

IDAP REPORT – SECTION 4.55(2) MODIFICATION

Property:	21 Parramatta Road Homebush Lot 3 in DP 1219481 DA2014/35/6
Proposal:	S4.55 (2) modification application involving the alterations and additions to the approved mixed-use building.
Applicant:	Al Maha Pty Ltd
Owner:	Lyda Holdings Pty Ltd
Date of lodgement:	22 December 2021
Notification period:	11 January 2021 - 28 January 2021
Submissions received:	One (1) written submission received
Assessment officer:	L Gibson
Estimated cost of works:	Nil
Zoning:	B4-Mixed Use - SLEP 2012
Heritage:	No
Flood affected:	No
Is a Clause 4.6 Variation Proposed:	No
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1: Aerial view of subject site and surrounding context. Entire site is outlined in red with subject building (Building B) outlined in yellow.

EXECUTIVE SUMMARY

Proposal

Approval is being sought for the modification of development consent DA2014/35 involving the alterations and additions to the approved mixed-use building.

Site and Locality

The site is identified as 21 Parramatta Road Homebush and has a legal description of Lot 3 in DP1219481. The site was formerly known as 17-35 Parramatta Road, Homebush prior to development of the parent application. Two (2) of the three approved buildings have been constructed (building A to the rear and Building C on the corner of Powell Street and Parramatta Road). The site is an irregular-shaped parcel of land and is located immediately north of Parramatta Road and south of the M4 Western Motorway.

The entire site (inclusive of Buildings A, B and C) has an approximate frontage width of 99m to Parramatta Road, 94m to Powell Street and a total site area of 6,257m².

The locality has transitioned from light industrial and commercial uses to medium to high density residential development with some ground floor commercial / retail uses.

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 as amended satisfies all relevant objectives contained within the LEP.

Development Control Plan

The proposed development as amended 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 (11 January 2021 - 28 January 2021), where one (1) written submission was received. These relate to overshadowing, visual privacy and traffic generation and will be discussed further in this report.

Issues

- Façade changes

Conclusion

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2014/35/6 is recommended for approval subject to suitable conditions of consent as modified.

REPORT IN FULL

Proposal

Council has received an application to modify development consent DA2014/35. The application is a S4.55 (2) modification application involving the alterations and additions to the approved mixed-use building. More specifically, the proposal involves modifications to Building B of the site including;

Basement level

- No change proposed.

Ground Floor

- Introduction of third additional lift to Building B; and
- 1.7m² reduction in Retail 4 floor space as a result of new lift well (resulting 215.8m² retail space).

Levels 1 – 7

- Introduction of third additional lift to service each floor; and
- Floor to floor of residential levels increased by 50mm per level to allow installation of sprinklers to all levels above 4 storeys.

External Works

- Façade amended to Building B to provide new brick face with curved façade and arched colonnade design to ground floor commercial tenancies; and
- Parapet added to Level 7 as part of new brickwork design and provide fall arrest for roof maintenance;

The GFA of the upper 7 levels remains relatively unchanged as a result of the additional lift and reconfiguration of internal services. A No changes are proposed to the approved number of units, the unit mix or layouts.



Figure 2: Proposed South-eastern elevation of building from Parramatta Road



Figure 3: Proposed eastern elevation of Building B (Left) and Building A (Right) as viewed from public domain.



Figure 4: Southern elevation plan of approved development. Building C (pictured Left) and Building B (pictured Right).

The Site and Locality

The subject site is legally described as Lot 3 in DP 1219481 and is commonly known as 21 Parramatta Road Homebush. The site was previously identified as 17-35 Parramatta Road and 5 Powell Street, Homebush. The project has a staged development approval whereby all works associated with Buildings A and C have been completed including the shared basement parking levels. Building B fronts Parramatta Road and is the second and final stage of the project.

The site is an irregular-shaped parcel of land and is located immediately north of Parramatta Road and south of the M4 Western Motorway.

The entire site (inclusive of Buildings A, B and C) has an approximate frontage width of 99m to Parramatta Road, 94m to Powell Street and a total site area of 6,257m².

The locality has transitioned from light industrial and commercial uses to medium to high density residential development with some ground floor commercial / retail uses.

Vehicular access is provided to the site via Powell Street.



Figure 5: Subject site showing Buildings A and C already constructed. Ismay Reserve is shown on right.



Figure 6: Building B location on the site with Building C to the left and Building A in the foreground.



Figure 7: View of Rear Building A from M4 Western Motorway.

Background

12 September 2014	The Joint Regional Planning Panel granted (DA2014/035) a Deferred Commencement Consent for demolition and construction of two (2) x eight (8) storey mixed use buildings comprising a total of (221) residential units, five (5) x ground floor commercial tenancies, basement car parking and landscaping works.
10 November 2014	Deferred Commencement matters satisfied and consent was activated. Council approved (DA2014/035/01) a Section 4.55(1A) modification application concurrently with the release of the Deferred Commencement consent relating to alteration to the staging of construction, minor building footprint changes, reconfiguration of apartment layouts and unit mix.
21 November 2014	A planning proposal was gazetted to enable a maximum permitted height on the site (Key Site 33) from 26m to 80m and maximum FSR from 2.7:1 to 4.5:1 in accordance with The Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).
2 July 2015	The Sydney East Joint Regional Planning Panel approved (DA2014/035/02) a Section 4.55(2) modification application to reconfigure the layout of approved basement parking levels 1,2 and 3 and to construct a fourth level of basement parking comprising an additional (71) parking spaces.
30 June 2016	Council approved (DA2014/035/03) a Section 4.55(1A) to reconfigure the building footprint and alter Condition 5 relating to the staging of construction works. The revised staging of

the project has enabled the basement works, associated landscaping and stormwater drainage works and Building A and C to be constructed and occupied. (As built, these buildings are now known as 5 Powell Street and 19 Parramatta Road)

Building B (the subject of this modification application) fronts Parramatta Road and is identified as Stage 2.

28 July 2016	Council approved (DA2014/035/04) a Section 4.55(1A) to modify conditions relating to undergrounding of electrical services.
1 October 2020	The Sydney Eastern City Planning Panel approved DA2020/008 for construction of a 25-storey mixed use development over an existing 4-level basement car park (approved under DA2014/035) comprised of 2 ground floor retail tenancies, 7 floors of serviced apartments (77 apartments), and 17 floors of residential apartments (125 apartments) above. Based on the lodgement of this subject modification application and lodgement of DA2021/327 discussed below, Council assumes the applicant has chosen not to proceed with this approval.
20 December 2021	DA2021/327 for construction of 17 additional storeys above an approved 8 storey mixed use building comprised of 151 residential apartments was lodged with Council. This application is being assessed concurrently with the subject application and scheduled for determination by the Sydney Eastern City Planning Panel.
22 December 2021	The subject application was lodged with Council.
11 January – 28 January 2022	The application was placed on notification.
24 January 2022	Site inspection was carried out by assessing officer.

Referrals – Internal and External

Building

The application was referred to Council's Building Surveyor for comment. The following comments were made:

"I suggest that an accessibility report be undertaken on the building as it does not demonstrate compliance with NCC Vol One, Part D3 Access for people with a disability. Modifications will be required to be made internally and externally to facilitate the accessibility requirements of the NCC. Ramps are required to be installed to access the building from the street.

The retail areas and the main building are also required to be provided with sanitary facilities in accordance with NCC Vol One, Part F2 Sanitary and other facilities (DtS).

I also note that the required sprinkler water storage has not been detailed on the roof. This is not a complete BCA assessment only a couple of the items that will impact the overall design and construction of the building.”

The application was supported subject to conditions of consent. Condition 113 has been implemented requiring a complete BCA assessment to be prepared and submitted to Council for review. This is to ensure that the development can demonstrate compliance with the National Construction Code (NCC) including providing equitable access for future occupants.

Section 4.55 of the EP&A Act 1979

The application has been lodged under the provisions of S4.55(2) of the EPA Act. The application is not considered to be of minimal environmental impact, is substantially the same development for which consent was originally granted, has been notified in accordance with the provisions of Council's CPP and any submissions made will be considered as part of this assessment. In addition, under the provisions of s4.55 (3), the reasons for the granting on the consent that sought to be modified will be taken into consideration during the detailed assessment of the application.

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 as modified is a permissible form of development with Council's consent.

Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development Standards	Development Proposal	Compliance/ Comment
4.3A Parramatta Road Height of Buildings (Key Site 33)	80m	Building B: 30.51m	Yes

4.4 Land in Parramatta Road Corridor Floor Space Ratio (key Site 33)	4.5:1 (28,156.5m ²)	Building B = 5,083.7m ² Total Site (Buildings A + B + C) = 2.82:1 (17,697.2m ²)	Yes
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Part 5 – Miscellaneous Provisions

Heritage Conservation

The subject site is not listed as a heritage item or located within a heritage conservation area. The site does not adjoin nor is in close proximity to a heritage item and as such, the provisions of this clause are not applicable.

Flood Planning

The subject site (Lot 3 in DP 1219481) has not been identified within the flood planning levels and as such, the provisions of this Clause are not applicable to the modification as proposed.

Part 6 – Additional Local Provisions

Acid Sulfate Soils

As the basement car park below the development has already been constructed, there is no risk of acid sulfate soil affectation. As such, no further assessment is required under clause 6.1 of the *SLEP 2012*.

Earthworks

The proposed modifications do not result in any additional or significant excavation works and will not have any further detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Essential Services

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

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

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

All stormwater from the proposed development as modified can be treated in accordance with Council's Stormwater Management Code and would satisfy the relevant planning principles of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

A revised BASIX Certificate has been issued for the proposed development as modified and the commitments required by the BASIX Certificate have been satisfied.

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

The proposed development as modified 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

The proposal is consistent with objectives (a) and (b) under Clause 101(1).

The consent authority can be satisfied of the matters under subclause (2)(a) in that vehicular access will continue to be provided via Powell Street and not from Parramatta Road. The proposal will not result in any changes to the safety, efficiency and ongoing operation of the classified road and will not be adversely affected by the development, and thus satisfies Clause (1)(a) and (2)(a) and (b). The proposed modifications will continue to achieve a development that is appropriately located and has been designed to minimise adverse traffic noise arising from the adjacent classified road and thus satisfies clause (2)(c).

The proposed amendments have been considered with respect to Clause 102 "Impact to road noise or vibration on non-road development". The proposed modifications predominantly relate to external material changes and will unlikely result in any additional noise impacts than that which was originally approved. The proposal does not warrant the need for an amended Acoustic Report to be produced and is considered to satisfy the provisions of this clause.

The subject application is not in itself deemed traffic generating development as the proposal involves only material changes and minor internal and external modifications.

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

Development (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design. The proposed modification application results in changes to the external treatment of the building with some minor internal changes. The apartment mix, floor configuration, parking, solar access and cross ventilation all remain unchanged.

Clause 30(2) requires that consent cannot be granted if the application does not demonstrate that adequate regard has been given to the design principles of the SEPP and the objectives specified for the relevant design criteria of the ADG). Whilst consent was granted under the original proposal, an assessment against the design principles relevant to the proposal are provided below:

Principle	Objective	Proposed
Context and neighbourhood character	<p><i>Responding to context involves identifying the desirable elements of an area's existing or future character.</i></p> <p><i>Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<p>The proposed design responds appropriately to this context, with nil front setback to retail suites along Parramatta Road. The proposed brickwork with curved face addresses the corner of the development with the street and adjoining public open space.</p>
Built form and scale	<p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<p>The proposed design complies with the FSR control of SLEP and achieves an appropriate bulk and scale that is responsive to the desired future character of the area and the recent approval in the street.</p> <p>The built form continues to define the public and private domain and provides an appropriate emphasis to the entry of the development.</p>
Sustainability	<p><i>Good design combines positive environmental, social and economic outcomes.</i></p> <p><i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable</i></p>	<p>The proposal complies with the amended BASIX and provides good solar access and natural ventilation to heat and cool the building alongside building products which provide high insulation properties.</p>

Principle	Objective	Proposed
	<i>materials and deep soil zones for groundwater recharge and vegetation.</i>	
Aesthetics	<p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	<p>The proposal continues to achieve an appropriate level of articulation throughout.</p> <p>The schedule of external finishes has been amended including new brickwork to the curved façade with arches along the ground floor retail uses of the building. This is considered a more appropriate finish for the style of development and surrounding streetscape.</p>

Apartment Design Guide

Design Criteria	Required	Proposed	Compliance
4F – Common Circulation and Spaces	<p>Max 8 apartments off a single core</p> <p>For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40</p>	<p>No change – 9 apartments access via a single core however, corridor is well lit and achieves ample cross ventilation.</p> <p>Each floor (comprised of 9 units each floor between level 2-7) will have access to 3 lift wells</p>	Yes.
4U – Energy Efficiency	<p>Adequate natural light to habitable areas</p> <p>Adequate natural ventilation</p> <p>Screened areas for clothes drying</p> <p>Shading on northern and western elevations</p>	<p>The proposal achieves compliant cross ventilation outcomes.</p>	Yes.
4V – Water Management and Conservation	<p>Efficient fixtures/fittings</p> <p>WSUD integrated</p> <p>Rainwater storage and reuse</p>	<p>Refer to BASIX Certificate commitments.</p>	Yes.

4X – Building Maintenance	Material selection reduces ongoing maintenance costs.	The amended schedule of external finishes including new brickwork is understated and refined to ensure the development will evolve nicely with both the approved as well as future development in the street.	Yes.
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- (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and**

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

- (iii) any development control plan,**

Strathfield DCP 20 – Parramatta Road Corridor

Strathfield Development Control Plan No. 20 came into force in May 2006.

This document has been superseded by SEPP 65 and the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), except for the on-site car parking requirement for retail development under Clause 2.13.1. The proposal does not result in any change to on-site parking and thus no assessment is required in this regard.

PART H – Waste Management (SCDCP 2005)

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

PART I – Provision of off-street parking (SCDCP 2005)

The proposal does not result in any changes to the off-street parking provisions required for the site.

PART Q – Urban Design Controls (SCDCP 2005)

The purpose of Part Q is to facilitate design excellence to deliver the highest standard of architectural, urban and landscape design.

The proposed development continues to positively respond to the street through its attractive street frontage, appropriate corner building articulation and understates yet modern external finishes that will complement the prevailing and transitioning nature of Parramatta Road.

The proposed modifications will continue to deliver a an acceptable level level of amenity for future occupants. The development is compatible with adjacent development and will enhance the streetscape through its active ground floor commercial premises and seamless integration between the public and private domain.

Overall, the proposal is considered appropriate in this regard and generally satisfies the provisions of Part Q of the SCDCP 2005.

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

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

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

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

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

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

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

In accordance with the provisions of 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. One (1) submission was received raising the following concerns:

1. Overshadowing – Development casts shadow onto neighbour's backyard or windows.

Comment: The proposal results in a minor increase in building height from 26m to 30.51m. This is a result of the 50mm increase to each floor level to accommodate for updated building standards for services and fire safety. The resulting increase in building height will unlikely result in any discernible increase in overshadowing upon adjoining properties.

2. Overlooking – potential views from upstairs windows and balconies into the neighbour's backyard or windows.

Comment: The proposal does not result in any modifications to the location and provision of windows and openings on the site. The proposal will therefore not result in any discernible increase in overlooking beyond which has been previously approved for the site.

2. Traffic Generated (as a result of the proposal)

Comment: The proposal does not result in any change or increased to the approved parking spaces and unit numbers for the site. The proposal will therefore not result in any additional increase in traffic generated beyond which has been approved for the site.

(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).

The proposed modifications do not result in the increase or change to the contributions imposed on the original consent.

Conclusion/Recommendation

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

Pursuant to Section 4.55(2) of the Environmental Planning & Assessment Act 1979 and following detailed assessment of the proposed modifications to Development Consent No. 35/2014 for alterations and additions to the approved mixed-use building be approved subject to following changes.

1. The proposed modifications does not result in the change to the description of the approved development and is to be maintained.
2. The original conditions of consent of Development Consent No. 2014/035 as approved except were amended as below.
3. As part of this Section 4.55(2) application, the following conditions are to be modified, added or deleted;
 - Condition 1 is modified to reflect the amended design.
 - Condition 91 is modified to require the issue and submission of annual fire safety certificates.
 - Condition 133 has been added to require a complete BCA assessment to be undertaken for the site so that it accords with the requirements of the National Construction Code (NCC).



Signed:

**L Gibson
Senior Planner**

Date: 1 February 2022

☒ 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:

**Joseph Gillies
Senior Planner**

Date: 1 February 2022

Development Details

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:

Basement Level 4 Plan Drawing No. DA001B Issue F Job No. OMA1309 prepared by Squillace Architects received by Council on 12 June 2015

Basement Level 3 Plan Drawing No. DA001A Issue N Job No. OMA1309 prepared by Squillace Architects received by Council on 12 June 2015

Basement Level 2 Plan Drawing No. DA001 Issue R Job No. OMA1309 prepared by Squillace Architects received by Council on 12 June 2015

Basement Level 1 Plan Drawing No. DA002 Issue R Job No. OMA1309 prepared by Squillace Architects received by Council on 12 June 2015.

~~Ground Floor Plan Drawing No. DA003 Issue R Job No. OMA1309 prepared by Squillace Architects received by Council on 14 April 2016.~~

~~First Floor & Podium Plan Drawing No. DA004 Issue Q Job No. OMA1309 prepared by Squillace Architects received by Council on 14 April 2016.~~

~~Level 2-7 Floor Plan Drawing No. DA005 Issue N Job No. OMA1309 prepared by Squillace Architects received by Council on 4 November 2014.~~

~~Roof Plan Drawing No. DA009 Issue J Job No. OMA1309 prepared by Squillace Architects received by Council on 14 April 2016.~~

~~Elevations Plan Drawing No. DA150 Issue J Job No. OMA1309 prepared by Squillace Architects received by Council on 14 April 2016~~

~~Elevations Plan Drawing No. DA151 Issue E Job No. OMA1309 prepared by Squillace Architects received by Council on 4 November 2014.~~

~~Section A-A & B-B Drawing No. DA160 Issue J Job No. OMA1309 prepared by Squillace Architects received by Council on 14 April 2016.~~

Section C-C Plan Drawing No. DA161 Issue H Job No. OMA1309 prepared by Squillace Architects received by Council on 14 April 2016.

Site and demolition plan Drawing No. DA011 Issue E Job No. OMA1309 prepared by Squillace Architects received by Council on 4 November 2014.

Storage diagrams and adaptable units plan Drawing No. DA330 Issue A Job No. OMA1309 prepared by Squillace Architects received by Council on 4 November 2014.

Tree Removal and Retention Plan Drawing No. LA02 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Landscape Plan Drawing No. LA03 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Hardworks, Levels and Soil Depths Plan Drawing No. LA04 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Planting Plan Drawing No. LA05 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Planting Plans – First Floor, Level 2, Roof Drawing No. LA05-1 Issue A Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Illustrative Sections Drawing No. LA06 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 19 June 2014.

Social Green Amenity Factor Calculations Drawing No. LA07 to LA10 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Landscape Details Drawing No. LA11 Issue B Job No. 14-004S prepared by Taylor Brammer Landscape Architects received by Council on 13 June 2014.

Materials and Finishes Colour Scheme Schedule prepared by Squillace Architects received by Council on 28 February 2014.

Preliminary Site Investigation Phase One Report dated 27 February 2014 prepared by Aargus Australia P/L received by Council on 28 February 2014 and associated Addendum report dated 26 June 2014 prepared by Aargus Australia P/L received by Council on 26 June 2014.

~~BASIX Certificate No. 530599M_02, 530692M_02 and 530750M_02 dated 12 June 2014 received by Council on 13 June 2014.~~

NatHERS Certificate No. 1006397093 dated 12 June 2014 prepared by Association of Building Sustainability Assessors received by Council on 13 June 2014.

Stormwater Concept Plans prepared by Acor Consultants Pty Ltd Project No. SY130538 Drawings No. C1.01, 02, 03 Issue A & C2.01 Issue P1 dated February 2014 received by Council on 28 February 2014.

BCA Assessment Report dated 24 February 2014 prepared by Blackett Maguire & Goldsmith received by Council on 28 February 2014.

Waste Management Plan prepared by The MACK Group dated 24 February 2014 received by Council on 28 February 2014;

Acoustic Report prepared by Acouras Consultancy dated 26 February 2014 received by Council on 28 February 2014.

Access report prepared by Morris Goding Access Consultants dated 26 February 2014 received by Council on 28 February 2014.

Preliminary Fire Engineering Statement prepared by RAW Fire dated 24 February 2014 received by Council on 28 February 2014.

Geotechnical Report prepared by Asset Geotechnical dated 27 February 2014 received by Council on 28 February 2014.

Arboricultural Assessment Report prepared by Redgum Horticultural dated 26 February 2014, received by Council on 28 February 2014.

Ground Floor Plan Drawing No. DA003 Issue S Job No. OMA1309 prepared by Squillace Architects, January 2015.

Level 1 Podium Plan Drawing No. DA004 Issue R Job No. OMA1309 prepared by Squillace Architects, January 2015.

Level 2-7 Floor Plan Drawing No. DA005 Issue P Job No. OMA1309 prepared by Squillace Architects prepared January 2015.

Roof Plan Drawing No. DA009 Issue K Job No. OMA1309 prepared by Squillace Architects prepared January 2015.

Elevations Plan Drawing No. DA150 Issue K Job No. OMA1309 prepared by Squillace Architects prepared January 2015.

Elevations Plan Drawing No. DA151 Issue J Job No. OMA1309 prepared by Squillace Architects prepared January 2015.

Section A-A & B-B Drawing No. DA160 Issue K Job No. OMA1309 prepared by Squillace Architects prepared January 2015.

BASIX Certificate, Certificate Number 1261411M, issued 23 November 2021.

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2. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
4. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

5. The proposed development may be constructed in two (2) stages in accordance with a staged Construction Certificate and the following:
 - (a) **Stage 1** comprising the construction of four (4) levels of basement parking, completion of On-Site Detention System, Stormwater Connection and installation of Water Sensitive Urban Design components and the construction of Building A comprising two (2) commercial tenancies, (29) x 1 bedroom units and (66) x 2 bedroom units and Building C comprising two (2) x commercial tenancies, (21) x 1 bedroom units, (35) x 2 bedroom units, and (7) x 3 bedroom units and the mass planting of trees adjacent to the northern boundary of the site and the at-grade central courtyard, and
 - (b) **Stage 2** comprising the completion of Buildings B comprising two (2) commercial tenancies, (21) x 1 bedroom, (35) x 2 bedroom units and (7) x 3 bedroom units.
 - (c) Neither of the two (2) stages of the development shall be occupied or used until the development has been completed in accordance with the conditions of this consent for that particular stage, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate issued by the Principal Certifying Authority.
6. The roof of Building A shall be redesigned and made accessible for use as common open space. Lift access and communal BBQ/outdoor kitchen facility for use by all future residents of the site shall be included in the design and the details submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**. The rooftop area may include a pergola, with a maximum height of 3.5m and maximum area of 25m², to improve the usability of the rooftop.
7. The strata subdivision of the proposed development shall be the subject of a separate application.
8. Accessible and functional bicycle storage shall be provided within the basement for use by residents and visitors to the site.
9. The Stormwater Plans, Landscape Plans and BASIX endorsed under Condition 1 are acceptable as concept plans only and shall be updated to reflect the modified footprint of the building prepared by Squillace Architects and received by Council 7 July 2014.

General

10. For residential flat developments which are subject to State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Development and required to be accompanied by a design verification from a qualified designer under Clause 50(1A) of the Environmental Planning and Assessment Act Regulation 2000, a certifying authority must not issue:

- (a) a **Construction Certificate** unless the certifying authority has received a design verification statement from a qualified designer that verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 143A of the Regulations; and
 - (b) an **Occupation Certificate** to authorise a person to commence occupation or use of the residential flat building unless the certifying authority has received a design verification statement from a qualified designer that verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65, in accordance with Clause 154A of the Regulations.
11. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit must be retained on site at all times.
 12. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
 13. Storage of goods or the use of portable clotheslines on balconies visible from a public place is strictly prohibited.
 14. All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.
 15. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

16. In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes **prior to the issue of an amended Construction Certificate** for each stage of the development as follows:

Stage 1 – Building A and C

Provision of Community Facilities	\$ 150,010.90
Provision of Major Open Space	\$ 761,168.10
Provision of Local Open Space	\$ 305,481.70
Provision Roads and Traffic Management	\$ 32,280.75
Administration	\$ 32,322.20
TOTAL	\$1,281,263.65

Stage 2 – Building B

Provision of Community Facilities	\$ 60,659.90
Provision of Major Open Space	\$ 314,257.10
Provision of Local Open Space	\$ 126,140.70
Provision Roads and Traffic Management	\$ 10,054.75
Administration	\$ 13,274.20
TOTAL	\$ 524,386.65

The total amount of the contribution is valid as at the date of the parent determination and is subject to annual indexation. If the contribution is paid after 1st July in any year, the amount of the contribution under this condition shall be indexed in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

17. A security payment of \$8,127.00 in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council **prior to the issue of a Construction Certificate**. The security payment is GST inclusive and comprises the following:

Refundable works bond	\$8,000.00
Non-refundable administration fee (\$127/bd)	\$127.00
TOTAL	\$8,127.00

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) connection to Council's stormwater drainage system;
 - (c) installation and maintenance of sediment control measures for the duration of construction activities, and
 - (d) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.
18. Fees are payable where Council is appointed as principal certifying authority to carry out the post-approval inspections. A quotation for the fees can be obtained by contacting Council and the fees shall be paid **prior to the carrying out of any of the inspections**.

Any re-inspection which is necessary due to site access not being available, defective work, or the matter not being ready for inspection will be charged in accordance with Council's Fees and Charges Policy. Council will advise in writing if an additional re-inspection is required and the re-inspection fee shall be paid **prior to release of the damage deposit**. If the additional fee is not paid it will be deducted from the damage deposit.

Parking/Traffic Matters

19. A total of (344) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Residents	(197)
Resident Accessible	(33)
Visitors (residential)	(44)
Commercial	(70)
TOTAL	(344)

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

20. A sign shall be erected in a suitable location on the site advising that parking is available for visitors.
21. Where entry points to carpark areas are fitted with security gates/shutter and access to visitor parking is required to be provided a suitable communication systems shall be provided at the entry point to allow the security gates/shutter to be opened remotely by occupants of the building.
22. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
23. All vehicles entering and leaving the site shall be driven in a forward direction only.
24. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.
25. The vehicle spaces must not be enclosed with walls or meshed security screens without the prior approval of Council.
26. Reconstruction of the footpath, kerb and gutter to Council's specifications for the full frontage of the development site shall be undertaken at the completion of all building works.
27. A specific bay for car washing shall be provided within the basement for use by residents. This car wash bay shall be drained in accordance with the requirements of Sydney Water.

Plans demonstrating compliance with this requirement must be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.** This information shall also form part of any future development application for the Strata Subdivision of the development.

28. Purpose built storage compartment(s) shall be provided to and within each of the resident car parking bays and/or associated dwellings at the following rate:
- 6m³ for each one (1) bedroom unit.
 - 8m³ for each two (2) bedroom unit.
 - 10m³ for each three (3) bedroom unit.

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

Drainage/Stormwater

29. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system kerb & gutter via the onsite stormwater detention systems and as depicted on the stormwater drainage concept plans Prepared by Acor Consultants Pty Ltd Project No.Sy130538 Drawings No. C1.01, 02, 03 & 04 Issue a Dated February 2014 and the onsite stormwater detention volume is to be increased by 50% for landscaping purposes and amended plans shall be submitted to the principal certifying authority for approval **Prior To The Issue Of A Construction Certificate.**
30. Stormwater runoff from all roof and paved surfaces of the development site shall be collected and discharged by means of a gravity pipe system to the Sydney Water's channel via On-site Stormwater Detention storage subject to the requirements of Sydney Water.
31. An easement in favour of the development site lot shall be obtained over any downstream properties traversed by the gravity drainage line connecting to Sydney water's channel. The cost of creating the easement shall be at no cost to council. For pipes less than 350mm diameter, the easement width shall be a minimum of 1.0m. Easements for larger diameter pipes shall be the pipe diameter plus 1.0m with a minimum width of 2.5m.
32. The utility services within the area of effect of the proposed drainage line (i.e. Gas, water, sewer, electricity, telephone, etc) shall be physically located **prior to the commencement of drainage works.** The relevant authority's written consent for excavation adjacent to their services shall be obtained. Any adjustments required shall be at no cost to Council.
33. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans **AND** 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.**

34. 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.**

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

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.

36. 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**.

37. 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.

38. All pits shall be constructed in accordance with Australian Standard AS3500.3.
39. All subsoil drainage must be designed to meet the requirements of AS3500;
40. Access to the basement car park, head room for basement entry, driveway ramp and turning circles shall be designed in accordance with AS 2890.1-2004.
41. The proposed basement pump out system is to be strictly in accordance with the requirements set out in Strathfield Council's Stormwater Management Code 2007. The rising main shall be connected to the OSD tank/basin. Final details of this system are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate**.
42. 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.
43. 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.
44. 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.

45. 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.
46. 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

Which have been incorporated in the development. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority **prior to the issue of an Occupation Certificate/use of the building.**

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

47. 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.

48. 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.
49. 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.

50. 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.

Public Authority Matters

51. **Prior to the issue of an Occupation Certificate** all existing overhead electricity and telecommunication cabling adjacent to the development site shall be placed underground at the applicants' expense in accordance with the specifications of ausgrid and the telecommunications supplier and the following requirements:

- (a) Where the property is located on the **opposite side of the street** to the main power lines and telecommunication cables, the services are to be placed underground from the development site to the nearest location on the opposite side of the street for connection to the existing mains supply as directed by ausgrid and the telecommunications carrier. The method of construction across the road carriageway shall be by directional boring beneath the road pavement;
OR
- (b) Where the property is located on the **same side of the street** as the main overhead power lines and telecommunication cables, all services are to be placed underground for the full length of the frontage of the site. Any overhead powerlines and telecommunication cables that cross the road from the development site must also be placed underground and the cabling installed and distributed to properties in accordance with ausgrid and the telecommunications carriers' requirements.

52. **Prior to the issue of a Construction Certificate the applicant must contact** the Engineer Planning and Supply Negotiations (West) ausgrid on 131 535, to obtain a quotation to underground power supply lines and where appropriate a quotation to underground the main overhead power supply lines adjacent to the frontage of the subject property and the telecommunications carrier on 1100 advising that undergrounding of the telecommunication cabling is required.

If required, an easement shall be created in favour of electrical and telecommunications suppliers and comply with the following:

- (a) For the provision of underground services and above ground pillar boxes for access to their equipment;
- (b) The easement is to be 3m wide abutting the property boundary at the point of entry and 1.5m within the property;
- (c) Where the easement is to be enclosed, a minimum headroom of 2m is required above the floor level; and
- (d) The wording of the easement shall be approved by ausgrid and the Telecommunications Carrier where applicable, **prior to the issue of a Construction Certificate.**

- (e) Written evidence that the wording of the easement has been approved by the relevant service providers shall be provided to Council **prior to the issue of a Construction Certificate.**
 - (f) The required easement shall be created and registered **prior to the issue of an Occupation Certificate or use of the building.**
53. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.
54. Where undergrounding services, a plan indicating the depth and location of all services (i.e., gas, water sewer, electricity, telecommunication, traffic lights, etc) within the area affected by the development shall be submitted to Council **prior to the issue of a Construction Certificate.**

Furthermore, any adjustments required shall be at no cost to Council or any public authority. The relevant authorities' written consent for any adjustments or works affecting their services shall be obtained and a copy provided to Council **prior to the issue of a Construction Certificate.**

Public Domain Works

55. Works will be required to upgrade the Public Domain and footpath along Parramatta Road. **Council's Technical Services Section shall be consulted,** prior to undertaking works in order to confirm the required paving and street furniture for both street frontages.

Landscaping/Tree Matters

56. The trees listed shall be retained at all times (please note that tree numbers correspond with *Arboricultural Impact Assessment* prepared by *Redgum Horticultural*):

<u>Tree</u>	<u>Height /Spread (m)</u>	<u>Location</u>	<u>Protection Zone (m)</u>	<u>Excavation Zone (m)</u>
6) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 7.0	As per Landscape Plan	As per report	As per report
8) <i>Araucaria cunninghamii</i> (Hoop Pine)	25.0 x 7.0	As per Landscape Plan	10.2m	3.09m
10) <i>Lophostemon confertus</i> (Brush Box)	8.0 x 6.0	As per Landscape Plan	As per report	As per report
11) <i>Lophostemon confertus</i> (Brush Box)	8.0 x 6.0	As per Landscape Plan	As per report	As per report
12) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 9.0	As per Landscape Plan	As per report	As per report
13) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 9.0	As per Landscape Plan	As per report	As per report
14) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report
15) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report

16) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report
17) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report
18) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 5.0	As per Landscape Plan	As per report	As per report

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

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- (b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS 1319-*Safety signs for the occupational environment*.
- (c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- (d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- (e) The tree protection zone shall be regularly watered.
- (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- (g) **No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- (h) Only permeable surfaces (e.g. Decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

57. The following listed trees are permitted to be removed to accommodate the proposed development:

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>
1) <i>Acmena smithii</i> (Lilly Pilly)	6.0 x 6.0	As per Landscape Plan
3) <i>Acmena smithii</i> (Lilly Pilly)	8.0 x 5.0	As per Landscape Plan
4) <i>Eucalyptus sp.</i> (Gum)	6.0 x 6.0	As per Landscape Plan
5) <i>Lophostemon confertus</i> (Brush Box)	15.0 x 8.0	As per Landscape Plan
7) <i>Lophostemon confertus</i> (Brush Box)	12.0 x 9.0	As per Landscape Plan
9) <i>Corymbia maculata</i> (Spotted Gum)	12.0 x 9.0	As per Landscape Plan

58. All trees permitted to be removed by this consent shall be replaced by species selected from Council's recommended planting list. Replacements shall be a minimum 50 litre container size and shall be maintained until maturity.
59. All noxious weeds on the site shall be removed and destroyed as per their classification under the *Noxious Weeds Act* 1993.
60. Consent is given for the removal of the existing *Lophostemon confertus* (Brush Box) street tree located on the Powell St frontage as per the Landscape Plan subject to the following:
 - (a) A minimum of one (10) replacement *Eucalyptus microcorys* (Tallowwood) shall be provided within Council's nature strip on Parramatta Rd and Powell St frontage as per the Landscape Plan.
 - (b) Trees are to conform to the *NATSPEC guide* and *Guide for assessing the quality of and purchasing of landscape trees* by Ross Clarke, 2003.
 - (c) Replacement trees shall be minimum 50 litre container size. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self supporting. Supplied trees are to have an appropriate stem taper. Roots shall generally grow in an outwards (radial) or downwards direction.
 - (d) Trees are to be installed using suspended pavements over non compacted soil utilising tree pit technology such as *City Green Strata Cells* or a similar product.
 - (e) All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.
 - (f) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m radius from the base of the tree.
61. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).
62. Manual excavation and manual sawing of all roots is required within TPZ of all trees referred to in Condition No 57.
63. A minimum level 5 (AQF5) Consultant Arborist who is currently a member or is eligible for membership to the *Institute of Australian Consulting Arboriculturists* (IACA) or *Arboriculture Australia* (AA) is to be contracted by the applicant to undertake/supervise excavation (in accordance with *Arboricultural Impact Assessment* prepared by *Redgum Horticultural*) within the TPZ of the trees referred to in condition No. 57.

Green Factor

64. All landscaping works must be carried out in accordance with the stamped and approved Green Factor (landscape) plans.
65. The soil profile used must have the stated soil structure that supports water and nutrient retention that includes expanded shale, clay or similar at the bottom of the profile to absorb water, however, the design of the soil profile must ensure that the soil does not become water-logged.

66. The waterproofing membrane used must be certified to work with green roofs, and must have a lifetime guarantee.
67. Documentation of the construction demonstrating compliance with this condition must be carried out by the Registered Landscape Architect who prepared the plans, and submitted to the Principal Certifying Authority for approval **prior to the issue of an Occupation Certificate** for the development. This documentation is to include:
- (a) A written and photographic report that shows the process and details of construction so that it can be demonstrated that:
 - (i) The correct waterproofing membrane has been installed. This must be accompanied by a certification by the supplier;
 - (ii) The specified soil structure has been used. This will take the form of annotated construction photographs that show the detail of the soil profile being constructed close up and from a distance to ensure that the location within the project can be confirmed. The photographs are to be accompanied by plans showing the locations being documented. A minimum of four roof/podium locations and two ground level over structure locations must be documented;
 - (iii) The specified plant species have been used;
 - (iv) The specified tree sizes have been used;
 - (v) Any Community Garden has been planted, and any associated sheds have been built;
 - (vi) Any additional factors, such as bird nests, water features, outdoor kitchens, children's play structures or equipment have been installed in accordance with the plans and suppliers standards;
 - (vii) A certificate from the registered landscape architect who prepared the Development Application plans clearly stating that the works have been built as specified, and that the said landscape architect is satisfied that the standard of construction is such that the planting will have longevity.
 - (viii) A maintenance agreement for a minimum of one year from completion from the developer to stating/ensuring that the landscape area is maintained and allowed to properly establish, with any plants that die replaced by the developer within this period.
68. Once the report and accompanying documentation has been received by the relevant Consent Authority, the landscape must be inspected by the Principal Certifying Authority together with the registered Landscape Architect to ensure that the report and what has been constructed are in agreement.
69. Two (2) hardcopies and two (2) softcopies of the full documentation provided under this condition must be provided to Strathfield Council, along with the certification by the registered Landscape Architect **prior to the issue of an Occupation Certificate**.

Construction Matters

70. **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.
71. 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**.
72. Footings shall be designed in accordance with the soil classification of H, or Highly Reactive (unless determined to the contrary by a suitably qualified person).
73. 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.
74. 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.
75. 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.
76. 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.
77. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (a) Must preserve and protect the building from damage; and
 - (b) If necessary, must underpin and support the building in an approved manner, and
 - (c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
78. There are built structures which may be in the zone of influence of the proposed works and excavations on the site. A qualified practicing geotechnical engineer must prepare a Construction Methodology Report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure.

The report must be submitted with the application for a Construction Certificate and must include an investigation to determine the design parameters appropriate to the specific development and site. This would typically include;

- (a) The location and level of nearby foundations and footings (site and neighbouring);
- (b) Proposed method of excavation;
- (c) Permanent and temporary support measures for excavation;
- (d) Potential settlements affecting footings and foundations;
- (e) Ground water levels (if any);
- (f) Batter slopes;
- (g) Potential vibration cause by method of excavation; and
- (h) De-watering including seepage and off site disposal rate (if any).

Excavation, retention, underpinning and construction must be undertaken onsite by an excavation contractor with specialist excavation experience. A suitably qualified geotechnical engineer, specialising in excavation must supervise the excavation procedure.

- 79. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- 80. The common access pathways, letterboxes and entry doorways to the building shall be provided with suitable low level artificial lighting systems to ensure safe and convenient access at night. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
- 81. To maintain pedestrian safety in common areas suitable lighting is to be provided on the development site adjoining each street frontage and near pedestrian main entrances to the site. Details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
- 82. Certification shall be obtained from a registered surveyor at the following stage(s) of construction confirming that the building has been constructed in accordance with the approved plans including any approved amendments (S.96 approvals) and plans and details required by Council as conditions of development consent:
 - (a) footings excavation prior to placement of concrete;
 - (b) car park/garage level prior to placement of concrete or pavement;
 - (c) ground floor and first floor levels;
 - (d) roof ridge height;
 - (e) all floors of the building, roof eaves and all roof ridges;
 - (f) wall setbacks from property boundaries and street alignment;
 - (g) dimensions and areas of balconies/courtyards;
 - (h) vehicular ramp gradients.

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

Building Matters

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

At some future point, if it is proposed to strata subdivide the building, the lot numbers and unit numbers shall be the same as those nominated on the approved plans and be in accordance with Council's requirements. For strata subdivision, parking spaces shall have the same lot number as the residential portion and shall not be numbered separately.

Sustainability

84. Water collected in the rainwater tank must be roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:
- (a) Toilet flushing;
 - (b) Clothes washing;
 - (c) Garden irrigation;
 - (d) Car washing and similar outdoor uses;
 - (e) Filling swimming pools, spa pools and ornamental ponds; and
 - (f) Fire fighting.
85. Water heating systems to multi-unit residential developments shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Demolition

86. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
87. 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.**
88. 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.**
89. 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

90. 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.**
91. As soon as practicable after a final safety certificate is issued, the owner of the building to which it relates:
- (a) Shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to the Commissioner of NSW Fire Brigades;

- (b) Shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to Council for registration; and
- (c) Shall ensure the current fire safety schedule is prominently displayed in the building.
- (d) **Shall submit all subsequent annual fire safety statements within 12 months after the last such statement was given**

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Disabled Access

- 92. Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
- 93. 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.**
- 94. Carparking spaces for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Waste Management

- 95. 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.
- 96. The waste storage room shall be designed to comply with the relevant standards and details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Automatic Waste Collection System (AWCS)

- 97.
 - (a) The Developer, **prior to the issue of an Occupation Certificate** must design and construct all buildings on the site to provide a conventional waste collection system, that is adaptable to an AWCS for each building that:
 - (i) Collects general, recyclables and food and organics (inc. Garden waste) waste fractions separately; and
 - (ii) Complies with the requirements set out in Council's Waste Policy;
 - (b) The Developer will make provision for a future connection of the AWCS to the building(s) by providing space for the AWCS collection pipe to be installed/retrofitted as follows:

- (i) An access space must be provided that makes provision to accommodate a minimum 600mm diameter pipe to Powell Street as agreed with Council;
 - (ii) The access space /pipe will terminate a minimum of 1.5 metres below the base of the building waste room, as determined by the centre of the pipe (point A);
 - (iii) The access space may be air space within the basement of the building or a trench set into the basement floor complete with gattic covers accessible from the basement floor;
 - (iv) The pipe will leave the property boundary between 1.5 and 2 metres below finished road level to the centre of the pipe (point B);
 - (v) The pipe access space must provide for continuous access from point A to point B (Pipe Access Space);
 - (vi) The pipe access space may provide for bends only with a turning radius greater than 2000mm and have an elevation no greater than 15 degrees;
 - (vii) The waste collection room is to be designed to withstand negative pressure of 2000N/m²;
 - (viii) The waste room must be no less than 24 square metres in area and a minimum of 2.4 metres in height. (Waste Collection Space);
 - (ix) Should an AWCS system be installed the Council (or the Council's service provider) will own AWCS equipment and pipework from the inlets, through the base of the waste chute to the property boundary (point B);
 - (x) A single phase general power outlet is to be provided in the waste collection room, adjacent to where the inlets and their collection pipes will be located.
- (c) The Developer must register an easement in favour of Council on the title of the Land with such terms that will provide Council (or Council's service provider) access to the AWCS collection pipe and the building waste room referred to in (b) above.
- (d) Council has the right to request and review detailed design drawings for the rooms, and connection spaces, from the inlets to the pipe in the street to:
- (i) Ensure that the development will meet the conditions as outlined in this approval;
 - (ii) Ensure that the building will be capable to be adapted when the building is integrated into the wider Parramatta Road Corridor/Strathfield Town Centre AWCS;
 - (iii) Provide detailed advice, either from Council, or from Council's service provider, in regard to whether the detailed design is suitable for the AWCS; and
 - (iv) Provide written feedback, either from Council, or from Council's service provider, which will form part of these conditions, detailing how the detailed design may need to change to ensure that it will enable the AWCS to be integrated into the building.

Integrated Development – NSW Office of Water

98. Full compliance is required with the below conditions as required by the NSW Office of Water by letter dated 24 March 2014:
- (a) An authorisation shall be obtained for the take of groundwater as part of the activity;

- (b) Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified;
- (c) The design and construction of the structure shall preclude the need for permanent dewatering by waterproofing those areas that may be impacted by any water table (i.e. A fully tanked structure) with adequate provision for unforeseen fluctuations of water table levels to prevent potential future inundation;
- (d) Construction methods and material used in and for construction shall not cause pollution of the groundwater;
- (e) Prior to excavation, measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken and a report provided to the NSW Office of Water. A schedule and indicative plans of the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report;
- (f) Prior to excavation, a reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the calculation method shall be included in the report;
- (g) Prior to excavation, a copy of a valid development consent for the project shall be provided to the NSW Office of Water;
- (h) Prior to excavation, groundwater quality testing shall be conducted and a report supplied to the NSW Office of Water. Samples must be taken prior to the commencement of pumping, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria;
- (i) Prior to excavation, the method of disposal of pumped water shall be nominated (i.e. Street drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (tailwater) must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority;
- (j) Prior to excavation, contaminated groundwater shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water (tailwater) that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site;
- (k) During excavation, piping or other structures used in the management of pumped groundwater (tailwater) shall not create a flooding hazard. Control of pumped groundwater (tailwater) is to be maintained at all times during dewatering to prevent unregulated off-site discharge;
- (l) During excavation, measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased;

- (m) During excavation, pumped groundwater (tailwater) shall not be allowed to discharge off-site (e.g. Adjoining roads, stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent. The ph of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater (tailwater) shall be complied with;
- (n) During excavation, dewatering shall be undertaken in accordance with groundwater related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulphate soils management plan or remediation action plan) shall not be compromised by the dewatering activity;
- (o) During excavation, the location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in the documentation;
- (p) During excavation, access to groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety precautions, and
- (q) Following excavation, all monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts.

Integrated Development – Roads and Maritime Service

99. Full compliance is required with the below conditions as required by the Roads and Maritime Service by letter dated 9 April 2014:

- i. All redundant driveways on Parramatta Road shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter works on Parramatta Road shall be in accordance with RMS requirements. Details of these requirements should be obtained from RMS Project Services Manager, Traffic Projects Section, Parramatta on 8849 2496.
- ii. The layout of the proposed car parking areas, loading docks and access driveway associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimension) should be in accordance with AS2809.1-2004 and AS2890.2-2002 for heavy vehicles accessing the loading dock.
- iii. The post development stormwater discharge from the subject site into the RMS drainage system shall not exceed the pre-development discharge. Detailed design plans and hydraulic calculations of any changes to the stormwater system are to be submitted to the RMS for approval, prior to the commencement of any works.

Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works. Details shall be forwarded to:

The Sydney Asset Management
Roads and Maritime Services

PO BOX 973
PARRAMATTA CBD 2124

A plan checking fee will be payable and a performance bond may be required before the RMS approval is issued. With regard to the Civil Works requirement, please contact the RMS Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

- iv. The developer is to comply with the requirements of Technical Direction (GTD 2012/001). This will require the developer to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to the RMS for assessment. The developer is to meet the full cost of the assessment by the RMS.
- v. The proposed residential component of the development should be designed such that road traffic noise from Parramatta Road is mitigated by durable materials in order to satisfy the requirements for habitable rooms under Clause 102 (3) of State Environmental Planning Policy (Infrastructure) 2007.
- vi. The swept path of the longest vehicle (including garbage truck) entering and exiting the subject site as well as manoeuvrability through the site, shall be in accordance with AUSTRROADS.
- vii. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council **prior to the issue of a Construction Certificate.**
- viii. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
- ix. All works associated with the proposed development shall be at no cost to the RMS.

Land Contamination

- 100. The site shall be remediated in accordance with the recommendations of the approved Environmental Site Audit prepared by Argus Consulting and copies of all weighbridge receipts must be provided to Council to ensure contaminated soil and waste is classified and disposed to suitable landfill in accordance with the *"Waste Classification Guidelines, Part 1: Classifying Waste" NSW DEC (2009)* **prior to the issue of a Construction Certificate.**
- 101. If during any site works, significant odours and/or evidence of gross contamination not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area and Council, the Principal Certifying Authority and a suitably qualified Environmental Consultant shall be immediately notified.
- 102. **Prior to the issue of a Construction Certificate,** a report from a suitably qualified Environmental Consultant must be provided to Council stating that the site has been remediated to a suitable level for its intended use.

103. All fill imported on to the site shall be validated by an appropriately qualified person/body to ensure the imported fill is suitable, from a contamination perspective, for the proposed land use. Fill imported onto the site shall also be compatible with the existing soil characteristics for site drainage purposes.
104. Details of the appropriate validation of imported fill material are to be submitted with any application for future development of the site. All fill imported onto the site is to be validated during remediation works by sampling and analysis of the fill material in accordance with the applicable guidelines to ensure that the material is not contaminated.

Hoardings

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

Air Quality

109. Full compliance shall be given to the recommendations and suggested construction methodology contained in the endorsed acoustic consultant's report prepared by acouras consultancy dated 26 february 2014 received by council 28 february 2014.

The construction methodology shall be modified/upgraded in order to ensure a suitable level of internal amenity is provided to all levels of the proposed development in accordance with as2107:2000 and the requirements of clause 102 of the sepp (infrastructure) 2007.
110. Prior to the issue of an occupation certificate a suitably qualified acoustic engineer shall certify that the building has been constructed in accordance with the minimum recommendations set out within in the endorsed acoustic consultant's report prepared by acouras consultancy dated 26 february 2014.
111. Air Conditioning plant and commercial ventilation details shall be submitted to a suitable Acoustic Consultant for review. A supplementary acoustic report shall be prepared and submitted to the Principal Certifying Authority for review and any recommendations shall be incorporated into architectural plans **prior to the issue of a Construction Certificate.**

112. **Prior to the issue of an amended Construction Certificate**, amended plans shall be prepared altering the landscape planters within the ground floor atrium as shown in red on the approved plans so that the southern side of the planter box is provided with a 45 degree angled false walls to limit opportunities for concealment.

Building

113. **A complete BCA assessment is required to be prepared and submitted to Council for review demonstrating compliance with NCC Vol One, Part D3 Access for people with a disability and NCC Vol One, Part F2 Sanitary and other facilities (DtS). The assessment should also ensure that the building (internally and externally) is capable of facilitating accessibility in accordance with the NCC including ramps for access from the building to the street. The BCA assessment is required to be prepared and submitted to Council prior to the issue of a Construction Certificate under Stage 2 works.**

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