

STRATHFIELD COUNCIL

STRATHFIELD LOCAL PLANNING PANEL MEETING AGENDA

Strathfield Municipal Council

Notice is hereby given that a Strathfield Local Planning Panel Meeting will be held at Town Hall (Supper Room), 65 Homebush Road, Strathfield on:

Thursday 13 February 2025

Commencing at 4pm for the purpose of considering items
included on the Agenda

Persons in the gallery are advised that the proceedings of the meeting are being recorded for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes a video camera and any electronic device capable of recording speech.



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CONFIDENTIAL	

TO: Strathfield Local Planning Panel Meeting - 13 February 2025
REPORT: SLPP – Report No. 1
SUBJECT: 4-10 ALBERT ROAD, STRATHFIELD - LOT 1, DP:433232
DA NO. 2017.138.3

SUMMARY

Proposal:	S4.55(2) Modification Application for removal of the mechanical parking system and replace with ground floor waste/loading bay and upper level office floor space, reduced floor RL's throughout and provision of requisite services.
Applicant:	Ghazi Al Ali Architect Pty Ltd
Owner:	Redfern Accommodation Pty Ltd
Date of lodgement:	15 October 2024
Notification period:	23 October – 14 November 2024
Submissions received:	Four (4) written submissions received
Assessment officer:	L Gibson
Estimated cost of works:	\$5,217,069.00 (original application) Nil (subject modification application)
Zoning:	E2-Commercial Centre - SLEP 2012
Heritage:	N/A
Flood affected:	No
Is a Clause 4.6 variation proposed?	Yes – Floor Space Ratio
Extent of the variation supported?	26.28% (222.33m ²)
Local Planning Panel Criteria	Departure beyond maximum FSR permitted for the site (Clause 4.4 of SLEP 2012)
RECOMMENDATION OF OFFICER:	APPROVAL

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the S4.55(2) Modification Application for the removal of the mechanical parking system and replacement with ground floor waste/loading bay and upper-level office units, reduce floor RL's throughout and the provision of requisite services.

Site and Locality

The site is identified as 4-10 Albert Road Strathfield and has a legal description of Lot: 1 DP: 433232. The site is a triangular-shaped parcel of land wedged between a two-storey commercial building to the immediate south and a public carpark immediately west of the site. The site provides a frontage width of 32.59m to

Albert Road to the east, a southern side/rear boundary of 23.773m and a western side boundary of 23.734m bearing a total site area of 282m².

The site forms part of the Strathfield Town Centre and is surrounded by a number of uses including the Strathfield Railway line, bus interchanges, public square, a number of high-density residential towers and the Strathfield Plaza shopping centre.

Strathfield Local Environmental Plan

The site is zoned E2-Commercial Centre under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal generally satisfies the provisions contained within the LEP with the exception of Clause 4.4 - Floor Space Ratio. The proposal results in a 26.28% (222.33m%) breach beyond the maximum permitted floor space ratio for the site however, the exceedance is supported given that the proposal:

- Results in minimal changes to its bulk, scale, height and overall appearance and connection to the streetscape;
- Provides additional commercial floor space to support the commercial hub envisaged for the Town Centre; and
- Supports the intent of the future anticipated outcome for the Town Centre which is to reduce traffic congestion and encourage pedestrian activity.

Strathfield Consolidated Development Control Plan (SDCP) 2005

The proposed development fails to satisfy the following provisions of SCDP 2005:

- Section 3.7.1 DCP 13 – Strathfield Town Centre – Parking (departure of 6)
- Section 3.0 Part C of Part I – Parking Schedule - (departure of 47 spaces from 48)

These matters are addressed in further detail throughout this report.

Notification

The application was notified in accordance with Council's Community Participation Plan from (23 October - 14 November 2024), where four (4) submissions were received raising the following concerns;

- View loss
- FSR exceedance is not justifiable
- Parking & Traffic impacts
- Local character and streetscape
- Insufficient provision of elevators
- Waste Collection.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2017/138 is recommended for approval subject to suitable conditions of consent.

RECOMMENDATION

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. 2017/138

1. The proposed modifications results in the change to the description of the approved development as follows:
 - i) —
~~Demolition of existing site structures and construction of a mixed-use development comprised of commercial space, mechanical parking installation entry, lobby and waste storage areas at ground floor level; car parking for ten (10) vehicles at Mezzanine Level and Level 1; office accommodation at Levels 2 and 3; twelve (12) x two (2) bedroom serviced apartments over Levels 4, 5 and 6; and car parking for ten (10) vehicles at Mezzanine Level and Level 1.~~

Demolition of existing site structures and construction of a mixed-use development comprised of retail space, lobby, loading bay and waste/storage areas at ground floor level; office accommodation at Levels 1-4; and twelve (12) x two (2) bedroom serviced apartments over Levels 6-8.
2. As part of this Section 4.55 (2) application, the following conditions are to be modified, added or deleted;
 - Condition 1 – Mechanical Parking Installation – Deleted
 - Condition 2 – Access to the mechanical parking installation – Deleted
 - Condition 3 – Report on the mechanical parking installation – Deleted
 - Condition 4 – Residential Waste – Amended
 - Condition 5 – Commercial Waste - Amended
 - Condition 8 – Plans Updated – Deleted
 - Condition 10 – Car Parking – Deleted
 - Condition 11 – Planter Box – Amended
 - Condition 16 - DA Fees - Additional Development Application Fees - Amended
 - Condition 20A – Communal Space Level 4 – Amended
 - Condition 24 – Approved Plans and reference documentation – Amended
 - Condition 26 – Building Height Maximum RL – Amended
 - Condition 27 – Construction Hours – Amended
 - Condition 52 – Section 7.11 Contribution Payment – Amended
 - Condition 57 – Waste Management Plan – Amended
 - Condition 58 – Waste Rooms – Separate for commercial and residential – Amended
 - Condition 80 – Amenity of the neighbourhood – Added
 - Condition 81 – Responsibility of Owners Corporation – Added

Accordingly, Development Consent 2017/138/3 is approved as per the following;

That Development Application No. 2017/138/3 for S4.55(2) Modification Application for removal of the mechanical parking system and replacement with ground floor waste/loading bay and upper-level office units, reduce floor RL's throughout and provision of requisite services at 4-10 Albert Road, Strathfield be **APPROVED**, subject to revised conditions of consent.

ATTACHMENTS

1. DA2017.138 3 - 4-10 Albert Road STRATHFIELD - SLPP Attachment (PDF)



SLPP REPORT

Property:	4-10 Albert Road Strathfield DA 2017/138/3
Proposal:	S4.55(2) Modification Application for the removal of the mechanical parking system and replacement with ground floor waste/loading bay and upper-level office units, reduced floor RL's throughout and the provision of requisite services
Applicant:	Ghazi Al Ali Architect Pty Ltd
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Submissions received:	4 written submissions
Assessment officer:	L Gibson
Estimated cost of works:	\$5,217,069.00 (original application) Nil (subject modification application)
Zoning:	E2-Commercial Centre - SLEP 2012
Heritage:	N/A
Flood affected:	No
Is a Clause 4.6 Variation Proposed:	Yes – Floor Space Ratio
Local Planning Panel Criteria	Departure beyond maximum FSR permitted for the site (Clause 4.4 of SLEP 2012)
RECOMMENDATION OF OFFICER:	Approval, subject to conditions.



Figure 1: Subject site (outlined in yellow) and surrounding context.



EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the S4.55(2) modification application to DA2017/138 for the removal of the mechanical parking system and replacement with ground floor waste/loading bay and upper-level office units, reduced floor RL's throughout and the provision of requisite services.

Site and Locality

The site is identified as 4-10 Albert Road Strathfield and has a legal description of Lot 1 DP 433232. The site is a triangular-shaped parcel of land wedged between a two-storey commercial building to the immediate south and a public carpark immediately west of the site. The site provides a frontage width of 32.59m to Albert Road to the east, a southern side/rear boundary of 23.77m and a western side boundary of 23.73m bearing a total site area of 282m².

The site forms part of the Strathfield Town Centre and is surrounded by a number of uses including the Strathfield Railway line, bus interchanges, public square, a number of high-density residential towers and the Strathfield Plaza shopping centre.

Strathfield Local Environmental Plan

The site is zoned E2-Commercial Centre under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal generally satisfies the provisions contained within the LEP with the exception of Clause 4.4 - Floor Space Ratio. The proposal results in a 26.28% (222.33sqm) breach beyond the maximum permitted floor space ratio for the site. However, the exceedance is supported given that the proposal:

- Results in minimal changes to its bulk, scale, height and overall appearance and connection to the streetscape.
- Provides additional commercial floor space to support the commercial hub envisaged for the Town Centre; and
- Supports the intent of the future anticipated outcome for the Town Centre which is to reduce traffic congestion and encourage pedestrian activity.

Strathfield Consolidated Development Control Plan (SDCP) 2005

The proposed development fails to satisfy the following provisions of SDCDP 2005:

- Section 3.7.1 DCP 13 – Strathfield Town Centre – Parking (departure of 6).
- Section 3.0 Part C of Part I – Parking Schedule (departure of 47 spaces from 48).

However, these matters are accepted on merit which is addressed in further detail throughout this report.

Notification

The application was notified in accordance with Council's Community Participation Plan from (23 October - 14 November 2024), where four (4) submissions were received raising the following concerns.

- View loss
- FSR exceedance is not justifiable
- Parking & traffic impacts



- Local character and streetscape
- Insufficient provision of elevators
- Waste collection.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2017/138 is recommended for approval subject to revised conditions of consent.



REPORT IN FULL

Proposal

Development consent is being sought for the S4.55(2) modification application to DA2017/138 for *demolition of existing site structures and construction of a mixed-use development comprised of commercial space, mechanical parking installation entry, lobby and waste storage areas at ground floor level; car parking for ten (10) vehicles at Mezzanine Level and Level 1; office accommodation at Levels 2 and 3; twelve (12) x two (2) bedroom serviced apartments over Levels 4, 5 and 6; and car parking for ten (10) vehicles at Mezzanine Level and Level 1.* The proposed modifications include the removal of the mechanical parking system and replacement with ground floor waste loading bay and upper-level office units, reduction in floor RL's throughout and provision of requisite services.

More specifically, a detailed breakdown of the proposal includes;

Ground floor level:

- Removal of the automated parking system and replacement with waste/loading bay turntable (resulting in removal of 10 x off-street parking spaces to 1 space acting as a waste loading/servicing bay;
- Re-arrangement of the bin room area to include an electrical plant room and 10 additional bicycle parking spaces (providing 12 spaces in total); and
- Provision of service cupboard in lobby.

Mezzanine and Level 1:

- Deletion of mezzanine floor due to removal of automated car park system; and
- Removal of pump room and storage room to level 1 and provision of office space (Office 1) with bathroom facilities.

Level 2:

- Rename storey 'Level 01' to 'Level 02';
- Replace automated parking system with Office 02 and associated amenities;
- Increase pump room size as per Engineering requirements; and
- The provision of service cupboards in store room

Level 3 & 4:

- Rename storey 'Level 02' to 'Level 03' and 'Level 03' to 'Level 04'
- Minor reconfiguration of Offices 03 and 04 and ancillary bathroom and meeting room facilities. These levels carry a similar floor plate to what was previously approved.

Level 5:

- Rename storey 'Level 04' to 'Level 05'
- Provision of services to common open space (COS has been relocated from level 4 to level 5 as a result of the removal of the mezzanine level).

Levels 6 - 8

- Minor changes to balcony shape to units 603, 703 and 803 to follow geometric pattern of the building;
- Provision of mechanical services shaft to unit 604, 704 and 804 and other services in the corridor near units 604, 704 and 804.

Roof Level

- Overall building height reduced from RL43.02 to RL41.15 to lift overrun and from RL42.22 to RL40.15 to roof level.

Approved Unit Mix	Proposed Unit Mix
<ul style="list-style-type: none"> • 12 x 1 bedroom serviced apartments • 2 x office levels = office 01 & 02 (419.4m²) • 1 x retail space (39.47m²) • TOTAL FSR: 2.93:1 (827.31m²) 	<ul style="list-style-type: none"> • 12 x 1 bedroom serviced apartments • 4 x office levels = office 01, 02, 03 & 04 (694.4m²) • 1 x retail space (39.47m²) • TOTAL FSR: 3.78:1 (1,068.33m²)

Figures 2- 5 below are excerpts from the amended architectural package:

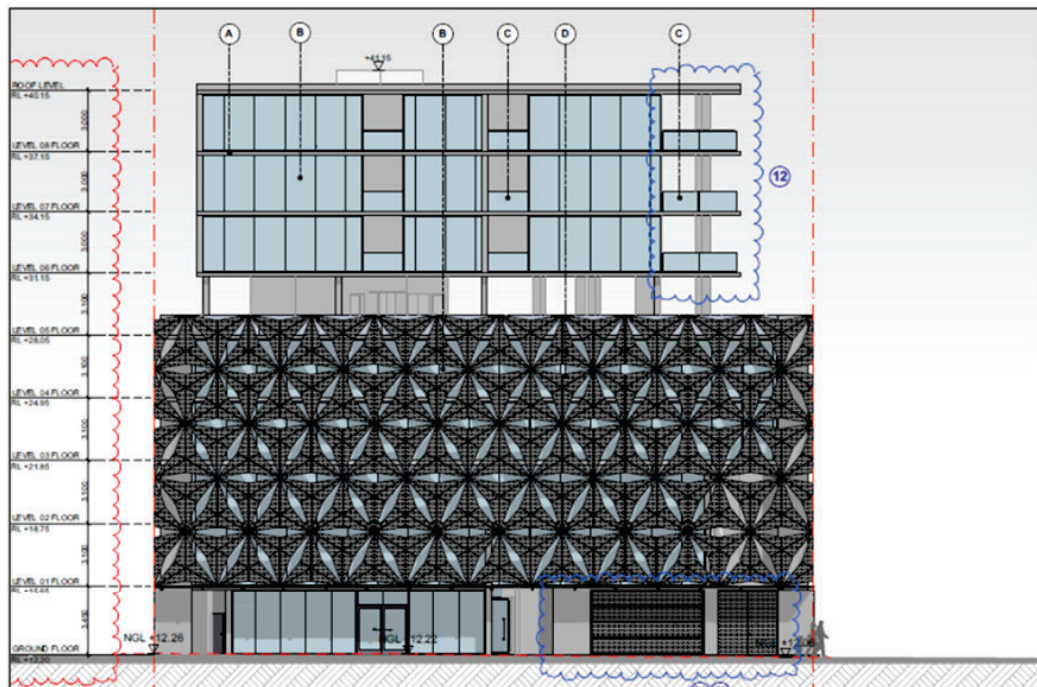


Figure 2: Proposed Elevation 01 (east facade) of subject building.

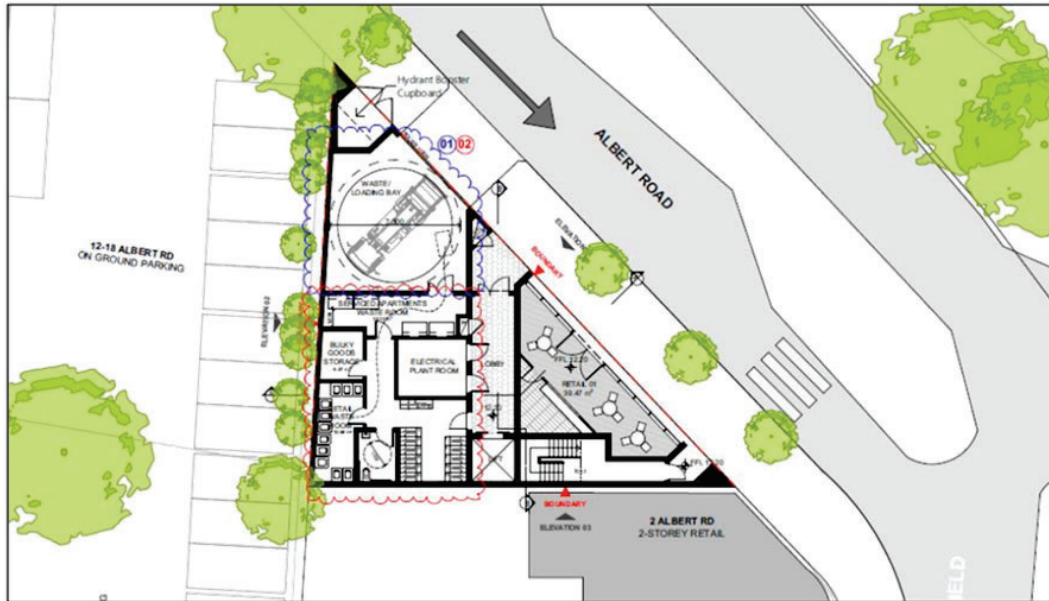


Figure 3: Proposed Ground Floor Plan.

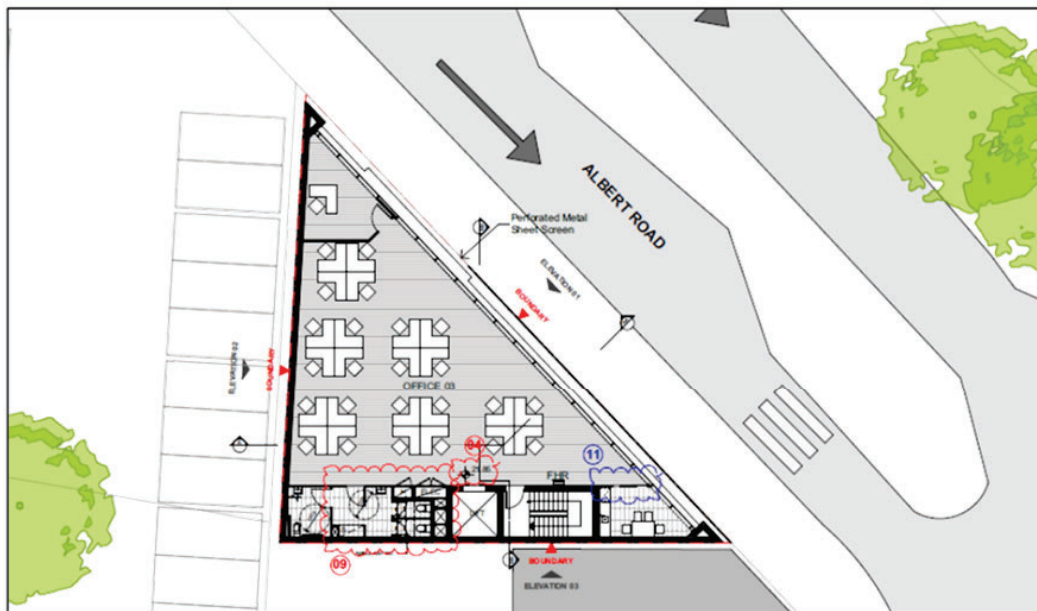


Figure 3: Proposed Level 3 Floor Plan.

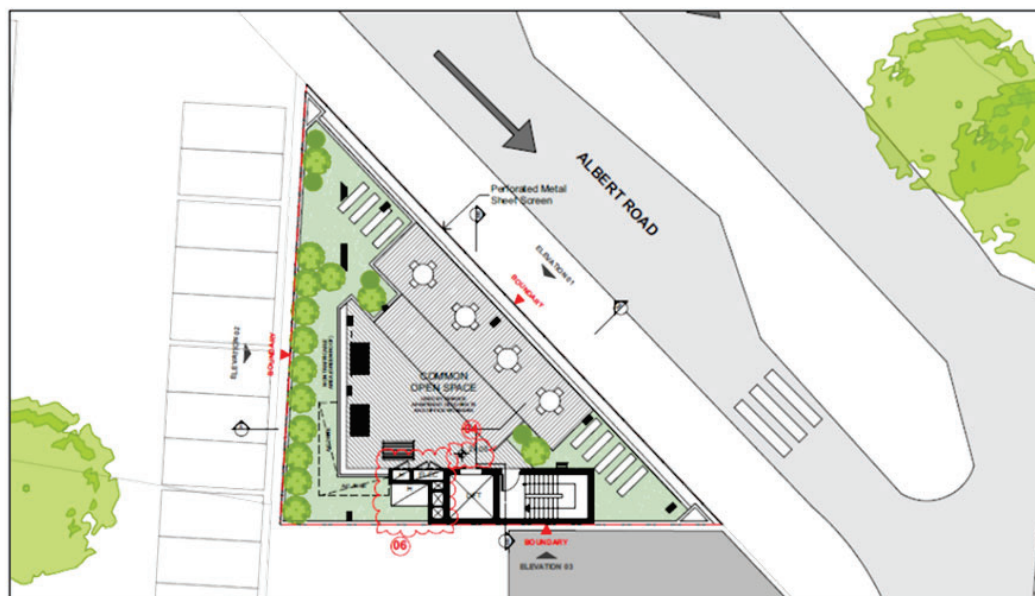


Figure 4: Proposed Level 5 Floor Plan (Communal Open Space Area).

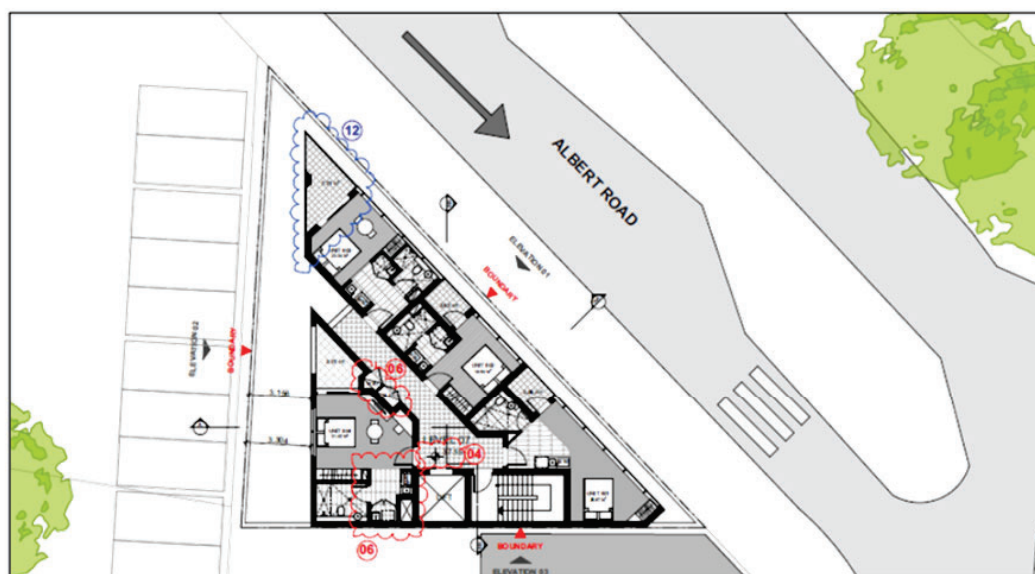
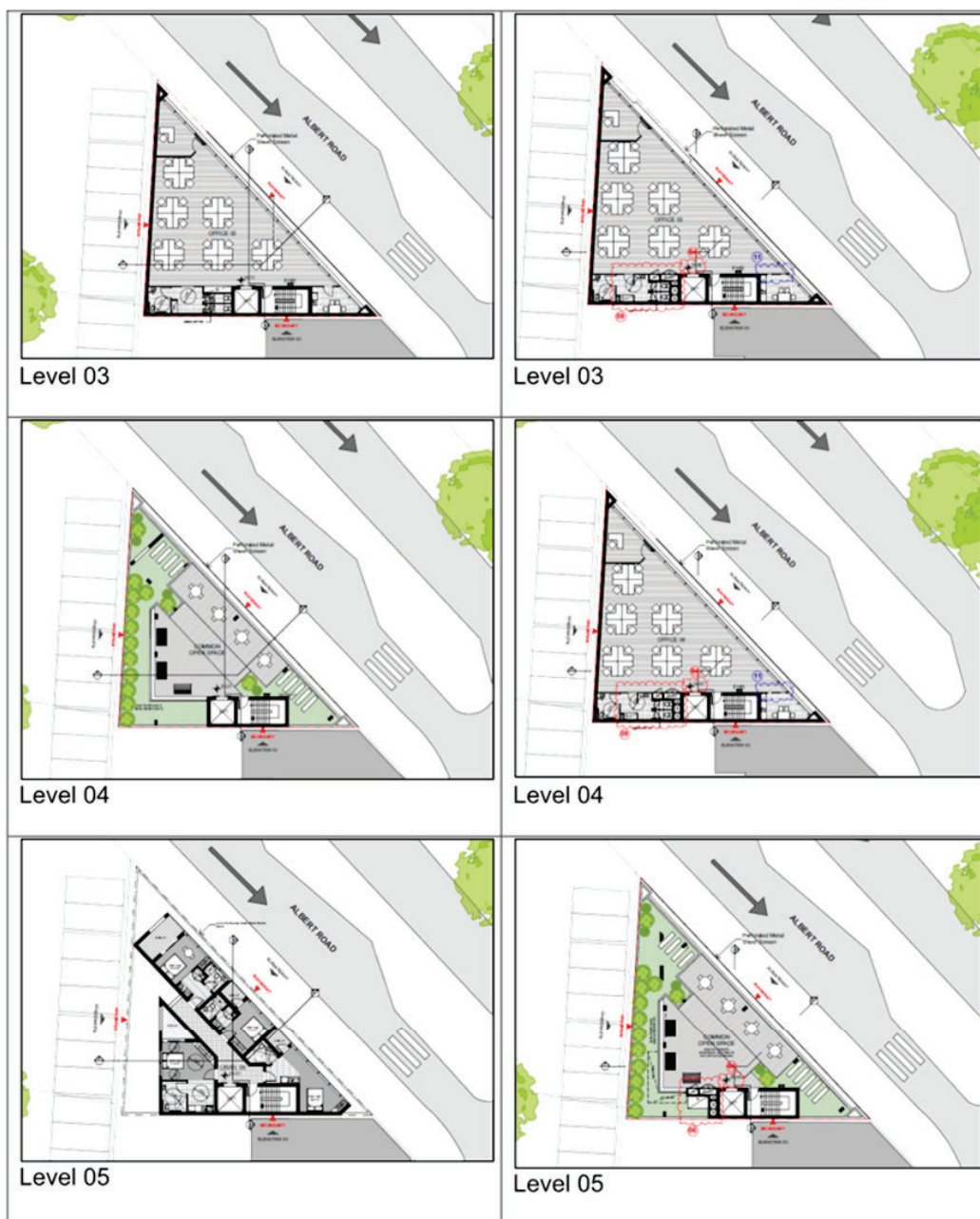
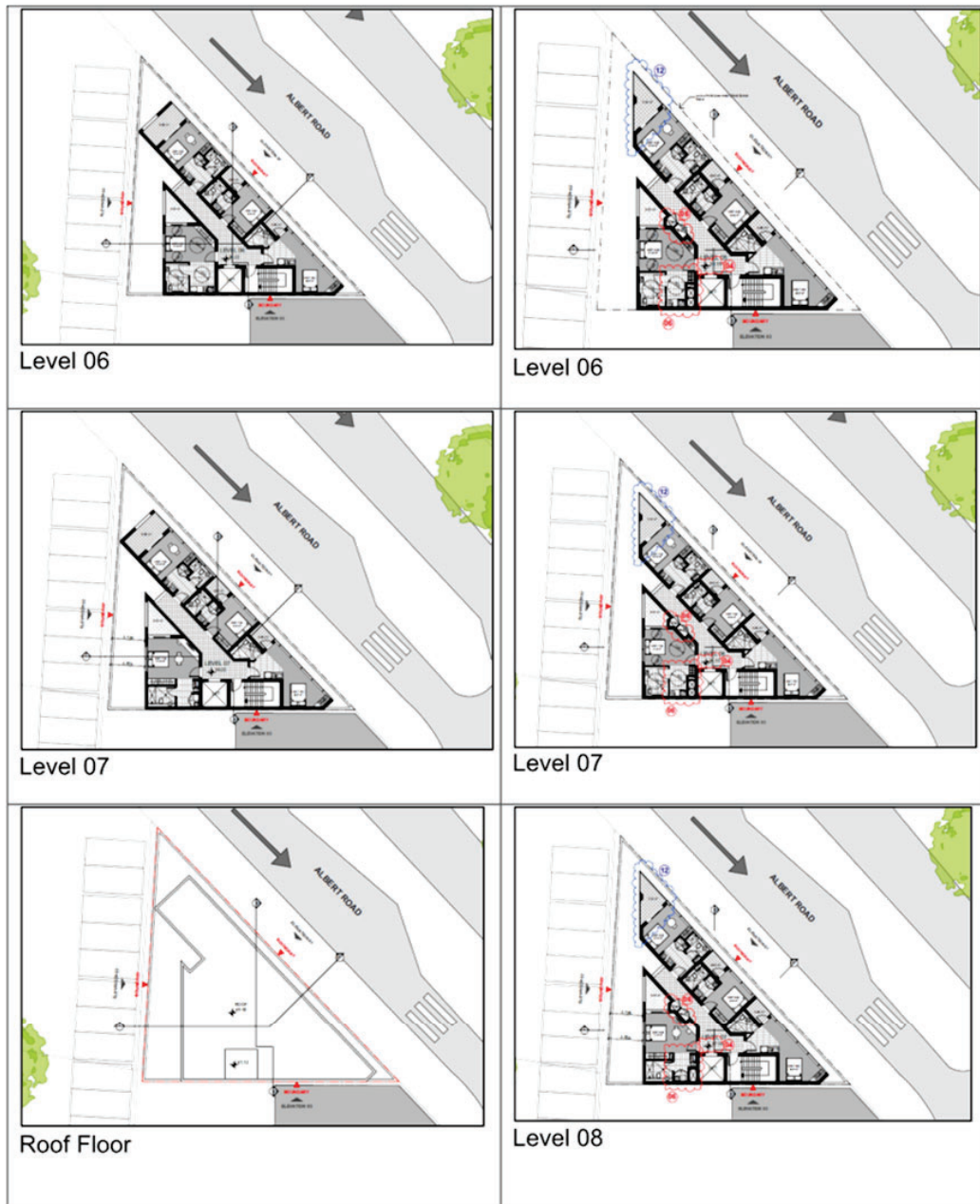


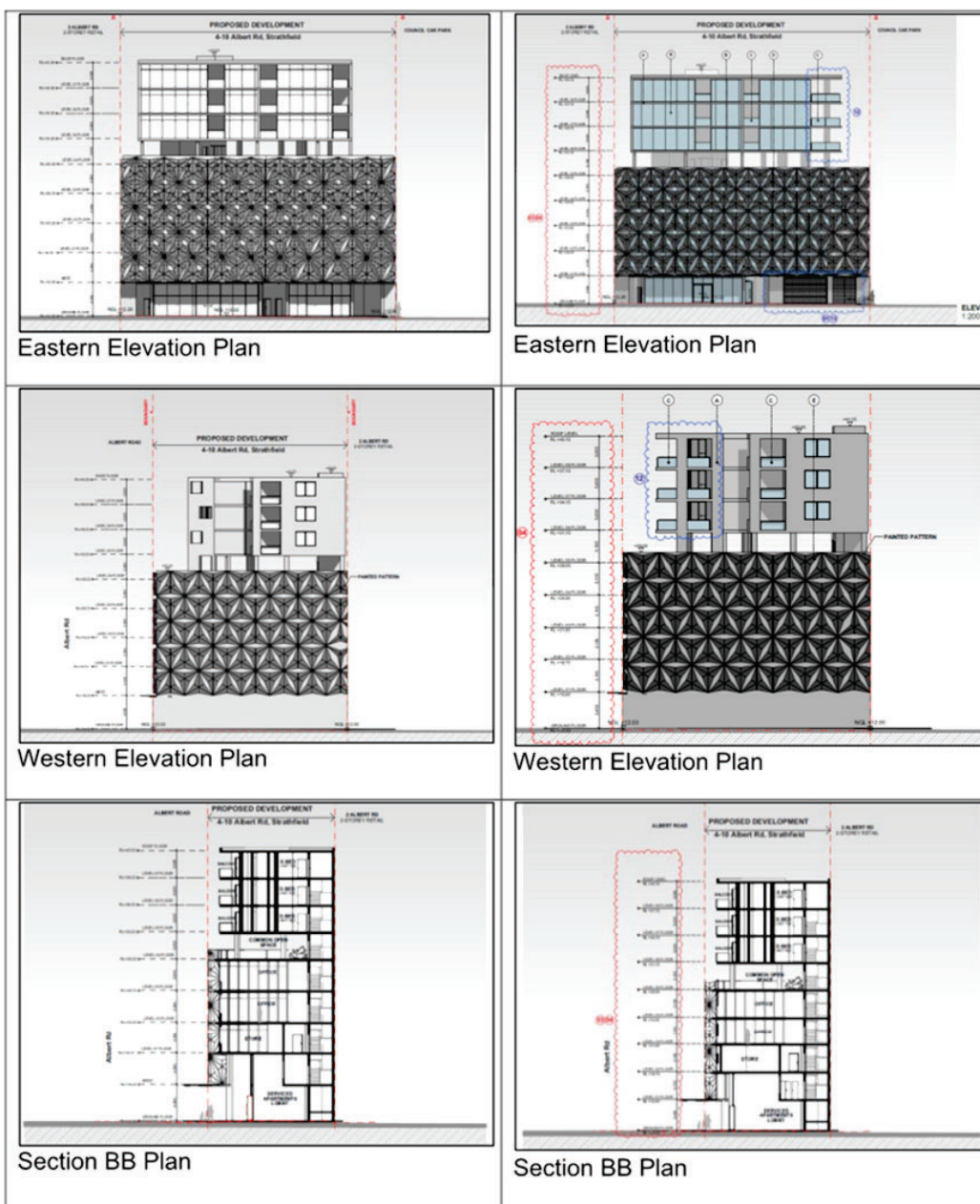
Figure 5: Typical Floor layout levels 6-8.

Below is a comparison table of the approved development scheme against the subject modification application:

Approved Development Application Plans	Proposed Modification Application Plans
 <p>Ground Floor Plan</p>	 <p>Ground Floor Plan</p>
 <p>Mezzanine Floor Plan</p>	<p>Deleted</p>
 <p>Level 01</p>	 <p>Level 01</p>
 <p>Level 02</p>	 <p>Level 02</p>







Background

5 July 2018	<p>The Strathfield Local Planning Panel (SLPP) approved DA2017/138 for:</p> <p><i>Demolition of existing site structures and construction of a mixed-use development comprised of commercial space, mechanical parking installation entry, lobby and waste storage areas at ground floor level; car parking for ten (10) vehicles at Mezzanine Level and Level 1; office accommodation at Levels 2 and 3;</i></p>
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	<i>twelve (12) x two (2) bedroom serviced apartments over Levels 4, 5 and 6; and car parking for ten (10) vehicles at Mezzanine Level and Level 1.</i>
2 September 2021	A Planning Proposal (PP2020/2) to amend the height of buildings and floor space ratio development standards under SLEP 2012 for the subject site as well as Nos 12-18 Albert Road, 5 Churchill Avenue and 2 & 5 Strathfield Square was considered by the Strathfield Local Planning Panel (SLPP). The Panel supported the officer's recommendation to not support the planning proposal on the basis that it lacks both strategic and site-specific merit.
9 February 2022	Planning Proposal (PP2020/2) was withdrawn by the applicant.
15 October 2024	The subject application was lodged with Council.
23 October - 14 November 2024	The subject application was placed on notification for a period of (14) days. Four (4) submissions were received during this time.
7 November 2024	Site inspection carried out by assessing officer.
11 December 2024	A Request for Additional Information was sent to the applicant raising concern for the following matters: <ul style="list-style-type: none"> • Waste Matters – an on-site loading bay is required. • Urban Design Matters.
20 December 2024	Amended architectural plans and an amended waste management plan was submitted to Council via the online Planning Portal which sought to resolve the matters raised above.

The Site and Locality

The site is identified as 4-10 Albert Road Strathfield and has a legal description of Lot 1 DP 433232. The site is a triangular-shaped parcel of land wedged between a two-storey commercial building to the immediate south and a public carpark immediately west of the site. The site provides a frontage width of 32.59m to Albert Road to the east, a southern side/rear boundary of 23.77m and a western side boundary of 23.73m.

The site is located in the Strathfield Town Centre with the Strathfield Railway Station located immediately north and Raw Square located east of the site. Located further south of the site is the Strathfield Plaza shops with several high-density residential tower blocks located further northwest, west and south-west of the site. Burwood LGA is located in close proximity of the site with the border running north of the railway station along Everton Road and continuing along the eastern side of The Boulevarde.

Existing development on the site comprises a restaurant and is served by a single 4m wide access on Albert Road situated adjacent to the western site boundary. Traffic is restricted to a one-way flow in an eastbound direction between Raw Square and Strathfield Square. In the



vicinity of the site, Albert Road has a divided carriageway with two (2) lanes divided by a bus terminal, where regular vehicular traffic is only permitted to circulate on the southern lane.



Figure 6: View of subject site from Albert Road.



Figure 7: View of subject site from Albert Road.



Figure 8: Western adjoining Council-owned carpark.



Figure 9: Strathfield Square facing west toward subject site (blue highlighted hatching to show crude outline of proposed building footprint).



Referrals – Internal and External

INTERNAL

Traffic Engineer

The application was referred to Council's Senior Traffic and Transport Engineer for comment. No concerns were raised to the proposal involving deletion of the automated carpark system given the provision of public parking available in the Town Centre and reduction of pedestrian/vehicular conflict in the vicinity of the site. It was recommended that the site continue to be serviced through retention of a loading bay to accommodate garbage removal and deliveries.

Waste

The application was referred to Council's Waste Officer for comment. Concern was raised that the proposal fails to provide any onsite service/waste collection bay and thus requires kerbside bin collection. A Request for Additional Information Letter was submitted to the Applicant requiring the design to be amended to provide adequate on-site waste collection.

The applicant submitted revised plans demonstrating provision of a waste loading bay provided on the ground floor and accessed via the approved driveway crossover. This is generally supported by Councils' Waste Officer subject to amended conditions of consent.

Urban Design

The application was referred to Council's Urban Design Officer for comment. No concerns were raised subject to several design changes including requesting that the upper portion of the building envelope (serviced apartments) follow the geometry of the site to enhance the overall appearance of the building. This was requested in a Request for Additional Information Letter and resolved via submission of amended architectural plans.

EXTERNAL

- **Ausgrid**

The application was referred to Ausgrid for comment. A response was provided via the online planning Portal on 28th November 2024 that no concerns were raised subject to recommendations which have already been included in the consent.

- **Design Review Panel (not required)**

The proposal is not legislatively required to be referred to the Design Review Panel as it does not meet the provisions under any State Environmental Planning Policy nor does it trigger the 'Design Excellence Clause' as per the Strathfield Local Environmental Plan 2012. A referral is therefore at the discretion of the consent authority and given that the proposed changes are not considered to drastically alter the overall appearance and functioning of the internal floorplates, a referral was not considered necessary in this instance.

Section 4.55 of the EP&A Act 1979

The application has been lodged under the provisions of Section 4.55(2) of the EPA Act which



requires the consent authority (Council) to be satisfied that the Section 4.55(2) application is substantially the same development as the development for which the consent was originally granted (DA2017/138).

The development as modified does not significantly amend the scale or form of the approved development nor does it alter the approved land use of the site being for the purposes of a mixed-use development comprising retail, commercial and short-term residential apartments. The proposal results in a minor intensification of the site providing an additional 241.02m² in total floor space as a result of the deleted automated car parking system. The additional floor space will be provided within this void so as not to result in any noticeable impact to the prevailing bulk and scale of the building. The proposal will continue to provide a ground floor retail floor space beneath several levels of office floor space atop with 3 levels of serviced apartments.

The proposed modification results in a slight reduction in the building height with some minor internal reconfiguration works to the levels so as to accommodate the removal of the car-lift and provide requisite services throughout the building. The proposal remains relatively unchanged with regard to front, side and rear setbacks, material finishes and its relationship with adjoining development.

When these changes are considered having regard to the original scheme as approved, the development is still considered substantially the same as originally approved.

Accordingly, the application is considered of minimal environmental impact, is substantially the same development for which consent was originally granted (DA2017/138), 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 Section 4.55(3), the reasons for the granting of the consent that is sought to be modified have been taken into consideration.

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,***

State Environmental Planning Policies

Compliance with the relevant state environmental planning policies is detailed below:

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIES
State Environmental Planning Policy (Biodiversity and Conservation) 2021	
• Chapter 2 – Vegetation in non-rural areas	Yes
• Chapter 10 – Sydney Harbour Catchment	Yes
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes



State Environmental Planning Policy (Resilience and Hazards) 2021	
• Chapter 4 – Remediation of land	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	
• Chapter 2 - Infrastructure	Yes

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 2 – Vegetation in non-rural areas

The intent of this Chapter within the SEPP is related to the protection of the biodiversity values of trees and other vegetation on the site.

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.

Chapter 10 – Sydney Harbour Catchment

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 Chapter 10 - Sydney Harbour Catchment.

STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

The proposal involved non-residential development with alterations to be less than \$10 million. The original application was considered under the previous BASIX requirements. Notwithstanding this, Condition 15 remains imposed to ensure the development achieve a 4-6 green star rating with Condition 43 also remaining in place to ensure the development complies with its prescribed BASIX assessment criteria.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 – Remediation of land

Chapter 4 applies to the land and pursuant to Section 4.15 is a relevant consideration.

Site remediation was considered and deemed satisfactory under the parent application. The proposed modification does not require any further consideration against the provisions of this SEPP beyond what was originally considered under the parent application.

The objectives outlined within Chapter 4 of the SEPP are considered to be satisfied.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Chapter 2 - Infrastructure

The site exceeds a distance of 25m measured horizontally from the rail corridor. Accordingly, referral to Sydney Trains is not required under Clause 2.98 of SEPP (Infrastructure). A referral was sent to Ausgrid regarding the overhead electricity power line. Conditions were previously imposed under the original consent as per the initial comments provided by Ausgrid.



The site does not have frontage to a classified road. Raw Square is an RMS Main Road from the intersection of Albert Road with Raw Square to the west of the site. Accordingly, Clause 2.119 of SEPP Infrastructure does not apply.

Strathfield Local Environmental Plan

The development site is subject to the Strathfield Local Environmental Plan 2012 and remains consistent with the aims of this plan.

Part 2 – Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

The subject site is zoned E2-Commercial Centre and the proposal is a permissible form of development with Council's consent. It is considered that the development continues to meet the objectives of the zone including encouraging investment in commercial development that generates employment opportunities and economic growth.

Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development Standards	Approved Development	Development Proposal	Compliance/ Comment
4.3 Height of Buildings	58m	30.8m (top of lift overrun)	28.93m (top of lift overrun) = 1.87m reduction	Yes
4.4 Floor Space Ratio	3:1 (846m ²)	2.93:1 (827.31m ²)	3.78:1 (1,068.33m ²) = 26.28% (222.33m ²) increase beyond maximum permitted FSR.	No – refer to discussion below.

Merit Assessment - Exception to Development Standards

The application seeks a 26.28% (222.33m²) variation to a development standard Clause 4.3 of the SLEP 2012. This is a result of the removal of the parking spaces and associated vehicle lift and its replacement with additional commercial/retail floor space within the approved building envelope. The application is made under Section 4.55 of the EP&A Act 1979, which is a free-standing provision and which in itself authorises the development to be approved notwithstanding any breach of development standards.

The applicant submitted justification for the variation to the development standard for Council's consideration to demonstrate that the increase to the FSR of the building will continue to meet the underlying intent of the maximum FSR control whilst ensuring that it would not result in unreasonable environmental and amenity impacts.

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—



- (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

Comments: The applicant has provided a written request to justify the contravention of the Floor Space Ratio standard on the following grounds:

- *"The proposed modification seeks to convert an internal parking area to commercial floor space, meaning that no changes to the building envelope are proposed from the approval. Therefore, the built form character is unchanged from the approval.*
- *The removal of the parking and vehicular access areas will reduce motor vehicle traffic from Albert Road.*
- *The changes are considered to positively improve the outcome of the development, with particular regard to the activation and revitalisation of Strathfield Square, in accordance with the Strathfield 2030 Community Strategic Plan and the Strathfield Town Centre DCP.*
- *It is noted that both the Strategic Plan and Town Centre DCP controls (which came into effect after the approval of the original DA) are leaning towards reducing vehicular traffic to Albert Road and the Town Square, noting that a clause in the Town Centre DCP now prohibits vehicular access to Albert Road from the subject site. As such, the proposal to the removal of parking and vehicular access area and replacement with commercial GFA is in line with the strategic direction of the Town Centre, which is considered to be a sufficient environmental planning ground.*
- *The works will have no impact on the building envelope and will not result in any overshadowing issues.*

The applicant's written request is considered to have adequately addressed the relevant matters required to be demonstrated by sub-clause (3).

The proposed modifications are considered justified in that the revised design will not drastically alter the scale, height or overall appearance of the building from what was originally approved. The proposal is a minor intensification resulting in additional 241.02m² floor space which will not be readily noticeable from the street. The proposal simply seeks a logical alteration which is to remove the automated car lift and infill with additional office floor space. The proposal seeks to retain a garbage/loading bay at the ground floor to ensure the building can be adequately serviced whilst minimising any disruption to the local traffic network. The proposed modifications are also supported on the basis that the future planning envisaged for the Town Centre is to minimise traffic congestion and disruption. The subject modification supports this need whilst minimising the proposal's reliance upon mechanical means to successfully operate.

The variation satisfactorily demonstrates that compliance with the Clause 4.4 Floor Space standard as per *SLEP 2012* is unnecessary and unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

Part 5 – Miscellaneous Provisions



This modification application involves no changes to the assessment of the original application against Part 5 of the *SLEP 2012*.

Part 6 – Local Provisions

This modification application involves no changes to the assessment of the original application against Part 6 of the *SLEP 2012*.

- (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**

Draft Strathfield Town Centre Masterplan

There are no draft planning instruments that are applicable to this site however, Council is in the process of preparing a Masterplan for the Strathfield Town Centre Masterplan. As part of the development of the draft Masterplan, Council has undertaken preliminary engagement with the community to develop a Vision and a series of principles.

In late 2024, the Stage 1 Community Engagement – Masterplan Community Vision and Principles was exhibited. This document forms the basis for the work that will be undertaken in developing the draft Masterplan.

Council is hoping to have a draft Masterplan for the Town Centre endorsed for exhibition in mid-2025. The vision advocates for limiting through traffic and discouraging long-term and commuter car parking within the Town Centre. This will assist in alleviating traffic congestion, resolving the multiple conflict points between pedestrians and vehicles and enhancing the overall pedestrian experience in the Town Centre.

Whilst the draft Strathfield Town Centre Masterplan is in its infancy and is not a matter for consideration for the subject application, the proposal appears to align with the draft vision and principles which will inform the development of the draft Masterplan.

Strathfield Community Strategic Plan 2035

The Strathfield Community Strategic Plan 2035 highlights the need to resolve traffic congestion and local traffic movements around the Strathfield Town Centre which creates difficulties in movement around the centre.

This proposal aligns with this.

- (iii) any development control plan,**

The proposed development is subject to the provisions of the Strathfield Consolidated Development Control Plan 2005. The following comments are made with respect to the proposal satisfying the objectives and controls contained within DCP 13 – Strathfield Town Centre, Part H – Waste Management, Part I – Provision of Off-Street Parking & Part Q – Urban Design. These are discussed in turn.



Strathfield Development Control Plan No. 13 – Strathfield Town Centre

Clause 2.1 Objectives

The proposal remains consistent with the objectives of DCP in the following manner:

- the proposal will strengthen the Strathfield Town Centre's role as the municipality's major retail and commercial centre;
- the proposal includes a retail component at ground floor level and will provide activation of the adjoining public domain,
- the proposal will not detract from the significance of the heritage listed Strathfield Railway Station;
- the proposed development is contextually appropriate in terms of bulk and scale and architectural form;
- the development presents a skilful, high quality design on a physically constrained site that is considered to enhance the public domain;
- the proposed development encourages public transport patronage and reduced car dependence; and
- the proposal will not give rise to any detrimental amenity impacts to surrounding development.

With regard to off-street parking, Objective 2.1.2 (J) of DCP 13 seeks to *"ensure that new development provides for sufficient car parking within the Centre to accommodate any likely future demand"*.

DCP 13 states that the off-street parking provisions within this part supplement Part I of the SCDP 2005 in which case both the off-street parking rates immediately below as well as within Part The off-street parking provisions under Part I of the SCDP 2005 have been adopted by DCP 13.

Section 3.7 - Parking under DCP 13 provides several off-street parking rates for retail and commercial uses. They are as follows:

- 6.2 car spaces per 100m² gross leasable area (GLA) of retail floor space and 1 space per 30m² gross floor area (GFA) for office development in Strathfield Town Centre.
- Employee (ie long term) parking may be provided on site if practicable ie 1.5 spaces per 100m² GLA for retail and the great bulk (2.5-2.7 spaces per 100m² GFA) for office uses. In the case of office uses, if all required parking can be provided on-site in a manner Council considers practicable and safe, then it may be provided on-site on the basis that other DCP provisions are not contravened. In the case of smaller retail uses, a minimum of 1.5 spaces per 100m² GLA may be provided on-site though also subject to DCP conformity otherwise.

On this basis, the proposal would be required to provide the following off-street parking rates:

- Retail: 7 (6.2) spaces
- Employee parking – not practicable in this instance and therefore not required as per the above.

Notwithstanding this, Section 3.7.3 of DCP 13 stipulates that Council has the discretion to vary these rates according to certain circumstances.

In this particular circumstance, the site is considered a relatively constrained triangular-shaped allotment bearing a total site area of 282m² and is bound by the Council carpark and several small allotments immediately south of the site. Amalgamation of the site with immediately



surrounding properties which could have provided for a basement carpark was deemed a non-viable option in the 'lot in isolation' assessment under the parent application.

The site benefits from its close proximity to the public transport hub with the removal of the automated car park system and infill with additional office spaces serving a far superior outcome for the site and its surrounds. The removal of off-street parking is better aligned with the future intentions of the revitalisation of the Strathfield Town Centre which seek to reduce vehicular traffic in and around the centre, encourage active transport patronage and increase pedestrian activity through the centre. The provision of the single loading/waste collection bay at the ground floor level will ensure that the waste and other servicing requirements for the building will continue to be met whilst also reducing car dependency and traffic congestion. Further discussion surrounding the deletion of on-site parking is provided under Part I of the SCDCP 2005 section of this report.

The building's siting, building materials selection and access will not be altered as a result of this subject application. Only minor changes are sought to the design, height and massing of the building largely to accommodate the removal of the automated car parking system. The overall appearance of the building has also been improved through revision of the northern-oriented balconies as a means of achieving improved design continuity between the podium and tower levels of the building. The floor to ceiling heights have been altered slightly with a slight overall reduction to the overall building height which will not result in any noticeable impact beyond which was previously approved under the parent consent.

The proposal has been assessed with regard to the controls applicable under DCP 13 and is considered suitable and thus supportable in this instance.

PART H – Waste Management (SCDCP 2005)

In accordance with Part H of Strathfield CDCP 2005, a revised waste management plan was submitted with the application. The plan details measure for waste during demolition and construction, and the on-going waste generated by the development during its use.

As previously discussed, Council's Waste Officer has reviewed the revised documentation and has raised no objections subject to revised conditions. It is considered that this plan adequately addresses Part H and is considered satisfactory.

Part I – Car Parking (SCDCP 2005)

The application has been considered with regard to the relevant provisions of Part I – Provision of Off-Street Parking of the SCDP 2005.

2.0 Part B – Main Provisions

The proposal is acceptable with regards to Section 2.0 of Part I of SCDP 2005.

A Condition is recommended to ensure that all off-street car parking complies with *AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking*.

The proposal seeks removal of the automated car park system and replacement with a waste/loading bay which occupies the northern portion of the ground floor only. The mezzanine level and first floor level automated car park system structure has been removed entirely and replaced with additional office floor space.

A Condition was imposed in the original consent to require that all vehicles enter and exit the site in a forward direction. The turntable at ground level will enable waste collection vehicles,



and any service and delivery vehicles to park comfortably within the site and manoeuvre within the property so to achieve forward ingress and egress on the site.

3.0 Part C – Parking Schedule

The on-site parking requirements for the proposed development are outlined below:

Use	No / GFA	Parking rate	Loading / unloading	Minimum spaces required (parent consent)	Minimum spaces required (as proposed)	Complies
Houses to let in lodgings	12 x 2 bedroom units	1 space / bedroom 1 space / 6 employees plus 1 space for the manager	Nil	24 Nil	24 -Unchanged Nil	No
Retail shops	39.47m ²	6.2 spaces per 100m ² gross leasable floor area 75% short stay, 25% long stay	Provision to be made for the loading/unloading of service vehicles	Nil	Nil - Unchanged	Yes
Commercial premises	Original: 417.98m ² Proposed: 694.4m ²	1 space per 30m ² (Strathfield Town Centre) 10% short stay, 90% long stay	Provision for 1 courier car parking space in a convenient and appropriately signposted location with access to street frontage. Provision should be made for the loading/unloading of services.	14 (13.9) + 1 loading/unloading space	23 (23.1) + 1 loading/unloading space	No
Total				39 required inclusive of 1 loading bay (10 spaces were justified and provided as per consent)	48 required inclusive of 1 loading bay (1 loading bay only)	No – refer discussion below

The proposal results in a significant departure of 47 from the minimum 48 off-street parking spaces (inclusive of 1 loading bay) as required by Part I of the SCDP 2005. The proposal



has provided sufficient justification which demonstrates that off-street carparking on the site isn't a necessity. A Parking Assessment, 31.07.24, prepared by POC Consultants was submitted as part of the subject application. Whilst the assessment was prepared based on the modification plans originally submitted to Council which sought provision of a second retail space at the ground floor, the arguments surrounding the benefit to removing the off-street parking spaces remain valid. The assessment argues that the proposed removal of the off-street parking spaces would achieve the following:

- *Reduce the number of vehicle trips it generates and the number of vehicles required to circulate through the heavily pedestrianised town centre;*
- *Support the objectives of the High Pedestrian Activity Area Program and the Centre for Road Safety in working towards Vision Zero by removing vehicle trips generated by the site from the town centre.*
- *The site benefits from excellent access to public transport, being around 50 metres west of the public pedestrian access to Strathfield Rail Station and a shorter distance to several bus stands along the immediate site frontage which are serviced by a range of routes.*
- *The site falls well within the walking catchments for buses and rail services defined by the Integrated Public Transport Planning Guidelines, Sydney Metropolitan Area, and thus is considered an excellent candidate for the removal of car parking in support of more sustainable modes of travel.*
- *Improve active transport facilities by providing 18 bicycle parking spaces on-site in part of the area previously reserved for the mechanical car park system. This is a significant improvement on the two bicycle racks which were approved under the DA and would encourage the update of cycling as an active mode of transport to and from the site, supported by the excellent public transport accessibility.*

The statements provided within the submitted Parking Assessment are supported and appear to align with Council's overarching aims and objectives as provided by the Strathfield 2030 Community Strategic Plan, as well as aligning with the preliminary work and community consultation undertaken as part of the work for the development of the draft Strathfield Town Centre Masterplan.

The development is well connected by public transport and the proposal encourages public transport patronage whilst encouraging active modes of transport in the centre through inclusion of an active frontage and provision of 16 additional bike spaces within the ground floor level of the building. The proposed modifications achieve a far superior planning outcome to what was originally approved with an improved internal layout and additional commercial floor space to strengthen the centre's role in remaining as the LGA's major retail and commercial centre.

The proposal has been considered against the objectives of Part I of the SCDP 2005. Whilst the proposal presents a significant departure from the minimum off-street parking provisions provided by Part I, there is strong planning merit to demonstrate that the site provides a better design outcome with the removal of off-street parking spaces and provision of a single loading bay area only. The proposal is therefore supported in this instance notwithstanding its numerical departure from these controls.



PART Q – Urban Design Controls (SCDCP 2005)

An assessment of the proposal against the relevant objectives and development controls contained within Part Q of SCDCP 2005 is included below:

Sect ion	Development Standard	Required	Proposal	Compliance
2.1	Public Domain and Place	Development is to be designed to address elements of the public domain	The proposed modification will continue to address the public domain through retention of the retail space on the ground floor and lobby corridor accessed directly via the street.	Yes
2.2	Streetscape	Building height at the street frontage and building alignment must maintain a compatible scale with adjacent development	The proposal results in a 1.87m reduction in overall building height with no noticeable change proposed to the overall scale and massing of the structure.	Yes.
		Development must respond to the broader urban context	Balconies 503, 603 and 703 have been revised to better align with geometry of the building so to create an improved presence in the streetscape.	Yes.
		Building design and landscaping must be in harmony with the form, mass and proportions of the streetscape.	The proposal seeks to retain the overall massing and shape of the building with the exception of the modified shape of the northern balconies on the tower levels so to follow the triangular shape of the site and podium component of the building.	Yes
		Building setbacks from the street boundary must be consistent with prevailing setbacks	The proposal results in a minor reduction to the building setback provided by northern balconies to the western side boundary from	Yes
		Buildings on corner sites must be designed and articulated to address each street frontage and must define corners	The modified balcony shape to the serviced apartment levels enable improved articulation to the built form which further defines the northern corner element of the site.	Yes
2.3	Siting	Development must respond to the scale of surrounding buildings and definition of the street networks and public spaces.	The proposal retains it's approved built form and continues its connection to the street through a retail and lobby entrance accessed via the ground floor and awning	Yes



			which continues across the entire frontage.	
		Appropriate building separation must be provided to protect privacy and solar access	Building separation between sites have not been altered by the proposed modification.	Yes
		Building corners on key streets must be emphasised.	The modified balcony shape to the serviced apartment levels enable improved articulation to the built form which further defines the northern corner element of the site.	Yes
		Possible future development on adjoining sites must be considered as part of any design.	Future development of adjoining properties was considered under the parent application.	N/A
2.4	Building Envelope	The bulk and scale of any development must reflect the existing and future character of the existing street and surrounding locality.	The bulk and scale of the development remains relatively unchanged and continues to achieve compatibility with the low-high density nature of the immediate streetscape.	Yes
2.5	Building Massing and Scale	Buildings must be of a height that responds to the topography and shape of the site	The building height has been lowered slightly and will not be visually noticeable with the building continuing to respond to the topography and shape of the site.	Yes
2.7	Building frontage to public domain	Building design and architectural style must interpret and respond to the positive character of the locality, including the dominant patterns, textures and compositions of buildings.	The proposal continues to provide an interesting composition of materials and shapes which responds positively in its relatively urban yet transitioning context.	Yes
		Where security grilles/screens, ventilation louvres and car park entry doors are proposed, they must be integrated into facade designs. Solid security shutters will not be permitted.	Security louvers are provided to the car park entrance of the building and will not significantly detract from the streetscape given it accounts for only a portion of the front façade with the remaining façade comprised of glazing and entrances to the retail space and lobby at the ground floor.	Yes
3.1	Accessibility and Connectivity	Public, communal and private areas must be clearly delineated within the site.	Separate access is provided between the retail space and the commercial/serviced apartment components of the building to ensure public and	Yes



			private areas remain clearly delineated within the site.	
3.2	Building Entries	Legible entry/lobby areas accessed from a public street are to be provided to encourage surveillance and activation of the Public Domain, thereby increasing safety.	The front entry lobby area is clearly defined with the majority of the front façade comprises of glazing to enhance passive surveillance to the street.	Yes
3.3	Visual and acoustic privacy	New development must ensure adequate visual and acoustic privacy levels for neighbours and residents.	No significant change is proposed to the structure to alter its visual and acoustic impacts. The development continues to achieve an appropriate level of visual and acoustic privacy.	Yes
3.5	Solar Access and cross ventilation	Development must be designed and sited to minimise the extent of shadows that it casts on: - private and communal open space within the development; - private and communal open space of adjoining dwellings; - significant areas of the Public Domain, such as main streets, open space and plaza areas, main pedestrian links etc; - solar collectors of adjoining development; and - habitable rooms within the development and in adjoining developments. Note: Building setbacks may need to be increased to maximise solar access and to minimise overshadowing from adjoining buildings. Building heights may also need to be stepped to maximise solar access.	The proposal does not result in any drastic modifications that would impact solar access and cross ventilation beyond which has previously been approved under the parent application. All floor plates throughout the building achieve ample solar access and cross ventilation.	Yes
3.6	Safety and Security	Development must be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting, and the appropriate landscaping of public areas	The front entry lobby area is clearly defined with the majority of the front façade comprises of glazing to enhance passive surveillance to the street.	
3.8	Views	The design of any development must minimise the loss of views from neighbouring and nearby dwellings and from public spaces.	The proposal results in a minor reduction in the overall building height and will not result in any view loss from neighbouring residents and public spaces.	Yes



4.1	Car parking and vehicular access	Car parking and service/delivery areas must be located so that they do not visually dominate either the development or the Public Domain surrounding the development.	The waste/loading bay utilises a portion of the front façade however due to the heavily constrained nature of the site, the proposed location of the bay is considered supportable in this instance. The majority of the front façade is comprised of the retail floor space along with the front entrance lobby to encourage streetscape activation and minimise the perceived dominance of the loading bay area.	Yes
		The width and number of footpath crossings shall be minimised.	The proposal continues to provide only 1 vehicular crossing which is in the same location as the exiting crossover on the site.	Yes

The proposed development continues to positively respond to the street through its attractive street frontage, appropriate corner building articulation and understated yet modern external finishes that will complement both the prevailing and transitioning nature of the Strathfield Town Centre.

The proposed modifications will continue to deliver a high quality built form that continues to provide a high level of amenity for future occupants. The development remains compatible with adjacent development and will enhance the streetscape through its active ground floor retail space 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 SCDP 2005.

(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 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. Four (4) submissions were received raising the following concerns:

1. View Loss – concern is raised that the proposal will block views of adjoining properties resulting in decreased property desirability and potential depreciation in property values.

Comment: Depreciation in property values is not a matter for consideration under the provisions of Clause 4.15 EP&A Act 1979. Having regard to view loss, the proposal results in a minor reduction in overall building height by 1.87m from RL43.02 to RL41.15 to the lift overrun. The building footprint, design and general appearance of the building will remain relatively unchanged and thus will not result in any impact on view loss beyond which has already resulted from the original consent.

2. FSR Exceedance – concern is raised that the proposed FSR exceedance is contrary to convention and disrupts the harmony between stakeholders, most of whom will be disadvantaged. There is no demonstrable benefit to subvert neighbourhood harmony for the increase in the FSR, other than for the developers own financial benefit.

Comment: The impact and suitability of the proposed deletion of off-street parking and replacement with additional floor space has been discussed previously in both the Part 4 – Principal Development Standards, DCP 13 - Strathfield Town Centre and Part I Car Parking sections of this report. The proposed modifications are considered reasonable and justifiable notwithstanding the resulting FSR exceedance.

3. Parking & Traffic Impacts – The proposed removal of carparking will place demand on existing parking amenities and become more concentrated and dangerous. The new development offers no public amenities in return for the proposed FSR increased and results in unfair congestion on the existing carpark where passage is highly competitive between traffic and pedestrians. Additional demand for parking in these areas would increase the hazard to pedestrians.

Comment: Refer to previous DCP 13 - Strathfield Town Centre and Part I Car Parking sections of this report. Overall, the site is suitably located within the Strathfield Town Centre and is therefore supported by a variety of transport modes as well as goods and services. The removal of off-street carparking will encourage patrons to utilise the surrounding public transport network and alleviate private car congestion around the town centre as well as resolve opportunities for conflict between traffic and pedestrians.

4. Local Character and Streetscape – the proposed development is not in character with the surrounding area. The buildings in proximity to the site and those around Strathfield Square are mixed-use residential apartments and commercial properties. It is unprecedented for a serviced apartment to be built in that



location, and this development is a disguised attempt by the developer to build studio apartments without fulfilling parking amenity obligations for residential apartments. Each studio in the proposed Level 5 to 8 is astonishingly claustrophobic and not in character with more spacious apartments throughout the LGA.

Comment: Serviced apartments are a permissible use within the subject zoning and enables a mix of development types to be provided throughout the LGA as per the zoning objectives of the SLEP 2012. Serviced apartments are not subject to the internal design and off-street parking provisions of the Apartment Design Guide as they are not intended for long-term occupation. It is also for this reason that off-street parking is not required as it is anticipated that the occupants will utilise public transport..

- 5. Insufficient Provision of Elevators – the proposal accounts for only 1 elevator for 8 stories. This is not suitable for a building of this size which should be equipped with at least 2 elevators for accessibility, redundancy, and safety. The provision of only 1 elevator sets an alarming precedent on Strathfield's reputation for quality housing.**

Comment: The proposal will accommodate retail, office and serviced apartment uses only. There is no "housing" proposed on the site. Whilst a second lift well could be provided on the site, this is not a requirement. The site will be equipped with a separated internal emergency stairwell in addition to the lift well which is accessible via all levels throughout the building.

- 6. Waste Collection – concern is raised that waste management on the site is flawed with the submitted waste management plan suggesting waste collection is to occur near the no stopping zone approaching the zebra crossing and blocking the lobby entrance of the building.**

Comment: The proposal was further revised during the assessment of the subject modification application to provide a waste collection/service bay on the ground floor of the building. The bay has assessed as being large enough to enable waste collection to occur wholly within the site and without significantly disrupting pedestrian and vehicle movements in and around the site. The proposal was also referred to Council's Traffic Engineer and Waste Officer who have considered and support the proposal in this regard, subject to revised conditions of consent.

(e) *the public interest.*

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

Local Infrastructure Contributions

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

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



Strathfield Direct Section 7.11 Contributions Plan

Section 7.11 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 and have been modified as follows:

Provision Roads and Traffic Management	\$97,026.83
Provision of Local Open Space	\$64,545.95
Provision of Major Open Space	\$187,062.22
Provision of Community Facilities	\$0.00
Administration	\$3,742.29
TOTAL	\$352,377.30

Conclusion

Consideration under Section 4.15 (1) of the Environmental Planning and Assessment Act 1979, the provisions of the SLEP 2012 and SCDCP 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. 2017/138

1. The proposed modifications results in the change to the description of the approved development as follows:

~~Demolition of existing site structures and construction of a mixed-use development comprised of commercial space, mechanical parking installation entry, lobby and waste storage areas at ground floor level; car parking for ten (10) vehicles at Mezzanine Level and Level 1; office accommodation at Levels 2 and 3; twelve (12) x two (2) bedroom serviced apartments over Levels 4, 5 and 6; and car parking for ten (10) vehicles at Mezzanine Level and Level 1.~~

Demolition of existing site structures and construction of a mixed-use development comprised of retail space, lobby, loading bay and waste/storage areas at ground floor level; office accommodation at Levels 1-4; and twelve (12) x two (2) bedroom serviced apartments over Levels 6-8.

2. As part of this Section 4.55 (2) application, the following conditions are to be modified, added or deleted;
 - Condition 1 – Mechanical Parking Installation – Deleted
 - Condition 2 – Access to the mechanical parking installation – Deleted
 - Condition 3 – Report on the mechanical parking installation – Deleted
 - Condition 4 – Residential Waste – Amended
 - Condition 5 – Commercial Waste - Amended
 - Condition 8 – Plans Updated – Deleted
 - Condition 10 – Car Parking – Deleted
 - Condition 11 – Planter Box – Amended
 - Condition 16 - DA Fees - Additional Development Application Fees - Amended
 - Condition 20A – Communal Space Level 4 – Amended
 - Condition 24 – Approved Plans and reference documentation – Amended
 - Condition 26 – Building Height Maximum RL – Amended
 - Condition 27 – Construction Hours – Amended
 - Condition 52 – Section 7.11 Contribution Payment – Amended



- Condition 57 – Waste Management Plan – Amended
- Condition 58 – Waste Rooms – Separate for commercial and residential – Amended
- Condition 80 – Amenity of the neighbourhood – Added
- Condition 81 – Responsibility of Owners Corporation – Added

Accordingly, Development Consent 2017/138/3 is approved as per the following;

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

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

SPECIAL CONDITIONS (SC)

1. MECHANICAL PARKING INSTALLTION (SC)

~~The mechanical parking installation shall be designed and constructed in accordance with the Building Code of Australia and all relevant Australian Standards including AS 5124:2017 – Safety of Machinery: Equipment for power driven parking of motor vehicles.~~

~~(Reason: To ensure appropriate safety standards are met.)~~

DELETED: DA20217/138/3 13 FEBRUARY 2025

2. ACCESS TO THE MECHANICAL PARKING INSTALLTION (SC)

~~Vehicular access to the mechanical parking installation and each space within the mechanical car stacker shall be in accordance with AS/NZS 2890.1:2004.~~

~~(Reason: To ensure compliance with relevant standards for safety.)~~

DELETED: DA20217/138/3 13 FEBRUARY 2025

3. REPORT ON THE MECHANICAL PARKING INSTALLTION (SC)

~~A report for the mechanical parking installation shall be prepared by a suitably qualified traffic consultant.~~

~~As a minimum, the report shall provide a queuing analysis, taking into account:~~

- ~~• the proposed peak hour vehicle volumes;~~
- ~~• the service rate (in seconds) associated with the proposed parking equipment; and~~
- ~~• demonstrate that vehicle queuing to enter the mechanical parking installation will not extend beyond the property boundary during peak hour vehicle volumes. Vehicles must not wait on the footpath or roadway.~~

~~— The report should also include the following information:~~



- details of the internal height clearance;
- details of required servicing and ongoing maintenance;
- details of the noise output of the device; and
- manufacturers documentation.

A copy of the report is to be submitted to Council's Traffic Engineer for approval, prior to the issue of any Construction Certificate.

—(Reason: To ensure pedestrian safety and minimise traffic congestion.)

DELETED: DA20217/138/3 13 FEBRUARY 2025

4. RESIDENTIAL WASTE ONSITE WASTE COLLECTION (SC)

The residential waste (both general waste and recycling) from the serviced apartments shall be collected on a weekly basis via a walk-in-walk-out arrangement direct from the residential waste room. Bins shall not be left on the footpath for kerbside collection. An agreement to this effect shall be entered into with Council, prior to any occupation of the premises with evidence of the agreement provided to the Principal Certifying Authority, prior to issue of the Construction Certificate.

Should Council not agree to enter into such an agreement, a private contractor is to be arranged to ensure waste is collected directly from the waste room and bins are not left kerbside for collection.

(Reason: To maintain streetscape amenity and ensure pedestrian safety)

Development for the purposes of multi-unit housing, residential flat buildings, serviced apartments, boarding houses, mixed use and commercial developments must provide an area for the onsite underground or at-grade collection of waste, which must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005).

Waste servicing and collection arrangements must be clearly depicted and annotated on architectural drawings, which should indicate adequate turning circles to allow collection vehicles to enter and exit the site in a forward direction.

Reason: To ensure appropriate management of waste.

AMENDED: DA20217/138/3 13 FEBRUARY 2025

5. COMMERCIAL WASTE (SC)

Commercial waste from the proposed development shall be collected on a weekly basis and all retail waste collected three (3) times weekly via a walk-in-walk-out arrangement direct from the 'retail waste room'. Bins shall not be left on the footpath for kerbside collection.

A private contractor shall be arranged to provide this service. Evidence of the agreement/contract is to be provided to Council, prior to issue of the Construction Certificate.

(Reason: To maintain streetscape amenity and ensure pedestrian safety)



Appropriate waste and recycling containers and facilities must be provided according to the approved Waste Management Plan for all specific end use businesses in accordance with the waste generation rates provided at Part H of Strathfield Council DCP 2005 – Appendix B.

The WMP must also provide written evidence of valid contracts for the regular collection and disposal of waste and recyclables generated on the site. The private waste contractor must confirm the frequency of the waste collections (general waste, recycling and bulky goods), and that the size and location of the storage room is suitable for the frequency of the waste collections.

The collection of commercial and industrial waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm on weekends and public holidays, to avoid noise disruption to the surrounding area. All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.

Waste education must be provided through signs in common areas indicating how to avoid, reduce, reuse and recycle waste.

Reason: To ensure the appropriate management of waste through the separation of commercial and residential waste.

AMENDED: DA20217/138/3 13 FEBRUARY 2025

6. USE OF APARTMENTS AS SERVICED APARTMENTS (SC)

Use of twelve (12) x two (2) bedroom apartments on Levels 5, 6 and 7 (501, 502, 503, 504, 601, 602, 603, 604, 701, 702, 703, 704) are to be used only for the purpose of a serviced apartment as defined under *Strathfield Local Environmental Plan 2012*.

(Reason: To ensure consistency with the approved development.)

7. TREE PROTECTION MEASURES (SC)

All works are to be carried out in accordance with Sections 6, 7, and 8 of the Arboricultural Impact Assessment Report prepared by Tree Talk Arboricultural Consulting dated July 2017.

The site manager and contractors must be advised of Tree protection requirements, and a copy of the report shall be available on-site at all times.

Where works are proposed within the Structural Root Zone (SRZ) of trees being retained, the project arborist (AQF 5) shall be on site to assess works processes and to consider the likely impacts of works. Where any variations are to be considered the project arborist (AQF 5) shall be consulted.

(Reason: To ensure the protection of trees on adjacent land).

8. PLANS UPDATED (SC)

~~Drawing No. A 1202 Issue B, prepared by Ghazi Al Ali shall be amended to show the correct number of on-site car parking spaces.~~



~~(Reason: To ensure consistency with the approved development).~~

DELETED: DA20217/138/3 13 FEBRUARY 2025

9. ARBORIST REPORT UPDATED (SC)

The Arboricultural Impact Assessment Report prepared by Tree Talk Arboricultural Consulting (dated July 2017) shall be updated to address the four (4) proposed *Tristanopsis* trees on the Albert Road, road reserve. The report shall demonstrate that the tree species are suitable to the site until maturity in terms of clearance to the proposed development (including awning structure) and canopy interference with vehicles/trucks/buses. The report shall verify that the proposed trees are capable of reaching a mature height of 10m at maturity. An alternative species may be required if the height at maturity of the selected species cannot fulfil this requirement.

All new street trees shall be 6m high at the time of planting.

The report shall also include a landscape maintenance strategy for the owner to administer over a 12 month establishment period following the issue of any Occupation Certificate. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilization, remedial pruning and plant replacement. The strategy shall also consider minimizing changes to the footpath levels and containing any nutrients to avoid any trip hazards to pedestrians.

All recommendations contained within the Arboricultural Impact Assessment Report as amended by any conditions of consent, shall be fully complied with.

~~(Reason: To ensure consistency with the approved development).~~

10. CAR PARKING (SC)

~~Drawing No. A 1202 Issue B, prepared by Ghazi Al Ali shall be amended to show the correct number of on-site car parking spaces.~~

~~(Reason: To ensure consistency with the approved development).~~

DELETED: DA20217/138/3 13 FEBRUARY 2025

11. PLANTER BOX (SC)

Provision shall be made for planter boxes along the perimeter of the common open space area at Level 4 Level 05. The planter boxes shall be of sufficient size to support trees capable of reaching a mature height of minimum 2m at maturity as well as support a creeper style plant with tendrils to overhang the building façade below.

The Landscape Plan shall be amended accordingly, prior to issue of the Construction Certificate.

The Arboricultural Impact Assessment Report prepared by Tree Talk Arboricultural Consulting (dated July 2017) shall be updated to include a landscape maintenance strategy for the owner to administer over a 12 month establishment period following the issue of any Occupation Certificate. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilization, remedial pruning and plant replacement.



All recommendations contained within the Arboricultural Impact Assessment Report as amended by any conditions of consent, shall be fully complied with.

(Reason: To enhance the landscape amenity of the site, particularly when viewed from the public domain.)

AMENDED: DA20217/138/3 - 13 FEBRUARY 2025

12. GEOTECHNICAL REPORT RECOMMENDATIONS (SC)

The recommendations contained within the Geotechnical Investigation Report prepared by Geo Environmental Engineering, dated 20/05/2017, shall be fully complied with.

(Reason: Site stability).

13. ACCESS REPORT RECOMMENDATIONS (SC)

The recommendations contained within the Disability Access Report prepared by .Access Solutions NSW Pty Ltd, dated 22/05/2017, shall be fully complied with.

(Reason: To ensure compliance with the BCA and relevant standards/policies with regards to access for people with a disability.)

14. NOISE ASSESSMENT REPORT RECOMMENDATIONS (SC)

The recommendations contained within the Noise Assessment Report prepared by Acoustic Consulting Engineers, dated 16 May 2017, shall be fully complied with.

A qualified acoustic consultant shall be engaged during the design phase of the project to ensure the National Construction Code (NCC)/Building Code of Australia (BCA) acoustic requirements for sole-occupancies are achieved. A report demonstrating compliance shall be prepared and submitted to the Principal Certifying Authority, prior to the issue of any Construction Certificate.

(Reason: To ensure acoustic impacts from external roads, environmental noise, and between the serviced apartments and common spaces is acceptable.)

15. ENERGY EFFICIENT DESIGN (SC)

The mixed-use development shall achieve a 4-6 green star rating in accordance with the Green Building Council of Australia's Green Star program. A certificate demonstrating compliance shall be provided to the Principal Certifying Authority, prior to any issue of the Construction Certificate.

(Reason: To promote energy efficient design.)

16. DA FEES - ADDITIONAL DEVELOPMENT APPLICATION FEES (SC)

In accordance with Regulation 50(1)(c) and the table to Regulation 246 of the Environmental Planning and Assessment Act Council must charge a development application fee based on the estimated cost of works applied for.

The Quantity Survey Report prepared by Construction Consultants dated 19 May 2017 shall be updated to reflect the changes to the Albert Road façade and car parking configuration under amended architectural drawings Issue B, dated 8/12/2017.



13/12/2024 & 30/07/2024A copy of the amended report shall be provided to Council to confirm the applicable Development Application Fee. Any additional fees shall be paid to Council, prior to the issue of a Construction Certificate.

(Reason: Statutory requirement.)

AMENDED: DA20217/138/3 13 FEBRUARY 2025

17. BCA REPORT RECOMMENDATIONS (SC)

The recommendations contained within the BCA Report, prepared by Design Right Consulting dated 30/06/2017, and received by Council on 14/09/2017.

(Reason: To ensure the proposed development is capable of achieving compliance with the BCA.)

18. OSD TANK (SC)

Council's stormwater management code requires the OSD tank to be located as close as possible to the lowest point of the site, with paved areas and pipes draining to it. An amended concept plan prepared by a suitably qualified professional civil/hydraulic engineer shall be submitted to the Principal Certifying Authority and Council for approval, prior to issue of the Construction Certificate.

(Reason: Council requirement.)

19. AWNING (SC)

The height of the underside of the awning shall be 4m above the finished footpath level.

(Reason: To ensure consistency with the prevailing streetscape.)

20. PRIVACY (SC)

The west facing bedroom windows to Units 504, 604 and 704 shall be amended to include fixed external screening angled at 45° to the north-west to prevent any direct sightline to the west.

Details of the screen materials and colours shall be consistent with the development and included within the schedule of external materials.

(Reason: To maintain appropriate privacy amenity in the event of future redevelopment of the adjoining land to the west.)

20A. Communal Open Space Level 4 Level 05 (SC)

Prior to the issue of a Construction Certificate, the applicant shall submit plans to Council for the communal open space for level 4 Level 05 detailing a fit-out that will support an active functional use of the area for both the commercial and residential tenancies.

(Reason: To activate the functional use of the Communal Open Space).

AMENDED: DA20217/138/3 13 FEBRUARY 2025



AUSGRID CONDITIONS (21-23)

21. STREETLIGHTING (SC)

The developer is to consider the impact that existing streetlighting and any future replacement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particularly the placement of windows, or discuss with Ausgrid the options for relocating the street lighting. The relocating of any streetlighting will generally be at the developers cost. In many cases it is not possible to relocate streetlighting due to its strategic positioning.

(Reason: Ausgrid requirement).

22. SERVICE MAINS (SC)

The developer shall engage a Level 2 Accredited Service Provider (ASP) Electrician to ensure that the installation will comply with the requirements of "The Installation and Service Rules of NSW". It appears the existing underground electricity mains that supply the subject property may affect the proposed construction as per the Service Rules. Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate.

(Reason: Ausgrid requirement).

23. PROXIMITY TO EXISTING NETWORK ASSETS (SC)

There are existing underground electricity network assets in Albert Road. Special care should be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changed in ground levels from previous activities after the cables were installed. Accordingly, the developer shall locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

(Reason: Ausgrid requirement).

GENERAL CONDITIONS (GC)

24. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/138:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council



A1010	Site Plan	Ghazi Al Ali Architect Ptd Ltd	Issue B / 08.12.2017	08.12.2017
A1050	Streetscape Analysis			
A1110	Demolition Plan			
A1200	Ground Floor Plan			
A1201	Mezzanine			
A2012	Level 01			
A1203	Level 02			
A1204	Level 03			
A1205	Level 04			
A1206	Level 05			
A1207	Level 06			
A1208	Level 07			
A1208	Roof Plan			
A1301	Elevations 01			
A1302	Elevations 02			
A1303	Elevations 03			
A1401	Section AA			
A1402	Section BB			
A1010	Site Plan	Ghazi Al Ali Architect Ptd Ltd	Issue B / 08.12.2017	-
A1200	Ground Floor Plan	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1201	Level 01	Ghazi Al Ali Architect Ptd Ltd	Issue A / 30.07.24	-
A1202	Level 02	Ghazi Al Ali Architect Ptd Ltd	Issue A / 30.07.24	-
A1203	Level 03	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1204	Level 04	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1205	Level 05	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1206	Level 06	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1207	Level 07	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1208	Level 08	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1208	Roof Floor Plan	Ghazi Al Ali Architect Ptd Ltd	Issue A / 30.07.24	-
A1301	Elevation 01	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1302	Elevation 02	Ghazi Al Ali Architect Ptd Ltd	Issue B / 13.12.24	-
A1303	Elevation 03	Ghazi Al Ali Architect Ptd Ltd	Issue A / 30.07.24	-
A1401	Section AA	Ghazi Al Ali Architect Ptd Ltd	Issue A / 30.07.24	-
A1402	Section BB	Ghazi Al Ali Architect Ptd Ltd	Issue A / 30.07.24	-



-	Landscape Plan	Concept Landscape Architects.	Undated	08/12/2017
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Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/138:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Nexus Environmental Planning Pty Ltd	13/09/2017	14/09/2017
Traffic Impact Assessment	Traffix	Rev v4 / 07/12/2017	08/12/2017
Noise Assessment Report	Acoustic Consulting Engineers	Rev 01 / 16/05/2017	14/09/2017
Arboricultural Impact Assessment	Tre Talk Arboricultural Consulting	July 2017	08/12/2017
Waste Management Plan	Elephants Foot Recycling Solutions	Rev F / 5/12/2017	05/12/2017
BCA Report	Design Right Consulting	30/06/2017	14/09/2017
820762M	Sustainable Thermal Solutions	29/06/2017	14/09/2017
Disability Access Report	Access Solutions NSW Pty Ltd	Issue P / 05/05/2017	14/09/2017
Geotechnical Investigation Report	Geo-Environmental Engineering	20/05/2017	14/09/2017
Stage 1 Preliminary Site Investigation	Geo-Environmental Engineering	Rev 0 / 28/07/2017	14/09/2017

In the event of any inconsistency, the conditions of this consent shall prevail.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

AMENDED: DA20217/138/3 13 FEBRUARY 2025

25. APPROVAL - SEPARATE APPROVAL REQUIRED (GC)

This consent does not include approval for any external signage. Separate development consent shall be obtained for any external signage, except those which are classified as being 'exempt development'.

(Reason: To control future development of the site. No details of any signage have been submitted with the application.)

26. BUILDING HEIGHT - MAXIMUM RL TO BE COMPLIED WITH (GC)



The height of the building measured to Australian Height Datum (AHD) must not exceed RL 42.52 (main roof) and RL 43.02 for the lift overrun. RL40.15 (main roof) and RL41.15 for the lift overrun.

(Reason: To ensure the approved building height is complied with.)

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27. CONSTRUCTION HOURS (GC)

~~No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.~~

~~No building activities are to be carried out at any time on a Sunday or public holiday. Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am – 5.00 pm Monday to Friday only.~~

Site work must only be carried out between the following times –

For building construction and delivery of machinery and materials from 7:00am to 5:00pm on Monday to Saturday (excluding Sunday and Public Holidays)

For demolition, excavation and/or construction works that involve heavy machinery, noisy trades, or the like from 7:00am to 5:00pm on Monday to Friday (excluding Saturday, Sunday and Public Holidays)

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

(Reason: To maintain amenity to adjoining land owners.)

AMENDED: DA20217/138/3 13 FEBRUARY 2025

28. CONSTRUCTION WITHIN BOUNDARIES (GC)

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

(Reason: Approved works are to be contained wholly within the subject site.)

29. DEMOLITION – GENERALLY (GC)

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

(Reason: To ensure compliance with the approved development.)



30. DEMOLITION - SITE SAFETY FENCING (GC)

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

- payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and
- provision of a Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council (Note: The policy is to note Council as an interested party).

(Reasons: Statutory requirement and health and safety.)

31. LANDSCAPING - IRRIGATION OF COMMON AND PRIVATE LANDSCAPE AREAS (GC)

All common and private landscape areas including all planters of the proposed mixed-use development are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and satisfy all relevant Australian Standards. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior occupation of the premises.

(Reason: To ensure appropriate landscape maintenance.)

32. LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)

All landscape works shall be undertaken in accordance with the approved landscape plan, arborist report, tree management plan and transplant method statement as applicable.

a) The following trees shall be retained

- Trees on adjoining land

Trees reference in Arborist Report.	Species	Location
Trees A	Boundary planting of <i>Casuarina glauca</i> (Swamp She-oaks)	Adjacent western boundary
Tree B	<i>Casuarina glauca</i> (Swamp She-oak)	Adjacent western boundary
Tree C	<i>Eucalyptus microcorys</i> (Tallowwood)	Adjacent western boundary



Note: The tree/s required to be retained should appear coloured green on the construction certificate plans.

- b) The following trees on the subject site may be removed:

Tree reference in Arborist Report	Tree	Location
Tree 1	<i>Melaleuca decora</i> (White Feather/Honey Myrtle)	Front setback
Tree 2	<i>Casuarina glauca</i> (Swamp She-oak)	Front setback

(Reason: To ensure landscaping is in accordance with the approved Landscape Plan.)

33. LANDSCAPING - TREE PRESERVATION (GC)

All street trees and trees on private property that are protected under Council's controls, shall be retained except where Council's prior written consent has been obtained. The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

All healthy trees and shrubs identified for retention on the approved drawings are to be suitably protected in accordance with Australian Standard AS4970 – Protection of Trees on Development, prior to the commencement of any works (including any demolition and excavation) and maintained for the duration of the works.

(Reason: To ensure the protection of trees to be retained on the site.)

34. LANDSCAPING – APPROVED LANDSCAPE PLAN (GC)

The approved Landscape Plan shall be amended to include the following as a minimum:

- Prepared at a scale of 1:100 or 1:200.
- All existing trees to be retained on adjoining sites.
- Location of all proposed plantings and any existing plantings to be retained.
- A planting schedule indicating the species, listed by both common names and botanical names, the quantities of each species, pot size, and estimated size at maturity.
- All proposed tree plantings (including those on the Albert Road street alignment which have a mature height equal to or greater than 2m are to have their mature canopy spread indicated on the plan to scale.
- Soil depths for planter boxes. The minimum soil depth for any planting on slab is 1m (excluding 75mm depth of mulch) for small trees, 600mm (excluding 75mm depth of mulch) for shrubs and 300mm for turf.
- Details on the provision of drainage to all planter boxes and on slab plantings is to be provided. A permanent automatic irrigation system conforming to Sydney Water requirements shall be included.

(Reason: To ensure landscaping survival.)

35. LANDSCAPING (GC)



The principal contractor or owner must provide to PCA a works-as-executed landscape plan and certification from a qualified landscape architect/designer, horticulturist and/or arborist as applicable to the effect that the works comply with this consent.

(Reason: To ensure that all landscaping work is completed prior to issue of the Final Occupation Certificate.)

36. LIGHTING (GC)

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

(Reason: To protect the amenity of surrounding development and protect public safety.)

37. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- i) the Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- ii) the Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person; and
- iii) the sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(Reason: Statutory requirement.)

38. SITE MANAGEMENT - DURING DEMOLITION AND CONSTRUCTION WORKS (GC)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.



- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.
- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

39. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council,



prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

40. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

41. UTILITIES AND SERVICES - PROTECTION OF (GC)

Any footings or excavation to be located or undertaken adjacent to Council's stormwater must be designed to address the following requirements:

- i) all footings and excavation must be located wholly within the site and clear of any easement boundaries;
- ii) all footings and excavation must be located a minimum of 1000mm from the centreline of the pipeline or 500mm from the outside of the pipeline, whichever is the greater distance from the centreline; and
- iii) footings must extend to at least the depth of the invert of the pipeline unless the footings are to be placed on competent bedrock.

If permanent excavation is proposed beneath the overtop of the pipeline, suitable means to protect the excavation and proposed retaining structures from seepage or other water flow from the pipeline and surrounding subsoil, must be provided. The design must be prepared by a qualified practicing Structural/Civil Engineer.

Construction plans must be approved by the appropriate utility's office (e.g. council, Sydney Water Corporation) to demonstrate that the development complies with the utility's requirements.

The applicant must provide written evidence (e.g. compliance certificate, formal advice) of compliance with the requirements of all relevant utility providers (e.g. Water, Energy, Telecommunications, Gas).

(Reason: To ensure protection of Council assets.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (CC)

42. ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES (CC)



Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

43. BASIX COMMITMENTS (CC)

The approved BASIX Certificate shall be submitted to the Principal Certifying Authority with the application for a Construction Certificate.

Where a change or changes are proposed in the BASIX commitments, the applicant must submit a new BASIX Certificate to the Principal Certifying Authority and Council. If any proposed change in the BASIX commitments is inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 96 of the Environmental Planning and Assessment Act 1979.

All commitments in the BASIX Certificate must be shown on the plans accompanying the Construction Certificate.

(Reason: Statutory compliance.)

44. BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)

All architectural drawings, specifications and related documentation shall comply with the Building Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by the consent commences.

Details demonstrating compliance with this condition are to be submitted to the Principle Certifying Authority, prior to issue of the Construction Certificate.

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

45. COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Principal Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must



not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

46. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
 - Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal



License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au

- Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m2 or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
- Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safely Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
- Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
- The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

47. COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater



connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement)

48. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties



detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

(Reason: To ensure no damage to adjoining properties occurs.)

49. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

An Erosion and Sediment Control Plan is to be prepared where construction or excavation activity requires the disturbance of the soil surface and existing vegetation. Details including drawings and specifications must provide adequate measures for erosion and sediment control to ensure:

- i) Compliance with the approved Soil and Water Management Plan.
- ii) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/ development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

50. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense,



comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

- i) protect and support the adjoining premises from possible damage from the excavation, and
- ii) where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to in subclause (i) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

51. FIRE SAFETY SCHEDULE (CC)

A Fire Safety Schedule specifying the fire safety measures which should be implemented in the building premises must be submitted with the Construction Certificate application, in accordance with Part 9 of Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

(Reason: Compliance with the Environmental Planning and Assessment Act 1979.)

52. SECTION 7.11 CONTRIBUTION PAYMENT (CC)

In accordance with the provisions of Section 7.11 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:

CONTRIBUTION PAYABLE

Provision of Community Facilities	\$Nil
Provision of Major Open Space	\$105,539.33
Provision of Local Open Space	\$36,357.76
Provision Roads and Traffic Management	\$73,992.20
Administration	\$2,093.48
TOTAL	\$217,982.77

CREDIT

Provision of Community Facilities	\$Nil
Provision of Major Open Space	\$10,993.49
Provision of Local Open Space	\$3,731.73
Provision Roads and Traffic Management	\$34,795.90
Administration	\$201.72
TOTAL	\$49,722.83

Base on the rates above, the total amount payable is ~~\$168,259.93.~~



DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94 Development Contributions - Roads and Traffic Management	\$97,026.83
Strathfield Section 94 Development Contributions – Local Open Space	\$64,545.95
Strathfield Section 94 Development Contributions – Major Open Space	\$187,062.22
Strathfield Section 94 Development Contributions – Community Facilities	\$0.00
Strathfield Section 94 Development Contributions - Administration	\$3,742.29
Total Section 94 Contributions:	\$352,377.30

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Direct Development Contributions Plan may be downloaded from Council's website.

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

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53. SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)

A security (damage deposit) calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the Building Code of Australia.



Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

54. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;



- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

55. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY CONNECTION (CC)

Provision must be made for connection to future underground distributions mains. This must be achieved by installing:

- i) an underground service line to a suitable existing street pole; or
- ii) sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Note: A limit of one (1) pole per site will apply.

Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

Details are to be submitted to the Principal Certifying Authority with the Construction Certificate Application.

(Reason: Environmental amenity.)

56. VENTILATION SYSTEMS (CC)

Any natural or mechanical ventilation systems shall be designed, constructed and installed in accordance with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

Details demonstrating compliance with the above are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure any proposed ventilation system complies with the relevant requirements/standards.)

57. WASTE MANAGEMENT PLAN (CC)

~~A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. All requirements of the~~



~~approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises. The Waste Management Plan shall also include the information set out in Appendix A of Part H of SCDCP 2005.~~

~~The WMP must identify the types of waste that will be generated and all proposals to re-use, recycle or dispose of the waste. The WMP is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate.~~

~~(Reason: To ensure appropriate management of waste.)~~

Before the issue of a construction certificate, a waste management plan for the development must be prepared and provided to Council. The plan must be prepared

- a) **In accordance with**
 - (i) **the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and**
 - (j) **a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and**
- b) **include the following information—**
 - i) **the contact details of the person removing waste,**
 - ii) **an estimate of the type and quantity of waste,**
 - iii) **whether waste is expected to be reused, recycled or sent to landfill,**
 - iv) **the address of the disposal location for waste.**
- v) **A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.**

Reason: To ensure resource recovery is promoted and local amenity protected during construction

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58. WASTE ROOMS – SEPARATE FOR COMMERCIAL AND RESIDENTIAL (CC)

~~The building must include not less than two independently designated areas or garbage rooms for commercial and for residential occupants; to keep commercial waste and recycling separate to residential waste and recycling.~~

~~The size of the separate waste rooms shall be sufficient to house the required bin provision in accordance with Part H of SCDCP 2005.~~

~~(Reason: To ensure the appropriate separation and collection of waste generated by commercial and residential activities.)~~

The waste storage area must not be visible from the street. The waste storage area must be located in accordance with the approved plans.



The residential waste storage area must be large enough to accommodate the following number of bins for the development:

- (a) Domestic Waste – 2 x 660L litre mobile bins.
- (b) Domestic Recycling – 2 x 660L litre mobile bins.

The size of the waste storage room is to be based on a minimum area rate of 1.1m² per 240L bin, 2.03m² per 660L bin, 2.7m² per 1100L bin and located in an area to suitably facilitate servicing on waste collection day.

The layout of the waste and recycling storage room must allow easy unobstructed access to all bins (stacked bin arrangements are not acceptable) and allow the bins to be easily removed for servicing purposes.

Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities.

A caretaker must be nominated as being responsible for transferring the bins to the collection point and back into the waste storage room. The caretaker is responsible for organising bulky goods collection in a timely manner to avoid overflow and illegal dumping in the area.

Detailed plans of waste and recycling storage rooms must be submitted along with Waste Management Plan and Waste and Recycling Storage Room Area Design Checklist.

Details of any specialised waste disposal equipment to be used in the development such as compactors (carousel and linear), bin tugs, chutes, crushers, bunding, oil water separators (coalescing plate separators), etc. must be provided to Council for approval.

Reason: To ensure appropriate management of waste

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59. WASTE - GARBAGE ROOMS OR GREASE ARRESTOR ROOMS (CC)

Garbage rooms or grease arrester rooms must be constructed of solid material: cement rendered and steel trowelled to a smooth even surface. The door to the garbage room is to be designed and constructed to ensure the room is vermin proof and can be opened from the inside at all times. The garbage room is to be ventilated to the external air by natural ventilation or an approved air handling exhaust system.

(Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.)

60. WORKS WITHIN THE ROAD RESERVE (CC)

Detailed drawings including long and short sections and specifications of all works within existing roads (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) shall be submitted to and approved by Council under Section 138 of the Roads Act 1993 and all fees and charges paid, prior to the issue of a Construction Certificate.



Detailed drawings and specifications are to be prepared and certified by an appropriately qualified Civil Engineer.

Upon completion of the works, the Applicant is to provide to Council with electronic copies of 'Work as Executed Plans'. The plans are to show relevant dimensions and finished levels and are to be certified by a surveyor.

The Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works.

All civil engineering works adjacent/near/outside 4-10 Albert Road are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works.)

61. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE (CC)

An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition).

The suitability of the proposed length and duration of the Works Zone is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (CW)

62. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)

No work shall commence in connection with this Development Consent until:

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and



- notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirement.)

63. NOTICE OF COMMENCEMENT (CW)

No work shall commence until the following details are submitted to Council:

- i) a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- ii) details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- iii) details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DW)

64. CONTAMINATED LAND UNEXPECTED FINDS (DW)

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.



Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

65. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

- i) Virgin excavated material (within the meaning of the Protection of the Environment Operations Act 1997), and
- ii) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

66. OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

67. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

68. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.



- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

69. SURVEY REPORT OF APPROVED LEVELS DURING AND POST CONSTRUCTION (DW)

A Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.



- ii) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- iii) At the completion of the development.

Progress certificates in response to points (1) through to (3) shall be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed until such survey information is submitted to and approved by the Principal Certifying Authority.

(Reason: To ensure compliance with the approved plans.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (OC)

70. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

All surplus vehicular crossings and/or kerb laybacks must be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council. The nature strip is to be restored and the footpath area reinstated. All of the above are to be restored to the satisfaction of Council's Engineer and at full cost to the applicant, prior to the issue of any Occupation Certificate.

(Reason: Maintenance of public infrastructure.)

71. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

- i) the stormwater drainage system; and/or
- ii) the car parking arrangement and area; and/or
- iii) any related footpath crossing works; and/or
- iv) the proposed basement pump and well system; and/or
- v) the proposed driveway and layback; and/or
- vi) any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of any Occupation Certificate.

(Reason: Asset management.)

72. FIRE SAFETY CERTIFICATION (OC)



A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

An fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- i) has been assessed by a properly qualified person; and
- ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the Environmental Planning & Assessment Regulation 2000.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the Environmental Planning & Assessment Regulation 2000.

A copy of the fire safety certificate and fire safety schedule shall be:

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

73. LANDSCAPING - ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED (OC)

As part of the on-going assessment of the tree/s to be retained on the adjoining land to the west of the site (Trees A, B and C in the Arborist Report), the consulting arborist engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, prior to the issue of an Occupation Certificate. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority, which documents the following:

- i) methods of excavation or construction used to carry out the works;
- ii) any damage sustained by the tree/s as a result of the works;
- iii) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- iv) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: To ensure the survival of trees to be retained.)

74. OCCUPATION OF BUILDING (OC)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.



The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- i) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

75. STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)

The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

(Reason: Adequate stormwater management.)

76. STORMWATER - COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS (OC)

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility (on-site detention, pump-out, charged lines, etc.).

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE (SC)

77. ENGINEERING WORKS - CERTIFICATION OF WORK AS EXECUTED (SC)

Prior to the issue of the Subdivision Certificate, a Work As Executed (WAE) plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that all engineering works including the provision of services, drainage, driveways and earthworks have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council.

(Reason: To ensure adequate access and services have been provided for the new lots.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)



78. COMMERCIAL PREMISES - NO SIGNAGE OR GOODS ON PUBLIC FOOTWAY (OU)

At no time may any signs including sandwich boards and the like or goods for sale or display, be placed on the public road, public footpath, service land, parking area and driveways, public or private pedestrian walkways outside the premises or in the immediate vicinity without the prior approval of Council.

(Reason: Safety and amenity.)

79. FIRE SAFETY ANNUAL STATEMENT (OU)

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- i) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- ii) Prominently displayed in the building.

(Reason: Fire safety)

80. AMENITY OF THE NEIGHBOURHOOD (OU)

The implementation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or response of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.

Reason: To protect the amenity of surrounding development and protect public safety.

ADDED: DA20217/138/3 13 FEBRUARY 2025

81. RESPONSIBILITY OF OWNERS CORPORATION

The Owners Corporation must be responsible for presenting all approved waste and recycling receptacles for collection, and returning all receptacles to the Main Waste Collection Room, as soon as practicable after they have been serviced.

The Owners Corporation must also be responsible for maintaining all equipment, systems, facilities and storage areas used in conjunction with the provision of waste management services in accordance with all applicable regulatory requirements, relevant health and environmental standards, and to the satisfaction of Council.

Reason: To ensure appropriate management of waste.

ADDED: DA20217/138/3 13 FEBRUARY 2025

