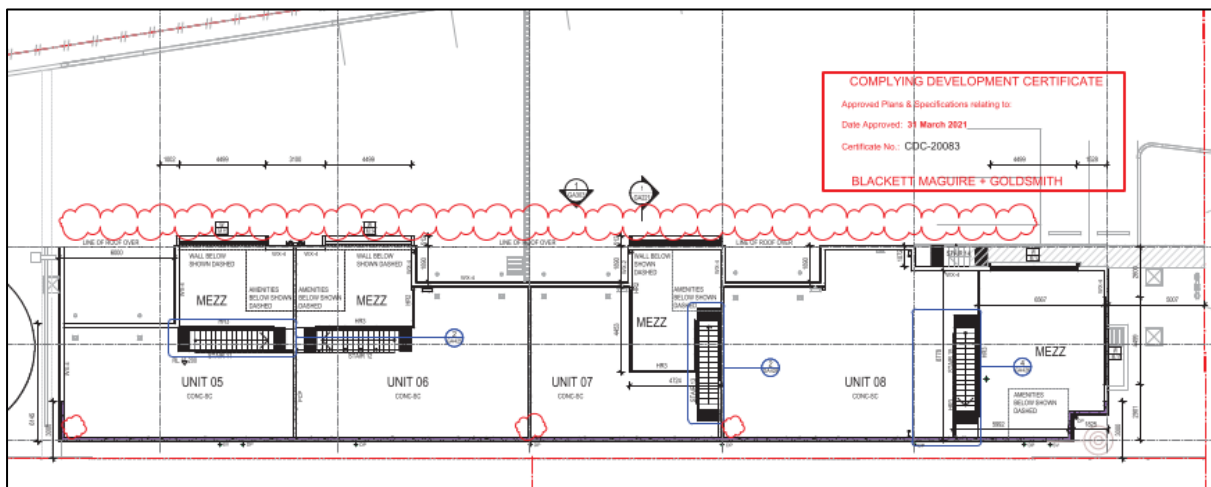


Figure 11. Extract of the approved mezzanine levels for units 5-8 in CDC-20083.

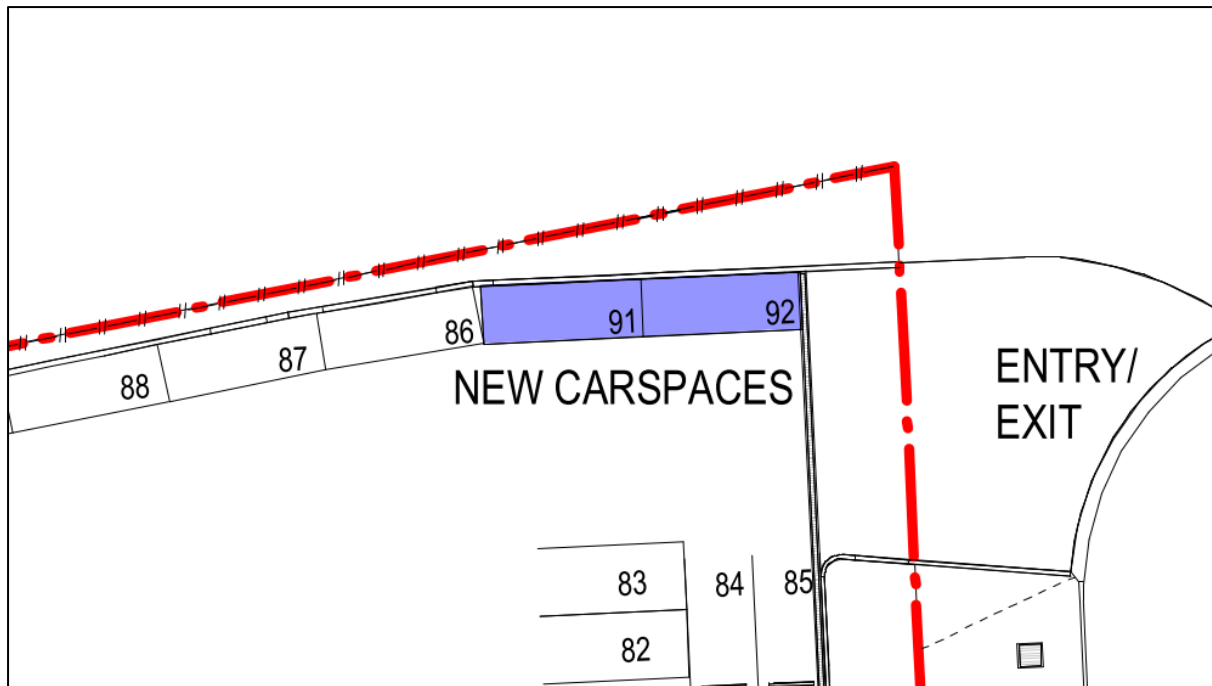


Figure 12. Extract of the proposed site plan showing the proposed two new parking spaces.

The Site and Locality

The subject site is legally described as Lot 101 DP 1262255, commonly known as 201 Parramatta Road, Homebush West.

The whole property is located on the northern side of Parramatta Road and has an area of 26,100m² (2.6ha).

The site is currently under construction for the purpose of the CDC-approved warehouse/distribution centre – CDC-20083.

The current streetscape and the immediate locality, apart from the small pocket of residential development that forms part of the C6 Heritage Conservation Area, are characterised by a network of major highways and a motorway – Parramatta Road, Centenary Drive and Western Motorway (M4), a mix of big warehouse or distribution centres, offices, and a food and drink premises – Wentworth Hotel. Sydney Markets is located across the road, to the south of the subject site.



Figure 13. Closer aerial imagery of the subject site (outlined) and the immediate locality.

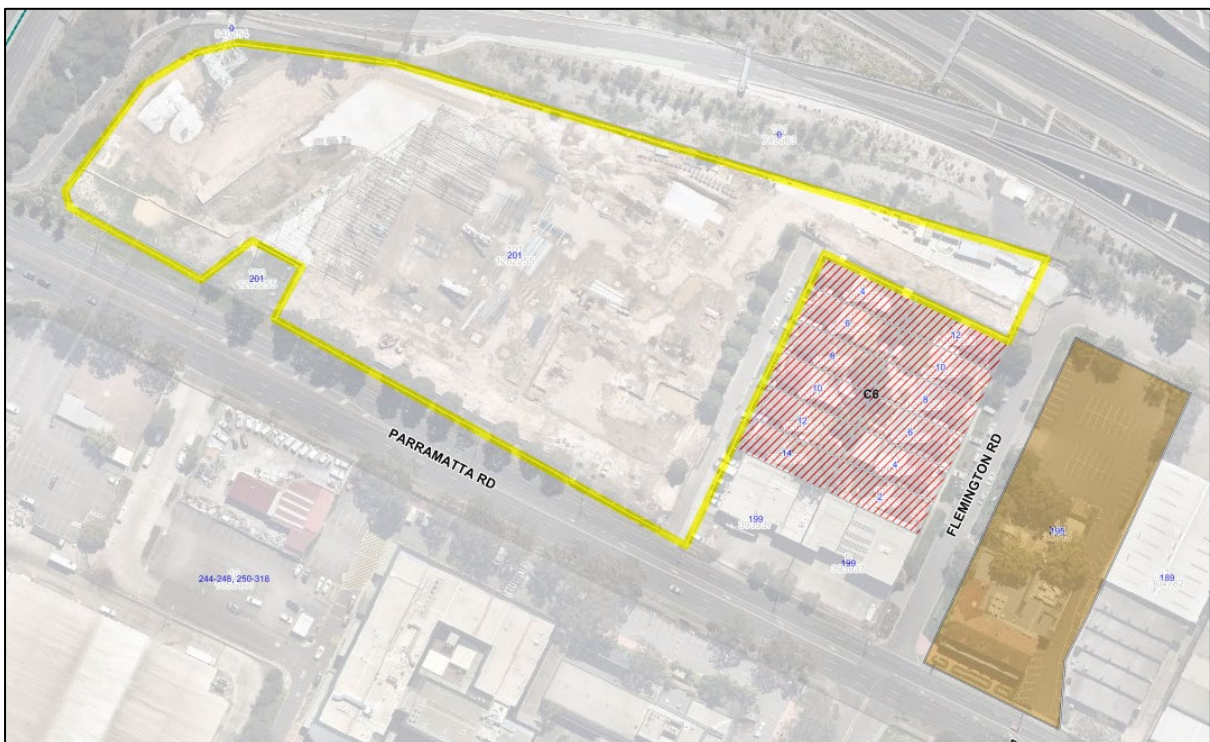


Figure 14. Locality map of the subject site (outlined) showing the HCA "C6" (hatched) and the Wentworth Hotel, shown as the Heritage Item, east of Flemington Road.

Background

31 March 2021

A complying development certificate (CDC-20083) was issued for the purpose of construction of a warehouse development with ancillary offices, external hardstand, loading docks and associated parking.

18 June 2021

The subject development application was lodged.

- 2 September 2021 A consent was granted by the Strathfield Local Planning Panel for the DA2021/85 for the first use as a warehouse/distribution centre and change of hours to allow 24/7 operations for units 1 to 4, and construction of acoustic fences.
- 7 September 2021 An additional information request letter was issued, raising the following concerns:
- The approval for the use of the multi-level storage building (Building 1 Lot B) and warehouse units 5-8; and
 - Floor plans of the mezzanine level of units 5-8.
- 5 October 2021 A complying development certificate (CDC-21105) was issued for the first use of Lot B Building 1 and Lot A units 5-8 for the purpose of warehouse or distribution centre.
- 5 October 2021 The additional information was provided to Council.

Referrals – Internal and External

Traffic

The application was referred to Council's Traffic Manager who offered no objection to the proposal.

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 and the proposal is a permissible form of development with Council's consent.

Part 4 – Principal Development Standards

Building Height and Floor Space Ratio

The proposed development involves works that are purely internal and will not alter the footprint of the buildings and the height. Small steps are proposed to be added to the south-eastern elevation of Building 1 Lot B multi-level storage to access the ground level office/retail space. This does not alter the approved floor space ratio on-site.

The proposal is considered that it will continue to satisfy the objectives and provisions of the principal development standards.

Part 5 – Miscellaneous Provisions

Heritage Conservation

The subject site adjoins a heritage conservation area – “C6” Welfare Street Conservation Area, Inter-war Bungalow Style Group to the east.

The nature of the proposal did not warrant a referral to Council’s Heritage Advisor. Furthermore, the proposed development is acceptable as it will continue to satisfy the objectives of the clause.

Flood Planning

The subject site has been identified as being at or below the flood planning level. However, the nature of the proposal did not warrant a referral to Council’s Development Engineer for consideration.

The proposed development will continue to satisfy the provisions and objectives of the clause.

Part 6 – Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as having Class 5 Acid Sulfate Soils but is not located within 500m of a Class 1, 2 3 or 4 soils. Therefore, development consent under the provisions of this section is not required.

Earthworks

The proposal does not include any significant excavation or basement works. Any excavation for footings for the purpose of the steps in the south-eastern elevation of the multi-level storage is considered to be minor and will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Essential Services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The subject site is located within a well serviced area and features existing water and electricity connection and access to Council’s stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development

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 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.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

While the site fronts a classified road – Parramatta Road, the nature of the proposal did not trigger a referral to the Transport NSW to be made. Previous consents (i.e. complying development and development application) took into consideration the provisions stipulated in Clauses 101 and 104 of the SEPP.

No other provisions under the SEPP apply to the proposed development.

(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 D – Industrial Development

Office

Council DCP stipulates that office and showroom activities are to be ancillary to the main industrial activity approved for the site and that should a large area dedicated to office or showroom purposes (in excess of 25%) must be substantiated by evidence that the location is necessary.

The offices proposed for units 4-8 are to be accessed internally, demonstrating that the office component is ancillary to the use of each building.

The proposed office and retail space for the multi-level storage in Lot B Building 1 is in two levels (i.e. ground and first floors) and has a total floor area of 243m². The office/retail space comprises 3% of the total floor area of the self-storage facility.

Parking

The proposal includes two additional parking spaces on the site. The application was referred to Council's Traffic Manager who provided no objection to the additional spaces. The two new spaces are supported as it provides additional off-street parking.

PART H – Waste Management (SCDCP 2005)

In accordance with Part H of Strathfield CDGP 2005, a waste management plan was submitted with the application. The plans was assessed as a concept and a condition of consent will be imposed to ensure that a more accurate waste management plan is prepared prior to receipt of a construction certificate.

PART P – Heritage (SCDCP 2005)

The site adjoins a heritage conservation area – “C6” Welfare Street Conservation Area, Inter-war Bungalow Style Group. As the works of the proposal are all internal, it is considered that there will be no impact on to the heritage significance of the HCA. As such, the proposed development is supportable in this regard.

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

The requirements of Australian Standard AS2601–1991: *The Demolition of Structures* is relevant to the determination of a development application for the demolition of a building.

The proposed development does not involve the demolition of a building. As such, no conditions of consent will be imposed in relation to this.

(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.

(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 during this period.

(e) the public interest.

The proposed development 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).

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 as follows:

Based on the Cost of Works of \$693,179.00 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	\$6,931.79
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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. 2021/138 should be approved, subject to the conditions of consent.



P Santos
Planner

- ☒ 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:

**M Rivera
Senior Planner**

Date: 8 November 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
Site Plan	DA200	19/05/2021	B	SBA Architects
Plan – Floor Plans Ground	DA201	19/05/2021	B	SBA Architects
Plan – Floor Plans Mezzanine	DA202	19/05/2021	B	SBA Architects
East Elevation	DA305	19/05/2021	A	SBA Architects
Plans – Mezzanine Floor Units 5-8	DA203	04/05/2021	A	SBA Architects

SEPRARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

2. 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) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.
- (b) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (c) Establishing a "works zone";
- (d) Placing or storing materials or equipment;
- (e) Placing or storing waste containers or skip bins;
- (f) Stormwater & ancillary to public infrastructure on private land
- (g) Erecting a structure or carrying out work

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

- (h) Pumping water from the site into the public road;
- (i) Constructing a vehicular crossing or footpath;
- (j) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (k) Stormwater & ancillary works in the road reserve; and
- (l) Pumping concrete from a public road;

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the activities commencing.

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

3. 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. See https://portal.longservice.nsw.gov.au/bci/levy/	\$ 2,426.13
Security Damage Deposit	\$ 12,200.00
Administration Fee for Damage Deposit	\$ 130.00
DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$ 6,931.79

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 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.

4. **Damage Deposit – Minor Works**

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

- (a) 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: \$12,200.00.
- (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.

5. **Site Management Plan**

Major Development

A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:

- (a) location of protective site fencing;
- (b) location of site storage areas/sheds/equipment;
- (c) location of building materials for construction, e.g. stockpiles
- (d) provisions for public safety;
- (e) dust control measures;
- (f) method used to provide site access location and materials used;
- (g) details of methods of disposal of demolition materials, according to Waste Management Plan and which should be used or recycled wherever practicable;
- (h) method used to provide protective measures for tree preservation;
- (i) provisions for temporary sanitary facilities;
- (j) location and size of waste containers/skip bins, according to the Waste Management Plan and including resource recovery methods;
- (k) details of proposed sediment and erosion control measures;
- (l) method used to provide construction noise and vibration management;
- (m) construction and demolition traffic management details.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

6. Waste Manage Plan (WMP)

Prior to the issue of a Construction Certificate, a Waste Management Plan (WMP) must be submitted and it must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005). A WMP will become part of any development consent issued and aims to facilitate better waste management, waste minimization and resource recovery.

The WMP is an important planning document that will not only be utilised as part of the development application process, but during construction and for the ongoing use of the development. The WMP will continue to apply as a working reference for the life of the development.

At least one copy of the WMP is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

7. Fire Safety Measures

Prior to the issue of a construction certificate a list of the existing and proposed essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a PCA. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or PCA will then issue a Fire Safety Schedule for the building.

8. Commonwealth Disability (Access to Premises) Standard

The Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards) applies to all applications (i.e. Construction Certificate). This requires any new building, part of a building and the affected part of the existing building to comply with the Premises Standards, the Building Code of Australia and AS 1428.

9. Off Street Parking – Compliance with AS2890

All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1 (for car parking facilities), AS 2890.6 (parking for people with disabilities) and AS 2890.2 (for commercial vehicle facilities).

DURING CONSTRUCTION

10. Site Sign – Soil & Erosion Control Measures

Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all site and building works.

11. 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 REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

12. Requirement for a Construction Certificate

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

13. 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.

14. 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.

15. 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

16. 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.

17. 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. **Disability Discrimination Act**

This application has been assessed in accordance with the [Environmental Planning and Assessment Act 1979](#). No guarantee is given that the proposal complies with the [Disability Discrimination Act 1992](#). The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The [Disability Discrimination Act 1992](#) covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1-Design for Access and Mobility.

7. **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).