



AGENDA FOR THE CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

2 February 2026 - 6.00 pm

**Location:
Council Chambers
corner Chapel Road and the Mall
Bankstown**

Welcome to the City of Canterbury Bankstown

We're committed to creating a liveable and loveable City for all our residents. Here's how we're doing it:



Great Cities

We believe in creating vibrant, dynamic, and diverse communities that offer opportunities for people to connect, pursue their passions, and contribute to the world around them.



Naturally Green

We protect and prioritise nature in and around our city to enhance environmental sustainability and improve the quality of life for our residents.



Design Excellence

We encourage buildings, spaces, and objects that are both beautiful and practical, enhancing the beauty, accessibility, and safety of our built environment.



People First

We prioritise the needs, preferences, and aspirations of our community in all aspects of urban planning and design, creating supportive and enriching places people love.



Community

We engage with our community to ensure their needs and aspirations are reflected in the outcome, creating sustainable, resilient, vibrant, diverse, and inclusive places.



Sustainability

We seek designs that reduce negative impacts on the environment while also promoting social and economic well-being.



Net-Zero

We encourage our community to design buildings and places that produce as much renewable energy as they consume, reducing greenhouse gas emissions, lowering energy bills, and increasing resilience to environmental shocks and stresses.

Join us in creating a City that's liveable, loveable, and sustainable for all!

ORDER OF BUSINESS

APOLOGIES AND DECLARATIONS

CONFIRMATION OF PREVIOUS MINUTES

BUDJAR / CANTERBURY WARD

1 137, 139-143 and 147 Beamish Street, Campsie

Demolition of three existing buildings (Campsie Customer Service Building, former SSROC Building, Campsie Early Childhood Health Centre), and removal of 3x trees

3

BUNYA / REVESBY WARD

2 19 and 21 Banks Street, Padstow

Demolition of existing structures, consolidation of existing allotments, and construction of a 4-storey, 51-room co-living housing development with basement parking

37

Canterbury Bankstown Local Planning Panel - 02 February 2026

ITEM 1	137, 139-143 and 147 Beamish Street, Campsie Demolition of three existing buildings (Campsie Customer Service Building, former SSROC Building, Campsie Early Childhood Health Centre), and removal of 3x trees
FILE	DA-634/2025 – Budjar / Canterbury
ZONING	E1 Local Centre
DATE OF LODGEMENT	18 June 2025
APPLICANT	Canterbury Bankstown Council
OWNERS	Canterbury Bankstown Council
ESTIMATED VALUE	\$660,000
AUTHOR	Planning

REPORT

This matter is reported to Canterbury Bankstown Council's Local Planning Panel (the Panel) in accordance with Schedule 2, Part 1 (a) of the *Local Planning Panels Direction – Development Applications and Applications to Modify Development Consents*, issued by the Minister for Planning and Public Spaces under section 9.1 of the *Environmental Planning and Assessment Act 1979* on 6 March 2024. The application seeks consent for a development which Canterbury Bankstown Council is the applicant and land owner and therefore has a conflict of interest.

Development Application DA-634/2025 proposes demolition of three existing buildings (Campsie Customer Service Building, former SSROC Building, Campsie Early Childhood Health Centre), and removal of 3 trees.

In accordance with Council's *Council-Related Development Application Policy*, the application has been assessed by an External Planning Consultant, and their report is included as Attachment 1.

Development Application DA-634/2025 has been assessed having regard to the matters for consideration contained in section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, requiring an assessment against the provisions contained within:

- *Canterbury Bankstown Local Environmental Plan 2023 (CBLEP 2023)*,
- *State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021*,
- *State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021*, and
- *Canterbury Bankstown Development Control Plan 2023 (CBDCP 2023)*.

The application was neighbour-notified and advertised for a period of 28 days, from 6 August 2025 to 3 September 2025, in accordance with Council's Community Participation Plan. A total of 4 submissions were received. Details of the submissions are outlined in the External Planner's Report.

POLICY IMPACT

The applicant and site owner is Canterbury Bankstown Council, and as such this application has been assessed by an External Planning Consultant in accordance with Council's Council-Related Development Application Policy.

FINANCIAL IMPACT

This matter has financial implications for Council, and as such has been handled by an External Planning Consultant in accordance with Council's Council-Related Development Application Policy.

RECOMMENDATION

The report prepared by the External Planning Consultant recommends that Development Application DA-634/2025 be **APPROVED** subject to Conditions of Consent in Attachment 2.

ATTACHMENTS

1. Section 4.15 Assessment Report
2. Conditions of Consent



ASSESSMENT OF DEVELOPMENT APPLICATION

Proposed Demolition of Three Existing Buildings
(Campsie Customer Service Building, former
SSROC Building, Campsie Early Childhood Health
Centre), and Removal of 3x Trees at

**Nos. 137, 139-143 & 147
Beamish Street, Campsie
DA-634/2025**

The Applicant
City of Canterbury Bankstown
No. 375 Chapel Road
Bankstown 2200

Prepared by:
GSA PLANNING
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December 2025

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Acknowledgement of Country

We respect and honour Aboriginal and Torres Strait Islander Elders past, present and emerging. We acknowledge the stories, traditions and living cultures of Aboriginal and Torres Strait Islander peoples. We would like to recognise their ongoing connection to land, water and community.

This assessment report has been prepared and reviewed in accordance with our quality control system. The report is a preliminary draft unless it is signed below.

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Report prepared by:

Elliott Doumanis
Associate

Jacky Chu
Assistant Planner

Report reviewed by:

George Karavanas
Managing Director

Date:

8 January 2026

For and on behalf of

GSA Planning
95 Paddington Street
PADDINGTON NSW 2021

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1.0 EXECUTIVE SUMMARY

Application Number:	DA-634/2025
Proposed Development:	Demolition of Three Existing Buildings (Campsie Customer Service Building, former SSROC Building, Campsie Early Childhood Health Centre), and Removal of 3x Trees
Property Address:	Nos. 137, 139-143 and 147 Beamish Street, Campsie
Land Zoning:	E1 Local Centre – Canterbury Bankstown LEP 2023
Applicant:	Canterbury-Bankstown Council
Cost of Works:	\$660,000
Date Lodged:	18/06/2025
Recommendation:	Approval, Subject to Conditions

Development consent is being sought for the demolition of existing buildings and removal of 3x trees at Nos. 137, 139-143 & 147 Beamish Street, Campsie.

The development site is identified as Nos. 137, 139-143 & 147 Beamish Street, Campsie, which comprises 10 lots within DP214100, DP2922, DP311181 and DP503467. The subject site comprises an area of 5,724m², with frontages to Beamish Street and Shakespeare Street.

The existing site contains a three storey office building used as the Campsie Customer Service Building, a single storey building formerly used by the Southern Sydney Regional Organisation of Councils (SSROC), a single storey building used as the Campsie Early Childhood Health Centre, hardstand carparking areas, and soft landscaping including 23 trees.

The site is zoned as E1 Local Centre under Canterbury Bankstown Local Environmental Plan 2023 and the proposed development is permissible with consent. The proposal satisfies all relevant objectives and development standards contained within Council's LEP, as well as the provisions of the Canterbury Bankstown Development Control Plan 2023. This is discussed in more detail in the body of the report.

The development application was notified for a period of 28 days from 6 August 2025 in accordance with Council's Community Participation Plan, where 4 submissions were received during the public consultation period.

The application has been assessed pursuant to the provisions of the Environmental Planning and Assessment Act (EP&A Act) 1979. It is recommended that this application be approved, subject to conditions of consent.

2.0 SITE ANALYSIS

This section contains a description of the following: The Locality; Site Description; Existing Built Form and Landscaping; and Existing Character and Context.

2.1 The Locality

The subject site is located approximately 10.05km southeast of the Sydney CBD, within the Campsie Town Centre and is located within the Local Government Area (LGA) of Canterbury Bankstown (see **Figure 1**).



Figure 1: Location Plan Source: SDT Explorer Subject Site

2.2 Site Description

The subject site is located on the eastern side of Beamish Street, between Brighton Avenue and Clissold Parade and is known as Nos. 137, 139-143 and 147 Beamish Street, Campsie. The legal descriptions of the site are provided below:

Address	Legal Description
No. 137 Beamish Street, Campsie	Lot 3 / DP214100
Nos. 139-143 Beamish Street, Campsie	Lot 21 / Section 6 / DP2922
	Lot 23 / Section 6 / DP2922
	Lot A / DP311181
	Lot B / DP311181
	Lot 7 / DP503467
	Lot 8 / DP503467
	Lot 9 / DP503467
No. 147 Beamish Street, Campsie	Lot 19 / Section 6 / DP2922

The site is an irregular parcel of land, comprising 10 lots, with a primary western frontage to Beamish Street and eastern frontage to Shakespeare Street, providing a total site area of 5,724m².

2.3 Existing Built Form and Landscaping

The site is occupied by three buildings fronting Beamish Street, with hardstand parking spaces occupying the eastern portion of the site. The site has soft landscaping throughout the site and comprises 23 trees. The buildings comprise:

- No. 137 Beamish Street: A three-storey rendered office building occupied by the Canterbury Bankstown Council Customer Service Building (see **Figure 2** and **Photograph 1** on the following pages);
- Nos. 139-143 Beamish Street: A vacant single-storey brick building formerly occupied by the Southern Sydney Regional Organisation of Councils (SSROC) (see **Figure 2** and **Photograph 2** on the following pages); and
- No. 147 Beamish Street: A single-storey brick building occupied by the Campsie Early Childhood Health Centre (CECHC) (see **Figure 2** and **Photograph 3** on the following pages).

Pedestrian access is via Beamish Street and Shakespeare Street. Vehicular access is via Shakespeare Street, which leads to the hardstand carparking spaces at the eastern portion of the site (see **Figure 2** and **Photograph 4** on the following pages).

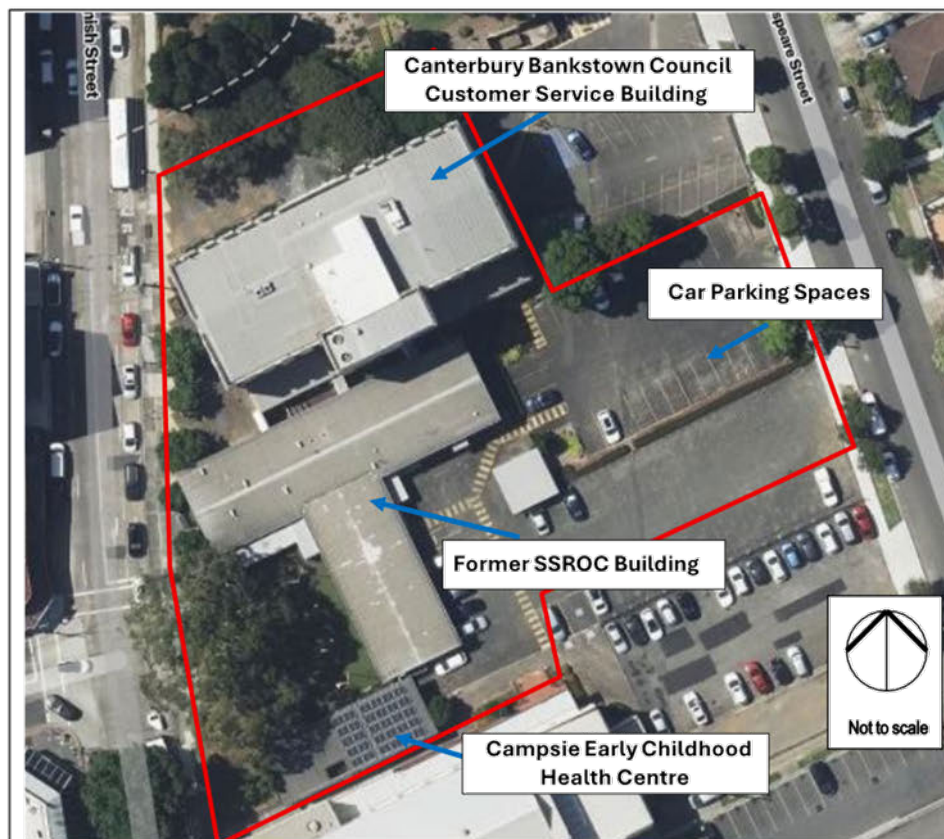


Figure 2: Aerial View of Buildings within Subject Site **Source:** SDT Explorer



Photograph 1: Canterbury Bankstown Council Customer Service Building, as viewed from Beamish Street



Photograph 2: SSROC Building, as viewed from within the site



Photograph 3: CECHC Building, as viewed from Beamish Street



Photograph 4: Car parking areas at the eastern portion of the site, as viewed from Shakespeare Street

2.4 Existing Character and Context

The site is situated at the north-eastern end of the Campsie Town Centre. Towards the north is Lofts Garden and east of the site are low-density residential development, while development towards the west and south within the town centre comprises shop-top housing and medium-density residential development.

To the north is Lofts Garden, a public park (see **Photograph 5**). To the east are a row of one to two-storey dwelling houses with pitched roofs along Shakespeare Street (see **Photograph 6**). To the south is the Former Orion Theatre, a two-storey heritage-listed Inter-war theatre building which is now used as a function centre (see **Photograph 7**). To the west is shop-top housing development at Nos. 108-118 Beamish Street (see **Photograph 8**).



Photograph 5: Lofts Garden, as viewed from Beamish Street



Photograph 6: Nos. 24-28 Shakespeare Street, as viewed from the subject site



Photograph 7: The rear of Former Orion Theatre, as viewed from within the subject site



Photograph 8: Shop-top housing developments at Nos. 108-118 Beamish Street, as viewed from Beamish Street

2.5 Site Constraints

2.5.1 Flood Prone Land

The subject site is partially listed as Flood Prone Land (see **Figure 3**). See further detail in Section 4.1.5.



Figure 3: Council map showing extent of flood prone land

This section will describe the following: Details of the Proposal; Background; and Internal Referrals.

The application proposes demolition works and the removal of trees. Specifically, the proposal includes:

- A three-storey rendered office building occupied by the Canterbury Bankstown Council Customer Service Building;
- A vacant single-storey brick building formerly occupied by the Southern Sydney Regional Organisation of Councils (SSROC); and
- A single-storey brick building occupied by the Campsie Early Childhood Health Centre (CECHC).



Figure 4: Proposed Demolition Plan **Source:** Studio Hollenstein

- Tree No. 14 *Robinia pseudoacacia* (Robinia);
- Tree No. 15 *Magnolia x soulangeana* (Magnolia);
- Tree No. 17 *Thuja occidentalis* "Lutescens" (American Arborvitae).

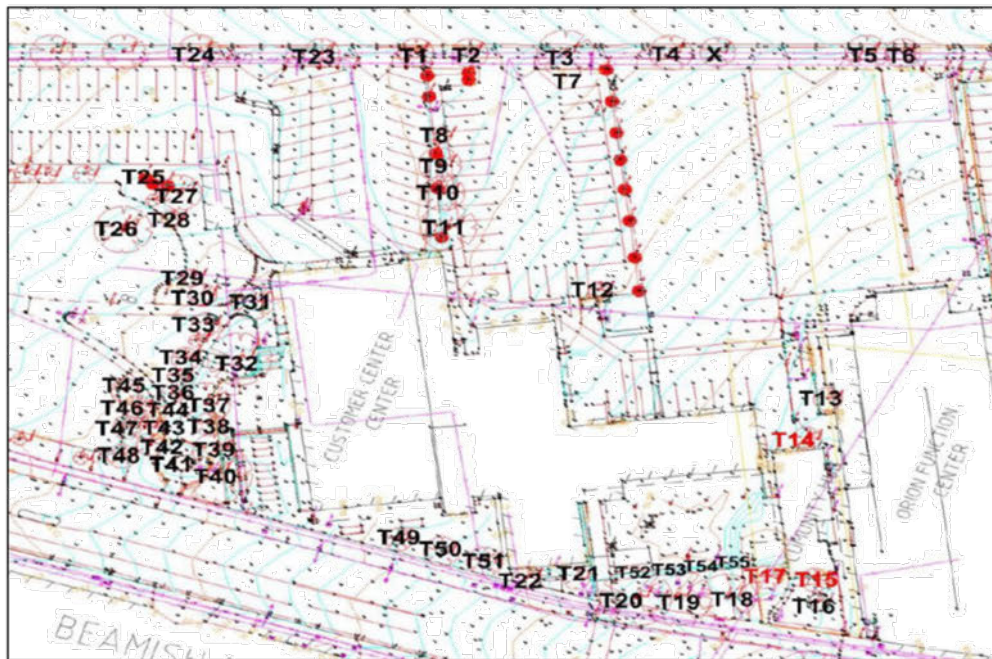


Figure 5: Tree Retention & Removal Plan Source: Australis Tree Management

3.2 Background

Action	Date	Note
Application Lodged	18 June 2025	
Application Notified	6 August 2025	4 Unique Submissions Received: <ul style="list-style-type: none"> • Tree removal concerns • Parking concerns • General project queries • 1x in support.
Site Inspection Completed	24 September 2025	Attended by Elliott Doumanis and Jacky Chu
All Internal Referrals Received	15 October 2025	Stormwater/Flood – received 26 September 2025 Hazmat – received 15 October 2025 Arborist – received 26 September 2025 Heritage – received 15 October 2025 Geotechnical – received 15 October 2025 Contamination – received 15 October 2025 Waste Management – received 2 October 2025.
Request for Additional Information Sent	21 October 2025	Requested: <ul style="list-style-type: none"> • Arboricultural Impact Assessment • Tree Protection Plan and Specification • Clarification on erosion and sediment control plan • Updated hazardous materials survey • Review from structural engineer prior to demolition.
Response to Additional Information	14 November 2025	Supplied: <ul style="list-style-type: none"> • Arboricultural Impact Assessment • Tree Protection Plan and Specification

Action	Date	Note
Received		<ul style="list-style-type: none"> • Further details and confirmation that the applicant is amenable to suitably worded conditions of consent.
Request for Additional Information Sent	20 November 2025	Requested: <ul style="list-style-type: none"> • Amended Arboricultural Impact Assessment • Amended Tree Protection Plan and Specification.
Response to Additional Information Received	24 November 2025	Supplied: <ul style="list-style-type: none"> • Amended Arboricultural Impact Assessment • Amended Tree Protection Plan and Specification.
Request for Additional Information Sent	12 December 2025	Requested: <ul style="list-style-type: none"> • Amended Tree Protection Plan and Specification.
Response to Additional Information Received	17 December 2025	Supplied: <ul style="list-style-type: none"> • Amended Tree Protection Plan and Specification.

3.3 Internal Referrals

3.3.1 Flood and Stormwater Engineer

The application was referred to Stellen Consulting, who assessed the proposal and found that a flood impact assessment was not necessary. However, clarifications regarding the erosion and sediment control plan and stormwater management strategy were requested of the applicant, all of which were addressed as follows:

RFI Comment	Applicant Response
The plans should clearly indicate the finished surface levels within the area proposed for demolition.	The plans clearly show the survey finished surface levels illustrated as contours. It is not possible to know the extent the demolition of the existing building foundations, as the depth of the ground level slab and the layout of foundations is currently unknown. Once appointed, the contractor will be responsible for managing the runoff during construction.
Please confirm whether there are any trapped low points within the demolition area, or whether all surface runoff is directed towards the existing stormwater pits and pipes located in the car park.	There are no trapped low points within the demolition area. All runoff is directed to the existing stormwater pits that are all nominated with geotextile inlet filters, as illustrated on the plan.
If any parts of the site do not drain to the existing stormwater infrastructure, please provide details of the proposed stormwater measures to address any potential ponding or localised flooding in those areas.	All runoff is directed to the existing stormwater pits via a catch drain around the perimeter of the buildings to be demolished. There would not be any potential ponding or localised flooding in the vicinity.

Accordingly, the application was supported subject to conditions.

3.3.2 Hazmat Consultant

The application was referred to Hazmat Services, who assessed the proposal and requested that the current Work Health and Safety Regulations 2025 be addressed in the hazardous material survey, including the use of limited destructive testing methods. Following discussions between the applicant and the Hazmat Services, it was agreed that these matters would be satisfactorily addressed through appropriately worded conditions of consent. The applicant was amenable to conditions relating to the undertaking of limited destructive testing of the existing structures and the preparation of any additional reporting or documentation required to ensure compliance with the Work Health and Safety Regulation 2025.

Accordingly, the application was supported by the Hazmat Consultant subject to the recommended condition below:

Prior to the commencement of demolition works, a hazardous materials survey is required to be prepared using current Work Health and Safety Regulation 2025 aligned methods. It is to be undertaken by limited 'destructive' means and include in the surveys scope, silica exposure risk where relevant, verification of all presumed ACM and PCB, and update disposal and waste management provisions.

3.3.3 Arborist

The application was referred to Koala Arbor, who assessed the proposal and requested that a formal Arboricultural Impact Assessment (AIA) was provided, including a tailored tree protection specification. Both of these were provided accordingly and the application was supported subject to the conditions below:

Works proposed around trees 11, 31, 32, 37, 38, 39 and 40 will have footings, bitumen, retaining walls or similar hard surfaces scheduled for removal within their SRZ or TPZ. The removal of any structures requires careful management inside the TPZ or SRZ. There are to be no level changes to any SRZ and if roots are found in contact with sub ground structures during the demolition, those structures may need to be left in place to avoid root damage.

Tree removals must be carried out by a minimum AQF Level 3 Arborist with all insurances required for undertaking the work. All works must comply with the Safe Work Australia Guide for Managing Risks of Tree Trimming and Removal Work (2016).

Ground protection must be installed for Trees 11, 31, 32, 37, 38, 39 and 40 if access within their TPZ is required. This protection is to consist of geotextile fabric, a layer of large-grade hardwood mulch, and ply boards or similar. Ground protection must remain in place for as long as practicable until landscaping, driveway installation or other works require its removal. Mulch and timber protection must be replaced as needed throughout the works period.

During demolition works occurring within the TPZ or SRZ of any retained tree, particularly Trees 11, 31, 32, 37, 38, 39 and 40, the Project Arborist must be present to supervise sensitive methods where required. The principal contractor must remain in regular consultation with the Project Arborist to ensure all reasonable measures are taken to avoid or reduce root damage. Careful hand excavation or Air Spading may be required before footing removal in the SRZ to prevent accidental damage to structural roots.

3.3.4 Heritage Consultant

The application was referred to John Oultram Heritage & Design due to the site being adjacent to a heritage item. The heritage consultant assessed the proposal and requested that the Heritage Impact Statement was expanded to include an assessment of significance of the buildings required to be demolished using Standard NSW Heritage Manual criteria. However, this was not requested from the applicant, as it is not a DA requirement for the demolition of buildings which are not heritage-listed nor within a heritage conservation area in Canterbury Bankstown. The heritage consultant raised no objections in relation to impacts to the adjacent heritage item and supported the application subject to conditions.

3.3.5 Geotechnical and Contamination Engineer

The application was referred to Martens and Associates, who assessed the proposal and requested that a structural engineer assess the existing retaining walls for the necessity of propping and bracing prior to demolition of the first floor slab, and review the final demolition plan. This was raised with the applicant with the option to address the matters through a condition of consent requiring structural input prior to the commencement of demolition works, which was accepted by the applicant. The recommended condition is as follows:

Prior to the commencement of demolition works, a certified structural engineer is to assess the existing retaining walls and their interaction with the lower ground floor and ground floor slabs, and review the final demolition plan.

No objections were raised in relation to contamination, and the application was supported subject to conditions.

3.3.6 Environmental Consultant

The application was referred to Surearth, who assessed the waste management plan of the proposal and requested that a consolidated Demolition Waste Management Plan (DWMP) with more details be provided. This was raised with the applicant with the option to address the matters through a condition of consent requiring a consolidated DWMP prior to the commencement of demolition works, which was accepted by the applicant. Accordingly, the application was supported subject to the recommended condition below:

Prior to the commencement of demolition works, a consolidated Demolition Waste Management Plan is to be prepared which addresses the following:

- *Introduction – A description of the purpose of the plan, and the relevant regulations and guidelines it addresses (including the Canterbury-Bankstown DCP, AS 2601-2001 The Demolition of Structures, and NSW EPA Waste Classification Guidelines).*
- *Project and property description – A description of the site, its zoning, nearest neighbours and access, and details of the buildings to be demolished (size, number of floors, construction type, age, and previous use).*
- *Demolition works – A brief description of the works and methodology, including: management of hazardous materials, asbestos, and excavated materials confirmation of pre-commencement inspections confirmation of heritage status tree protection measures erosion, dust, noise, and vibration controls*
- *Roles and responsibilities – Identification of the contractor and site manager roles, and confirmation that works will be undertaken by appropriately accredited personnel.*
- *Demolition quantities – A schedule of materials, volumes, and disposal pathways, clearly stating diversion percentages and the total projected diversion from landfill.*
- *On-site management – Explanation of how waste will be segregated, stored, and handled on-site prior to removal.*
- *Monitoring and reporting – Details of how compliance with the DWMP will be demonstrated, including use of weighbridge dockets, recycling certificates, and post-demolition reporting to Council.*
- *Supporting drawings – Plans and diagrams to illustrate and support the above information.*

4.0 SECTION 4.15 ASSESSMENT – EP&A ACT 1979

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.15 Evaluation of the EP&A 1979) as follows:

4.1 Section 4.15(1)(a)(i) – Any Environmental Planning Instrument

Pursuant to Section 4.15 of the EPA Act, this section assesses compliance with the planning instruments applicable to the site in accordance with the relevant matters for consideration. The relevant planning instruments include:

- Canterbury Bankstown Local Environmental Plan (LEP) 2023;
- State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021;
- State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021;
- Canterbury Bankstown Development Control Plan (DCP) 2023.

4.1.1 Canterbury Bankstown Local Environmental Plan (LEP) 2023

The subject site is zoned E1 Local Centre under the LEP, which commenced operation on 23 June 2023. The proposed demolition is permissible with development consent.

Objectives

The LEP Land Use Table contains the objectives for the E1 Local Centre Zone. The relevant objectives are as follows:

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To promote a high standard of urban design and local amenity.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*

The proposed development is for demolition works only. It is considered that the proposal satisfies the relevant zone objectives.

LEP Compliance

A summary of assessment of the proposed development against the LEP is following:

PROJECT COMPLIANCE – CANTERBURY BANKSTOWN LEP 2023		
LEP Provisions		Complies / Comments
Permissibility	E1 Local Centre	Proposal is permissible within the zone.
Demolition	YES	The proposal seeks demolition of the existing buildings on the site. As such, development consent is sought for the proposal.
Heritage Item	NO	The site is adjacent to the heritage item listed as "Inter war theatre (former Orion Theatre)".
Conservation Area	NO	
Within the vicinity of Heritage Item	YES	Item No. I60. (See Section 4.1.3)
Acid Sulfate Soils	Class 5	The proposal does not involve the disturbance of soil or alteration of the watertable. (See Section 4.1.4)
Earthworks	NO	The proposal retains the existing ground-floor slabs.
Flood Planning	YES	The existing ground floor slabs will be retained and the works will not adversely affect flood behaviour on the land. (See Section 4.1.5)

The proposal satisfies the relevant objectives of the LEP and is permissible in the Zone.

Heritage

Clause 5.10 of the LEP relates to heritage items and heritage conservation areas. Any effect of the proposed development on the heritage significance of the nearby item must be considered in the assessment of any proposed development. The site is identified in the vicinity of an item on the LEP Map (see **Figure 6**).



Figure 6: LEP Heritage Map

Although the subject site is adjacent to a heritage item pursuant to the LEP, the application was referred to John Oultram Heritage & Design, who concluded the proposal is unlikely to affect nearby heritage values. The proposal is considered appropriate in respect of heritage and conservation.

Acid Sulfate Soils

Clause 6.1 of the LEP relates to acid sulfate soils. Despite the site being within Class 5 land and within 500m of adjacent Class 4 land, development consent is not required under this clause to carry out works that involve the disturbance of less than 1 tonne of soil, and are not likely to lower the watertable. The proposed works will retain the existing ground slabs and will not disturb any soil or alter the watertable. Accordingly, development consent is not required under this clause to carry out the proposed works.

Flooding

As the site is identified as PMF land in Council's map, the consent authority is required to be satisfied a proposal is compatible with the land's flood hazard. This includes being satisfied that the proposal will not adversely affect flood behaviour by increasing potential affectation of other properties, manages risks to life from flooding and is not likely to result in unsustainable social and economic costs to the community from flooding.

The proposal was assessed by Stellen Consulting, who were satisfied that there are no significant flooding impacts on the subject site or neighbouring properties as a result of the proposal, due to the existing ground floor slabs being retained.

4.1.2 State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021

SEPP (Resilience and Hazards) 2021 came into effect on 1 March 2022 and consolidated the previous Coastal Management, Remediation of Land and Hazardous and Offensive Development SEPPs as Chapters 2, 3 and 4 within the new SEPP. The remediation of land provisions are relevant in this instance.

Section 4.6(1) requires the consent authority to consider whether land is contaminated prior to the consent of development on that land.

A review of the proposal by Martens and Associates confirmed that the Preliminary Site Investigation (PSI) submitted by the applicant represents a compliant PSI and agrees that the site is generally low risk and no contamination has been identified that should preclude the proposed development from being approved.

4.1.3 State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021

SEPP (Transport and Infrastructure) 2021 commenced operation on 1 March 2022 and consolidated the previous Infrastructure, Educational Establishments and Child Care Facilities, Major Infrastructure Corridors and Three Ports SEPPs. The site has a frontage to a classified Regional road (Beamish Street). Therefore, Chapter 2 Infrastructure Part 2.3 Division 17 Subdivision 2 regarding development in or adjacent to road corridors and road reservations applies to the proposed development.

Section 2.119(2) requires the consent authority to consider the following prior to the grant of consent to development on that land.

- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land,**and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The proposal relates only to demolition works. A Construction Management Plan will be conditioned to ensure that the proposed development will not compromise the effective and ongoing operation and function of Beamish Street.

4.2 Section 4.15(1)(a)(ii) – Any Draft Environmental Planning Instrument

There are no draft Environmental Planning Instruments which apply to the development.

4.3 Section 4.15(1)(a)(iii) – Any Development Control Plan

4.3.1 Canterbury Bankstown Development Control Plan (DCP) 2023

The DCP came into force on 23 June 2023 and applies to the site and the proposed development. A summary of our assessment of the proposed development against the DCP is following:

TABLE 1: PROJECT COMPLIANCE - CANTERBURY BANKSTOWN DCP 2023			
Provision	Requirement	Proposal	Complies
Chapter 2 – Site Considerations			
Tree Management	A person must not cut down, fell, uproot, kill, poison, ringbark, burn, commit tree vandalism, or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 2.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.	Removal of trees is permitted subject to conditions.	YES
Chapter 3 – General Requirements			
Waste Management	Applications must submit a Waste Management Plan in accordance with the applicable Waste Design for New Developments Guide and the Demolition and Construction Guide.	Waste Management Plan Submitted.	YES
Chapter 4 - Heritage			
Development Within the Vicinity of Places of Heritage Significance	The design of development must: (a) <i>respond to the setting, setbacks, form, scale and style of nearby places of heritage significance;</i> (b) <i>maintain significant views to and from the place of heritage significance;</i> (c) <i>ensure adequate setbacks from the site of the place of heritage significance to retain its visual setting;</i> (d) <i>retain original or significant landscape features that are associated with the place of heritage significance or that contribute to its setting;</i> (e) <i>use materials, finishes and colours selected to avoid strong contrast with the place of heritage significance in order to retain its visual importance or significance.</i>	The proposed works will not have any adverse impacts to the adjacent Orion Theatre, as confirmed by John Oultram Heritage & Design.	YES

TABLE 1: PROJECT COMPLIANCE - CANTERBURY BANKSTOWN DCP 2023			
Provision	Requirement	Proposal	Complies
Demolition and Construction Guide			
Demolition and Construction	Development that is not exempt or complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and Canterbury-Bankstown Local Environmental Plan 2023 requires development consent prior to demolition.	Development consent is sought for in this DA.	YES
	Applications for demolition must include a demolition plan.	Demolition plan has been submitted.	YES
	After the completion of demolition work, an inspection of the site must be undertaken by Council or accredited certifier to ensure the demolition works have been completed and the site is left in a satisfactory manner in accordance with the conditions of development consent.	An inspection will be undertaken after completion of demolition work.	N/A
	The demolition and removal of contaminated materials requires specialised techniques. Applications involving contaminated materials must be in accordance with Council's Contaminated Land Policy. This policy requires the preparation of a remediation action plan and the use of an independent site auditor to oversee the remediation work.	A Remediation Action Plan will be conditioned with an independent site auditor required to oversee the remediation work.	YES
	Prior to demolition, measures must be implemented to control erosion from the site. An erosion and sediment control plan may be required to be prepared in accordance with these guidelines.	Erosion and sediment control plan submitted.	YES
Soil Erosion and Sedimentation	An erosion and sediment control plan is required for development to which clause 3.1 applies. The plan must be submitted for approval by Council or accredited certifier, and implemented prior to commencement of any site works or activities.	Erosion and sediment control plan submitted.	YES
Waste Management Plan (Demolition Stage)	A waste management plan must accompany the application. The waste management plan must: (a) <i>Identify all waste likely to result from the demolition, and opportunities for reuse of materials. Refer to the table in clause 5.1, which gives examples of demolition materials and potential reuse/recycling opportunities.</i> (b) <i>Reuse or recycle salvaged materials on-site where possible.</i> (c) <i>Allocate an area for the storage of</i>	Waste Management Plan submitted.	YES

TABLE 1: PROJECT COMPLIANCE - CANTERBURY BANKSTOWN DCP 2023			
Provision	Requirement	Proposal	Complies
	<p><i>materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation, and access and handling requirements).</i></p> <p>(d) <i>Provide separate collection bins or areas for the storage of residual waste.</i></p> <p>(e) <i>Clearly sign post the purpose and content of the bins and storage areas.</i></p> <p>(f) <i>Implement measures to prevent damage by the elements, odour and health risks, and windborne litter.</i></p> <p>(g) <i>Minimise site disturbance and limit unnecessary excavation.</i></p>		

Overall, the proposal is considered to be consistent with the key controls outlined in the Canterbury Bankstown DCP 2023.

4.4 Section 4.15(1)(a)(iia) – Planning Agreements

There are no Planning Agreements which apply to the development.

4.5 Section 4.15(1)(a)(iv) – The Regulations

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 involves demolition of buildings. Accordingly, appropriate conditions of consent will be imposed.

4.6 Section 4.15(1)(b) – The Likely Impacts of the Development

The proposed works involve the removal of three trees (T14 *Robinia pseudoacacia* (Robinia), T15 *Magnolia x soulangeana* (Magnolia), and T17 *Thuja occidentalis* “*Lutescens*” (American Arborvitae)) identified as low in significance and are located adjacent to the proposed building demolition. These works have been assessed by Koala Arbor and are supported on Arboricultural grounds, subject to conditions.

The proposed demolition works and removal of trees will not adversely impact the identified heritage item on the adjacent site (I60 – “Inter war theatre (former Orion Theatre)”), as confirmed by John Oultram Heritage & Design.

The proposal will not adversely affect the streetscape, neighbouring properties, or public infrastructure. Accordingly, the likely impacts on the natural and built environments, as well as any social or economic impacts, are considered to be minor and acceptable.

4.7 Section 4.15(1)(c) – The Suitability of the Site for Development

The proposal is a permissible development, and the proposal satisfies the key planning controls for the site as detailed above and is therefore considered to be suitable for the site.

4.8 Section 4.15(1)(c) – Any submissions made in accordance with the Act or the Regulations

In accordance with the provisions of Council's Community Participation Plan (CPP), the application was placed on neighbour notification for a period of 28 days where adjoining property owners were notified in writing of the proposal and invited to comment. 4 submissions were received raising the following concerns related to the proposal:

Issue Raised	Details of Submission	Response
In Support	"The buildings are old and it's time for the area to have an updated look with new buildings that cater to the needs of the community."	N/A
Objection to Tree Removal	The submitter raises no issue with the demolition but objects to the removal of the three trees.	The trees have been assessed as low significance and are adjacent to the buildings to be demolished. The removal is supported by the appointed Arborist (subject to Conditions of Consent).
Parking Provisions	Related concerns include: Insufficient on-site parking for residents and visitors, leading to spillover into neighbouring streets. Traffic congestion and restricted access for emergency and service vehicles. Increased risks to pedestrian safety, particularly near schools and public transport hubs.	A Construction Management Plan will be conditioned to address these concerns.
General Queries	"Can Canterbury Bankstown Council provide a second location for relocating Campsie service centre if Campsie Shopping Centre in near future implements its demolition certificate and orders Campsie library relocation?"	This is a Council operational issue and does not form part of this DA.
	"Will Canterbury Bankstown Council and New South Wales Health nominate a site for the temporary relocation of the children's health centre?"	The CECHC is operated by NSW Health. NSW Health is aware of the plans for the site and is currently exploring options to either find a new location or consolidate into an existing facility in the area.

Issue Raised	Details of Submission	Response
	"Will the project relocate the tree threes either in whole or in branch cuttings for new sapling be relocated to within the project site or nearby parks and reserves?"	The 3 trees are proposed to be removed, and have been supported by the appointed Arborist.
	"How will the project reduce noise, smoke, fumes, and dust?"	A Construction Management Plan will be conditioned to address these concerns.
	"Will project vehicles and machinery be parked on the project site?"	
	"What will be the timing of transport movements in and out of the project site?"	
	"How would the existing project and the Campsie Hub project reuse and recycle materials recovered from the demolition?"	A Waste Management Plan has been submitted with the DA, which is considered satisfactory.
	"In removing car parking spaces, how would Canterbury Bankstown Council provide public transport, cycling facilities and replacement car parking?"	No car parking spaces will be removed as part of this DA. The existing public car park areas are intended to remain operational with adjustments as required to account for site fencing, facilities, and construction vehicle access. A Construction Management Plan will also be conditioned to address these concerns.
	"Will the project provide artwork to be feature on the fencing?"	Public artwork is not a requirement for the nature of the proposal.

4.9 Section 4.15(1)(e) - The Public Interest

The proposal will provide employment during demolition, and as a permissible and compliant form of development, the proposal is generally considered to be in the public interest.

5.0 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. 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).

Under Section 1.3 of the Canterbury-Bankstown Local Infrastructure Contributions Plan 2022, applications submitted by Council are exempt from contributions under this plan. Accordingly, no contributions are required.

6.0 Recommendation

The application has been assessed having regard to the provisions of Section 4.15 of the EP&A Act 1979, and the Environmental Planning Instruments, including the applicable State Environmental Planning Policies.

The proposed development is unlikely to result in an adverse impact on the urban environment and is considered to be in the public interest.

Based on the assessment of the application, it is recommended that the Development Application be **APPROVED** subject to conditions of consent.

SCHEDULE 1 – CONDITIONS OF CONSENT

These consent conditions have been imposed after taking into account the matters for consideration in determining a development application pursuant to s4.15 and in accordance with s4.17 of the *Environmental Planning & Assessment Act 1979*.

1. Approved Development

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Document Name	Date	Revision	Prepared By
Survey	24/02/2025	2	Wumara Group
Existing Site Plan	01/04/2025	A	Studio Hollenstein
Demolition Plan	01/04/2025	A	Studio Hollenstein
Erosion and Sediment Control Plan	01/04/2025	B	TTW
Geotechnical Investigation	14/03/2025	Rev 1	JK Geotechnics
Preliminary Site Investigation	04/04/2025	Rev 2	JK Geotechnics
Hazmat Assessment (137 Beamish Street)	13/10/2020	001	EDP Consultants
Hazmat Assessment (139-143 Beamish Street)	10/03/2020	001	EDP Consultants
Hazmat Assessment (147 Beamish Street)	12/08/2020	001	EDP Consultants
Heritage Impact Statement	14/04/2025	1	Urbis
Statement of Environmental Effects	14/04/2025	03	Urbis
Cost Estimate	24/03/2025	1	Wilde and Woollard

Note: In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail.

- 1.1. The proposal shall comply with the conditions of this Development Consent.

2. Conditions to be Satisfied Before Demolition

- 2.1. Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.
- 2.2. Council's warning sign for Soil and Water Management must be displayed throughout the construction period at the most prominent point of the site, visible to both the street and site.
- 2.3. Prior to the commencement of work, the person having the benefit of this Determination Notice must provide a temporary on-site toilet if access to existing toilets on site is not adequate/available. Temporary on-site toilet facilities must be installed and be adequately maintained throughout the

construction period.

- 2.4. A sign must be erected in a prominent position at the development site and must clearly show the following information:
 - a. the name, address and telephone numbers (both during and outside of normal working hours) of the Principal Certifier for the work,
 - b. the name of the licenced builder/ owner-builder and a telephone number on which that person may be contacted outside working hours, and
 - c. that unauthorised entry to the development site is prohibited.

Any such sign must be maintained while the building work is being carried out and must be removed when the building work has been completed.

- 2.5. The demolition of existing structures currently existing on the property must be undertaken, subject to strict compliance with the following:
 - a. The applicant is to notify adjoining residents seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite the demolition site.
 - b. Written notice is to be given to Canterbury-Bankstown Council for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following building inspections shall be undertaken by Canterbury-Bankstown Council:
 - i. A pre-commencement inspection shall be carried out by Council when all the site works required as part of this consent are installed on the site and prior to demolition commencing.
 - ii. A final inspection shall be carried out by Council when the demolition works have been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this consent.
 - c. Prior to demolition, the applicant must erect a sign at the front of the property with the demolisher's name, license number, contact phone number and site address.
 - d. Prior to demolition, the applicant must erect a 2.4m high temporary fence or hoarding between the work site and any public place. Access to the site shall be restricted to Authorised Persons Only and the site shall be secured against unauthorised entry when the building work is not in progress or the site is otherwise unoccupied. Where demolition is to occur within 3m of a public place a Work Permit application for the construction of a Class A or Class B hoarding shall be submitted to Council for approval.

- e. The demolition plans must be submitted to the appropriate Sydney Water Office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the demolition plans will be stamped indicating that no further requirements are necessary.
- f. Prior to the commencement of demolition works, a Construction Management Plan is to be prepared which outlines the measures to be implemented to ensure that the demolition will not compromise the effective and ongoing operation and function of Beamish Street.
- g. Prior to the commencement of demolition works, a hazardous materials survey is required to be prepared using current Work Health and Safety Regulation 2025 aligned methods. It is to be undertaken by limited 'destructive' means and include in the surveys scope, silica exposure risk where relevant, verification of all presumed ACM and PCB, and update disposal and waste management provisions.
- h. Suitable erosion and sediment control measures shall be erected prior to the commencement of demolition works and shall be maintained at all times.
- i. Prior to the demolition of any building constructed before 1970, a Work Plan shall be prepared and submitted to Council in accordance with Australian Standard AS2601-2001 by a person with suitable expertise and experience. The Work Plan shall outline the identification of any hazardous materials, including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- j. Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
- k. Prior to the commencement of demolition works, a detailed demolition plan is to be prepared which details the interaction between the existing retaining walls and the lower ground and ground floor slabs.
- l. Prior to the commencement of demolition works, a certified structural engineer is to assess the existing retaining walls and their interaction with the lower ground floor and ground floor slabs, and review the final demolition plan.
- m. Prior to the commencement of demolition works, a consolidated Demolition Waste Management Plan is to be prepared which addresses the following:
 - *Introduction – A description of the purpose of the plan, and the relevant regulations and guidelines it addresses (including the Canterbury-Bankstown DCP, AS 2601-2001 The Demolition of Structures, and NSW EPA Waste Classification*

Guidelines).

- *Project and property description – A description of the site, its zoning, nearest neighbours and access, and details of the buildings to be demolished (size, number of floors, construction type, age, and previous use).*
 - *Demolition works – A brief description of the works and methodology, including: management of hazardous materials, asbestos, and excavated materials confirmation of pre-commencement inspections confirmation of heritage status tree protection measures erosion, dust, noise, and vibration controls*
 - *Roles and responsibilities – Identification of the contractor and site manager roles, and confirmation that works will be undertaken by appropriately accredited personnel.*
 - *Demolition quantities – A schedule of materials, volumes, and disposal pathways, clearly stating diversion percentages and the total projected diversion from landfill.*
 - *On-site management – Explanation of how waste will be segregated, stored, and handled on-site prior to removal.*
 - *Monitoring and reporting – Details of how compliance with the DWMP will be demonstrated, including use of weighbridge dockets, recycling certificates, and post-demolition reporting to Council.*
 - *Supporting drawings – Plans and diagrams to illustrate and support the above information.*
- n. Prior to the commencement of demolition works, trees 11, 31, 32, 37, 38, 39 and 40 will have footings, bitumen, retaining walls or similar hard surfaces scheduled for removal within their SRZ or TPZ. The removal of any structures requires careful management inside the TPZ or SRZ. There are to be no level changes to any SRZ and if roots are found in contact with sub ground structures during the demolition, those structures may need to be left in place to avoid root damage.
- o. Tree removals must be carried out by a minimum AQF Level 3 Arborist with all insurances required for undertaking the work. All works must comply with the Safe Work Australia Guide for Managing Risks of Tree Trimming and Removal Work (2016).
- p. Prior to the commencement of demolition works, ground protection must be installed for Trees 11, 31, 32, 37, 38, 39 and 40 if access within their TPZ is required. This protection is to consist of geotextile fabric, a layer of large-grade hardwood mulch, and ply boards or similar. Ground protection must remain in place for as long as practicable until landscaping, driveway installation or other works require its removal. Mulch and timber protection must be replaced as needed throughout the works period.

3. Conditions to be Satisfied During Demolition

- 3.1. Demolition is to be carried out in accordance with the appropriate provisions of Australian Standard AS2601-2001.
- 3.2. Demolition work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no demolition work is to be carried out at any time on a Sunday or a public holiday.
- 3.3. There must not be any stockpiling of building spoil, materials, or storage of equipment on the public road during the construction period. The footway and the road reserve must always be maintained in a safe condition. No work can be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
- 3.4. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of WorkCover NSW and the NSW EPA 'Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 2004'.
- 3.5. Where materials containing asbestos cement are to be removed, demolition is to be carried out by licensed contractors who have current Workcover Accreditation in asbestos removal.
- 3.6. Demolition procedures shall maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.
- 3.7. During demolition, the public footway and public road shall be clear at all times and shall not be obstructed by any demolished material or vehicles. The public road and footway shall be swept (NOT hosed) clean of any material, including clay, soil and sand. (NOTE: If required, Council will clean the public road/footway at the applicant's expense). On the spot fines may be levied by Council against the demolisher and or owner for failure to comply with this condition.
- 3.8. All vehicles leaving the site with demolition materials shall have their loads covered and vehicles shall not track soil and other material onto the public roads and footways and the footway shall be suitably protected against damage when plant and vehicles access the site. All loading of vehicles with demolished materials shall occur on site.
- 3.9. The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- 3.10. Care shall be taken during demolition to ensure that existing services on the site (ie. sewer, electricity, gas, phone) are not damaged. Any damage caused to existing services shall be repaired by the relevant authority at the applicant's expense.
- 3.11. During demolition works occurring within the TPZ or SRZ of any retained tree, particularly Trees 11, 31, 32, 37, 38, 39 and 40, the Project Arborist must be present to supervise sensitive methods where required. The principal contractor must remain in regular consultation with the Project Arborist to ensure all reasonable measures are taken to avoid or reduce root damage. Careful hand excavation or Air Spading may be required before footing removal in the SRZ to prevent accidental damage to structural roots.

SCHEDULE 2 – REASONS

- i. To ensure compliance with the approved development.
- ii. To ensure compliance with the Canterbury-Bankstown Local Environmental Plan 2023.
- iii. To ensure compliance with the Canterbury-Bankstown Development Control Plan 2023.
- iv. To record the condition of public infrastructure prior to the commencement of construction.
- v. To ensure residential amenity is maintained in the immediate vicinity.
- vi. To ensure the structural integrity of the subject site and adjoining sites.
- vii. To encourage the minimisation of waste and recycling of building waste.
- viii. To ensure appropriate security for works on public land and an appropriate quality for new public infrastructure.
- ix. To ensure that appropriate tree protection measures are shown on construction drawings.
- x. To protect the trees to be retained on the site during construction works
- xi. To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily.
- xii. To ensure appropriate safeguarding measures are in place prior to the commencement of demolition.
- xiii. To ensure noise generated by equipment does not result in offensive noise.
- xiv. To ensure the lawful disposal of construction and demolition waste.
- xv. To ensure works are carried out in accordance with relevant WorkCover requirements.
- xvi. Prescribed – statutory.

SCHEDULE 2 – NOTES

- a. This Determination Notice becomes effective from the endorsed “Consent is to operate from” date noted above, pursuant Section 10.11 (1)(c) of the *Environmental Planning and Assessment Act 1979*.
- b. This Determination Notice will lapse 5 years from the endorsed “Consent to operate from” date unless this Determination Notice has been activated and verified by Council or the appointed Principal Certifier or unless otherwise specified within this Determination Notice.
- c. Modifications to this Determination Notice may be made in accordance with Section 4.55 of the *Environmental Planning and Assessment Act 1979*.
- d. If you are dissatisfied with this decision, you may apply for a review of determination pursuant to Section 8.2 of the *Environmental Planning and Assessment Act 1979* or appeal to the Land and Environment Court pursuant to Sections 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*. Any application for a review pursuant to Section 8.2 must be received, assessed and determined by Council within 6 months after the date of receipt of this Determination Notice. It is therefore advisable to lodge the application for review as soon as possible to ensure that assessment is complete within the statutory timeframes. Section 8.10 in the *Environmental Planning and Assessment Act 1979* extends this six-month period to twelve months for determinations made during, or six months before, the Prescribed Period of 25 March 2020 and 25 March 2022. You should seek advice from your legal advisor on the time limits for the lodgement of any appeal.
- e. Sections 9.37 and 9.50 of the *Environmental Planning and Assessment Act 1979* confer the authority to direct any person to comply with the terms and conditions of any consent condition and any person failing to comply with such a direction shall be guilty of an offence under that Act.
- f. Failure to comply with this Determination Notice may result in a fine or prosecution by Council.
- g. If the building work is in proximity of any infrastructure (including water, stormwater, sewer mains, electricity power lines, railway lines and telecommunications facilities or the like), then the relevant infrastructure authority must be consulted before commencing the building work to gain their approval. Any impacts must be considered in the design and construction of the building work/s.
- h. Inspections of the development work must be undertaken as determined by the Principal Certifier. If Canterbury-Bankstown Council has been nominated as the Principal Certifier, then details of inspection type and number required will be provided at the time of the issue of a construction certificate.
- i. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (as is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, a Section 4.55 Amendment to this

Determination Notice (or a new development application) is required. Individuals owe asset owners a duty of care that must be observed when working near infrastructure plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

In accordance with the Telecommunications Act 1997 (Commonwealth), Telstra (and its authorised contractors) are the only companies that are permitted to conduct work on Telstra's mobile network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Commonwealth) and is liable for prosecution.

Damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any work or proposed work which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- j. This Determination Notice does not provide consent to commence building or subdivision work. A construction certificate must be obtained prior to the commencement of any building work and a Subdivision Works Certificate must be obtained prior to the commencement of any subdivision work. Council can provide certification services relating to the issue of a construction certificate or subdivision works certificate if required by the development consent. Please contact Council for a fee proposal if you require any of these certification services.

- END -

Canterbury Bankstown Local Planning Panel - 02 February 2026

ITEM 2	19 and 21 Banks Street, Padstow
	Demolition of existing structures, consolidation of existing allotments, and construction of a 4-storey, 51-room co-living housing development with basement parking
FILE	DA-555/2025 – Bunya / Revesby
ZONING	R4 High Density Residential
DATE OF LODGEMENT	27 May 2025
APPLICANT	HL Australia Investments Pty Ltd
OWNERS	HL Australia Investments Pty Ltd
ESTIMATED VALUE	\$7,395,156.23
AUTHOR	Planning

REPORT

This matter is reported to the Canterbury Bankstown Local Planning Panel (the Panel) in accordance with Schedule 2 of the *Local Planning Panels Direction – Development Applications*, as dated 6 May 2024, issued by the Minister for Planning under section 9.1 of the *Environmental Planning and Assessment Act 1979*, on the following grounds:

1. The application seeks consent for a development for which State Environmental Planning Policy (Housing) 2021 applies and is four or more storeys in height, which is defined as a “sensitive development” in accordance with Schedule 2, Clause 4(b) of the Ministerial Direction.
2. The application seeks consent for a development that, following exhibition and notification of the application, in excess of ten (10) unique public submissions were received by way of objection, which is defined as a “contentious development” in accordance with Schedule 2, Clause 2(b) of the Ministerial Direction.

Development Application DA-555/2025 proposes demolition of existing structures on the site, the consolidation of the existing allotments and the construction of a 4-storey building containing 51 co-living rooms with a basement containing 12 car parking spaces.

DA-555/2025 has been assessed against Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, requiring amongst other things, an assessment against the relevant provisions contained within the following:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*,
- *State Environmental Planning Policy (Sustainable Buildings) 2022*,
- *State Environmental Planning Policy (Housing) 2021*,
- *State Environmental Planning Policy (Resilience and Hazards) 2021*,
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*,
- *Canterbury-Bankstown Local Environmental Plan 2023*,
- *Canterbury-Bankstown Development Control Plan 2023*, and
- *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022*.

The proposed development satisfies the relevant provisions contained within each of the above pieces of planning legislation in addition to satisfying the remaining matters for consideration contained in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*.

The application was neighbour-notified and advertised for a period of 21 days, from 11 June 2025 to 2 July 2025, and was re-notified for 14 days following the lodgment of amended plans, from 29 October 2025 to 12 November 2025. 21 unique submissions were received in total, with an additional objection letter received from “the residents of Banks Street.” Each submission is in objection to the development proceeding raising concerns relating to parking, traffic, scale of development, character of area, privacy impacts, waste management, nature and management of development, removal of trees, safety and security, solar access, lack of communal amenity, acoustic privacy, lack of notification, environmental sustainability, inadequacy of SEE, impact on property value and zoning conflict. The concerns raised in these public submissions are addressed in the body of this report.

The proposed development is considered to have an acceptable impact on both the natural and built environment and is considered worthy of support.

POLICY IMPACT

This matter has no direct policy implications.

FINANCIAL IMPACT

This matter has no direct financial implications.

RECOMMENDATION

It is recommended that Development Application DA-555/2025 be **APPROVED** subject to Conditions of Consent in Attachment 2.

ATTACHMENTS

1. Section 4.15 Assessment Report
2. Conditions of Consent

DA-555/2025 ASSESSMENT REPORT

SITE AND LOCALITY DESCRIPTION

The development is proposed to occupy two sites known as Nos 19 and 21 Banks Street, Padstow. The sites are regular shaped allotments that are currently zoned R4 High Density Residential and occupy the south-eastern corner of the intersection of Nigel Place and Banks Street. Consolidation of the two existing lots is proposed as part of this application. The sites are located within the “Residential Frame” of the Padstow Local Centre Precinct.

Each site has an area of 696.8m² and contains a single dwelling and a detached garage. The site of 19 Banks Street also contains a swimming pool. There is an existing VFC off Banks Street serving 19 Banks Street whilst there’s a VFC off both Banks Street and Nigel Place serving 21 Banks Street.

The development site is devoid of any significant vegetation. There are two (2) street trees located forward of the site in the road reserve along Banks Street and one (1) street tree in the road reserve along Nigel Place. The land slopes to the north-west (to Banks Street) with a fall of approximately 2.15m.

The site is adjoined by the following developments:

- To the north-east, an attached dual occupancy at 23 Banks Street,
- To the south-east, a single storey dwelling at 1 Nigel Place,
- To the north-west, single storey dwellings at 34 and 36 Banks Street and at 1 Stephanie Street,
- To the south-west, single storey dwellings at 15 Banks Street and 8 Nigel Place.

The surrounding development consists of a mix of high, medium and low-density residential development with other land uses such as a child care centre, public park and rail infrastructure. The site is located in close proximity to Padstow Park (approximately 60m to the north-east) and the Padstow Railway Station (approximately 385m to the south-west).



Figure 1: Aerial of subject site in red **Source:** NearMaps 2025



Figure 2: The development site as viewed from Banks Street
Source: Site inspection photo – Assessing Officer

PROPOSED DEVELOPMENT

Development Application DA-555/2025 proposes demolition of existing structures, construction of a new vehicular footway crossing located at the southern point of the site to provide access via Nigel Place, construction of a basement providing 12 car parking spaces, bicycle and motorcycle parking, storage and service room areas and construction of a 4-storey, 51 room co-living development.

The details of the development are as follows:

Floor	Description	No. of Units	Total GFA
Basement Level	<ul style="list-style-type: none"> • 12 car parking spaces including 1 accessible space • 2 motorcycle spaces • 11 bicycle spaces • Storage and bulky waste room • Lifts, services and an external stair access and stair access to upper level • OSD system. 		
Ground Floor	<ul style="list-style-type: none"> • 4x 1 bed co-living rooms • 6x 2 bed co-living rooms • 1x Building Manager room • Waste holding room • Communal living room • Communal open space. 	11	414m ²
Level 01	<ul style="list-style-type: none"> • 2x 1 bed co-living rooms • 13x 2 bed co-living rooms (including 1 adaptable room). 	15	391m ²
Level 02	<ul style="list-style-type: none"> • 2x 1 bed co-living rooms • 13x 2 bed co-living rooms (including 1 adaptable room). 	15	391m ²
Level 03	<ul style="list-style-type: none"> • 10x 2 bed co-living rooms (including 1 adaptable room) • Communal living room • Communal open space. 	10	318m ²
		Total 51	Total 1,514m²

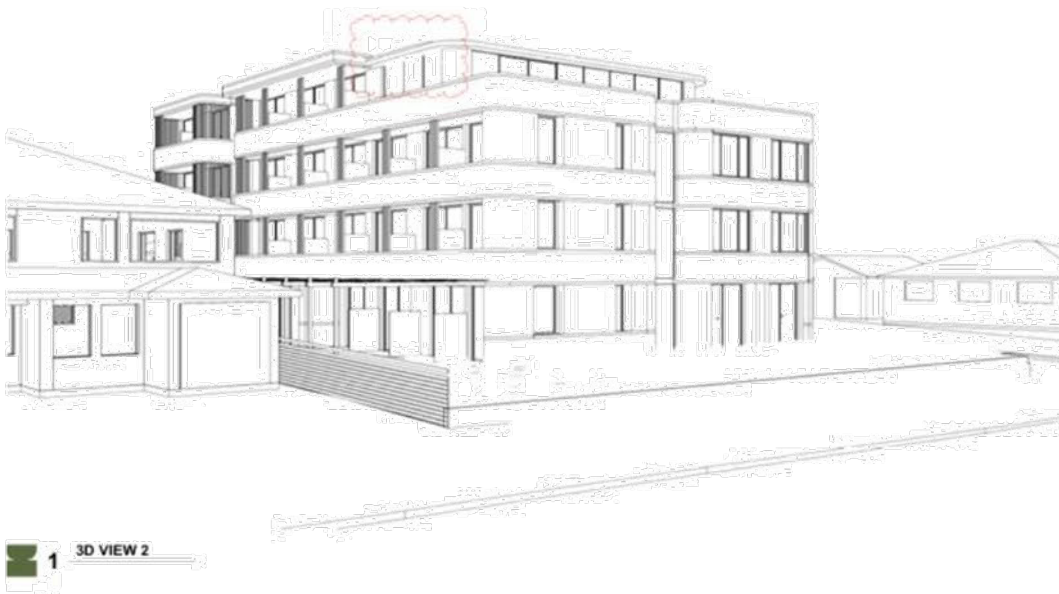


Figure 3 and 4: 3D models of the development as viewed from Banks Street
Source: CD Architects

STATUTORY CONSIDERATIONS

When determining this application, the relevant matters listed in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* must be considered. In this regard, the following environmental planning instruments, development control plans, codes and policies are relevant:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021,
- State Environmental Planning Policy (Sustainable Buildings) 2022,
- State Environmental Planning Policy (Housing) 2021,
- State Environmental Planning Policy (Resilience and Hazards) 2021,
- State Environmental Planning Policy (Transport and Infrastructure) 2021,
- Canterbury Bankstown Local Environmental Plan 2023 (CBLEP 2023),
- Canterbury Bankstown Development Control Plan 2023 (CBDPC 2023),
- Canterbury Bankstown Local Infrastructure Contributions Plan 2022 (Contributions Plan 2022).

SECTION 4.15 ASSESSMENT

The proposed development has been assessed pursuant to section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

Environmental planning instruments [section 4.15(1)(a)(i)]

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

The proposal has been assessed against the relevant aims and objectives of the policy which seeks to protect remaining native vegetation within urban areas.

The site is devoid of any vegetation that would be worthy of preserving. The four (4) trees that the applicant proposes to remove are not of any form, size or of a species that would warrant their retention.

The applicant proposes to retain and protect the two (2) existing trees along the road reserve in Banks Street (*Radermachera sinica* and the *Callistemon viminalis*) as they contribute to the existing plantings along this street.

The applicant seeks to remove the existing the bottle brush in the road reserve in Nigel Place with replacement species recommended.

No objections are raised to the removal of the above trees as this vegetation is not seen as contributing to the landscape character of the immediate area.

Recommended conditions are included at Attachment 2 relating to protection measures for trees that are to be retained. The development is consistent with the aims and objectives of this chapter of the SEPP.

Chapter 6 Water catchments

The development site is situated in the Salt Plan Creek sub-catchment, which falls within the Georges River Catchment. As such, Chapter 6 of the SEPP applies to the site as outlined by Section 6.1(c).

Chapter 6 requires Council to be satisfied that the proposal will satisfy the relevant requirements of the chapter, and these were considered as part of the assessment process.

Having regard to the stormwater management plan submitted, and the assessment conducted by Council, the proposal is considered to satisfy the requirements of Chapter 6 of the SEPP. The proposal will not result in any adverse impact on the catchment as a result of the approval of the application, subject to compliance with the recommended conditions of consent.

State Environmental Planning Policy (Sustainable Buildings) 2022

The definition of a "BASIX building" in the Environmental Planning and Assessment Regulation 2021 excludes a boarding house, hostel or co-living housing that accommodates more than 12 residents or has a gross floor area exceeding 300m².

As the co-living housing development proposes to accommodate 51 private rooms, a BASIX certificate is not required nor an assessment required against the provisions contained in SEPP (Sustainable Buildings) 2022.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) aims to promote the remediation of contaminated land for the purpose of reducing risk to human health or any other aspect of the environment. The SEPP states that a consent authority must not consent to the carrying out of development unless it has considered whether the land is contaminated. If the land is contaminated, it must ascertain whether it is suitable in its contaminated state for the proposed use or whether remediation of the land is required.

A Preliminary Site Investigation (PSI) was undertaken for the development site by a geotechnical consultant. A review of the history of the site shows that historical uses have been limited to residential purposes. Based on the site investigation and analytical results, the PSI considers the site as being suitable for the proposed development and land use, provided the recommendations contained within the PSI report are undertaken. The PSI was reviewed by Council's Environmental Health Officers who were satisfied with the methodology and work undertaken in the PSI and determined that a Detailed Site Investigation is not warranted.

On the basis of the findings and recommendations of the PSI, Council's assessment concludes that the site is consistent with SEPP (Resilience and Hazards), subject to conditions as recommended in the PSI report, which form part of the recommended conditions at Attachment 2.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Before determining an application for a development on land adjacent to an existing pipeline corridor, Council must be satisfied that the potential safety risks, or risks to the integrity of the pipeline from the development, have been identified; that those risks have been taken into consideration; that written notice of the application to the operator of the pipeline was provided; and consideration has been given to any advice from the operator.

APA Group owns and operates the high-pressure gas transmission pipeline (Moomba to Sydney Ethane) that runs within the East Hills Railway Corridor, situated to the south of the subject site. In accordance with Division 12A Subdivision 2 of the SEPP, the DA was referred to APA Group as part of the assessment process due to the proposed development being within the pipeline measure length (area of consequence). Although a high density residential use is considered a sensitive land use as defined under AS2885 (*"use by members of the community who may be unable to protect themselves from the consequences of a pipeline failure"*), APA Group has confirmed that there is no objection to the proposal given the development will not result in a change to the land use classification under AS2885 at this location and the existing pipeline characteristics and mitigation measures in place for this pipeline section. A safety management plan was not requested by APA Group for this development.

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Housing) aims to stimulate the diverse and affordable supply of housing. It consolidates previous housing related SEPPs and changes the planning framework for various housing types, including boarding houses, co-living developments and seniors living developments.

An assessment of the development against the relevant provisions contained within the SEPP is provided in the table below:

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021 CHAPTER 3 DIVERSE HOUSING PART 3 – CO-LIVING HOUSING			
CLAUSE	PROVISIONS	PROPOSED	COMPLY
PART 3 – CO-LIVING HOUSING			
67 Co-living Housing may be carried out on certain land with consent	Development for the purposes of co-living housing may be carried out with consent on land in a zone in which development for the purposes of co-living housing, residential flat buildings or shop top housing is permitted under another environmental planning instrument.	The site is zoned R4 High Density Residential under the CBLP 2023. Residential flat buildings and shop top housing developments are permitted with consent in this zone. Development for the purposes of co-living housing may therefore be carried out with consent on the land.	YES

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021 CHAPTER 3 DIVERSE HOUSING PART 3 – CO-LIVING HOUSING			
CLAUSE	PROVISIONS	PROPOSED	COMPLY
68 Non-discretionary development standards—the Act, s 4.15			
68.2(a) Floor Space Ratio	(a) for development in a zone in which residential flat buildings are permitted— a floor space ratio that is not more than— (i) the maximum permissible floor space ratio for residential accommodation on the land, and (ii) an additional 10% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of co-living housing	As per the CBLEP 2023, the maximum permitted FSR on the site is 1:1. An additional 10% of the maximum FSR is available to the applicant as the floor space is used for “co-living housing”. Therefore the maximum permissible FSR for this development is 1.1:1. Ground floor – 414m ² 1st floor – 391m ² 2nd floor – 391m ² 3rd floor – 318m ² Total GFA = 1,514m ² Site Area – 1,393.6m ² FSR = 1.09:1	YES
68(2)(c) Communal Living Area	(c) for co-living housing containing more than 6 private rooms— (i) a total of at least 30m ² of communal living area plus at least a further 2m ² for each private room in excess of 6 private rooms, and (ii) minimum dimensions of 3m for each communal living area.	The proposal accommodates a 60m ² ground floor communal living area and a 60m ² communal living area on Level 3 of the building and the minimum dimensions of 3m are achieved. Total required = 30m ² + (45m ² x 2) = 120m ² Total proposed = 120m ²	YES
68(2)(d) Communal Open Space	(d) communal open spaces— (i) with a total area of at least 20% of the site area, (ii) (ii) and each with minimum dimensions of 3m.	The proposal accommodates a 286.5m ² communal open space area at ground level and 76m ² on level 3. Total required = 1,393.6 x 0.20 = 278.7m ² Total proposed = 362.5m ² Dimensions exceeding 3m are achieved.	YES
68(2)(e) Car Parking	(e) unless a relevant planning instrument specifies a lower number— (i) for development on land in an accessible area— 0.2 parking spaces for	The Dictionary in Schedule 10 of the Housing SEPP states that an accessible area means land within— (a) 800m walking	YES

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021 CHAPTER 3 DIVERSE HOUSING PART 3 – CO-LIVING HOUSING			
CLAUSE	PROVISIONS	PROPOSED	COMPLY
	each private room, or (ii) otherwise—0.5 parking spaces for each private room	distance of— (i) a public entrance to a railway, metro or light rail station. The walking path distance to the entrance of the Padstow Train Station is approximately 385m. The site is located within an accessible area in Padstow hence a rate of 0.2 parking spaces for each private room applies: (0.2 x 51 = 10.2 spaces) 10 car parking spaces are required. Twelve (12) parking spaces are provided to the “co-living” development on the Basement Level.	
68(2)(g) Landscaping	For development on land in Zone R4 High Density Residential – the minimum landscaping requirements for residential flat buildings under a relevant planning instrument apply.	The development satisfies the minimum landscaping requirements for residential flat buildings as contained in Clause 9.42 within Chapter 5.1 of the CBDP 2023. Refer to the CBDP 2023 assessment later in this report.	YES
69 Standards for co-living housing			
69(1)(a) Minimum / Maximum Room Areas	Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that- (a) each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25m ² and not less than— (i) for a private room intended to be used by a single occupant—12m ² , or (ii) otherwise—16m ²	Each 1-bed co-living room has a floor area of between 13-15m ² . Each 2-bed co-living room has a floor area of between 16-18m ² . Refer to the room area calculation plan (Plan Drawing No DA7002) for details on each co-living room.	YES

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021 CHAPTER 3 DIVERSE HOUSING PART 3 – CO-LIVING HOUSING			
CLAUSE	PROVISIONS	PROPOSED	COMPLY
69(1)(b) Minimum Lot Size	(b) The minimum lot size for co-living housing is not less than— (i) for development on land in Zone R2 Low Density Residential—600m ² , or (ii) for development on other land—800m ²	The lot size is 1,393.6m ² as per the survey.	YES
69(1)(d) Workspace	(d) The co-living housing will contain an appropriate workspace for the manager, either within the communal living area or in a separate space.	Appropriate manager workspace is located within the ground floor communal living area.	YES
69(1)(e) Business Zone	(e) For co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use.	The site is not located within a business zone.	N/A
69(1)(f) Amenities	(f) Adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant.	Each private room is provided with a kitchenette, ensuite and washing machine.	YES
69(1)(g) Occupants	(g) Each private room will be used by no more than 2 occupants.	All rooms will cater for a maximum of two (2) occupants.	YES
69(1)(h) Bicycle and Motorcycle Spaces	(h) The co-living housing will include adequate bicycle and motorcycle parking spaces.	The basement includes parking spaces for 2 motorcycles and provides 11 bicycle parking spaces.	YES
69(2) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether:			
69.(2)(a) Building Separation	(a) the front, side and rear setbacks for the co-living housing are not less than— (i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning	The CBDCP 2023 requires: A minimum primary and secondary frontage setback of 6m Proposed – Primary = 6.8m Secondary = 6m <i>For a building with three</i>	YES

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021 CHAPTER 3 DIVERSE HOUSING PART 3 – CO-LIVING HOUSING			
CLAUSE	PROVISIONS	PROPOSED	COMPLY
	instrument, or (ii) for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument.	<p><i>or more storeys, the minimum setback to the side and rear boundaries of the site is 4.5m provided the average setback is 0.6 multiplied by the wall height.</i></p> <p>Required minimum side setback – 4.5m Proposed minimum side setback = 6m</p> <p>Required average side setback – 7.08m Proposed average side setback = 7.75m</p> <p>Required minimum rear setback – 4.5m Proposed minimum rear setback = 6m</p> <p>Required average rear setback – 6.9m Proposed average rear setback = 7m</p>	
69(2)(b) Building Separation	(b) if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide.	All balconies and windows are setback a minimum of 6m to the side and rear boundaries meeting the requirements of the ADG.	YES
69(2)(c) Solar Access	(c) At least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area.	The Communal Living area on Level 3 receives in excess of 3 hours of solar access at mid-winter.	YES
69(2)(f) Design	(e) The design of the building will be compatible with— (i) the desirable elements of the character of the local area, or (ii) (ii) for precincts undergoing transition—the desired future character of the precinct.	<p>The existing character of the area is low density in nature, however, it is located within the “Residential Frame” of the Padstow Local Centre and is transitioning into a high density residential locality.</p> <p><i>One of the main objectives of the desired future character for this</i></p>	YES

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021 CHAPTER 3 DIVERSE HOUSING PART 3 – CO-LIVING HOUSING			
CLAUSE	PROVISIONS	PROPOSED	COMPLY
		<p><i>precinct is provided as follows:</i></p> <p><i>This compact place will accommodate a mix of living choices that respond to local needs and will ensure new homes are within a short walking distance of a wide range of local services.</i></p> <p><i>The low and medium-rise housing will provide an appropriate built form transition to the low-rise houses in the surrounding suburban neighbourhood.</i></p> <p>Compatibility with this desired character is achieved through the following:</p> <ul style="list-style-type: none"> • Suitable bulk and scale, provides a smooth transition between existing and future high density residential development in proximity to Padstow Park and the adjacent retained low-density residential area to the north of Banks Street. • Additional housing opportunity within an emerging centre, in close proximity to public transport. • Highly articulated building façade, inclusive of recessive elements, materials and finishes. 	
70 Subdivision	Development consent must not be granted for the subdivision of co-living housing into separate lots.	The proposal does not include any form of land subdivision	N/A

As the above table demonstrates, the proposal meets the requirements of the Housing SEPP that are applicable to co-living housing development.

Canterbury-Bankstown Local Environmental Plan 2023

The following sections of the Canterbury-Bankstown Local Environmental Plan 2023 were taken into consideration:

Clause 1.2 Aims of Plan

- (1) *This Plan aims to make local environmental planning provisions for land in Canterbury-Bankstown in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.*
- (2) *The particular aims of this Plan are as follows –*
 - (aa) *to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
 - (a) *to manage growth in a way that contributes to the sustainability of Canterbury-Bankstown,*
 - (b) *to protect landforms and enhance vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Canterbury-Bankstown,*
 - (c) *to identify, conserve and protect the Aboriginal, natural, cultural and built heritage of Canterbury-Bankstown,*
 - (d) *to provide development opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown,*
 - (e) *to restrict development on land that is sensitive to urban and natural hazards,*
 - (f) *to provide a range of residential accommodation to meet the changing needs of the population,*
 - (g) *to provide a range of business and industrial opportunities to encourage local employment and economic growth and retain industrial areas,*
 - (h) *to create vibrant town centres by focusing employment and residential uses around existing centres and public transport,*
 - (i) *to provide a range of recreational and community service opportunities and open spaces to meet the needs of residents of and visitors to Canterbury-Bankstown,*
 - (j) *to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,*
 - (k) *to ensure activities that may generate intensive car usage and traffic are located near public transport that runs frequently to reduce dependence on cars and road traffic,*
 - (l) *to consider the cumulative impact of development on the health of the natural environment and waterways and on the capacity of infrastructure and the road network,*
 - (m) *to support healthy living and enhance the quality of life and the social well-being and amenity of the community,*

- (n) *to ensure development is accompanied by appropriate infrastructure,*
- (o) *to promote ecologically sustainable development.*

The development provides for the orderly and economic use of the land that is consistent with the desired future character of the area. The proposal addresses the aim to provide a range of residential accommodation, and it achieves good urban design and therefore is considered an appropriate design response for the site presenting an appropriate built form and scale that meets the aims of the CBLEP.

Clause 2.3 Zone objectives and Land Use Table

The site is zoned R4 High Density Residential, which permits development for the purpose of “residential flat buildings” and “shop top housing”. Therefore, having regard to Clause 67 of the Housing SEPP, *development for the purposes of co-living housing may be carried out with consent* on this land. Moreover, the proposal is consistent with the objectives of the R4 zone, being:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.*
- *To promote a high standard of urban design and local amenity.*

Clause 2.7 Demolition requires development consent

The application seeks consent for the demolition of all existing structures on the site which include single dwellings and associated swimming pool and outbuilding structures.

Clause 4.3 Height of buildings

According to the Height of Buildings Map, the maximum permitted building height that applies to the site is 13m. The application seeks a maximum building height of 13m for the development which complies with the building height development standard.

Clause 4.4 Floor space ratio

According to the Floor Space Ratio Map, the maximum FSR permitted for the site is 1:1. The application proposes an FSR of 1.1:1 by applying a bonus FSR under the Housing SEPP, which fails to comply with Clause 4.4 of the CBLEP.

As discussed earlier in the report, the proposed development is used solely for the purposes of “co-living housing” and therefore, having regard to Clause 68(2)(a)(ii) of the Housing SEPP, the permissible FSR for this development is 1.1:1. Notwithstanding, the FSR permitted under the CBLEP, the development complies with the maximum FSR permitted under the Housing SEPP.

Clause 6.1 Acid sulfate soils

The site is affected by Class 5 acid sulfate soils. The application is supported by a Preliminary Site Investigation (PSI) report, which provides a preliminary assessment of potentially contaminating activities that may have impact on the site. The scope of work included a review of acid sulfate soil data and maps to determine whether there is a potential for acid sulfate soils to be present at the site.

The results of the search determined that there is “no known occurrence” of acid sulfate soils underlying the soil at the site. The report concludes that based on the site investigation and analytical results from soil sampling, the site is deemed suitable for the proposed development and land use for residential purposes, subject to the recommendations provided in the PSI report. As such, an acid sulfate soil management plan is not considered warranted for this application.

Clause 6.2 Earthworks

The objective of this section is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The application seeks to undertake excavation works to accommodate a single basement level for car parking. The recommended conditions at Attachment 2 would ensure all excavation works are done in accordance with relevant standards and guidelines.

All earthworks and backfilling must be executed safely and in accordance with the relevant Australian Standards. Attachment 2 includes recommended conditions to cover issues associated with excavated material and quality of fill.

Clause 6.3 Stormwater management and water sensitive urban design

The objective of this section is to avoid or minimise the adverse impacts of urban stormwater on land to which this section applies and on adjoining properties, native bushland, waterways and ground water systems.

The proposed stormwater drainage design, which includes an on-site stormwater detention system, has been assessed by Council’s Development Engineer. The impacts of stormwater runoff have been considered as part of the assessment of the application. The stormwater drainage design is deemed satisfactory, and the consent is included with conditions as recommended by Council’s Development Engineer.

Clause 6.15 Design excellence

The objective of this clause is to ensure that developments, such as this proposed co-living housing development, exhibit high quality architectural, urban and landscape design. The development application was reviewed by Council's Urban Design Unit who as formed the view that the proposal satisfactorily exhibited design excellence thereby satisfying Clause 6.15 of the CBLEP.

Draft environmental planning instruments [section 4.15(1)(a)(ii)]

There are no draft environmental planning instruments that are applicable to the proposed development.

Development control plans [section 4.15(1)(a)(iii)]***Canterbury Bankstown Development Control Plan 2023***

Amendments have been made to the Canterbury Bankstown Development Control Plan 2023 since the DA was lodged on the NSW Planning Portal. The application has been assessed against the controls that applied when the development application was lodged on the Portal (27 May 2025), not the controls that currently apply, in the absence of any saving provisions being included with the introduction of these amendments.

Although the DCP states that it applies to both boarding house and co-living developments, a number of the controls within the table (in particular) only include references to "boarding house" developments. While they do not technically apply to this co-living development, they have been referred to in attempt to provide a more comprehensive assessment of the proposal in the absence of there being controls for co-living developments for various design elements.

Chapter 2.3 – Tree Management

The application was supported by an Arboricultural Impact Assessment report and a detailed Landscape Plan. As referred to earlier in the report, the site does not contain any significant vegetation with the positioning of the building on the site allowing for opportunity for landscaping to be provided around the entire development. The applicant proposes to retain the two (2) existing street trees in the road reserve along Banks Street. Removal of the street tree located south-west of the site, adjacent to Nigel Place, is acceptable as it allows for sufficient pedestrian access to the site through a new public domain footpath adjacent to the main pedestrian access point to the site. Replacement plantings are conditioned within Attachment 2.

The application is consistent with the objectives and meets the requirements of Chapter 2.3 of the CBDP. Furthermore, as noted earlier in this report, the application is consistent with Chapter 2 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Chapter 2.4 – Pipeline Corridors

The requirements of Chapter 2.4 of the CBDP have been considered as part of the assessment of the development application, as the site is situated within close proximity to land that holds the high pressure gas transmission pipeline (Sydney to Moomba Ethane), located within the East Hills railway corridor. The relevant pipeline operator (APA) was consulted during the assessment process who reviewed the proposal and provided correspondence confirming that APA would not object to the proposal given the development will not result in a change in the land use classification under AS2885 at this location and the existing pipeline characteristics and mitigation measures in place for this pipeline section. On this basis, a safety management plan that addresses the construction risks associated with the pipeline, has not been requested of the applicant.

The subject site is situated within "Area 1" as per Section 6.30 and 6.31 of the CBLEP, and not "Area 2" on the Hazard Area Map. As such, Clause 1.2 of Chapter 2.4 (Pipeline Corridors) of the CBDP, which requires "residential accommodation" on land identified as "Area 2" to meet performance standards and safety standards under the National Construction Code, does not apply to this development.

Chapter 3.1 – Development Engineering Standards

Chapter 3.1 of the CBDP 2023 requires stormwater management and civil engineering works for a development to be designed in accordance with the standards as set out in the policy, to ensure the development provides a satisfactory level of engineering infrastructure whilst minimising impact of the development on surrounding sites. Council's Development Engineer has reviewed the proposal as part of the assessment process and confirms that the proposed stormwater drainage design and associated civil works are satisfactory and meet the relevant engineering requirements, subject to conditions.

The proposal meets the objectives, civil engineering and stormwater drainage design requirements of Chapter 3.1 of the CBDP, and Attachment 2 includes conditions to ensure the development meets the necessary standards both during and post construction.

Chapter 3.2 – Parking

There is no car parking requirement identified for co-living development within the Off-Street Parking Schedule of the CBDP. Clause 2.5 in this Chapter states that *"Development not included in the Off-Street Parking Schedule must submit a parking study for Council's consideration."* A traffic and parking management report has been submitted for the development in line with this and has been reviewed by Council's Traffic unit and is considered acceptable.

As noted earlier in this report, Clause 68(2)(e) of the Housing SEPP, allows sites within 800m (walkable distance) to public transport (in this case being Padstow Railway Station) to adopt the car parking rate of 0.2 spaces for each private room. According to these guidelines, the parking requirement is set at 10.2 spaces. The

proposal provides for a total of 12 spaces. The development also provides ample bicycle and motorcycle parking spaces.

Chapter 3.3 – Waste Management

Chapter 3.3 of the CBDP sets minimum standards that residential development must achieve to ensure well-designed bin storage areas and the effective management of waste. The proposed waste room has been designed to meet the minimum size requirements for the number of rooms proposed and is adequately designed such that it is integrated into the building envelope away from direct public view.

Council's Resource Recovery section has reviewed the proposal and confirms that the design meets the minimum standards and specifications for residential development, subject to conditions. To reduce the visual impacts on the streetscape, Attachment 2 includes recommended conditions requiring bins to remain stored within the ground floor waste room with the collection of waste involving a "collect and return" service by Council staff (who will enter the building to collect bulk garbage and recycling bins from the communal bin storage room and return them once emptied). As such, bins for the development will not be stored on the street during collection.

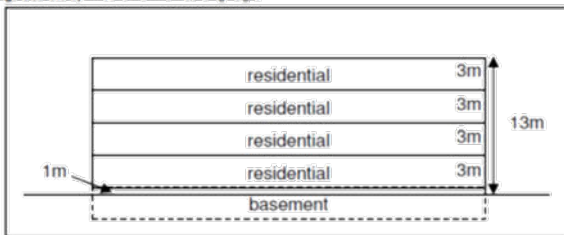
The proposed waste management and design of the waste room is consistent with the objectives of this chapter, and the requirements of Chapter 3.3 are also considered to be met through the waste conditions that are included in Attachment 2.

Chapter 3.7 – Landscape

The proposed landscaping for the development has been designed generally in accordance with the requirements of Chapter 3.7 of the CBDP. As discussed in this report, the proposal is also consistent with the landscaping requirements as prescribed for the site under the Apartment Design Guide. The objectives of Chapter 3.7 will also be met through the landscape conditions included in the consent.

Chapter 5.1 – Former Bankstown LGA

The following table provides a summary of the development application against the development controls contained under Chapter 5.1 – Former Bankstown LGA of the CBDP:

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023			
CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
SECTION 9 – BOARDING HOUSES AND CO-LIVING HOUSING			
9.1 Isolation of sites	Development on land within Zone R3 Medium Density Residential or Zone R4 High Density Residential is not to result in a site adjoining such land having an area of less than 1,000m ² or a width of less than 20m at the front building line for the purpose of multi dwelling housing.	The adjoining sites are not isolated by the proposed development. The adjoining sites have the potential to achieve 1000m ² and 20m frontage through amalgamation.	YES
9.2 Storey limit	The storey limit for boarding houses in Zone R2 is two storeys for a dwelling (including boarding rooms) facing a road and single storey for all other dwellings (including boarding rooms) at the rear of the lot.	Not applicable.	N/A
9.3 Storey limit	Development in Zones R3 and R4 must comply with the storey limit that corresponds with the maximum building height shown for the site on the Height of Building Map as follows:	The proposed development is 4 storeys without an attic. Building Height – 13m	YES
	Maximum building height as shown on the Height of Buildings Map (Canterbury Bankstown LEP 2023)	Storey limit (not including basements)	
	10m	3 storeys (no attic)	
	13m	4 storeys (no attic)	
	16m	5 storeys (no attic)	
	19m	6 storeys (no attic)	
	25m	8 storeys (no attic)	
	<p>Figure 8a: Storey limit and maximum building height</p> 		
9.4 Storey limit	The siting of boarding houses, and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.	The siting and design of the building is compatible with slope of the land and is considered acceptable as it does not include any unnecessary elevated platforms or the like.	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
9.5 Storey limit	Any reconstituted ground level on the site within the ground floor perimeter of boarding houses and co-living housing must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch.	Ground floor level is max 900mm above NGL.	YES
9.6 Storey limit	Any reconstituted ground level on the site outside of the ground floor perimeter of boarding houses and co-living housing must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.	Cut and fill details are provided on Plan Drawing No DA7081. Max cut for basement is 3.575m. External cut is a maximum 800mm towards the rear. External fill is a maximum 600mm.	YES
9.7 Setback restrictions	The erection of boarding houses is prohibited within 9m of an existing animal boarding or training establishment.	Development site is not located within 9m of an existing animal boarding or training establishment.	N/A
9.8-9.12 Setbacks in Zone R2	Not applicable as development is located within R4 Zone.		N/A
9.13 Setbacks in zone R3 and R4	The minimum setback for a building wall to the primary street frontage is 6m.	A minimum 6.8m setback is proposed to Banks Street	YES
9.14 Setbacks in zone R3 and R4	The minimum setback for a building wall to the secondary street frontage is 6m.	A minimum 6m setback is proposed to Nigel Place.	YES
9.15 Setbacks in zone R3 and R4	For a single or two storey building, the minimum setback to the side and rear boundaries of the site is 0.6 multiplied by the wall height.	Not applicable.	N/A
9.16 Setbacks in zone R3 and R4	For a building with three or more storeys, the minimum setback to the side and rear boundaries of the site is 4.5m provided the average setback is 0.6 multiplied by the wall height.	<u>Side elevation</u> The development has a 11.8m maximum wall height along the side elevation $11.8 \times 0.6 = 7.08\text{m}$ Average side setbacks – Ground floor = 7m	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
		<p>Level 1 – 3 = 8m</p> <p>Average side setback = 7.75m</p> <p>6m min side setback at ground floor level. The rest of the building is setback 7.8-8.1m.</p> <p><u>Rear elevation</u> The development has a 11.5m maximum wall height along the rear elevation.</p> <p>11.5x0.6 = 6.9m</p> <p>6m min rear setback at the ground floor level. The rest of the building is setback 7.3m.</p> <p>Average rear setbacks - Ground floor = 8.8m Level 1-3 = 6.35m</p> <p>Average rear setback = 7m</p>	
9.17 Setbacks in zone R3 and R4	The minimum setback for a basement level to the side and rear boundaries of the site is 2m.	Basement side setback = 2m	YES
9.18 Setbacks in zone R3 and R4	The minimum setback for a driveway to the side and rear boundaries of the site is 1m.	Driveway rear setback = 1m	YES
9.19 Private open space	Boarding houses must provide: a. one area of at least 20m ² with a minimum dimension of 3m for the use of the lodgers; and b. if accommodation is provided on site for a boarding house manager, one area of at least 8m ² with a minimum dimension of 2.5m is provided adjacent to that accommodation.	<p>The proposed development is not a boarding house and therefore this control does not apply.</p> <p>However, the proposed development provides sufficient communal open space.</p>	N/A
9.20 Private open space	Development must locate the private open space behind the front building line. This clause does not apply to any balconies where it is	All private open areas (private balconies) are located behind the front building line.	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
	used to provide articulation to the street facade.		
9.21 Access to sunlight	At least 70% of boarding rooms must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.	<p>This clause does not apply as the development is for a co-living housing development.</p> <p>Notwithstanding this, 31 of the 51 rooms achieve 3 hours of direct solar access through windows at the mid-winter solstice. Therefore, 60.8% of the co-living rooms receive solar access at the mid-winter solstice.</p> <p>Skylight windows have been provided to 4 of the south facing units on Level 3.</p> <p>As these skylight windows are the "primary source of sunlight" for these rooms, were they to be included, the development would still fail the control albeit these skylights would provide solar access to these units and improve the amenity to these south facing units.</p> <p>Refer to the comments provided below after this table.</p>	N/A
9.22 Access to sunlight	Where the development provides for one or more communal living rooms, at least one of those rooms must receive a minimum of three hours direct sunlight between 8.00am and 4.00pm at the mid-winter solstice.	Solar access is achieved to both communal living rooms for in excess of 3 hours between 8:00am and 4:00pm at the mid-winter solstice.	YES
9.23 Access to Sunlight	At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight	The living area of the adjoining south-eastern dwelling (at 1 Nigel	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
	between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.	Place) receives solar access for three hours between 8am-11am at the mid-winter solstice. The dwellings to the south-west (at 15 Banks Street and 8 Nigel Place) receive solar access from 10am-4pm at the mid-winter solstice. The attached dual occupancy development to the north-west (at 23 Banks Street) is not impacted by this development.	
9.24 Access to sunlight	A minimum 50% of the private open space required for boarding houses and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.	Solar access is maintained to the private open space of the adjoining developments for extensive periods of the day (> 3 hours between 9am and 5pm at the equinox).	YES
9.25 Access to sunlight	Development should avoid overshadowing any existing solar hot water system, photovoltaic panel or other solar collector on the site and neighbouring sites.	There are no existing solar hot water systems, photovoltaic panels or solar collectors on the developments on the neighbouring sites.	N/A
9.26 Visual privacy	Where development proposes a window that directly looks into the living area or bedroom window of an existing dwelling, the development must: (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5m above floor level; or (c) ensure the window cannot open and has obscure glazing to a	No proposed windows would directly look into adjoining living area windows.	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
	minimum height of 1.5m above floor level; or (d) use another form of screening to the satisfaction of Council.		
9.27 Visual privacy	Where development proposes a window that directly looks into the private open space of an existing dwelling, the window does not require screening where: (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window has a minimum sill height of 1.5m above floor level; or a. the window has translucent glazing to a minimum height of 1.5m above floor level; or b. the window is designed to prevent overlooking of more than 50% of the private open space of a lower-level or adjoining dwelling.	Balconies are provided with screening to prevent overlooking onto adjoining POS areas. Additional screening to be conditioned for Units 109, 110, 209, 210, 309 and 310. This is to include screening to at least 1.5m above FFL for south-eastern facing windows and additional screening to balconies.	YES
9.28 Visual privacy	Council may allow boarding houses in Zones R2 and R3 to have an upper floor side or rear balcony solely where the balcony is not accessible from a living area or hallway, and the balcony design: (a) does not have an external staircase; and (b) does not exceed a width of 1.5m throughout; and (c) incorporates a form of screening to the satisfaction of Council such as partially recessing the balcony into the building.	The site is zoned R4 and therefore this control is not applicable.	N/A
9.29 Visual privacy	Council does not allow boarding houses to have roof-top balconies and the like.	While this control applies to "boarding houses", the balcony proposed off the Level 3 communal room overlooks Banks Street and the front yards of the adjoining properties providing for no privacy or overlooking impacts.	YES
9.30 Building design	Council applies the design quality principles of the State Environment Planning Policy (Housing) 2021 (Chapter 4) and the Apartment Design Guide to boarding houses.	While the control applies to "boarding houses", the design quality principles contained within the ADG were	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
	This includes buildings that are two storeys or less, or contain less than four dwellings.	considered and were found to have been satisfactorily addressed.	
9.31 Building design	Boarding houses must satisfy each of the following: (a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided; and (b) if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least: (i) 12m ² in the case of a boarding room intended to be used by a single lodger, or (ii) 16m ² in any other case; and the site must be fenced along the boundary using a minimum 2 metre high chain– wire fence; and (c) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25m ² ; and (d) no boarding room will be occupied by more than 2 adult lodgers; and (e) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger; and (f) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on-site dwelling will be provided for a boarding house manager; and (g) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.	While this control applies to “boarding houses” the following comments are provided; There are two (2) communal living areas proposed – one on the ground floor, the other on Level 3. All room sizes comply with part (b) of this control. Refer to Plan Drawing No DA7002 for details. No private rooms exceed 25m ² . There will be a maximum of 2 lodgers in each room. Each room is provided with a bathroom and kitchen facilities. A private room for the Building Manager is provided. The basement includes parking spaces for 2 motorcycles and provides 11 bicycle parking spaces.	YES
9.32 Building design	The maximum roof pitch for boarding houses is 35 degrees.	The roof pitch is less than 35 degrees (flat roof).	YES
9.33 Building design	Council does not allow boarding houses to have attics.	No attic is proposed.	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
9.34 Building design	The siting of a plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must: (a) integrate with the architectural features of the building to which it is attached; or (b) be sufficiently screened when viewed from the street and neighbouring sites.	Plant room proposed in basement. Other services are integrated within the architectural design.	YES
9.35 Building design	Development for the purpose of boarding houses must demolish all existing dwellings (not including any heritage items) on the site.	All existing dwellings on the site are to be demolished.	YES
9.36 Building design	Development in the foreshore protection area (refer to map in Appendix 1) must use non-reflective materials that are compatible with the natural characteristics and colours of the area (such as olive green, grey and dark brown).	Not applicable as the site is not located within a foreshore protection area.	N/A
9.37 Building design (car parking)	Development on land bounded by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall must: (a) comply with the road pattern shown in CBDCP 2023 Appendix; and (b) ensure vehicle access from Balmoral Crescent to land at 107–113 Rex Road in Georges Hall is provided for no more than 10 dwellings as shown in CBDCP 2023 Appendix.	Not applicable as the site is not located in this area.	N/A
9.38 Building design (car parking)	The design and siting of car parking structures and driveways must ensure vehicles can leave the site in a forward direction.	All vehicles are able to enter and exit the site in a forward direction.	YES
9.39 Building design (car parking)	Development must locate the car parking spaces behind the front building line.	All car parking spaces are provided within the basement level.	YES
9.40 Building design (car parking)	Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.	All car parking provided within basement. This is integrated within the façade design and does not dominate the frontage.	YES
9.41 Landscape	Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may	The site is devoid of any significant vegetation.	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
	require a design alteration or a reduction in the size of boarding houses.		
9.42 Landscape	<p>Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury-Bankstown (refer to the Landscape Guide for a list of suitable species):</p> <ol style="list-style-type: none"> 1. a minimum 45% of the area between the boarding house and the primary street frontage; and 2. a minimum 45% of the area between the boarding house and the secondary street frontage; and 3. plant more than one 75 litre tree between the boarding house and the primary street frontage (refer to the Landscape Guide for a list of suitable trees in Canterbury-Bankstown); or <ol style="list-style-type: none"> (i) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is less than 20m, the development must plant a row of 75 litre trees at 5m intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; or (ii) if the site adjoins the Hume Highway and the minimum setback to the Hume Highway is 20m, the development must plant two rows of 75 litre trees at 5m intervals along the length of the Hume Highway boundary and must select the trees from the Landscape Guide; and 4. for development in the foreshore protection area (refer to map in Appendix 1), the development must plant native trees with a mature height 	<p>Landscaping opportunities are provided to more than 45% of the area between the co-living development and the street frontage (to both Banks Street and Nigel Place).</p> <p>The site does not adjoin the Hume Highway nor is it located within a foreshore protection area. Tree planting conditions to be provided as conditions of consent.</p>	YES

CANTERBURY BANKSTOWN DEVELOPMENT CONTROL PLAN 2023 CHAPTER 5.1 RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN)			
CONTROL	REQUIREMENT	COMMENT	COMPLY
	greater than 12m adjacent to the waterbody.		
9.43 Security	<p>Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the site should, wherever practical, be setback a minimum 1.5m from that boundary. The setback distance must be:</p> <ul style="list-style-type: none"> (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain; and (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum 300mm pot size and; (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system; and (d) the site must be fenced along the boundary using a minimum 2m high chain wire fence; and (e) the fence provides an appropriate access point to maintain the landscaping within the setback area; and (f) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain. <p>If a setback for landscaping under this clause is not practical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.</p>	The development site does not directly adjoin a railway corridor or open stormwater drain therefore this control is not applicable.	YES

Clause 9.21 of the CBDCP 2023 reads as follows:

At least 70% of boarding rooms must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement this access to sunlight provided these building elements are not the primary source of sunlight to the living areas.

Albeit the above control refers to “boarding rooms”, it would be unreasonable to require the “private rooms” within a “co-living development” to meet this control for the following reasons.

The co-living arrangement provides for a distinctly different living arrangement to that of a boarding house, and indeed those of a typical residential flat building which is subject to the same solar access requirement. The private rooms in the co-living development are designed to be small so as to only accommodate a bed, a bathroom, laundry facilities and small kitchenette. Unique to the co-living developments is that they are required to provide a dedicated communal room (of a size that's commensurate to the number of rooms provided within the development) and that this room receive sunlight consistent with the above control. If it was intended that the private rooms also receive a certain amount of sunlight, such a control would have been included in the SEPP.

Furthermore, solar access, as referred to in the above control, is typically required to a living area / living area window. These controls are not required to be achieved to a bedroom. The co-living developments are designed to separate the occupant's private bedroom areas from their living areas (i.e. the communal room that is required to be provided for all to share). No significant benefit would be arrived at requiring sunlight to be provided to what is essentially a bedroom.

Notwithstanding the above, and as the above table indicates, were you to include the 4 skylight windows, a total of 68.6% of the private rooms would achieve solar access which, although marginally less than the control, would be supportable given the nature of the development.

As demonstrated in the table and assessment above, the application meets the relevant requirements of the CBDCP 2023.

Planning agreements [section 4.15(1)(a)(iia)]

There are no planning agreements associated with this development.

The regulations [section 4.15(1)(a)(iv)]

The proposed development is consistent with the provisions of the Environmental Planning and Assessment Regulation, 2021.

The likely impacts of the development [section 4.15(1)(b)]

As discussed in this report, the proposed development will not have any environmental, social or economic impacts. The proposal is not considered to result in any adverse impact on the surrounding locality, subject to adherence with the recommended conditions of consent.

Furthermore, the proposed development would make a positive contribution to the local area both socially and economically, by providing affordable housing to meet the needs of those in the community with low incomes.

Suitability of the site [section 4.15(1)(c)]

The application has been assessed under Section 4.15 of the EP&A Act 1979, and as demonstrated throughout the body of this report, the proposal complies with Council's controls and relevant EPI's. As such, the site is suitable for the proposed co-living development.

Submissions [section 4.15(1)(d)]

The application was initially advertised and notified for a period of twenty-one (21) days and was re-notified for a further fourteen (14) days following the lodgment of amended plans. A total of twenty-one (21) unique public submissions were received, with an additional objection letter received from "the residents of Banks Street." Each submission is in objection to the development proceeding, raising concerns relating to parking, traffic, scale of development, character of area, privacy impacts, waste management, nature and management of development, landscaping and removal of trees, safety and security, solar access, lack of communal amenity, acoustic privacy, lack of notification, environmental sustainability, inadequacy of SEE and zoning conflict.

The following comments are provided in response to the content of these submissions.

Submission: *In-sufficient car parking to cater for the development and the impacts associated with on-street parking being consumed by users of Padstow Park*

Comment: The proposed development is subject to the parking requirements as set out in State Environmental Planning Policy (Housing) 2021. The SEPP states that for developments on sites within 800 metres of a railway station, the minimum car parking requirement for the development is 0.2 car parking spaces for each private room. Having regard to this car parking rate, the proposed development is required to provide 10 on-site car parking spaces. A basement level is proposed to accommodate the car parking for the development and contains more than the minimum required parking spaces as required under the SEPP and is therefore considered to be sufficient to meet the parking demands for the development.

Submission: *The development will result in an increase in traffic / vehicle movements to the area*

Comment: According to the submitted Traffic and Parking Assessment Report, the proposed development would cause a net increase of 3 vehicles per hour during the weekday morning network peak and 5 vehicles per hour during the weekday afternoon network peak. This is considered to have minimal impact on the surrounding road network with Council's Traffic Unit deeming it as being an acceptable impact.

Submission: *The scale of the development is excessive*

Comment: The development satisfies the CBLEP's maximum building height standard of 13 metres while also satisfying the maximum permissible FSR as provided in the Housing SEPP. The development also satisfies all the minimum setback controls whilst providing for minimal overshadowing of the adjoining developments. The bulk and scale of the development is considered acceptable having regard to the provisions contained within the relevant environmental planning instruments and the development aligns with the desired future character of the precinct..

Submission: *The development is inconsistent with the character of the area*

Comment: The development site has recently been rezoned to R4 High Density Residential, therefore permitting high density development. Although this would be the first multi-storey, high-density residential building constructed on Banks Street, the proposed development responds to the context of the area by way of providing a permissible housing type that meets the objectives of the R4 zone. The building form and design is considered an appropriate response to the site and is consistent with the desired future character of the area.

Additionally, the development has been appropriately designed to meet the relevant design criteria required in the Housing SEPP and CBDCP and complies with the maximum bonus floor space ratio as specified under the Housing SEPP for affordable housing. The design of the development ensures an appropriate building form in terms of bulk and scale that aligns with the principles of the Housing SEPP.

Submission: *The development will an impact on the visual privacy of the occupants of neighbouring developments*

Comment: The proposed development is compliant with all setback distance requirements in the CBDCP to each site boundary. Nevertheless, the development is designed to include screening to balconies, for the protection of privacy for occupants and adjoining residences. No balconies are provided to the rear elevation of the building. Rear-facing windows do not directly overlook any adjoining windows. The proposed communal open space is not raised above natural ground level so that it would not cause any overlooking issues. No proposed windows would look directly into existing adjoining living area windows. Conditions for further screening to balconies of Units 109, 110, 209, 210, 309 and 310 to minimize overlooking of the north-eastern adjoining private open space are recommended.

Further screening for other balconies is not required as they mostly face the street or do not overlook adjoining private open space areas and are not considered to adversely impact on the amenity of properties in terms of privacy. Furthermore, potential impacts on privacy will be mitigated with the separation distance shared between the proposed building and the residential developments opposite in

Banks Street and Nigel Place.

Submission: *The adequacy and suitability of managing waste*

Comment: The proposed development includes an adequately sized communal garbage room on the ground level, which is incorporated into the design of the building and facade so that it would not be easily visible from the front of the development. The waste room is positioned within the development so as to not immediately adjoin a neighbouring residential dwelling. Council's Resource Recovery section has evaluated the proposed waste management plan and the communal waste room design against Council's Waste Management controls and guidelines. The proposed waste room is considered to meet the relevant requirements, and the recommended consent includes conditions requiring the waste room be constructed and maintained in accordance with Council's waste standards and guidelines.

Submission: *Management of operations*

Comment: A Plan of Management for the development was submitted as part of the application and will be conditioned to be provided on site at all times. In line with this, the operation of co-living arrangement would be managed by an appointed On-Site Manager who will be contactable 24/7. This appointed manager is required to letterbox drop all properties within a 100m radius of the site, advising of their appointment and nominating all methods of contact and provide a clear sign at the front of the building identifying the name of the On-Site Manager and the methods of contacting the Manager. Included within this management plan is a list of house rules that are required to be complied with which include restrictions on resident behaviour, noise, use of external areas and common room, alcohol, smoking and security.

Submission: *Landscaping and tree removal*

Comment: The application proposes the removal of a number of trees from the site, most which are considered exempt from protection. This includes one street tree (in Nigel Place) which is not considered to be of sufficient quality for retention. Existing on-site vegetation is not worthy of being retained. The submitted landscaping plan provides sufficient replanting which includes three (3) new street trees to improve the public domain landscaping, as well as deep soil plantings adjacent to each street frontage.

The proposed landscaping plan has been reviewed against Council's Tree Management and Landscaping chapters of the Canterbury-Bankstown Development Control Plan 2023 and is considered acceptable and consistent with these controls. Furthermore, consideration has been given to the requirements of State Environmental Planning Policy (Biodiversity and Conservation) 2021, and the application is found to be consistent with the aims and objectives of this policy.

Submission: *Safety and security*

Comment: The proposed development is to be fitted with recording CCTV cameras and the premises will be under 24/7 video surveillance which is recorded and will be provided to Council and/or law enforcement at any time. Disturbances are to be reported to the on-site manager and NSW Police (if manager is unavailable). The building has been designed with consideration to Crime Prevention Through Environmental Design (CPTED) principles as outlined in the CBDCP.

Submission: *Solar Access (to neighboring dwellings and to the proposed development)*

Comment: Council's assessment of the solar modelling provided by the applicant indicates an acceptable level of impact on adjoining residences, with overshadowing impacts limited to the morning for the southern and western adjoining dwellings (1, 8 Nigel Place and 15 Banks Street). Adequate sunlight is maintained to each adjoining residential property in accordance with the relevant solar access controls in the CBDCP 2023. The orientation of the sites allows the adjoining residences to maintain direct sunlight to the rear north facing living windows in accordance with the solar access controls. On this basis, and as confirmed with the shadow diagrams, the impacts of overshadowing are not considered unreasonable.

With regard to the proposed development, sufficient solar access is provided to the development as per the relevant controls.

Submission: *Lack of communal amenity*

Comment: The proposed development provides 2x 60m² communal living areas and two areas of communal open space. The communal living areas are compliant with the requirements set in State Environmental Planning Policy (Housing) 2021 and are appropriately located on the ground floor and top floor of the development so that these areas can be easily accessible for all residents.

Submission: *Acoustic Privacy*

Comment: An Acoustical report was submitted with the application and all recommendations within this report are required to be implemented within the design of the development. The acoustic report considers traffic noise generation and determines that the expected road traffic noise levels as a result of the development, will be maintained within the relevant noise assessment criteria. It has been conditioned so that this forms part of the development consent.

In relation to noise impacts from construction works, the recommended consent is conditioned to restrict the hours between which building and demolition work are permitted to be carried out, i.e. between 7.00am and 5.00pm Monday to Saturday, with no construction works permitted at any time on a Sunday or public holiday. Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or

materials must not be delivered to the site outside the approved hours of site works. Any variation to the hours of work will require Council's approval. Furthermore, the potential impacts of noise are addressed through the recommended conditions of consent, which include that any noise caused by demolition, vegetation removal or construction must not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the site work is being carried out.

With regards to potential impacts of noise associated with the development post construction, the recommended consent includes conditions requiring the development and on-going use to not cause offensive noise as defined by the *Protection of the Environment Operation Act 1997*. Furthermore, the recommended consent is included with a condition restricting the use of outdoor communal areas to the following:

- a) Hour of use is limited to 7.00am to 10.00pm, Monday to Sunday.
- b) Music and other amplified sound are not permitted.
- c) Ground floor outdoor communal area is limited to a maximum of 24 people at any one time.
- d) Level 3 outdoor communal area is limited to a maximum of 30 people at any one time.

Submission: *Environmental Sustainability*

Comment: The proposed development is not considered to have an adverse environmental sustainability impact. Conditions are to be placed upon the development consent to ensure the demolition process is conducted in accordance with Australian Standard 2601 – "The Demolition of Structures." Council will conduct pre and post demolition inspections to ensure this occurs.

It would not be reasonable for Council to enforce retention of the existing dwellings as the buildings could not adequately respond to the design requirements for co-living or high density residential development.

The proposed building is purpose built for a type of development and incorporates design elements to increase energy efficiency and reduce the consumption of natural resources through the use of durable, recycled or low-impact materials where appropriate and the incorporation of skylights for top floor rooms.

Submission: *Inadequacies in SEE*

Comment: The submitted Statement of Environmental Effects is adequate for a development of this scale and it provides a response to all relevant legislation and planning controls. It should be noted that issues such as traffic, building management and acoustic privacy are independently assessed in further detail within respective reports and Council only uses these documents as reference for its assessment of the application.

Submission: *Zoning conflict and Land-use Non-compliance*

Comment: Despite co-living housing development not being listed within the development types permitted within the R4 High Density Residential zone, it is permitted in line with Clause 67(b) of the Housing SEPP. This clause states the following:

Development for the purposes of co-living housing may be carried out with consent on land in a zone in which—

- (a) ...*
- (b) development for the purposes of residential flat buildings or shop top housing is permitted under Chapter 5, Chapter 6 or another environmental planning instrument.*

As “residential flat buildings” and “shop top housing” are permitted within the R4 zone within the Land Use Table, co-living development is therefore also permitted within the zone.

Submission: *Lack of notification of the development*

Comment: The development application has been exhibited to the community in line with the Canterbury-Bankstown Community Participation Plan. The development application was initially advertised for 21 days between 11 June 2025 and 2 July 2025 and then upon submission of an amended set of plans, notified to neighbours for a further 14 days between 29 October 2025 and 12 November 2025. Formal notification of these notification periods was sent to the adjoining owners and occupiers in line with the Community Participation Plan.

Submission: *Impact on property value*

Comment: There is no evidence to suggest that the development will negatively impact on property values. Development seeking to provide affordable housing options such as that proposed remains in the public interest.

The public interest [section 4.15(1)(e)]

Having regard to the matters discussed in this assessment report, approval of the proposed development would not contravene the public interest.

CONCLUSION

Development Application DA-555/2025 has been assessed in accordance with the matters for consideration contained in Section 4.15 of the *Environmental Planning and Assessment Act 1979* requiring, amongst other things, an assessment against the relevant provisions contained in State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Housing) 2021, Canterbury-Bankstown

Local Environmental Plan 2023, and Canterbury-Bankstown Development Control Plan 2023.

The development provides for the orderly and economic use of the land which adds to the variety of housing types in the locality and is consistent with the objects of the *Environmental Planning and Assessment Act, 1979*. The proposed development would deliver an appropriate built form that is consistent with the objectives of the zone and desired future character of the area.

The proposed development is an appropriate design response for the site and approval of this application is recommended.

RECOMMENDATION

It is recommended that Development Application DA-555/2025 be **APPROVED** subject to Conditions of Consent in Attachment 2.

CONDITIONS OF CONSENT

These consent conditions have been imposed after taking into account the matters for consideration in determining a development application pursuant to s4.15 and in accordance with s4.17 of the Environmental Planning and Assessment Act 1979.

GENERAL CONDITIONS

No.	Condition																																																																																										
1.	<p>Approved Plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <table><tr><th colspan="5">Approved plans</th></tr><tr><th>Plan number</th><th>Revision number</th><th>Plan title</th><th>Drawn by</th><th>Date of plan</th></tr><tr><td>DA1005</td><td>E</td><td>Site Plan</td><td>CDArchitects</td><td>18/12/2025</td></tr><tr><td>DA1006</td><td>B</td><td>Demolition Plan</td><td>CDArchitects</td><td>8/09/2025</td></tr><tr><td>DA1101</td><td>D</td><td>Basement Floor Plan</td><td>CDArchitects</td><td>13/10/2025</td></tr><tr><td>DA1102</td><td>D</td><td>Ground Floor Plan</td><td>CDArchitects</td><td>13/10/2025</td></tr><tr><td>DA1103</td><td>D</td><td>Level 1</td><td>CDArchitects</td><td>13/10/2025</td></tr><tr><td>DA1104</td><td>C</td><td>Level 2</td><td>CDArchitects</td><td>13/10/2025</td></tr><tr><td>DA1105</td><td>E</td><td>Level 3</td><td>CDArchitects</td><td>18/12/2025</td></tr><tr><td>DA1106</td><td>D</td><td>Roof Floor Plan</td><td>CDArchitects</td><td>18/12/2025</td></tr><tr><td>DA2001</td><td>C</td><td>Elevation 1</td><td>CDArchitects</td><td>8/09/2025</td></tr><tr><td>DA2002</td><td>E</td><td>Elevation 2</td><td>CDArchitects</td><td>18/12/2025</td></tr><tr><td>DA3001</td><td>F</td><td>Section A</td><td>CDArchitects</td><td>18/12/2025</td></tr><tr><td>DA3002</td><td>D</td><td>Section B</td><td>CDArchitects</td><td>13/10/2025</td></tr><tr><td>DA3003</td><td>B</td><td>Driveway Section</td><td>CDArchitects</td><td>18/08/2025</td></tr><tr><td>DA5001</td><td>D</td><td>Pre + Post Adaptable Unit Layout</td><td>CDArchitects</td><td>13/10/2025</td></tr><tr><td>DA7041</td><td>E</td><td>Finishes Schedule</td><td>CDArchitects</td><td>18/12/2025</td></tr><tr><td>DA7051</td><td>B</td><td>Deep Soil Zone</td><td>CDArchitects</td><td>18/08/2025</td></tr></table> <p>In the event of any inconsistency between the approved plans and documents, the approved plans prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>	Approved plans					Plan number	Revision number	Plan title	Drawn by	Date of plan	DA1005	E	Site Plan	CDArchitects	18/12/2025	DA1006	B	Demolition Plan	CDArchitects	8/09/2025	DA1101	D	Basement Floor Plan	CDArchitects	13/10/2025	DA1102	D	Ground Floor Plan	CDArchitects	13/10/2025	DA1103	D	Level 1	CDArchitects	13/10/2025	DA1104	C	Level 2	CDArchitects	13/10/2025	DA1105	E	Level 3	CDArchitects	18/12/2025	DA1106	D	Roof Floor Plan	CDArchitects	18/12/2025	DA2001	C	Elevation 1	CDArchitects	8/09/2025	DA2002	E	Elevation 2	CDArchitects	18/12/2025	DA3001	F	Section A	CDArchitects	18/12/2025	DA3002	D	Section B	CDArchitects	13/10/2025	DA3003	B	Driveway Section	CDArchitects	18/08/2025	DA5001	D	Pre + Post Adaptable Unit Layout	CDArchitects	13/10/2025	DA7041	E	Finishes Schedule	CDArchitects	18/12/2025	DA7051	B	Deep Soil Zone	CDArchitects	18/08/2025
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2.	<p>Design Amendments</p> <p>Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans (stamped by Council) and supporting documentation:</p> <ul style="list-style-type: none">a. The south-east facing bedroom windows of Rooms 110, 210 & 310 are to be amended to have a sill height of at least 1.5m above the finished floor level.b. The balconies of Rooms 109, 110, 209, 210, 309 & 310 are required to provide a 1.5m high privacy screen across the entire north-eastern edge of each balcony.c. All bathroom/ensuite windows are required to be opaque. <p>Condition reason: To ensure the orderly development of land.</p>																																																																																										

3.	Setbacks The deep soil areas located in the front setback area on the corner of Banks Street and Nigel Place must be retained as deep soil and landscaping respectively for the life of the development. No encroachments for services or any structure is permitted. Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
4.	Substation No approval is granted for the siting of any substation on the site. Any change to this condition requires an application to be submitted and determined by Council. The application must demonstrate how the structure/ facility will be integrated into the design of the building without being located within the front setback area, landscaped area or in any area visible from the public domain. 1.901 Condition reason: To improve the presentation of the development within the streetscape.
5.	Acoustic Report The acoustic report prepared by Koikas Acoustics Pty Ltd titled Acoustical Report Proposed Co-Living Development 19-21 Banks street, Padstow NSW, reference number 6565R20250317hw19-21BanksStreetPadstow_DA_V4.docx, dated 24 October 2025 and all the recommendations stated within the report, form part of the development consent. The principal certifier shall obtain a report from an appropriately qualified acoustic consultant, not previously involved with the development, stating that the recommendations outlined in the above-mentioned acoustic report have been implemented and that the relevant noise criteria have been satisfied prior to the issue of any occupation certificate. A copy of the report is to be submitted to Council prior to the issue of an occupation certificate. Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
6.	Preliminary Site Investigation The preliminary site investigation prepared by titled EI Australia Pty Ltd, dated 26 March 2025 reference E26677.E01_Rev0 and all the recommendations stated within the report forms part of the development consent. Condition reason: To ensure compliance with the relevant New South Wales legislation.
7.	Plan of Management The Plan of Management submitted in support of this application prepared by Think Planners Pty Ltd dated 23 October 2025, forms part of the development consent. In the event of any inconsistency, the conditions of this consent will prevail over the plan of management. Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

DEMOLITION WORK

8.	Demolition conditions The demolition of all structures on the property must be undertaken in accordance with all the following: <ol style="list-style-type: none"> Written notice must be issued to adjoining residents a minimum of seven (7) days before the commencement of demolition advising of the commencement date, Written notice must be issued to Council for inspection a minimum of (7) days before the commencement of demolition. Written notice must include the date
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	<p>when demolition work will commence and details of the name, address, contact telephone number and licence number of the demolition contractor,</p> <p>c. Inspections being undertaken by Council including:</p> <ul style="list-style-type: none"> i. A pre-commencement demolition inspection when all site works required as part of this Determination Notice are installed on the site and before demolition work commencing, and ii. A final demolition inspection when the demolition work has been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this Determination Notice, <p>d. Payment of an inspection fee at Council's current rate must be paid before inspection. Council requires 48 hours' notice to carry out an inspection,</p> <p>e. A sign must be erected at the front of the property showing the name of the licenced demolition contractor, the licence number and a telephone number on which that person can be contact outside of working hours,</p> <p>f. All demolition work must be carried out in accordance with Australian Standard 2601 – 'The Demolition of Structures',</p> <p>g. Where asbestos containing materials are to be removed, demolition must be carried out by contractors who have a current SafeWork NSW licence in asbestos removal,</p> <p>h. An asbestos clearance certificate issued under the Work Health and Safety Act 2011 must be submitted to Council after the completion of demolition work,</p> <p>i. Hazardous and intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of SafeWork NSW and the NSW Environment Protection Authority,</p> <p>j. Demolition procedures must maximise the reuse and recycling of demolished materials to reduce the environmental impacts of waste disposal,</p> <p>k. Adhere to the requirements stipulated in the approved Waste Management Plan, and</p> <p>l. Demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no building work/s is to be carried out at any time on a Sunday or a public holiday.</p> <p>A copy of the final demolition inspection report must be submitted to the principal certifier before the commencement of any building work.</p> <p style="text-align: right;">3.201</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
9.	<p>Hazardous Material Survey</p> <p>Prior to demolition, the entire site (includes any structures) is to be assessed for hazardous materials, especially asbestos. A Hazardous Materials (HAZMAT) Report is to be prepared by an inspection body accredited by NATA.</p> <p>All recommendations in the above-mentioned report are to be implemented and a clearance certificate issued by an appropriately qualified occupational hygienist who has not previously been involved in the preparation of the Hazardous Materials (HAZMAT) Report, is to be submitted to Council prior to the issue of a construction certificate.</p> <p>Condition reason: To ensure that the development complies with Council's Environmental Health Policies.</p>
10.	<p>Unexpected Finds</p> <p>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 consultant appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant</p>

	<p>and an appropriate response determined in consultation with the applicant, which is agreed to by Council.</p> <p>Council may also request that an NSW EPA Accredited Site Auditor is involved to assist with the assessment of any unexpected finds, review any contamination information, prepare a site audit report, and site audit statement. The applicant must adhere to any additional conditions which may be imposed by the NSW EPA Accredited Site Auditor.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
11.	<p>Demolition and Construction Waste</p> <p>All waste material generated during demolition and construction must be disposed of at an appropriately licensed waste facility for the specific waste.</p> <p>All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
12.	<p>Disposal of Excavated Soil</p> <p>All soils to be excavated and disposed of from the site must be analysed and classified by a suitably qualified environmental consultant, in accordance with relevant NSW EPA guidelines including the 'Waste Classification Guidelines' (NSW EPA, 2014) prior to off-site disposal.</p> <p>All waste material for disposal to be transported to an appropriately licensed waste facility by an EPA licensed waste contractor in accordance with relevant NSW EPA guidelines. Receipts for the disposal of the waste must be submitted to Council prior to issuing of an occupation certificate.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>

BUILDING WORK BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

13.	<p>Development Contributions, Section 7.11</p> <p><u>Development Contributions of \$675,078.60 must be paid for this development before the issue of any construction certificate.</u> The contributions are levied under Canterbury Bankstown Local Infrastructure Contributions Plan 2022 and Section 7.11 of the <i>Environmental Planning and Assessment Act 1979</i>. The contributions will be used to provide, extend or augment public amenities or public services required due to additional demand for these facilities created by the new development. The development contribution will be allocated to the following purposes under the contributions plan:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Category Of Contributions</th><th style="text-align: right;">Amount</th></tr> </thead> <tbody> <tr> <td>Open Space and Recreation facilities</td><td style="text-align: right;">\$427,614.15</td></tr> <tr> <td>Access and Public Domain Facilities</td><td style="text-align: right;">\$120,450.11</td></tr> <tr> <td>Community and Cultural Facilities</td><td style="text-align: right;">\$117,049.02</td></tr> <tr> <td>Plan Management & Administration</td><td style="text-align: right;">\$9,965.32</td></tr> <tr> <td style="text-align: right;">Total</td><td style="text-align: right;">\$675,078.60</td></tr> </tbody> </table> <p><u>Indexing of the contribution amount to be paid:</u> The development contribution</p>	Category Of Contributions	Amount	Open Space and Recreation facilities	\$427,614.15	Access and Public Domain Facilities	\$120,450.11	Community and Cultural Facilities	\$117,049.02	Plan Management & Administration	\$9,965.32	Total	\$675,078.60
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	<p>payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have occurred since the "Consent to operate from date" which appears on the front page of this Determination Notice.</p> <p><u>No construction certificate is to be issued and no construction is to commence until payment of development contributions.</u> The contribution must be paid to Council before the issue of any construction certificate. Construction of the development may NOT commence until the development contributions are paid.</p> <p>A copy of the development contributions plan is available for inspection on Council's website and at Council's Administration offices in Bankstown and Campsie.</p> <p>NOTE: <u>Development contribution amounts are non-refundable if you do not proceed with your development.</u></p> <p style="text-align: right;">2.101</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
14.	<p>Payment of Fees</p> <p>Before Issuing a construction certificate, all the following must be paid to the relevant authority/entity and written evidence of these payments must be provided to the certifier.</p> <ul style="list-style-type: none"> a. Levies b. Bonds c. Contributions d. Inspection fees <p style="text-align: right;">2.103.S</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
15.	<p>Long Service Levy</p> <p>Before the issue of the relevant construction certificate, payment of the long service levy is required, under the <i>Building and Construction Industry Long Service Payments Act 1986</i>, section 34. Evidence of the payment is to be provided to the Certifier. Payment can be calculated using the Levy Portal Calculator at https://longservice.force.com/bci/s/levy-calculator. Payment must be made via the Long Service Levy Portal at https://www.longservice.nsw.gov.au.</p> <p style="text-align: right;">2.104.S</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
16.	<p>Car Parking Details</p> <p>Before the issue of the relevant construction certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction, that it complies with the relevant parts of AS 2890 – 'Parking Facilities - Off-Street Carparking' and Council's development control plan.</p> <p style="text-align: right;">2.110.S</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
17.	<p>Access Intercom</p> <p>Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry, installed at least 4 metres recessed into the site, when measured from the property boundary with the street. The intercom is to be wired to all units.</p> <p>The intercom must comply with Australian Standard AS 1428.2: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections</p>

	22 and 23.	2.111
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.	
18.	Bicycle Parking Spaces	
	A minimum number of eleven (11) bicycle parking spaces is to be provided for the development.	
	NOTE: The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 'Parking Facilities' Part 3: Bicycle Parking Facilities and 'Austroads Bicycle Parking Facilities: Guidelines for Design and Installation.'	2.112
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.	
19.	Submit Plans to Sydney Water	
	The Council approved plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) will affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.	
	Refer to www.sydneywater.com.au/tapin for Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN™.	
	Sydney Water must issue either a Building Plan Assessment letter which states that the application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.	2.202.S
	Condition Reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.	
20.	BASIX Certificate	
	The development must be carried out in accordance with the commitments shown on the submitted BASIX Certificate. The BASIX commitments must be reflected in the construction certificate plans and specifications. Any proposed changes to the BASIX commitments after the construction certificate has been issued will require an updated BASIX Certificate.	2.206
	Condition reason: To ensure compliance with the relevant New South Wales legislation.	
21.	Utilities and Services	
	Before the issue of the relevant construction certificate, the consent holder must submit the following written evidence of service provider requirements to the certifier:	
	a. a letter of consent from the relevant electricity provider demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; and	
	b. a response from the relevant water authority as to whether the plans proposed to accompany the application for a construction certificate would affect any of the relevant water authority infrastructure, and whether further requirements need to be met; and a letter of consent from the relevant telephone and broadband authority demonstrating that satisfactory arrangements can be made for the installation and supply of telephone and internet; and	
	c. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are	

	<p>required to make the development satisfactory to them.</p> <p style="text-align: right;">2.207</p> <p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
22.	<p>Mobility Access</p> <p>The building must be designed and constructed to provide access and facilities for people with a physical disability in accordance with the Building Code of Australia.</p> <p>If, in complying with this condition, amendments to the development are required, the design changes must be submitted to and approved by Council through a modification application before a construction certificate being issued.</p> <p style="text-align: right;">2.208</p> <p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
23.	<p>Adaptable Units</p> <p>Before the issue of the relevant construction certificate, the consent holder must ensure a report from a suitably qualified consultant is prepared and demonstrates, to the certifier's satisfaction, that any adaptable rooms specified in the approved plans or supporting documentation comply with the provisions of AS 4299 – '<i>Adaptable Housing Standards</i>'.</p> <p style="text-align: right;">2.210.S</p> <p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
24.	<p>Erosion and Sediment Control Plan</p> <p>Before the issue of a construction certificate, the consent holder is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:</p> <ol style="list-style-type: none"> Council's development control plan, the guidelines set out in the NSW Department of Housing manual '<i>Managing Urban Stormwater: Soils and Construction Certificate</i>' (the Blue Book), and the '<i>Do it Right On-Site, Soil and Water Management for the Construction Industry</i>' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust). <p>The consent holder must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.</p> <p style="text-align: right;">2.211.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
25.	<p>Dilapidation report</p> <p>Before the issue of a construction certificate, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the certifier for the following properties:</p> <ul style="list-style-type: none"> 23 Banks Street Padstow 1 Nigel Place Padstow. <p>Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the certifier, that all reasonable steps were taken to obtain access to the adjoining properties.</p> <p>No less than 14 days before any site work commences, adjoining building owner(s)</p>

	<p>must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be made available to Council upon request.</p> <p style="text-align: right;">2.212.P</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
26.	<p>Retaining Walls</p> <p>Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.</p> <p>a. The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020. Plans and details prepared and signed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 are to be submitted to the certifier before the issue of the construction certificate.</p> <p>b. All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.</p> <p style="text-align: right;">2.301</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
27.	<p>Apply for Work Permit for Engineering Works</p> <p>The consent holder shall apply for a Work Permit and obtain approval from Council, for any of the following applicable engineering works in front of the site, at their own expense:</p> <p>a. A Heavy Duty VFC of maximum width of 5.5 metres at the property boundary with Nigel Place,</p> <p>b. Drainage connection to Council's kerb and gutter drainage system in Banks Street,</p> <p>c. A 1.2m concrete footway shall be constructed along the site's entire frontage in Banks Street and Nigel Place in accordance with Council Standard Drawing S-027. A kerb ramp is to be constructed at the corner of Nigel Place and Banks Street in accordance with S-003. A corresponding kerb ramp is to be constructed at the intersection of Stephanie Street and Banks Street and a 1.2m new footpath in front of 15 Banks Street that connects to the existing footpath,</p> <p>d. Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs,</p> <p>e. Repair of any damage to the public road including the footway occurring during building works, and</p> <p>f. Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.</p> <p>NOTE: Council is required to prepare a site survey and design in order to determine the necessary information. The consent holder should make application and payment for the Work Permit at least twenty-one (21) days before the information being required and before the issue of the construction certificate. The Work Permit must be approved before any works commencing within the Council Road Reserve or on Council's assets.</p> <p style="text-align: right;">2.302</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and</p>

	pedestrian movement / parking.
28.	<p>Basement Anchoring</p> <p>The basement of the development is located adjacent to a Council public road reserve. Separate approval and Work Permit is to be obtained from Council for any temporary or permanent anchoring works under Council's public road.</p> <p style="text-align: right;">2.303</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
29.	<p>Works Requiring a Work Permit</p> <p>As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the <i>Roads Act 1993</i> and/or Section 68 of the <i>Local Government Act 1993</i>, Council requires the consent holder to obtain a Works Permit and or a Roadway / Footpath Building Occupation Permit before the issue of any construction certificate for this development being issued where one or more of the following will occur, within, on or over the public footway or public road:</p> <p>A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS</p> <p>WORKS REQUIRING A 'WORKS PERMIT'</p> <ol style="list-style-type: none"> Dig up, disturb, or clear the surface of a public footway or public road, Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road, Connect a road (whether public or private) to a classified road, Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road, Install utilities in, under or over a public road, Pump water into a public footway or public road from any land adjoining the public road, Erect a structure or carry out a work in, on or over a public road, Require a work zone on the public road for the unloading and or loading of vehicles, Pump concrete from within a public road, Stand a mobile crane within a public road, Store waste and recycling containers, skips, bins and/or building materials on any part of the public road, The work is greater than \$25,000, and Demolition is proposed. <p>The consent holder shall construct all works approved within the public road and footway under the supervision and to the satisfaction of Council and shall arrange for necessary inspections by Council whilst the work is in progress.</p> <p>The consent holder shall ensure that the person or company carrying out the work will carry public liability insurance to a minimum value of twenty million dollars and shall provide proof of the policy to Council, before commencing any work approved by the Work Permit including the Road Opening Permit. The policy must remain valid for the duration of the works.</p> <p style="text-align: right;">2.304</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>

30.	Finished surface levels Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on relevant construction certificate plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council. <div>2.305</div> Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.								
31.	Stormwater Drainage Stormwater drainage from the proposed development shall be designed to comply with Council's Canterbury-Bankstown Development Control Plan 2023, Development Engineering Standards Guide and the BASIX Certificate requirements. A final detailed stormwater drainage system design shall be prepared by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 in accordance with the above requirements and shall generally be in accordance with the approved concept stormwater plans as shown in the table below. The final plan shall be certified by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 that it complies with the above stated Council DCP and guide, the BASIX Certificate requirements and the relevant Australian Standards. <table><tr><th>Plan Name</th><th>Number</th><th>Date</th><th>Prepared By</th></tr><tr><td>Proposed Co-Living Development 19-21 Banks St, Padstow NSW 2211</td><td>DWG No: 25016C2.00 (Rev C), 25016C2.10 (Rev F), 25016C2.20 (Rev D), 25016C2.30 (Rev C), 25016C2.40 (Rev C), 25016C2.50 (Rev C), 25016C3.00 (Rev D), 25016C3.10 (Rev A)</td><td>Revision: Rev A – 13/11/2025 Rev C – 21/10/2025 Rev D – 21/10/2025 Rev F - 13/11/2025</td><td>Cates Consulting Engineers</td></tr></table> <div>2.306</div> Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.	Plan Name	Number	Date	Prepared By	Proposed Co-Living Development 19-21 Banks St, Padstow NSW 2211	DWG No: 25016C2.00 (Rev C), 25016C2.10 (Rev F), 25016C2.20 (Rev D), 25016C2.30 (Rev C), 25016C2.40 (Rev C), 25016C2.50 (Rev C), 25016C3.00 (Rev D), 25016C3.10 (Rev A)	Revision: Rev A – 13/11/2025 Rev C – 21/10/2025 Rev D – 21/10/2025 Rev F - 13/11/2025	Cates Consulting Engineers
Plan Name	Number	Date	Prepared By						
Proposed Co-Living Development 19-21 Banks St, Padstow NSW 2211	DWG No: 25016C2.00 (Rev C), 25016C2.10 (Rev F), 25016C2.20 (Rev D), 25016C2.30 (Rev C), 25016C2.40 (Rev C), 25016C2.50 (Rev C), 25016C3.00 (Rev D), 25016C3.10 (Rev A)	Revision: Rev A – 13/11/2025 Rev C – 21/10/2025 Rev D – 21/10/2025 Rev F - 13/11/2025	Cates Consulting Engineers						
32.	On-site Stormwater Detention System For this development, Council requires that the stormwater runoff from within the development site shall be collected and controlled by means of an on-site stormwater detention system, in accordance with Council's Canterbury-Bankstown Development Control Plan 2023 and Development Engineering Standards Guide. The developer shall engage a suitably qualified engineer to prepare a final stormwater drainage and on-site detention system plan to be generally in accordance with the concept plan in the table below, and in accordance with the requirements contained in Council's Canterbury-Bankstown Development Control Plan 2023 and Development Engineering Standards Guide. The Engineer shall certify that the design and plans comply with Council's Canterbury-Bankstown Development Control Plan 2023 and Development Engineering Standards Guide and the relevant Australian Standards. <table><tr><th>Plan Name</th><th>Number</th><th>Date</th><th>Prepared By</th></tr><tr><td>Proposed Co-Living Development 19-21 Banks St, Padstow</td><td>DWG No: 25016C2.00 (Rev C), 25016C2.10 (Rev F), 25016C2.20 (Rev D), 25016C2.30 (Rev C),</td><td>Revision: Rev A – 13/11/2025 Rev C – 21/10/2025 Rev D – 21/10/2025 Rev F - 13/11/2025</td><td>Cates Consulting Engineers</td></tr></table>	Plan Name	Number	Date	Prepared By	Proposed Co-Living Development 19-21 Banks St, Padstow	DWG No: 25016C2.00 (Rev C), 25016C2.10 (Rev F), 25016C2.20 (Rev D), 25016C2.30 (Rev C),	Revision: Rev A – 13/11/2025 Rev C – 21/10/2025 Rev D – 21/10/2025 Rev F - 13/11/2025	Cates Consulting Engineers
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	Plan Name	Number	Date	Prepared By
	NSW 2211	25016C2.40 (Rev C), 25016C2.50 (Rev C), 25016C3.00 (Rev D), 25016C3.10 (Rev A)		
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.			
33.	Driveway Design			
	<p>The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-street commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the certifier before a construction certificate being issued.</p> <p>Furthermore, for internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be submitted for approval by the certifier before the issue of the construction certificate. The maximum grade of the driveway/ramp shall not exceed 25% and shall comply with AS 2890 parking series. The profile shall be drawn at a reduction ratio of 1 to 25 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile.</p>			
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.			
34.	Pavement Design			
	<p>An all-weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by a qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the certifier for approval before the issue of a construction certificate.</p>			
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.			
35.	Works Zone			
	<p>If required, the applicant can apply to the Canterbury Bankstown Traffic Committee for the installation of a Works Zone at the site's frontage, 8 weeks in advance of when construction is scheduled to begin, including payment of the relevant fees & charges. This is subject to recommendation by the Traffic Committee and must be approved and paid for prior to issuance of a Construction Certificate.</p>			
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.			
36.	Traffic Management Plan			
	<p>Before the issue of any construction certificate for this development, the consent holder must obtain approval from Council's Traffic Section for a Site, Pedestrian and Traffic Management Plan (SPTMP). This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below.</p>			

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a. Proposed ingress and egress points for vehicles to and from the construction site;
- b. Proposed protection of pedestrians, adjacent to the construction site;
- c. Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d. Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- e. Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
- f. Proposed route for transportation of bulk and excavation materials to and from the development site.

The route for transportation to and from the development site of bulk construction and excavation materials shall be by the shortest practical route to the nearest "State Road", with every effort to avoid school zones on public roads. Alternate longer routes will only be considered in order to bypass school zones during school zone hours. If school zones cannot be avoided **no heavy construction vehicle movements are to arrive or depart the site during signposted school zone periods 8:00am - 9:30am and 2:30pm - 4:00pm on school days.** The consent holder shall nominate the routes for approval by Council before commencement of any work on the site. All vehicles are to enter the on-street Works Zone adjacent to the site in a forward direction. U-turn and right-turn movements into the site, are generally not permitted.

An Agreement to Council's satisfaction, signed by the consent holder/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site and for local roads along the transportation routes shall be lodged with Council before release of any Construction Certificate. All damage must be rectified upon completion of work.

Damage will be rectified as required by Council to remove unsafe conditions. All damage must be rectified upon completion of work to the satisfaction of Council.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented before the commencement of any works on the construction site.

In addition, a TfNSW (formerly RMS) Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

NOTE: Approval by Council of a SPTMP may take up to six (6) months. Accordingly, it is recommended the application to Council be submitted well in advance of the need for a construction certificate.

2.318

Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.

37.	<p>Construction Site Management Plan</p> <p>Before the issue of a construction certificate, a Construction Site Management Plan (CSMP) must be prepared and approved by the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> a. The location and materials for protective fencing and hoardings on the perimeter of the site; b. Provisions for public safety; c. Pedestrian and vehicular site access points and construction activity zones; d. Details of construction traffic management including: <ul style="list-style-type: none"> i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e. Details of bulk earthworks to be carried out; f. The location of site storage areas and sheds; g. The equipment used to carry out works; h. The location of a garbage container with a tight-fitting lid; i. Dust, noise and vibration control measures; j. The location of temporary toilets; k. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; iii. An arborist's report approved as part of this consent <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p style="text-align: right;">2.401.S</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
38.	<p>Work Vehicle Route</p> <p>The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "regional road", with every effort to avoid school zones on public roads. The consent holder shall nominate the route for approval by Council before commencement of any work on the site. An "Agreement" to Council's satisfaction, signed by consent holder specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site shall be lodged with Council before release of any construction certificate. All damage must be rectified before the issue of any occupation certificate.</p> <p style="text-align: right;">2.402</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
39.	<p>Sight Triangles on Plans</p> <p>Sight triangles are to be marked on relevant plans, being provided at the intersection of the driveway and the property boundary in accordance with AS 2890.1: 'Figure 3.3 – Minimum Sight Lines for Pedestrian Safety'. A splay extending 2 metres from the driveway edge along the front boundary and 2.5 metres from the boundary along the driveway shall be provided to give clear sight lines of pedestrians from vehicles exiting the site and is to be kept clear of any obstacles. The sight triangle for pedestrians must be fully contained within the subject property boundary and not encroach on to adjoining property. Any structures, plantings or fencing within these triangles is to be a maximum height of 600mm to ensure sight lines are kept clear of</p>

	any obstacles. This shall be illustrated on plans submitted with the construction certificate.	2.406
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.	
40.	Return Bins to Council	
	Before the commencement of any works, all domestic waste bins servicing the site are to be returned to Council.	2.501
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.	
41.	Waste Management Plan	
	Before the issue of a construction certificate, a Waste Management Plan (WMP) must be prepared and provided to the certifier. The plan must include the following matters:	
	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	
	ii. 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.	
	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.	2.502
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.	
42.	Bin Carting Route	
	The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate which identify that the bin carting route from the communal bin storage room to the waste collection point identified on stamped plans complies with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":	
	a. Is direct and less than 10.0 metres in length,	
	b. Has a minimum width of 2.0 metres of hard surface;	
	c. Is of non-slip material and free from obstacles and steps;	
	d. Is not located within a driveway or carpark;	
	e. Has a maximum grade of 1:26;	
	f. Has a layback installed at the collection point; and	
	g. Has compliance with Work, Health and Safety legislation and standards	2.504
	Condition reason: To ensure the orderly collection of waste from the site.	
43.	Communal Bin Storage Room	
	The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":	
	a. Floors must be constructed of concrete at least 75mm thick and graded and	

	<p>drained to a Sydney Water approved drainage fitting;</p> <p>b. Floors must be finished so as to be non-slip with a smooth and even surface;</p> <p>c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height.</p> <p>d. Must be compatible with the overall design of the development;</p> <p>e. Walls must be constructed of solid impervious material;</p> <p>f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;</p> <p>g. Walls, ceiling and floors must be finished in a light colour;</p> <p>h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;</p> <p>i. A self-closing door openable from within the room;</p> <p>j. Must be constructed to prevent the entry of birds and vermin;</p> <p>k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;</p> <p>l. The doorway used for Council collection must be 2 metres wide and open outwards; and</p> <p>m. Designed to fit the following bin allocations:</p> <table><tr><th>Number</th><th>Bin Size</th><th>Bin Type</th></tr><tr><td>5</td><td>1,100L</td><td>Garbage (Red)</td></tr><tr><td>5</td><td>1,100L</td><td>Recycling (Yellow)</td></tr><tr><td>2</td><td>240L</td><td>Garden (Green)</td></tr></table> <p style="text-align: right;">2.505</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>	Number	Bin Size	Bin Type	5	1,100L	Garbage (Red)	5	1,100L	Recycling (Yellow)	2	240L	Garden (Green)
Number	Bin Size	Bin Type											
5	1,100L	Garbage (Red)											
5	1,100L	Recycling (Yellow)											
2	240L	Garden (Green)											
44.	<p>Bulky Waste Storage Room</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the bulky waste storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <p>a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;</p> <p>b. Floors must be finished so as to be non-slip with a smooth and even surface;</p> <p>c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height;</p> <p>d. Must be compatible with the overall design of the development;</p> <p>e. Walls must be constructed of solid impervious material;</p> <p>f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;</p> <p>g. Walls, ceiling and floors must be finished in a light colour;</p> <p>h. A self-closing door openable from within the room;</p> <p>i. Must be constructed to prevent the entry of birds and vermin;</p> <p>j. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;</p> <p>k. Any doorways must be 2 metres wide and open outwards; and</p> <p>l. Designed to a minimum size of 12m².</p> <p style="text-align: right;">2.507</p> <p>Condition reason: To ensure the orderly collection of waste from the site.</p>												
45.	<p>Carpark Exhaust</p> <p>Before the issue of a construction certificate, the certifier is to ensure that all carpark exhaust does not directly vent into private or communal open space.</p> <p style="text-align: right;">2.611</p> <p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>												

46.	<p>Landscaping Plan</p> <p>A detailed landscape plan prepared by a qualified landscape architect or qualified landscape designer must be approved by the certifier before the issue of a construction certificate. The landscape plan must be prepared in accordance with Council's DCP 2023 and must include the following features, notations and specifications:</p> <ol style="list-style-type: none"> The location of existing and proposed structures on the subject property/properties, including existing and proposed trees, impermeable areas, landscaped areas, deep soil zones, fixed furniture, shade structures, lighting, and other features, Details of earthworks and soil depths, including mounding and retaining walls and planted boxes, The location, number, pot size and type of chosen plant species. Details of planting procedures and long-term maintenance (if any), and One 75ltr (minimum) major canopy tree shall be planted within the front setback to the development, and Details of drainage and watering systems (if any). <p style="text-align: right;">2.701</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>				
47.	<p>Landscape Management</p> <p>A site wide landscape management plan is to be submitted to and approved by the certifier before the issue of a construction certificate. The plan is to demonstrate who is responsible for and how the landscape features will be installed and detail the responsibility of ongoing maintenance of the landscaping.</p> <p style="text-align: right;">2.705</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>				
48.	<p>Council's Tree Management Order</p> <p>Approval in accordance with Council's Tree Management Order (TMO) is granted to lop or remove only those trees identified to be lopped or removed on the approved plans. If not indicated on the approved plans, separate approval must be obtained to prune or remove trees on adjoining properties or other trees located on the site. A person(s) who contravenes or causes or permits the TMO to be breached shall be guilty of an offence and liable for prosecution.</p> <p style="text-align: right;">2.801</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>				
49.	<p>Tree Removal on Council Land</p> <p>Approval is granted for the removal of the following trees located on Council land:</p> <table border="1" data-bbox="347 1507 1305 1608"> <thead> <tr> <th>Tree Species</th><th>Location</th></tr> </thead> <tbody> <tr> <td>1 x Callistemon viminalis (Bottle brush).</td><td>Forward of the secondary frontage of the development site, adjacent to Nigel Place.</td></tr> </tbody> </table> <p>The tree removal works are subject to the following conditions:</p> <ol style="list-style-type: none"> All tree removal works must be carried out by a qualified arborist - minimum qualification Australian Qualification Framework (AQF) Level 3 or equivalent; The tree removal contractor must hold a Public Liability Insurance Certificate of Currency with a minimum indemnity of \$20 million, together with a NSW Workers Compensation Insurance Certificate of Currency; The tree removal work shall comply with the 'Amenity Tree Industry – Code of Practice', 1998 (Workcover, NSW) and the 'Guide to Managing Risks of Tree Trimming and Removal Work' (Safe Work Australia 2016); 	Tree Species	Location	1 x Callistemon viminalis (Bottle brush).	Forward of the secondary frontage of the development site, adjacent to Nigel Place.
Tree Species	Location				
1 x Callistemon viminalis (Bottle brush).	Forward of the secondary frontage of the development site, adjacent to Nigel Place.				

	<p>d. The tree stump is to be ground to 300mm below ground level. Investigation to locate underground services shall be the responsibility of the consent holder.</p> <p>e. All tree material shall be removed from site, and the nature strip shall be backfilled, compacted and restored to the original level.</p> <p>f. The site must be maintained in a safe condition at all times;</p> <p>g. Appropriate hazard signage to be in place at all times during the tree works.</p> <p>All other street vegetation not specifically identified above is to be retained and protected from construction damage and pruning.</p> <p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>
50.	<p>No Air conditioning units visible</p> <p>No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring shall:</p> <p>a. Not be located on awnings or attached to the face of the building,</p> <p>b. Not be located on roofs in such a way that it is visible from any street, footpath or park,</p> <p>c. Be visually screened if located 1.8 metres above ground level in other locations, and</p> <p>d. Wiring shall be fully concealed.</p> <p>All construction certificate documentation is to demonstrate compliance with these requirements.</p> <p style="text-align: right;">2.902</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
51.	<p>Hydrant boosters on plans</p> <p>All hydrant boosters and associated services and shield walls are to be contained within cabinets and / or designed to match the appearance of the main structure of the development.</p> <p style="text-align: right;">2.904</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
52.	<p>Rooftop equipment</p> <p>All roof-top plant and associated equipment must be located within the approved building envelope and must not be visible from the public domain.</p> <p style="text-align: right;">2.905</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
53.	<p>Fire Assemblies</p> <p>Any fire assemblies / facilities required to be on a frontage of a building must be integrated into the building design and screened from public view within cabinets and integrated into the built form using finishes and materials from the approved colours and finishes schedule. Fire assemblies / facilities must not be located in the public domain or in landscaped areas.</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
54.	<p>Heat shields</p> <p>Any heat shield and/or associated fire assembly structures/facilities not shown on the approved plans are not permitted and a modification application is required for any such structures/facilities.</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>

55.	Remedial Action Plan
	If further information becomes available that necessitates the development of a remedial action plan Council is to be notified within seven (7) days of this discovery and the remedial action plan is to be submitted to Council for approval prior to the issue of the construction certificate.
	Condition reason: To ensure compliance with the relevant New South Wales legislation.

BEFORE BUILDING WORK COMMENCES

56.	Certifier details
	A construction certificate is required for the erection of a building in accordance with this Determination Notice.
	This Determination Notice does not authorise building work until a principal certifier has been appointed as the principal certifier for the work by (or with the approval of) the consent holder.
	The following requirements apply before the commencement of building work in accordance with this Determination Notice:
	<ul style="list-style-type: none"> a. the principal certifier has, no later than two (2) days before the building work commences, notified the Consent Authority and the Council (if the council is not the Consent Authority) of their appointment as the principal certifier, b. the principal certifier has, no later than two (2) days before the building work commences, notified the consent holder of any inspections that are required to be carried out in respect of the building work, c. the person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case, d. the consent holder, if not carrying out the work as an owner-builder, has: <ul style="list-style-type: none"> i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and ii. notified the principal certifier of the appointment, and iii. unless that person is the principal contractor, notified the principal contractor of any inspections that are required to be carried out in respect of the building work, e. the consent holder has given at least a 2-day notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building.
	3.202
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
57.	Section 73 Compliance Certificate
	A Section 73 Compliance Certificate under the <i>Sydney Water Act 1994</i> must be obtained from Sydney Water. It is recommended that the consent holder apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application can be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Section 73 Compliance Certificates, or telephone 13 20 92.
	3.203
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.

58.	Temporary fence or hoarding A fence must be erected around the area of the development site, except where an existing 1.8 metres high boundary fence is in good condition and can secure the area. Any new fencing must be temporary and at least 1.8 metres high. All fencing must be maintained throughout the construction period to ensure that the work area is secured. Where the work is located within 3.6m of a public place, then a Type A or Type B hoarding must be constructed appropriate to the work proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval before the commencement of building work/s. <div>3.204</div> Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
59.	Dilapidation report No less than 14 days before the commencement of any site or building work, the adjoining owner(s) must be provided with a copy of the dilapidation report for the following properties: <ul style="list-style-type: none"> • 23 Banks Street Padstow • 2 Nigel Place Padstow. <div>3.205.S</div> Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
60.	WC temporary toilet facilities on site Before the commencement of work, the consent holder must provide a temporary on-site toilet if access to existing toilets on site is not adequate/available. Temporary on-site toilet facilities must be installed and be adequately maintained throughout the construction period. <div>3.206</div> Condition reason: To ensure compliance with the relevant New South Wales legislation.
61.	Install Erosion control Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site). <div>3.207</div> Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
62.	Soil and water management warning sign Council's warning sign for Soil and Water Management must be displayed throughout the construction period at the most prominent point of the site, visible to both the street and site. <div>3.208</div> Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
63.	Sign with principal certifier details A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out: <ol style="list-style-type: none"> a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

	<p>c. stating that unauthorised entry to the work site is prohibited.</p> <p>Any such sign is to be maintained while the building work or demolition work is being carried out and must be removed when the work has been completed.</p> <p>NOTE: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.</p> <p style="text-align: right;">3.209.P</p>
	<p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
64.	<p>Contract of Insurance</p> <p>In the case of residential building work for which the <i>Home Building Act 1989</i> requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.</p> <p style="text-align: right;">3.210.P</p>
	<p>Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
65.	<p>Residential building work</p> <p>Residential building work within the meaning of the <i>Home Building Act 1989</i> must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information —</p> <p>a. In the case of work for which a principal contractor is required to be appointed—</p> <ol style="list-style-type: none"> the name and licence number of the principal contractor, and the name of the insurer by which the work is insured under Part 6 of that Act, <p>b. In the case of work to be done by an owner-builder—</p> <ol style="list-style-type: none"> the name of the owner-builder, and if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit. <p>If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.</p> <p style="text-align: right;">3.211.P</p>
	<p>Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
66.	<p>Tree protection measures</p> <p>Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.</p> <p style="text-align: right;">3.801.S</p>
	<p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>

DURING BUILDING WORK

67.	<p>Procedure for Critical Stage Inspections</p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p style="text-align: right;">4.101.S</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
68.	<p>Works in accordance with Building Code of Australia (BCA)</p> <p>Building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).</p> <p style="text-align: right;">4.201.P</p> <p>Condition reason: Prescribed condition - EP&A Regulation clause 98(1)(a).</p>
69.	<p>BASIX commitments</p> <p>While building work is being carried out, the consent holder must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.</p> <p style="text-align: right;">4.203.P</p> <p>Condition reason: Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.</p>
70.	<p>Hours of Work</p> <p>Site work must only be carried out between the following times –</p> <ol style="list-style-type: none"> 7.00 am and 5.00 pm on Monday to Saturday. No construction is to be carried out at any time on a Sunday or a public holiday. <p>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.</p> <p style="text-align: right;">4.204.S</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
71.	<p>Noise and Vibration</p> <p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved documentation.</p> <p>Where no noise and vibration management plan is approved under this consent, the certifier is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the site work is being carried out.</p> <p style="text-align: right;">4.205.S</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
72.	<p>Surveys by a registered surveyor</p> <p>While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:</p> <ol style="list-style-type: none"> All footings / foundations in relation to the site boundaries and any registered and proposed easements At other stages of construction – any marks that are required by the principal certifier. <p style="text-align: right;">4.206.S</p>

	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
73.	<p>Civil and Hydraulic engineering works</p> <p>All civil and hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.</p> <p style="text-align: right;">4.301</p>
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
74.	<p>Stormwater drainage system</p> <p>The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the principal certifier. Should the consent holder encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, then they must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at their own expense.</p> <p style="text-align: right;">4.302</p>
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
75.	<p>Driveway adequacy</p> <p>A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.</p> <p style="text-align: right;">4.306</p>
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
76.	<p>Responsibility for Changes to Public Infrastructure</p> <p>While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.</p> <p style="text-align: right;">4.307.S</p>
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
77.	<p>Excavated safely</p> <p>All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.</p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the consent holder must, at their own expense:</p> <ol style="list-style-type: none"> Protect and support the building, structure or work from possible damage from the excavation, and Where necessary, underpin the building, structure or work to prevent any such damage. <p>This consent condition does not apply if the consent holder owns the adjoining land</p>

	<p>or the owner of the adjoining land has given consent in writing to that condition not applying.</p> <p>The owner of any affected buildings is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on an adjoining allotment of land.</p> <p style="text-align: right;">4.308</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
78.	<p>Shoring and adequacy of adjoining properties</p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the consent holder must, at their own expense —</p> <ol style="list-style-type: none"> Protect and support the building, structure or work from possible damage from the excavation, and Where necessary, underpin the building, structure or work to prevent any such damage. <p>This condition does not apply if the consent holder owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.</p> <p style="text-align: right;">4.309.P</p>
	<p>Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.</p>
79.	<p>Retaining walls</p> <p>If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Should it be required, separate approval must be obtained for retaining walls.</p> <p style="text-align: right;">4.310</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
80.	<p>Waste management</p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> all waste management must be undertaken in accordance with the waste management plan, and upon disposal of waste, records of the disposal must be compiled and provided to, detailing the following: <ol style="list-style-type: none"> The contact details of the person(s) who removed the waste The waste carrier vehicle registration The date and time of waste collection A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill The address of the disposal location(s) where the waste was taken The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.</p> <p style="text-align: right;">4.502.S</p>
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>

81.	<p>Comply with Waste management plan</p> <p>The requirements of the submitted Waste Management Plan shall be complied with at all times that work is being carried out. Without limiting the foregoing, compliance shall include the following:</p> <ol style="list-style-type: none"> The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the Protection of Environment Operations Act 1997; and All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the Protection of Environment Operations Act 1997; and Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW; and All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it; and Records are required regarding the details and location of the disposal of all demolition and construction waste (including excavated material), description of waste and are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal, waste vehicle rego, and confirmation of the waste disposal facility. Records/ details are also to be kept of person removing the waste; and All materials and resources that are to be stored on site during construction works are contained on the site; and The provisions of the Protection of Environment Operations Act 1997 must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses; and The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works. <p style="text-align: right;">4.503</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
82.	<p>Hazardous finds</p> <p>Any new information revealed during building work/s that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the principal certifier. Works are to cease until the new information is evaluated by an appropriately qualified and experienced environmental consultant and an appropriate response determined by the consent holder and/or owner which is agreed to by Council. Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the new contamination information.</p> <p style="text-align: right;">4.601</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
83.	<p>No Stockpiling</p> <p>There must not be any stockpiling of building spoil, materials, or storage of equipment on the public road during the construction period. The footway and the road reserve must always be maintained in a safe condition. No work can be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.</p> <p style="text-align: right;">4.605</p>

	Condition reason: To ensure compliance with the relevant New South Wales legislation.
84.	Keep free of water All excavations must be kept free from the accumulation of water. Before approval must be sought from Council to discharge any water into the Council's stormwater drainage system. Other options for the disposal of water include disposal to sewer with before approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility. 4.609
	Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
85.	Implementation of the site management plans While site work is being carried out: a. the measures required by the construction site management plan (where approved) and the erosion and sediment control plan must be implemented at all times, and b. a copy of these plans must be kept on site at all times and made available to council officers upon request. 4.701.S
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
86.	Boundary fencing Where replacement boundary fencing is required to be installed, it must be 1.8 metres high unless otherwise shown on the approved plans or as stipulated within this Determination Notice. The materials and colours of the fence must be selected in consultation with the adjoining property owners unless the design of the fence and the type of material is specified to allow for overland flow. Fencing forward of the building line must not be greater than 1 metre in height. All costs related to fencing must be borne by the consent holder. 4.702
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
87.	Tree protection during work While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: a. the construction site management plan (where approved) under this consent, b. the relevant requirements of AS 4970 Protection of trees on development sites, c. Council's relevant development control plan (in force as at the date of determination of this consent) and d) any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones 4.807.S
	Condition reason: To protect the natural environment of the development site and adjoining lands.
88.	Tree protection All work carried out on or around protected trees during demolition, clearing and construction shall comply with Australian Standard AS 4373 – 'Pruning of amenity trees' and Australian Standard AS 4970 – 'Protection of trees on development sites'. Site specific conditions relating to tree protection shall take precedence over this requirement.

	4.806
	Condition reason: To protect the natural environment of the development site and adjoining lands.
89.	Threatening of trees
	If any trees to be retained and protected are threatened by demolition, building or other site works through accidental omission or unforeseen circumstances, the approving authority is to be notified immediately in writing before such work is continued so that this issue can be resolved.
	4.810
	Condition reason: To protect the natural environment of the development site and adjoining lands.
90.	Clearing for Asset Protection Zones (APZ)
	While site work is being carried out, clearing or modifying vegetation to establish the APZ must be confined within the marked APZ boundary in accordance with the supporting documentation approved under this consent, to the satisfaction of the principal certifier.
	4.813.S
	Condition reason: To protect the natural environment of the development site and adjoining lands.
91.	Discovery of relics and Aboriginal objects
	While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered:
	a. the work in the area of the discovery must cease immediately;
	b. the following must be notified
	i. for a relic – the Heritage Council; or
	ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.
	Site work may recommence at a time confirmed in writing by:
	c. for a relic – the Heritage Council; or
	d. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.
	In this condition:
	“relic” means any deposit, artefact, object or material evidence that:
	• relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
	• is of State or local heritage significance; and
	“Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.
	4.901.S
	Condition reason: To ensure the protection of objects of potential significance during works.
92.	Finished floor levels
	A report as prepared by a registered surveyor must be submitted to the principal certifier before the construction of any floor level of the development verifying that the proposed finished floor level and the wall setbacks to the property boundary

	conform to the approved plans.
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
93.	Acid Sulphate Soils General
	Any excavation works carried out on site should be closely monitored to ensure no signs of potential acid sulphate soil or actual acid sulphate soil are observed. Indicators may include grey to greenish-blue clays, unusual gold-yellow mottling or 'rotten egg' odours. If any of these indicators are observed, excavation of the site must be stopped, and Council is to be notified immediately. A suitably qualified environmental consultant must be contracted to further assess the site.
	Condition reason: To protect the natural environment of the development site and adjoining land.
94.	Importation of Fill
	Any fill imported onto the site must be virgin excavated natural material or excavated natural material, classified as such in accordance the 'Waste Classification Guidelines' (NSW EPA, 2014) or excavated natural material meeting the requirements of the Excavated Natural Material Exemption (NSW EPA, 2014). Certificates verifying that imported fill is virgin excavated natural material or excavated natural material must be provided to Council prior to the issue of an occupation certificate. All imported fill must be compatible with the existing soil characteristics of the site.
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
95.	Duty to Report Contamination
	If the Duty to Report contamination to the NSW EPA under Section 60 of the <i>Contaminated Land Management Act 1997</i> is triggered, Council must be notified within seven (7) days of the notification to the NSW EPA.
	Condition reason: To ensure compliance with the relevant New South Wales legislation.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

96.	Plan of Management
	A final Plan of Management (POM) is to be submitted to Council for approval. The Plan of Management must address the ongoing management and operational aspects of the boarding house, including waste minimisation and recycling. 5.102
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
97.	Allocation of car parking spaces
	Twelve (12) off-street car spaces are to be provided in accordance with the submitted plans.
	NOTE: One (1) of the required car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements. 5.106
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
98.	Occupation certificate
	The occupation or use of the building must not commence unless an occupation certificate has been issued. 5.201

	Condition reason: To ensure compliance with the relevant New South Wales legislation.
99.	Site Consolidation must be registered
	Consolidation of the existing allotments must be registered by NSW Land Registry Services before the issue of an occupation certificate.
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
100.	Slab certification
	A report as prepared by a registered surveyor must be submitted to the principal certifier verifying that the reduced level (RL) of the finished floor level at each level, the height of external walls, the maximum reduced level (RL) of roof structures / roof eaves overhangs and the external wall setbacks to the property boundaries all conform with the approved plans.
	5.203
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
101.	Preservation of survey marks
	Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:
	a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or
	b. any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.
	5.204.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
102.	Post-construction Dilapidation Report
	Before the issue of an occupation certificate, a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing whether:
	a. after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
	b. where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and
	c. a copy of the post-construction dilapidation report must be provided to council (where council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s).
	5.205.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
103.	Mechanical ventilation
	Before issue of an occupation certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, must be submitted to the principal certifier.
	Before the issue of an occupation certificate, the principal certifier must ensure that the car park is ventilated in accordance with the Building Code of Australia and, where necessary, Australian Standard AS 1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements.
	5.206

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
104.	<p>Completion of Public Utility Services</p> <p>Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p> <p style="text-align: right;">5.207.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
105.	<p>Section 73 certificate</p> <p>The Section 73 compliance certificate under the <i>Sydney Water Act 1994</i> must be submitted to the principal certifier before the issue of an occupation certificate.</p> <p style="text-align: right;">5.208</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
106.	<p>Work Permit Compliance required</p> <p>An occupation certificate must not be issued until all conditions relating to demolition, building and subdivision works have been satisfied and Council has issued a Work Permit Compliance Certificate (where applicable).</p> <p style="text-align: right;">5.301</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
107.	<p>Repair of infrastructure</p> <p>Before the issue of an occupation certificate:</p> <ol style="list-style-type: none"> any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent. <p style="text-align: right;">5.302.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
108.	<p>Works-as-executed plans and any other documentary evidence</p> <p>Before the issue of the relevant occupation certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> All stormwater drainage systems and storage systems, and The following matters that council requires to be documented in accordance with the Councils relevant Development Control Plan. A copy of the plans must be provided to council with the occupation certificate. <p style="text-align: right;">5.303.S</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
109.	<p>Restriction of use / covenant</p> <p>The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Canterbury-Bankstown</p>

	<p>Development Control Plan 2023 and Development Engineering Standards Guide and in accordance with the appropriate provisions of the Conveyancing Act 1919.</p> <p>Where subdivision is not proposed, the surveyor shall show the location of the "On-Site Stormwater Detention System" on an A4 size site plan attached to the Section 88E Instrument to be registered, on the title of the subject property, before the issue of the Final occupation certificate. Alternatively, where subdivision is proposed, the developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Canterbury-Bankstown Development Control Plan 2023 and Development Engineering Standards Guide and in accordance with the appropriate provisions of the Conveyancing Act. The surveyor shall show the location of the "On-Site Stormwater Detention System" on the plan of subdivision. The developer shall submit evidence of the final registration of the Restriction and Positive Covenant on the title of the property, to Council.</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
110.	<p>Give way signs</p> <p>The following signs must be provided and maintained within the site at the point(s) of vehicle egress:</p> <p>a. Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an identified shared path route.</p> <p>5.308</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
111.	<p>Confirmation of waste facilities</p> <p>No occupation certificate may be issued until such time as written confirmation has been received from Council that all waste management facilities and associated access have been constructed in accordance with the requirements of this consent. The waste management facilities include the path of travel for all waste, from unit to point of waste collection, waste storage room sizing, access to water and sewer connections, finished materials, access and doorway dimensions, truck turntables, bin tugs and bin lifting equipment.</p> <p>5.501</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
112.	<p>Agreement with Council</p> <p>Before the issue of any occupation certificate, an agreement must be entered into with Council on terms satisfactory to Council for the collection of waste.</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
113.	<p>Removal of Waste Upon Completion</p> <p>Before the issue of an occupation certificate:</p> <p>a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the waste management plan, and</p> <p>b. written evidence of the waste removal must be provided to the satisfaction of the principal certifier.</p> <p>5.503.S</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>

114.	<p>No Parking on waste collection days</p> <p>The consent holder is to obtain approval from the appropriate authority for the installation of a "No parking on waste collection days" (or similar) sign at the kerbside collection point at the designed waste collection point for the development.</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>				
115.	<p>Completion of Landscape and Tree Works</p> <p>Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.</p> <p style="text-align: right;">5.701.S</p> <p>Condition reason: To protect the natural environment of the development site and adjoining lands and to ensure the development is built and remains consistent with approved plans and documentation.</p>				
116.	<p>Master locks</p> <p>Before the issue of an occupation certificate, the principal certifier must ensure that the letterboxes installed have non-master key locks, to prevent theft and fraud.</p> <p style="text-align: right;">5.902</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>				
117.	<p>Property numbering</p> <p>The building must be readily identified from the street with the allocated house numbers. An official "property numbering" letter is issued to the consent holder indicating the proposed numbering of the new development. House numbering without Council's written approval is not permitted.</p> <p style="text-align: right;">5.904</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>				
118.	<p>Lighting must be provided to entries</p> <p>Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. All lighting must be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.</p> <p style="text-align: right;">5.906</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>				
119.	<p>Design of lighting</p> <p>Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby public roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard AS 4282 – 'The Control of the Obtrusive Effects of Outdoor Lighting'.</p> <p style="text-align: right;">5.907</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant Australian Standard and National Construction Code.</p>				
120.	<p>Tree Planting on Nature Strip</p> <p>The consent holder is to plant the following tree(s) on the nature strip forward of the property.</p> <table border="1" data-bbox="347 1816 1289 1874"> <thead> <tr> <th data-bbox="355 1816 754 1845">Tree Species</th><th data-bbox="762 1816 1281 1845">Location</th></tr> </thead> <tbody> <tr> <td data-bbox="355 1850 754 1874">2 x Eucalyptus sideroxylon</td><td data-bbox="762 1850 1281 1874">Forward of the secondary frontage of the</td></tr> </tbody> </table>	Tree Species	Location	2 x Eucalyptus sideroxylon	Forward of the secondary frontage of the
Tree Species	Location				
2 x Eucalyptus sideroxylon	Forward of the secondary frontage of the				

'Rosea' (Red Flowered Ironbark) 1 x Hakea laurina (Pincushion Hakea)	development site, adjacent to Nigel Place. Forward of the primary frontage of the development site, adjacent to Banks Street.
<p>Plantings are to comply with the following requirements:</p> <ol style="list-style-type: none"> The tree(s) shall have a container size not less than 75 litres, shall comply with NATSPEC 'Specifying Trees: a guide to assessment of tree quality' (2003) or Australian Standard AS 2303 – 'Tree stock for landscape use', and be planted and maintained in accordance with Councils street tree planting specifications Standard Drawing No. S-201 or S-202; and Investigation to locate underground services shall be the responsibility of the person with the benefit of this determination notice. Should such services be located and there is a reasonable belief that damage may occur to those services by the new plantings, the consent holder is to: <ol style="list-style-type: none"> Carry out engineering works to protect those services from damage; or Relocate the plantings to a more suitable location following written approval from Canterbury Bankstown Council; or Substitute the approved tree species with an alternative species following written approval from Canterbury Bankstown Council; and The trees shall be planted by a qualified landscape contractor with experience in handling advanced sized tree stock, and in accordance with the tree delivery, planting preparation – general, planting, mulching and staking specifications included in Standard Drawing No. S-201 or S-202; and Once the trees have been planted, a tree protection fence located at a 2.0 metre radius from the trunk of each tree shall be installed to protect the trees during the demolition and construction phases (excluding concrete footpaths). The fences shall be constructed of chain wire mesh 1.80 metres high supported by steel posts, shall not be removed or altered, and are to remain in place for the duration of the site works; and During the construction phase the trees shall be watered and maintained in accordance with the tree establishment and maintenance requirements included in Standard Drawing No. S-201 or S-202; and <p>The consent holder shall contact Council to book an inspection by the Tree Management Officer of the completed tree planting once the tree protection fence has been installed, and again once the works have been completed before the issue of an occupation certificate. Inspections must be booked at least 5 working days before being required.</p> <p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>	

OCCUPATION AND ONGOING USE

121.	Co-Living Housing General The co-living housing must be designed, constructed and operated in accordance with the Local Government (General) Regulation 2021, Schedule 2, Part 1 Standards for places of shared accommodation. <div style="text-align: right;">7.104</div> Condition reason: To ensure compliance with the relevant New South Wales legislation.
122.	Number of Lodgers The development is to accommodate no more than one (1) lodger per single room and no more than two (2) lodgers per double room.

	The total number of lodgers residing in the co-living housing at any one time must not exceed 92 lodgers.
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
123.	Plan of Management Display
	The plan of management shall be displayed in prominent locations within the premises and a copy of the Plan shall be provided to all residents. The Building Manager shall be responsible for ensuring that the terms of the Plan are always adhered to.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
124.	POEO – General
	Any activity carried out in accordance with this approval must not give rise to offensive odour, offensive noise or pollution of air, land or water as defined in the <i>Protection of the Environment Operations Act 1997</i> and Regulations.
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
125.	Maintenance of Plant and Equipment
	All plant and equipment installed at the premises or used in connection with the operation of the premises:
	a) must be maintained in a proper and efficient condition; and
	b) must be operated in a proper and efficient manner
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
126.	Use of roof
	No approval is granted or implied for the use of any roof element for any purpose other than for gaining access to carry out maintenance or repairs.
	7.114
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
127.	Use of Car Parking Spaces and Driveways
	The car parking spaces, driveways and manoeuvring areas must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.
	The car parking spaces, driveways and manoeuvring areas must not be used for the manufacture, storage or display of goods, materials or any other equipment (includes mobile food vending vehicles).
	7.301
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
128.	No approval for commercial uses
	No approval is granted or implied for the use of any of the approved retail / commercial areas.
	Separate development consent is to be obtained for the use of these premises.
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
129.	Building Management
	The Building Management must implement and maintain a complaint handling procedure. Every complaint must be recorded on a Complaint Form and kept in a Complaints Register. The Complaint Form must contain the following information:
	a) Name, address and contact details of the Complainant;

	<p>b) Time and date the complaint was received;</p> <p>c) The nature of the complaint or incident (see below what constitutes an incident);</p> <p>d) The time and date the incident occurred;</p> <p>e) The name of the employee that received the complaint;</p> <p>f) Actions taken to investigate the complaint and the summary of the results of the investigation;</p> <p>g) Indication of what was occurring at the time the incident was observed;</p> <p>h) Required remedial action;</p> <p>i) Validation of the remedial action;</p> <p>j) Summary of feedback to the complainant and name of employee who gave the feedback.</p> <p>Incident includes:</p> <p>(i) Any breach of a plan of management (where applicable);</p> <p>(ii) Any complaint by any person about the operation of the premises;</p> <p>(iii) Any complaint by any person about noise emanating from the premises; or</p> <p>(iv) Any event that may cause concern to any person as a result of the conduct and/or an act of any person(s) on, entering or exiting the premises.</p> <p>All complaints received shall have an initial investigation commencing within seven (7) days.</p> <p>The Complaints Register must always be held on the premises and shall be reviewed monthly by Building Management to ensure all complaints are being investigated and resolved in a timely manner.</p> <p>The Complainant must be notified of the results and actions arising from the investigation.</p> <p>The Complaints Register must contain a direction that all complaints of a criminal nature are to be reported to the Police immediately.</p> <p>A copy of the Complaints Register shall be provided to Council or Police immediately upon request.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
130.	<p>Outdoor Communal Area</p> <p>The use of the outdoor communal areas are subject to the following restrictions:</p> <p>a) Hour of use is limited to 7.00am to 10.00pm, Monday to Sunday.</p> <p>b) Music and other amplified sound are not permitted.</p> <p>c) Ground floor outdoor communal area is limited to a maximum of 24 people at any one time.</p> <p>d) Level 3 outdoor communal area is limited to a maximum of 30 people at any one time.</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
131.	<p>Further Acoustic Assessment</p> <p>Following occupation of the building/premises, should it be found that the measures recommended in the acoustic assessment are not sufficient, or have been incorrectly installed or a noise issue (relating to the development) not previously identified arises (through complaint or otherwise), the owner/ occupier must, upon request by Council, employ the services of a qualified acoustic consultant who has not previously been involved with the development to undertake a post-occupation assessment of the development and complete an acoustic report with recommendations to rectify the situation. A copy of this acoustic assessment report must be submitted to Council for approval and from</p>

	there noise attenuation works must be implemented. Submission of the acoustic report must be within 30 days from the date requested by Council. Condition reason: To protect the amenity of the surrounding area.
132.	Compliance with Noise Control Legislation The applicant must ensure that all activities within the premises comply with the relevant sections of the <i>Protection of the Environment Operations Act 1997</i> and Regulations and the Noise Policy for Industry (NSW EPA, 2017). Condition reason: To protect the amenity of the surrounding area.
133.	Stormwater Detention The on-site stormwater detention storage system within the site as constructed shall not be altered and shall be maintained in good working order to the satisfaction of Council. 7.302 Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
134.	Vibration The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage to other premises as defined in the 'Assessing Vibration: A Technical Guideline' (NSW Department of Environment and Conservation, 2006). Condition reason: To protect the amenity of the surrounding area.
135.	Amplified Music Music and other amplified sound played on the premises must not give rise to offensive noise as defined under the provisions of the <i>Protection of the Environment Operations Act 1997</i> . The sound level output must not exceed five (5) dB(A) above the ambient background level at the boundary of the premises. Speakers must not be installed, and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed to direct the playing of music towards the outdoor areas associated with the premises. Condition reason: To protect the amenity of the surrounding area.
136.	Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable). 7.303.S Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
137.	Enter / Exit in forward direction All vehicles associated with the development are to enter and exit the site in a forward direction. 7.402 Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
138.	Waste Management Plan The requirements of the submitted Waste Management Plan shall be complied with at all times that the approved development is being carried out. 7.501 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

139.	Waste generated on site All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined under the <i>Protection of the Environment Operations Act 1997</i> . All waste generated shall be removed and disposed of by an authorised waste removal contractor. A copy of the waste removal agreement and receipts shall be made available to Council on request. 7.504 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
140.	Bin room signage Adequate signage is to be provided and maintained on how to use the waste management system and what materials are acceptable for recycling within all waste storage areas of the development. Signage is also to be provided and maintained which clearly identifies which bins (and containers) are to be used for general waste and recycling and what materials can be placed in each bin. 7.505 Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
141.	Waste and recycling policy The development must be carried out in compliance with Council's "Domestic Waste and Recycling Service Policy and Guideline". 7.506 Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
142.	Waste containers No waste storage containers are to be located or placed outside the approved waste storage area at any time except for collection purposes. 7.507 Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
143.	Maintenance of landscaping The approved landscaping and external work must be maintained post occupation and must not be altered or changed without Council approval or unless the altered work is carried out in accordance with the relevant provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. 7.701 Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
144.	Maintenance of waste room Any waste facilities approved under this consent must be maintained in a proper and workmanlike state at all times and must be kept clear and accessible to Council to undertake waste collection services. The facilities must not be altered without prior Council approval. Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
145.	Collect and Return Service The nominated collect and return collection point are to be utilised to facilitate the collection of waste and recycling bins for the development. Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.

146.	Emergency response
	An Emergency Evacuation Plan must be prepared as part of the Plan of Management detailing the evacuation procedures in the event of the emergency, provision of resident log book, identifying the assembly point and detailing how residents will be made aware of the procedures contained within the plan. The Emergency Evacuation Plan must be clearly displayed within each room and in the communal living areas of the development.
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
147.	Security Measures
	Appropriate security measures, including security doors and CCTV cameras, shall be installed at the main pedestrian and vehicular entrance and exits, and the ground floor area of the premises. All CCTV cameras shall have the capacity to store footage for a minimum of 21 days.
	Condition reason: To protect and enhance the amenity of the occupants of the development site.

- END -