

IDAP REPORT

Property:	29-37 Bridge Road, Homebush Lot 7 Section 15 DP 400 DA 2021/291
Proposal:	Installation of a pylon sign with double-sided electronic digital LED sign panel within an educational establishment (Homebush Boys High School).
Applicant:	C Olsen
Owner:	Minister For Education & Training
Date of lodgement:	9 November 2021
Notification period:	12 November – 4 December 2021
Submissions received:	Nil
Assessment officer:	J Gillies
Estimated cost of works:	\$29,800.00
Zoning:	R2-Low Density Residential - SLEP 2012
Heritage:	Yes – Item 118 (Homebush Boys' High School—school and trees)
Flood affected:	Yes
Is a Clause 4.6 Variation Proposed:	No
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1 – Locality Plan

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the installation of a pylon sign with double-sided electronic digital LED sign panel within an educational establishment (Homebush Boys High School).

Site and Locality

The site is identified as 29-37 Bridge Road, Homebush and has a legal description of Lot: 7 Sec: 15 DP: 400. The site forms part of Homebush Boys High School situated between Bridge Road, Mackenzie Street and The Crescent.

The school has an overall site area of approximately 3.615 hectares and an irregular shape. The Bridge Road boundary, where the proposed sign is located, is approximately 200m in length. Homebush Boys High School forms local heritage item 118.

The locality surrounding the subject site is residential and includes a number of dwellings that are local heritage items, as well as the Abbotsford Road heritage conservation area.

Strathfield Local Environmental Plan

The site is zoned R2-Low Density Residential under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal satisfies all relevant objectives contained within the LEP.

Development Control Plan

The proposed development generally satisfies the provisions of Strathfield Consolidated DCP 2005. This is discussed in more detail in the body of the report.

Notification

The application was notified in accordance with Council's Community Participation Plan from 12 November to 4 December 2021 where no submissions were received.

Issues

- Tree impacts.
- Heritage compatibility.
- Hours of illumination.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, Development Application 2021/291 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the installation of a pylon sign with double-sided electronic digital LED sign panel within an educational establishment (Homebush Boys High School). Illumination is proposed from 6:30am to 9pm daily and the text will be static with no moving or flashing elements.

The proposed digital sign will be positioned 2.7m above the ground and supported by a welded frame with two piers. Each pier will extend approximately 1.6m into the ground and incorporate securing extensions.

The digital sign is approximately 1.7m² in area with fixed insignia structures above and below. Overall, the proposed sign structure is 4.4m high (above ground) and 1.68m wide.

The sign will be located immediately inside the fence line of the school and perpendicular to the fence, on the northern side of the Bridge Street pedestrian entry point.

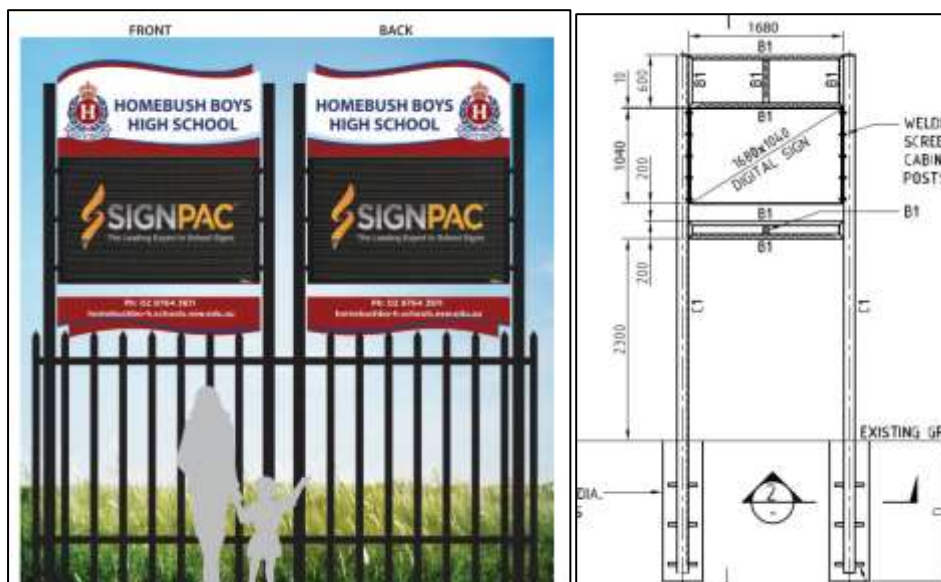


Figure 2 – Proposed signage design and dimensions



Figure 3 – Proposed sign location

The Site and Locality

The subject site is legally described as Lot: 7 Sec: 15 DP: 400 and commonly known as 29-37 Bridge Road Homebush. The subject lot forms one (1) of twenty two (22) allotments that make up the Homebush Boys High School campus.

The proposed sign will be located along the Bridge Road frontage of the school, adjacent to the pedestrian entry to the main building, which is located between cross street Abbotsford Road and Burlington Road. The proposed location of the sign is within an existing landscape strip inside the property boundary.

The site has an overall site area of approximately 3.615 hectares and an irregular shape. The Bridge Road frontage, where the proposed sign is located, is approximately 200m.

Homebush Boys High School forms local heritage item 118. The Statement of significance for this item identifies the symmetrical brick building fronting Bridge Road (1936), with central entry and large trees fronting Bridge Road (both inside the school and within the verge).

The locality surrounding the subject site is residential and includes a number of dwellings that are local heritage items, as well as the Abbotsford Road heritage conservation area.



Figure 4 – The subject site (the proposed sign will be situated to the right of the gate in the location of the existing shrub)



Figure 5 – The subject site (the proposed sign will be situated to the right of the gate in the location of the existing shrub)



Figure 6 – Existing signage located near the northern end of the Bridge Road frontage

Background

9 November 2021	The Application was lodged with Council
12 November 2021	The Application was Neighbour notified for 21 days in accordance with the Strathfield Community Participation Plan. No submissions were received.
1 December 2021	Council's Planning Officer undertook a site inspection.
2 December 2021	Council's Planning Officer issued a letter to the Applicant requesting comment on the whether alternative locations for the sign had been considered and flagging that conditions of consent may include requirements for Arborist input during excavation for the sign footings.
13 December 2021	The Applicant provided a response to Council's letter, providing sound reasons for the proposed signage location.
10 February 2021	Council's Planning Officer provided the Applicant with draft conditions in accordance with the requirements for development applications on crown land under the EP&A Act.
23 February 2021	Council's Planning Officer provided the Applicant with a revised draft conditions set.

Referrals – Internal

Tree Management Comments

The Application was referred to Council's Tree Manager, who offered no objection to the proposal, subject to inclusion of conditions of consent in the notice of determination.

Section 4.33 – EP&A Act 1979

The subject Application has been made on behalf of the Crown (Specifically the Minister for Education). In accordance with Section 4.33 under *Division 4.6 Crown Development*, the conditions of consent recommended for this Application have been approved by the Applicant.

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 R2-Low Density Residential. The proposal is for construction of business identification signage which is a permissible form of development with Council's consent.

Part 4 – Principal Development Standards

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

Part 5 – Miscellaneous Provisions

Heritage Conservation

The subject site (being Lot: 7 Sec: 15 DP: 400) forms part of local heritage item 118. Clause 5.10 of the SLEP 2012 requires consideration be given to the potential impacts of development upon the heritage item including associated fabric, settings and views.

The Statement of significance for this item identifies the symmetrical brick building fronting Bridge Road (1936), with central entry and large trees fronting Bridge Road (both inside the school and within the verge). The proposed sign is located immediately to the north of the central entry, behind the fence line for the school.

The proposed sign, which is 4.4m high and 1.68m wide will become a notable element of the heritage items Bridge Street presentation. However, the signage will not dominate the brick building behind or views to the central opening from most angles along Bridge Street.

It is noted that the signage height is required to clear the schools security fence. The proposed signage is also consistent with modern school signage, including a recently approved sign (DA 2020/14) for Strathfield South Public School which is also a local heritage item.

The signage location ensures that surrounding trees do not need to be removed and Council's Tree Management Officer has provided specific conditions of consent to ensure the health of surrounding trees that contribute to the heritage qualities of the site are not impacted by the excavation required for the proposed sign.

The proposed development is considered to satisfy the objectives of this clause.

Flood Planning

The subject site has been identified as being at or below the flood planning level. Considering the scale of the development, the proposal is unlikely to result in significant adverse effects on flood behaviour or environment and is not likely to result in unsustainable social and economic loss. The proposed development is considered to satisfy the objectives of this clause.

Part 6 – Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as Class 5 Acid Sulfate Soils and falls within the criteria in the table of subclause 6.1(2), being within 500m of Class 3 Acid Sulphate Soils (approximately 200m to the west). However, the proposed excavation for the sign footings is unlikely to lower the water table and Council records indicate that the site lies above 5 metres Australian Height Datum.

Therefore, Development Consent under the provisions of this section is not required and as such an Acid Sulfate Soils Management Plan is not required.

Earthworks

The proposal does not include any significant excavation or basement works. Any excavation for footings or levelling of the site is considered to be minor and will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

As outlined above, Council's Tree Management Officer has provided specific conditions of consent to ensure the health of surrounding trees that contribute to the heritage qualities of the site are not impacted by the excavation required for the proposed sign.

Essential Services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The subject site forms part of Homebush Boys High School which features existing water and electricity connection required for the proposed digital sign. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development

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

Erection or Display of Signage

Clause 6.6 of the SLEP 2012 requires the consent authority to be satisfied proposed signage is compatible with the desired amenity and visual character of the area, provides effective communication in suitable locations, and is of a high quality design and finish.

The proposed sign will effectively display information to students and visitors to the school and has been positioned in a suitable location to the side of the main pedestrian entry. The sign quality and finish is adequate and consistent with modern display signs for schools. The sign is also consistent with the character of Bridge Street in this area, which is dominated by the school.

Illumination for the digital portion of the sign will be restricted to 6:30am to 9pm daily, being generally consistent with the start time for recently approved digital signs in the Strathfield LGA (i.e. Strathfield South Public School on Liverpool Road has approved illumination from 7am to 9pm), with conditions of consent requiring compliance with these hours. A condition of consent has also been included requiring the sign be fitted with an automatic dimming device that adjusts the level of brightness with ambient light.

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

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

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

The objectives outlined within SEPP55 are considered to be satisfied.

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

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

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

The proposal was referred to Council's Tree Management Officer who outlined specific conditions to be imposed with any development consent in order to ensure the protection of significant trees within close proximity to the proposed sign.

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

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) NO. 64 – ADVERTISING AND SIGNAGE

Clause 13 of SEPP 64 requires Council to consider the aims and objectives of SEPP 64 as well as the assessment criteria outlined in Schedule 1, before granting consent for an advertising structure.

In regards to the aims and objectives of the SEPP, The proposed sign will effectively display information to students and visitors to the school and has been positioned in a suitable location to the side of the main pedestrian entry. The sign quality and finish is adequate and consistent with modern display signs for schools. The sign is also consistent with the character of Bridge Street in this area, which is dominated by the school.

An assessment of the proposal against the Schedule 1 criteria is provided below.

Section	Assessment Criteria	Required	Comment	Compliance
1	Character of the Area	Compatible with the existing and future likely character of the area.	The design of the sign is simplistic and contemporary and will provide clear identification for the school. The sign is consistent with the character of Bridge Street in this area, which is dominated by the school. The height and appearance of the sign will not detract from the heritage item and surrounding trees and will benefit from the setting provided by the trees.	Yes

Section	Assessment Criteria	Required	Comment	Compliance
		Consistent with a particular theme for outdoor advertisement.	The appearance of the sign is consistent with the other school identification signs in the wider area.	Yes
2	Special Areas	Does the proposal detract from the amenity or visual quality of: a) heritage areas; b) natural or other conservation areas; or c) residential areas	<p>The sign is located in front of a heritage listed building and within a grove of trees included in the statement of significance for the heritage item.</p> <p>Although the sign will be a new and prominent feature of the heritage item landscape, the design of the sign and it's location indicates the landscaping and building behind the sign will remain the dominant features of the Bridge Street frontage and the sign will not significantly disrupt views to the heritage item from the majority of vantage points. The sign will have a distinctly modern and utilitarian presentation consistent with other modern upgrades to school grounds which often feature heritage listed buildings.</p> <p>In regards to residential amenity (across from residential dwellings), the proposed sign is consistent with the land use of the school and the static illumination will minimise impacts on adjoining residents. A condition of consent has been recommended requiring the hours of illumination be restricted to 6:30am to 9pm and for an automatic dimmer that responds to ambient light.</p>	Yes
3	Views and Vistas	Does the proposal: a) Obscure or compromise important view? b) Dominate the skyline and reduce the quality of vistas?	As outlined above, the proposed sign will obscure the view of the central entry point to the heritage listed building from certain vantage points – primarily the view from the northern side of the sign walking south along Bridge Street.	Yes

Section	Assessment Criteria	Required	Comment	Compliance
			However, the sign sits below the height of significant trees and the building and from the majority of vantage points the central entry to the building will not be obstructed, including directly in front of the entry where students, staff and visitors will approach the building.	
4	Streetscape, Setting or Landscape	Is the scale, proportion and form appropriate?	<p>The proposed sign structure is 4.4m high (above ground) and 1.68m wide which is consistent with new digital signs for school campuses across the LGA (Strathfield South Public School and Strathfield Girls High School).</p> <p>As outlined above, the sign sits below the tree line and building behind and the positioning of the sign perpendicular to the fence and building minimises obstruction of views to the central entry of the building.</p>	Yes
		<p>Does the proposal:</p> <p>a) Contribute to visual interest?</p> <p>b) Reduce clutter by rationalising and simplifying existing signage?</p> <p>c) Screen unsightliness?</p> <p>d) Protrude above buildings, structures or tree canopies?</p> <p>e) Require ongoing vegetation management?</p>	<p>The sign is simplistic in design with a distinctly modern and utilitarian presentation consistent with other modern upgrades to school grounds which often feature heritage listed buildings.</p> <p>The Bridge Road interface does not feature an abundance of signage and the proposed sign will not create a cluttered appearance. The Applicant advised the existing pylon sign further north along Bridge Road will be removed due to malfunction, however a condition of consent requiring removal was not considered necessary.</p> <p>The sign will not protrude above the building behind and no ongoing vegetation management will be required.</p>	Yes.

Section	Assessment Criteria	Required	Comment	Compliance
5	Site and building	<p>Is the proposal compatible with the scale, proportion and other characteristics of the site?</p> <p>Does the proposal respect important features of the site or building or both?</p> <p>Does the proposal show innovation and imagination in its relationship to the site or building or both?</p>	<p>As mentioned, the scale and proportion of the signs are considered acceptable as they will not protrude above existing building structures or mature landscaping species fronting Bridge Street.</p> <p>The newly constructed sign will include an LED screen, displaying notices from the school. The overall design is innovative, yet sympathetic with the existing streetscape. It is therefore considered that the proposal will contribute to the relationship to the site and with the wider streetscape.</p>	Yes.
6	Associated Devices and Logos	Have any safety devices, platforms, lighting devices or logos been designed as part of the structure?	The proposed sign incorporates the Homebush Boys High logo and an LED screen that are both considered appropriate considering the site and context.	Yes
7	Illumination	<p>Would illumination:</p> <p>a) Result in unacceptable glare?</p> <p>b) Affect safety for pedestrians, vehicles or aircraft?</p> <p>c) Detract from nearby residence or accommodation?</p>	<p>An LED screen will be static and hours of illumination will be restricted to protect residential amenity, with an automatic dimmer further reducing glare.</p> <p>Due to the proposed calibration brightness, the signs are unlikely to impact the safety of pedestrians, vehicles or aircrafts. Further, a condition of consent has been recommended prohibiting flashing of the site.</p> <p>Proposed signs are considered to be sympathetic to the existing streetscape amenity. Further, the signs are unlikely to detract from surrounding residential developments.</p>	Yes

Section	Assessment Criteria	Required	Comment	Compliance
		Can illumination be adjusted or subject to curfew?	The LED screen is subject to a curfew (hours of operation). Illumination can be adjusted.	Yes
8	Safety	Would the proposal: a) Reduce safety for any public road? b) Reduce safety for pedestrians or cyclists? c) Reduce safety, for children by obscuring sight lines from public areas?	The sign is appropriately setback from the road to achieve road sight distances. Further, a conditions has been recommended prohibiting the sign from flashing and restricting illumination levels. It is not anticipated that the sign will impact on road safety. The sign is unlikely to reduce safety for pedestrians and or cyclist as the sign is located within the school boundaries. The sign is unlikely to reduce safety for children by obscuring sight lines from public areas.	Yes

STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

Under the Educational SEPP 2017, a consent authority must take into consideration the design quality of the development in accordance with the design quality principles set out in Schedule 4.

Principle 1 – Context, built form and landscape	Complies
<i>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.</i>	Yes
<i>Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</i>	Yes
<i>School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.</i>	N/A

Comments: The proposed signage will form part of the landscape setting and will not detract from the existing heritage qualities of the school in a significant way. The sign will provide important information for students and the community that will enhance on-site amenity. The static display and hours of illumination will mitigate impacts on neighbouring properties.

Principle 2 – sustainable, efficient and durable	Complies
<i>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</i>	Yes
<i>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</i>	Yes

Comments: The proposed signage enhances the social resilience of the school through information display.

Principle 3 – Accessible and inclusive	Complies
<i>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</i>	Yes
<i>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</i>	Yes

Comments: The proposed development serves as wayfinding signage for pedestrians in that the sign will permanently state “Homebush Boys High School” in addition to daily notices for parents and students.

Principle 4 – Health and safety	Complies
<i>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</i>	Yes

Comments: The sign will positively contribute to a welcoming and accessibly principal entry point for the school. The sign is located wholly within the boundaries of the school thereby discouraging the vandalism. To further reduce vandalism, the outdated and underutilised existing pylon sign north of the proposed sign will be conditioned for removal.

Principle 5 – Amenity	Complies
<i>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.</i>	Yes
<i>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</i>	N/A
<i>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</i>	N/A

Comments: The LED screen on the sign facing Bridge Road will convey information about activities being undertaken at the school and its students. Conditions to restrict time and illumination and brightness to protect the residential amenity of surrounding residential properties are also recommended.

- (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,

Pursuant to Clause 35(9) of the Education SEPP, the provisions under a development control plan, regardless of when it was made, have no effect to the proposed development.

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

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

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

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

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

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

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

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

In accordance with the provisions of Councils Community Participation Plan, the application was placed on neighbour notification for a period of fourteen (14) days where adjoining property owners were notified in writing of the proposal and invited to comment. No submissions were received during the exhibition period.

(e) the public interest.

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

Local Infrastructure Contributions

Section 7.13 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. This section prescribes in part as follows:

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

Section 7.12 Development Contribution fees are not applicable in accordance with Councils Indirect Development Contribution Plan 2010-2030 as the value of works is less than \$100,000.00 and is a Crown Application.

Conclusion

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

Following detailed assessment it is considered that Development Application No. 2021/291 should be approved, subject to conditions of consent.

Signed:

Date: 10/02/2022

**J Gillies
Senior Planner**

- ☒ I confirm that I have determined the abovementioned development application with the delegations assigned to my position;
- ☒ I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are not applicable to this development.

Report and recommendations have been peer reviewed and concurred with.

Signed:

Date: 22/02/2022

**Patrick Santos
Planner**

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

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To protect the environment.
- (c) To ensure that there is no unacceptable impact on the amenity of the area, or to private and public property.
- (d) It is in the public interest.

DEVELOPMENT DETAILS

1. Approved Plans & Documentation

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

Description	Reference No.	Date	Revision	Prepared by
Site Plan	Sheet 1 SPC22021	24.11.20	A	Signpac
Sections, Elevations and Details	16335	08.09.17	2	Dennis Bunt Consulting Engineers
Structure Notes	16335	25.11.16	2	Dennis Bunt Consulting Engineers
Signpac Technical Specifications	-	-	-	Signpac
Double sided LED sign Specifications	-	20.11.20	1	School Sings/Signpac
Waste Management Control Plan	-	24.11.20	-	CEO Architectural

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

2. Structural Details

The sign shall be erected strictly in accordance with the manufacturer's or engineer's specifications and in compliance with the relevant Australian Standards, the Building Code of Australia and the provisions of the State's Building Laws.

3. Tree Removal/Pruning Prohibited

This consent does not approve the removal or pruning (branches or roots) of any trees on the subject property, Council's public footway, public reserves or on neighbouring properties.

4. Tree Protection and Retention

The following trees shall be retained and protected:

Tree No.	Tree Species	Location of Tree	Tree Protection Zone (metres)
1	Brachychiton aerifolius	29-37 Bridge Road Homebush	4 metres

The tree identified above is to be fenced off using star pickets and tape.

General Tree Protection Measures

- (a) All trees to be retained shall be protected and maintained during demolition, excavation and construction of the site.
- (b) Every effort is to be undertaken to ensure trees and tree roots are not damaged during construction.
- (c) In instances where tree roots are in the vicinity of any excavation, such excavation must be carried out by hand and must not involve the severing of any tree root more than 50mm in diameter.

DURING CONSTRUCTION

5. Hours of Construction for Demolition and Building Work

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

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

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

OPERATIONAL CONDITIONS (ON-GOING)

6. Hours of Operation

Signage approved for illumination under this consent must not be illuminated between the hours of 9:00pm and 6:30 am seven (7) days per week.

7. Signage Display

Signage displays shall not contain/use:

- a) Flashing lights.
- b) Animated display, moving parts or simulated movement.
- c) The sign is to be fitted with an automatic dimming device that adjusts the level of brightness with ambient light. Luminance levels should comply with "Australian Standard AS4282-2019 Control of the Obtrusive Effects of Outdoor Lighting".
- d) A method of illumination that unreasonably distracts or dazzles.
- e) Images that may imitate a prescribed traffic control device, for example red, amber or green circles, octagons or other shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device.
- f) Text providing driving instructions to drivers.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

8. Notice of Commencement

The applicant must give at least two days notice to the Council of their intention to commence the sign installation.

PRESCRIBED CONDITIONS

9. Clause 98A – Erection of Signs

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

ADVISORY NOTES

I. Review of Determination

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

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

II. Appeal Rights

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

III. Lapsing of Consent

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

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

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

V. Long Service Levy

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

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