

Agenda

Strathfield Independent Hearing and Assessment Panel Meeting

Notice is hereby given that a Strathfield Independent Hearing and Assessment Panel Meeting will be held at Council Town Hall (Supper Room), 65 Homebush Road, Strathfield on:

Thursday, 7 December 2017

Commencing at 10:30am for the purpose of considering items included on the Agenda

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

TABLE OF CONTENTS

Item	Page No.
SIHAP AGENDA ITEMS	
SIHAP - Report No. 1	
DA2017/107 Nos. 101-109 Parramatta Road, Homebush Lot 200, DP 1117827	3
SIHAP - Report No. 2	
DA2017/082/01 - 23 South Street, Strathfield Lot 67 DP 8778	67
SIHAP - Report No. 3	
DA2017/154 - 69 Redmyre Road, Strathfield Lot 2 DP 208343	119
SIHAP - Report No. 4	
DA2014/124/04 - 32-36 Underwood Road, Homebush Lot 1 & 2 DP 209535, Lot 1 DP 305029	157
SIHAP - Report No. 5	
DA2017/142 - 29 Pomeroy Street, Homebush Lot 35 in DP 834	187
SIHAP - Report No. 6	
DA2017/151 - 166 Homebush Road, Strathfield Lot 9 DP5984	255
SIHAP - Report No. 7	
DA2017/148 - 1 Weeroona Road, Strathfield Lot 70 in DP 1140766	309
SIHAP - Report No. 8	
DA2017/136 - 14 Dunlop St, Strathfield South Lot 10 DP 29223	327

TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017

REPORT: SIHAP – Report No. 1

SUBJECT: DA2017/107
NOS. 101-109 PARRAMATTA ROAD, HOMEBUSH
LOT 200, DP 1117827

DA NO. DA2017/107

SUMMARY

Proposal: Demolition of existing structures and the construction of a vehicle sales premise with single level basement

Applicant: BHI Architect

Owner: Investments & Loans Pty Ltd

Date of lodgement: 27/07/2017

Notification period: 21 days

Submissions received: Nil

Assessment officer: PK

Estimated cost of works: \$9, 083, 768

Zoning: B4 Mixed Use - SLEP 2012

Heritage: N/A

Flood affected: Yes

RECOMMENDATION OF OFFICER: APPROVAL

EXECUTIVE SUMMARY

The development application proposes the demolition of existing structures and construction of a two (2) storey vehicle sales premise with single level basement.

The application was notified in accordance with Part L of the SCDCP 2005 from 8 August 2017 to 29 August 2017, and no submissions were received.

The development application generally meets the requirements set out within Strathfield Local Environmental Plan 2012 and Strathfield Consolidated Development Control Plan 2005, and is recommended for **APPROVAL**, subject to conditions.

The subject application was referred to Council's Internal Development Assessment Panel (IDAP) for consideration on 22 November 2017. The Panel supported the Assessing Officer's recommendation and associated conditions and recommended that the application be referred to SIHAP for determination.

DESCRIPTION OF THE SITE AND LOCALITY

**DA2017/107
Nos. 101-109 Parramatta Road, Homebush
Lot 200, DP 1117827 (Cont'd)**

The subject site is legally described as Lot 200 and DP 1117827 and is commonly known as Nos. 101-109 Parramatta Road, Homebush. The site is located on the corner of Parramatta Road, Underwood Road and Powell Street and has an area of 4, 691.7m².

The site is rectangular in shape and has a primary frontage of 43.89m to the Parramatta Road boundary, rear boundary of 45.8m to the Powell Street side boundary, length of 99.1m to the Underwood Road boundary, and side boundary length of 104.33m to the eastern boundary.

The site slopes from south eastern boundary and has a cross-fall of 1m from south-north.

Existing development on the site comprises car sales premises with associated vehicle repair station. Vehicular access is provided to the site via an existing driveway from Parramatta Road and Powell Street to an existing car park located at the site.

The surrounding area is characterised by combination of retail, commercial and residential developments.

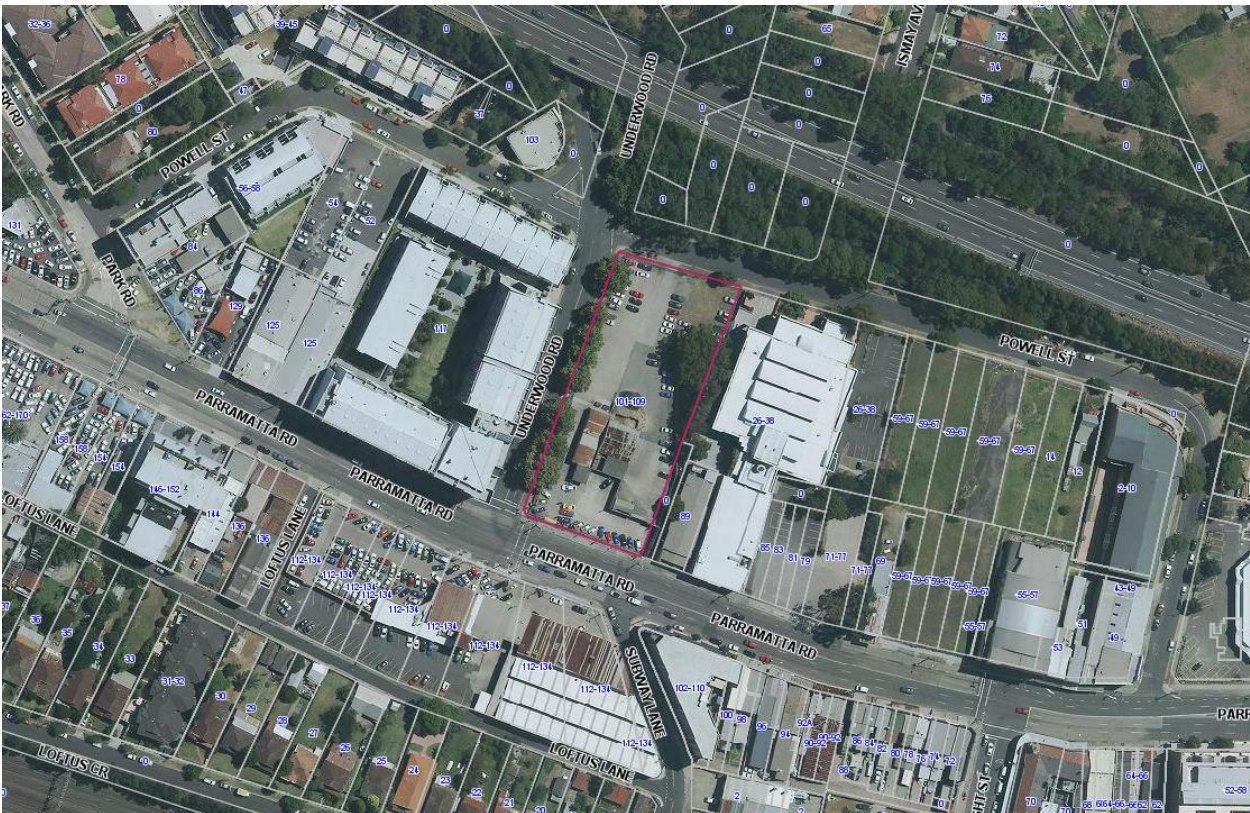


Figure 1: Locality plan

DA2017/107
Nos. 101-109 Parramatta Road, Homebush
Lot 200, DP 1117827 (Cont'd)



Figure 2: Subject site – viewed from Parramatta Road



Figure 3: Subject Site – viewed from Powell Street

PROPERTY BURDENS AND CONSTRAINTS

The site is a burdened by concrete stormwater channel, which is partially open and partially covered on the eastern and north eastern parts of the site. The stormwater easement is owned by Sydney Water and is for the access and maintenance.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

The application seeks Council approval for the demolition of existing structures on site and the construction of a vehicle sales premise. The proposed vehicles sales premises will show and store new cars for sale at the site. The proposal also involves associated offices and reception areas.

The specific elements of the proposal are:

Basement level:

- Customer car parking and vehicle storage; and
- Waste storage;

Ground floor level:

- Customer parking;
- Sales reception area; and
- Internal showroom;

First floor level:

- Vehicle storage areas;
- office space; and
- staff amenities;

External works:

- The external finishes include metal cladding, concrete panels and blockwork and glazing.

The proposal involves an onsite parking provision of 41 car spaces located within the ground floor level and outdoor car parking.

Within the basement, 34 vehicular storage parking spaces are provided and on the upper level, 47 spaces are provided, resulting in a total of 81 spaces.

The formal internal showroom and the external showroom forecourt would provide for the display of approximately 12 vehicles.

Vehicular access to the site will be via two driveways off Powell Street at the rear of the site.

The proposed development would operate 7 days a week as follows:

- Monday – Saturday – 8am to 6pm; and
- Sunday – 9am to 5pm

A maximum of 40 staff would be at the premise at any one time.

No signage is proposed as part of this application.

DA2017/107
Nos. 101-109 Parramatta Road, Homebush
Lot 200, DP 1117827 (Cont'd)



Front perspective – from Parramatta Road



Rear perspective – from corner of Powell Street and Underwood Road

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer has commented on the proposal as follows:

"The subject site has a natural fall to the rear, but the presence of Council's drainage system in Powell Street, Homebush has enabled the applicant to submit a compliant design. Water sensitive urban design principles have been incorporated into the stormwater drainage and Council requirement have been met. The site discharges to Council's drainage system in Powell Street via

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

boundary pit, Sydney Water stormwater channel via the OSD, and the water quality treatment chamber tank and to RMS drainage system in Parramatta Road via proposed boundary pit all by means of gravity and to Council, RMS, and Sydney Water requirements. All roof runoff on the eastern boundary drain into rainwater tank via the downpipes and on the western boundary drain into the OSD tank via downpipes both by gravity means. The overflow from the rainwater and the OSD tank drain into the water quality treatment chamber tank by gravity means. The carpark on the Southern boundary drains into the RMS drainage system in Parramatta Road via proposed boundary pit by gravity means. The carpark on the northern boundary drains into Council's drainage system in Parramatta Road via proposed boundary pit by gravity means. From an engineering perspective, the concept plan is feasible and there are no objections to its approval subject to conditions."

Council's Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Waste Comments

Council's Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Traffic Comments

Council's Traffic Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Environmental Health Comments

Council's Environmental Health Officer has commented on the proposal as follows:

"It is noted that at this stage the operations proposed are for a car sales premises only, not a vehicle repair station. Should the use of the site as a vehicle repair station become permissible with consent then it is expected that a separate DA will be forthcoming.

No objection is raised to the proposed development subject to the following recommended conditions of consent."

Council's Environmental Health Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

EXTERNAL REFERRALS

Roads and Maritime Services (RMS) NSW

The application was referred to RMS in accordance with Clause 104 of the *State Environmental Planning Policy (Infrastructure) 2007*. The RMS raised no objections to the proposed development subject to conditions.

DA2017/107
Nos. 101-109 Parramatta Road, Homebush
Lot 200, DP 1117827 (Cont'd)

Water NSW

The proposed development will encounter groundwater during the excavation process. Accordingly, the application is integrated development under *Water Management Act 2000* and it was referred to Water NSW. Water NSW issued General Terms of Approval.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

In accordance with Clause 104 and Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*, the proposed development is considered to be traffic-generating development. The proposed development would result in over 50 motor vehicles with access with road that connects to classified road (Parramatta Road). The application was referred to RMS and the RMS raised no objections to the proposed development subject to conditions.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

The application has been assessed against the requirements of State Environmental Planning Policy 55 – Remediation of Land (SEPP 55). This Policy provides State-wide planning controls requiring that consent must not be granted to the carrying out of development on land unless it has considered whether the land is contaminated or requires remediation of the proposed use. The application submitted a combined Phase 1 and Phase 2 Detailed Environmental Site Assessment prepared by Envirotech. The assessment involved a review of past and present site uses; a review of the EPA contamination lands registers, a site inspection and excavation of test pits, collection of representative soil samples, laboratory analysis of those samples at an accredited laboratory; and interpretation of all available information and compilation of a final report, and including a statement regarding the suitability of the site for the proposed land use. The report concluded that no potentially hazardous contaminant concentrations were identified within representative soil samples. Accordingly, the site is suitable for the proposed development and no further assessment is required.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

DA2017/107
 Nos. 101-109 Parramatta Road, Homebush
 Lot 200, DP 1117827 (Cont'd)

Cl. 1.2(2) Aims	Complies
(a) <i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b) <i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c) <i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d) <i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e) <i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f) <i>To identify and protect environmental and cultural heritage</i>	Yes
(g) <i>To promote opportunities for social, cultural and community activities</i>	Yes
(h) <i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Permissibility

The subject site is Zoned B4 Mixed Use under Strathfield Local Environmental Plan (SLEP) 2012.

Vehicle sales or hire premises is permissible within the B4 Zone with consent and is defined under SLEP 2012 as follows:

“vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.”

Zone Objectives

An assessment of the proposal against the objectives of the B4 Zone is included below:

Objectives	Complies
➤ <i>To provide a mixture of compatible land uses.</i>	Yes
➤ <i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i>	Yes
➤ <i>To facilitate mixed use urban growth around railway stations and transport nodes and corridors, commercial centres and open space.</i>	Yes
➤ <i>To provide local and regional employment and live and work opportunities.</i>	Yes

Comments: The proposed development meets the objectives of the B4 zone above.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

DA2017/107
 Nos. 101-109 Parramatta Road, Homebush
 Lot 200, DP 1117827 (Cont'd)

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	22m	14.995m	Yes
Objectives				Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area			Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area			Yes
(c)	To achieve a diversity of small and large development options.			Yes

Comments: The proposed development would have a building height of 14.995m and complies with the maximum building height control of 22m within the LEP.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	2:1 (9,383.4m ²)	1.51:1 (7,062m ²)	Yes
Objectives				Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area			Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas			Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties			Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items			Yes
(e)	In relation to Strathfield Town Centre: i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development			Yes
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor			Yes

Comments: The proposed development complies with the maximum floor spaces ratio control.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is located within 500m of Class 2 soils. The application has submitted an acid sulfate soil report prepared by Envirotech which recommends that “the results indicate that Potentially Actionable Acid Sulfate Soils (PASS) exist. Subsequently, an Acid Sulfate Soils Management Plan is required”. Accordingly, a condition of

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

consent requiring a detailed acid sulfate soil management plan is to be prepared prior to the issue of a construction certificate is recommended. Subject to this condition, the proposal would satisfy the requirements of Clause 6.1 of SLEP.

6.2 Earthworks

The Clause 6.2 of the SLEP requires consideration to be given to the impacts of the proposed ancillary earthworks which may have impacts upon drainage within the locality, the future redevelopment of the site, adjoining development and any environmentally sensitive areas. The proposed development involves earthworks to accommodate a basement. Conditions of consent are therefore recommended to ensure a dilapidation report is prepared along with a sediment and erosion control plan to mitigate any potential adverse impacts on adjoining properties.

6.3 Flood planning

The subject site is identified as flood prone site. Clause 6.3 of the SLEP requires consideration to be given to the impacts of the proposed development which may have impacts upon flood risk to life and property. The application has submitted a Flood Impact Assessment prepared by Northrop Consulting Engineers. Council's assessment raised no objections to the proposal subject to the imposition of conditions.

6.9 Additional provisions for development in Parramatta Road Corridor

Clause 6.9 applies to the subject site as it is identified as "Key Sites Area" on the Key Sites Map.

The Clause states the following:

"(1) The objectives of this clause are as follows:

(a) to encourage a mix of commercial and residential land uses,

(b) to encourage the integration of developments that require large floor areas with other land uses.

(2) This clause applies to land identified as "Key Sites Area" on the Key Sites Map.

(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development will contribute to:

(a) the general mix of residential and non residential land uses in the area, and

(b) the vertical and horizontal integration of land uses in the area."

Clause requires Council to be satisfied that the development will contribute to the general mix of residential and non-residential land uses in the area, and to the vertical and horizontal integration of land uses in the area.

The applicant states *"the proposed development is consistent with these objectives. The land use type is a suitable neighbour in a mixed use neighbourhood, being free of amenity concerns such as noise, odour or late night trading. The site has been utilised for the purpose of a car sales premises for a number of years, and the large single site is suitable for that purpose."*

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

The proposed development would encourage a mix of commercial and residential development in the locality. Accordingly the proposed development meets the objectives of this clause.

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A detailed waste management plan prepared by Elephants Foot recycling solutions address the requirements set out within Part H Waste Management of SCDCP.

PART I – PROVISION OF OFF-STREET PARKING FACILITIES

SCDCP requires off-street customer/visitor parking at the rate of 1.5 spaces per 200m² of site area for a motor showroom. Accordingly, a total of 35.2 car spaces are required at the above rate.

The proposal provides 41 onsite car parking spaces located within the ground floor level and in the outdoor car park.

The application states that the main site access will utilise the existing driveway onto Powell Street, approximately 20m from the Powell Street/Underwood Road intersection, while a second crossing will be constructed further east along Powell Street, to provide access to the at-grade car parking area adjacent to the building. The application also states that the proposal will make the existing driveway cross over onto Parramatta Road redundant.

PART Q – URBAN DESIGN CONTROLS

The purpose of part Q of SCDCP is to establish urban design controls that encourage high quality urban design outcomes for the Strathfield community including making it more livable. This DCP provides 12 key urban principles that needs to be considered for a proposed development.

The proposal will complement the built environment in the vicinity of the site through the selection of high quality external finishes, and through a scale that is equal to, or less than, the scale of development in the vicinity. The proposed development will improve the appearance of the built environment in the vicinity of the land, through the replacement of an existing development that is of relatively poor architectural and urban design merit, with a new building of high architectural and urban design merit. The application also proposes a design that has incorporated the retention and protection of street trees and as well as including new plantings were appropriate.

Parramatta Road Urban Transformation Strategy

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

The *Parramatta Road Urban Transformation Strategy* is the Plan for the growth and revitalisation of the Parramatta Road Corridor. The vision for the Corridor is that it will be a high quality multi-use corridor with improved transport choices, better amenity and balanced growth of housing and jobs. The proposed development would be in line with the Parramatta Road Urban Transformation Strategy as the proposed development would provide new employment generating development within the mixed use zone which would balance growth of housing and jobs.

STRATHFIELD DEVELOPMENT CONTROL PLAN NO.20 PARRAMATTA ROAD CORRIDOR AREA (DCP 20)

The SDCP No. 20 sets out Masterplan for the Parramatta Road Corridor area. The proposed development is generally consistent with the Masterplan with respect to height, bulk, scale and future character of the locality. The proposed development is unlikely to have adverse impact to the amenity of the adjoining properties in terms of overshadowing, privacy, excess noise and loss of views.

PART 0 – TREE MANAGEMENT

The application proposes the removal of four trees (9, 11, 13 & 15). These trees comprise of 'Camphor laurel', 'Melaleuca Revolution Gold', and 'Sickle wattle'. All these trees are located within the subject site, are not significant under Council's Tree Preservation Order and are located within the proposed development scope of works. Accordingly, the removal of these trees would facilitate the works of the development. The proposed development is considered satisfactory subject to conditions.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommendation to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

DA2017/107
Nos. 101-109 Parramatta Road, Homebush
Lot 200, DP 1117827 (Cont'd)

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Environmental impacts on natural and built environment:

The application has submitted a noise impact assessment which carries out an assessment of noise impacts on neighbouring properties from the proposed development. The assessment recommends that to ensure that noise emissions from the proposed development comply with the project criteria, the *'mechanical plant items that are yet to be selected shall be designed and treated to comply with the NSW EPA Industrial Noise Policy. If necessary, acoustic treatments for mechanical plant should be determined at CC stage, with the provision of acoustic screens, silencers etc as necessary'*, and *'no loud activities such as use of noisy equipment, car wash etc should be undertaken within 15m of the operable louvres to the western boundaries at ground level and level 1'*. Subject to these recommended conditions, the proposal development would mitigate any potential noise impacts to the adjoining properties.

The application proposes the removal of four trees (9, 11, 13 & 15). These trees comprise of 'Camphor laurel', 'Melaleuca Revolution Gold', and 'Sickle wattle'. The removal of these trees would facilitate the works of the development. All these trees are not significant under Council's Tree Preservation Order. The application has submitted a landscape plan demonstrating the retention and the protection of the trees on Council's nature strip along Underwood Road. The landscape plan also provides trees and screening shrubs along Underwood Road and Powell Street. This would provide visual amenity to the subject site and the surrounding developments.

Social impacts:

The proposed development would not have adverse social impacts to the adjoining properties.

Economic impacts:

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

The proposed development would renew the use of a currently dilapidated site and provide a source of employment to the LGA.

79C(1)(c) *the suitability of the site for the development*

The proposed development is located along Parramatta Road and is well serviced by private vehicle, buses and Homebush railway station. The design of the car sales premises responds to the site constraints including the Parramatta Road frontage, stormwater channel, existing street trees and adjacent develop forms.

Overall, the proposed development is considered to be of a high quality construction which will positively contribute to the streetscape without adversely impacting upon the amenity of adjoining developments.

The proposed development is therefore considered suitable for the site.

79C(1)(d) *any submissions made in accordance with this Act or the regulations*

The application was notified in accordance with Part L of the SCDCP 2005 from 8 August 2017 to 29 August 2017, and no submissions were received.

79C(1)(e) *the public interest*

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

“(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:

- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
- or both.*

(2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$0.00
Provision of Major Open Space	\$758,132.15
Provision of Local Open Space	\$493,829.20
Provision Roads and traffic Management	\$2,803,002.34
Administration	\$13,910.68
TOTAL	\$4,068,874.37

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. 2017/107 for vehicle sales premises at Nos. 101-109 Parramatta Road, Homebush be **approved**, subject to the following conditions:

SPECIAL CONDITIONS (SC)**1. WATER NSW – GENERAL TERMS OF APPROVAL (SC)**

1. A Water Supply Work Approval from WaterNSW must be obtained prior to commencing dewatering activity on the proposed site. Please complete an Application for approval for water supply works, and/or water use.
2. An application for a Water Supply Works Approval will only be accepted upon receipt of supporting documentation, and payment of the applicable fee (see Application fees for New or amended Works and/or Use Approvals). The information required for the processing of the water supply work application may include preparation of a dewatering management plan. Please refer to checklist attached.
3. If approved, the Approval will be issued for a period of up to 24 months to cover the dewatering requirements during the construction phase. It will include conditions to ensure that impacts are acceptable and that adequate monitoring and reporting procedures are carried out. The Approval will be issued subject to the proponent meeting requirements of other agencies and consent authorities. For example, an authorisation by either Sydney Water or the local Council, depending where the water will be discharged. If contaminants are likely, or are found to be present in groundwater, and are being discharged to stormwater, including high salinities, a discharge licence under the Protection of the Environment Operations Act 1997 (NSW) may also be required.
4. WaterNSW prefers "tanking" (ie. total water proofing below the seasonal high water table) of basement excavations, and avoids the ongoing extraction of groundwater after the initial construction phase. It is also advised to adopt measures to facilitate movement of groundwater post construction (eg. a drainage blanket behind the water-proof membrane).

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

5. If the basement is not "tanked", the proponent will require a Water Access Licence (WAL) and need to acquire groundwater entitlements equivalent to the yearly ongoing take of groundwater. Please note: Acquiring groundwater entitlements could be difficult, and may cause delay in project completion. If a WAL is required, please complete an Application for a new water access licence with a zero share component.

(Reason: Ensure compliance with Water NSW requirements)

2. NSW ROADS AND MARITIME SERVICES - CONCURRENCE (SC)

1. All buildings and structures (including signage), together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Parramatta Road boundary.
2. Direct vehicular access to Parramatta Road is not permitted.
3. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS 2890.1 2004, A52890.6 2009 and AS 2890.2 2002 for heavy vehicle usage.
4. Sight distances from the proposed vehicular crossings to vehicles on Church Road are to be in accordance with the Austroads 'Guide to Traffic Engineering Practice, Part 5: Intersections at Grade, Section 6.2 — Sight Distance' and AS 2890. Vegetation and proposed landscaping/fencing must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists.
5. The redundant driveway on the Parramatta Road boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on Parramatta Road shall be in accordance with Roads and Maritime requirements.

Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (Ph: 9598 7798).

Detailed design plans of the proposed gutter crossing are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

6. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Email: Suppiah.Thillairms.nsw.gov.au.

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

7. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

The report and any enquiries should be forwarded to:

Project Engineer, External Works
 Sydney Asset Management
 Roads and Maritime Services
 PO Box 973 Parramatta CBD 2124
 Telephone: 8849 2114

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

(Reason: Ensure compliance with RMS requirements)

GENERAL CONDITIONS (GC)

3. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Application No. 2017/107:

Drawing No.	Title/Description	Prepared by	Issue / Revision	Date
A.1202	Demolition Plan	BHI Architects	E	20.05.17
A.2001	Basement Floor Layout Plan	BHI Architects	E	20.05.17
A.2002	Ground Floor Layout Plan	BHI Architects	F	20.10.17
A.2003	First Floor Layout Plan	BHI Architects	E	20.05.17
A.2101	Roof Layout Plan	BHI Architects	E	20.05.17
A.3001	Elevations	BHI Architects	E	20.05.17
A.3002	Elevations	BHI Architects	E	20.05.17
A.3101	Section	BHI Architects	E	20.05.17
C1.01	Cover Sheet, Drawing Schedule and Locality Plan	Northrop	3	27.06.17
C1.02	Specification Notes	Northrop	3	27.06.17
C2.01	Concept Sediment and Erosion Control Plan	Northrop	3	27.06.17

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

C2.11	Sediment and Erosion Control Details	Northrop	3	27.06.17
C3.01	Cut & Fill Plan	Northrop	3	27.06.17
C4.01	Siteworks and Stormwater Management Plan	Northrop	3	27.06.17
C4.11	Stormwater Longitudinal Sections – Sheet 1	Northrop	3	27.06.17
C4.12	Stormwater Longitudinal Sections – Sheet 2	Northrop	3	27.06.17
C4.13	Stormwater Longitudinal Sections – Sheet 3	Northrop	3	27.06.17
C4.21	Stormwater Catchment Plan	Northrop	3	27.06.17
C4.11A	Driveway Longitudinal Section	Northrop	2	27.06.17
C6.01	Details – Sheet 01	Northrop	3	27.06.17
C6.02	Details – Sheet 02	Northrop	1	27.06.17
CP-01	Landscape DA Plan	Bare Roots Design Studio	D	26.06.2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Application No. 2017/107:

Title / Description	Prepared by	Issue/Revision	Date
Statement of Environmental Effects	SJB Planning	-	June 2017
Environmental Site Assessment	Envirotech	REP-4481 - B	03.07.2017
Waste Management Plan Template (WMP)	BHI Architect		20.06.2017
Waste Management Plan	Elephants Foot Recycling Solutions	D	30.10.2017
Traffic Impact Assessment	Caldwell & Kent Consulting	3	26.06.2017
BCA Section J DTS Assessment Summary	Northrop		23.06.2017
Noise Impact Assessment	Acoustic Logic	2	21.06.2017
Flood Impact	Northrop	Ref: 166286 Rev C	7.06.2017

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

Assessment			
BCA Assessment Report	BCA Logic	108084-BCA-r3	26.06.2017
Arboricultural Impact Assessment Report	Horticultural Management Services	-	24.01.2017
Acid Sulfate Soils Investigation	Envirotech	REP-4482 Rev B	03.07.2017
Access Assessment Report	BCA Logic	108084-Access-r3	26.06.2017
Stormwater Management Report	Northrop	C	28.06.2017

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

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

4. CONSTRUCTION HOURS (GC)

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

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

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

5. CONSTRUCTION WITHIN BOUNDARIES (GC)

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

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

6. DEMOLITION – GENERALLY (GC)

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

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

7. DEMOLITION - SITE SAFETY FENCING (GC)

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

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and

provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

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

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

(Reason: To ensure appropriate landscape maintenance.)

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

The development consent only permits the removal of trees numbered 9, 11, 13 & 15 as identified within the Arboricultural Impact Assessment Report prepared by Horticultural Management Services dated 24 January 2017.

All trees permitted to be removed by this consent shall be replaced by species selected from Council's Recommended Tree List.

Replacement trees shall be a minimum 50 litre container size. Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting; and shall be maintained until maturity.

All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.

Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.

Soil conditioner/fertilizer/moisture retention additive/s are to be applied in accordance with manufacturer's recommendations, and mixed into the backfilling soil after planting tree/s.

A minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the base of the tree.

Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure appropriate planting back onto the site.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

10. LANDSCAPING - TREE PRESERVATION (GC)

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

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

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

11. LIGHTING (GC)

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

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

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

12. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

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

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

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

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

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

(Reason: Statutory requirement.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

14. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.
- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

15. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

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

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

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

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

(Reason: Compliance with Sydney Water requirements.)

17. WASTE – TRACKABLE (GC)

Removal of trackable waste (as defined by the NSW Environment Protection Authority) from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

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

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

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

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

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

19. ACCESS - DISABLED TOILETS (CC)

Plans and details of the disabled toilet/s complying with the relevant Australian Standards, the Building Code of Australia, and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

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

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

20. ACID SULFATE SOILS - DETAILED ASSESSMENT (CC)

A detailed acid sulfate soil assessment is required. This is to be carried out by a suitably qualified person and in accordance with the acid sulfate soils assessment guidelines (ASSMAC August 1998). The detailed assessment is to demonstrate that the site is suitable for the approved development. The detailed assessment shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and Environmental Protection.)

21. ACID SULFATE SOILS - CERTIFICATION OF SOIL REMOVED FROM THE SITE (CC)

A Certificate is to be provided by a suitably qualified geo-technical engineer stating that no more than 1 tonne of soil will be removed from the site and the groundwater table will not be affected by the development. This Statement shall be submitted to Council, prior to the issue of a Construction Certificate.

(Reason: Compliance and environmental protection.)

22. ARBORIST REPORT – INITIAL (CC)

The applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works and determine best practices (e.g. minimise compaction, soil build up and or excavation within the Tree Protection Zones) to ensure the longevity of the trees to be retained. The arborist is to prepare and submit, to the satisfaction of the Principal Certifying Authority, a report prior to the issue of a Construction Certificate, documenting the measures to be employed and certifying that they have been implemented.

(Reason: Qualified assessment of impact of proposed works on trees to be retained on the site.)

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

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

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

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

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

24. CAR PARKING - BASEMENT CAR PARKING REQUIREMENTS (CC)

Details demonstrating compliance with the following is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate:

- i) Driveway shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and achieve a maximum gradient of 1:4.
- ii) Provision of pump-out systems and stormwater prevention shall be in accordance with Council's Stormwater Management Guide.

(Reason: To ensure suitable development.)

25. CAR PARKING - DISABLED CAR PARKING SPACES (CC)

Two (2) of the car parking spaces provided as part of the total requirement shall be reserved for disabled persons. The dimension of these spaces shall be in accordance with AS2890.6-2009 and they shall be located near pedestrian access routes designed for disabled persons. Each space shall be clearly marked as such.

Car parking for people with disabilities shall be provided in accordance with the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Prior to the issue of a Construction Certificate, the plans shall be notated to demonstrate compliance.

The above details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure adequate parking for persons with a disability.)

26. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to be submitted shall contain the following details:

- i) Longitudinal section along the extreme wheel paths of each driveway/access ramp at a scale of 1:25 demonstrating compliance with the scraping provisions of AS/NZS 2890.1:2004. It shall include all levels and grades, including those levels stipulated as boundary levels, both existing and proposed. It shall extend from the centre-line of the roadway through to the parking area.
- ii) Sections showing the clearance to the underside of any overhead structure (minimum headroom requirements 2200mm minimum for standard headroom clearance or 2400mm where disabled access provisions are to be provided) demonstrating compliance with the provisions of AS/NZS 2890.1:2004.

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

The certification referred to in (vi) above shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate (for the design) and to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the 'as-built works'.

(Reason: To ensure adequate vehicular access can be achieved.)

27. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

28. CAR PARKING - VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS (CC)

The aisle widths, internal circulation, ramp widths and grades of the car park shall comply with the Roads and Traffic Authority Guidelines and AS/NZS 2890.1:2004 - Off-Street Car Parking Code.

Vehicular manoeuvring paths are to be prepared demonstrating that all vehicles can enter or depart the site in a forward direction without encroaching on required car parking spaces.

(Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.)

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

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

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

30. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

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

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

- ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
- the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
- details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
- measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

- How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
- Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
- The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

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

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

Works Permit

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

Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

A Works Permit shall be obtained from Strathfield Council at least five (5) working days prior any work (including demolition, excavation and the erection of site fencing/hording). The approved Works Permit and any approved Construction Traffic Management Plan must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed. The permit must be retained on site at all times.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding Permit

A Hoarding Application for the erection of a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained.

The relevant application form shall be submitted to Council with a footpath occupancy fee based on the area of footpath to be occupied according to Council's Schedule of Fees and Charges, and the application shall be approved before the commencement of work.

A Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy also provided to Council.

The Policy is to note Council as an interested party. The copy is to be provided to Council, prior to the issue of a Construction Certificate.

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement)

32. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer,

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

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

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

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

33. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

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

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

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

(Reason: Environmental protection.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

34. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

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

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

(Reason: Structural safety.)

35. EXCAVATION – DEWATERING (CC)

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- i) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Council for compliance with ANZECC Water Quality Guidelines.
- ii) If tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- iii) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- iv) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

(Reason: To ensure compliance with legislation and to protect the surrounding natural environment.)

36. EXCAVATION – SHORING (CC)

Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings and specifications certifying the shoring will be adequate for their intended purpose and must be submitted to the Council/Principal Certifying Authority for approval with the Construction Certificate. The documentation prepared and certified by an appropriately qualified and practicing structural engineer is to show all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements. A copy of this documentation must be provided to the Council for record purposes at the time of Construction Certificate application.

(Reason: To ensure the protection of existing public infrastructure and adjoining properties.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

37. FIRE SAFETY SCHEDULE (CC)

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

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

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

38. FLOODING - COMPLY WITH FLOOD IMPACT REPORT (CC)

The applicant shall comply with the flood recommendations provided in the Flood Impact Assessment prepared by Northrop Rev C ref: 166286 dated 7 June 2017. A certificate from a suitably qualified Engineer shall be submitted to the Certifying Authority stating compliance with these recommendations, prior to the issue of a Construction Certificate.

(Reason: To mitigate flood risk and associated damage.)

39. HAZARDOUS GOODS AND WASTE (CC)

Dangerous and hazardous goods shall be stored in accordance with NSW WorkCover requirements and AS1940-2004 - The Storage and Handling of Flammable and Combustible Liquids.

Hazardous waste must be contained, managed and disposed of in a responsible manner in accordance with the Protection of Environment and Operations Act 1997, NSW Environment Protection Authority (EPA) and the New South Wales WorkCover Authority.

Material Safety Data Sheets of all hazardous substances used, such as bleaches and nail products must be kept on site and readily available to all staff. Staff must be trained how to safely use and store these chemicals prior to the commencement of work.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

(Reason: Health and safety.)

40. LANDSCAPING - MAINTENANCE STRATEGY (CC)

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival.)

41. NOISE AND VIBRATION MANAGEMENT PLAN (CC)

Prior to the issue of a Construction Certificate, the proposed development is to be designed and comply with the recommendations within the Noise Impact Assessment prepared by Acoustic Logic dated 21 June 2017.

DA2017/107
Nos. 101-109 Parramatta Road, Homebush
Lot 200, DP 1117827 (Cont'd)

(Reason: To protect acoustic amenity of surrounding properties and the public.)

42. SECTION 94 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$0.00
Provision of Major Open Space	\$758,132.15
Provision of Local Open Space	\$493,829.20
Provision Roads and traffic Management	\$2,803,002.34
Administration	\$13,910.68
TOTAL	\$4,068,874.37

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

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

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

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

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

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

A security payment of **\$14,254.00** in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council prior to the issue of a Construction Certificate. The security payment is GST inclusive and comprises the following:

Refundable drainage bond (Council asset)	\$10,000.00
Refundable works bond	\$4,000.00
<u>Non-refundable administration fee (\$127/bond)</u>	<u>\$254.00</u>
TOTAL	\$14,254.00

The security payment covers the following matters and will be released upon satisfactory completion of these items:

- (a) road and stormwater drainage works in roadways and public areas;
- (b) connection to Council's stormwater drainage system;
- (c) Installation and maintenance of sediment control measures for the duration of construction activities;

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

- (d) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.

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

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

(Reason: Protection of Council infrastructure.)

44. STORMWATER - RAINWATER RE-USE (CC)

A rainwater re-use system shall be provided in accordance with either the BASIX minimum requirements, any relevant Council Rainwater Policy and/or specification of the management of stormwater, whichever is applicable. A detailed stormwater plan showing the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

45. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

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

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

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

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

46. TREE BONDS (CC)

A tree bond of **\$65,900.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

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

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

47. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY CONNECTION (CC)

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

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

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

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

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

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

(Reason: Environmental amenity.)

48. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY SUBSTATION (CC)

Any required electricity substation must be located within the boundaries of the site. Documentary evidence of compliance with the energy authority's requirements, including correspondence from the energy authority is to be provided to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Where an electricity substation is required but no provision has been made to place it within the approved building or its site and no details are provided on the approved development consent plans, a section 96 application is required to be submitted to Council for approval of an appropriate location for the required electricity substation.

(Reason: Access to utility.)

49. UTILITIES AND TELECOMMUNICATIONS - TELECOMMUNICATIONS ASSETS (CC)

Provision must be made for relocation of telecommunications network assets including underground placement of any existing aerial cables and infrastructure. Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

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

(Reason: To ensure suitable relocation of telecommunications infrastructure if required.)

50. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

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

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

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

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

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

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

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

52. WASTEWATER CONTROL (CC)

The applicant shall contact Sydney Water, to determine the requirements for the disposal of wastewater and liquid trade waste (including grease traps or grease arrestors). The applicant must provide a copy of the Authority to connect to the sewer system prior to the issue of a Construction Certificate.

There is to be no discharge of wastewater to the stormwater system.

(Reason: To ensure suitable disposal of waste water.)

53. WATER SUSTAINABILITY - WATER SENSITIVE URBAN DESIGN (CC)

Details of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. Details shall demonstrate compliance with the water conservation and stormwater quality targets set out under Sections 3.1 and 3.2 respectively under Part N of the SCDCP 2005, and be prepared by a suitably qualified professional engineer.

(Reason: To promote Water Sensitive Urban Design.)

54. WATER SUSTAINABILITY – GENERALLY (CC)

Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:

- i) toilet flushing;
- ii) clothes washing;
- iii) garden irrigation;
- iv) car washing and similar outdoor uses;
- v) filling swimming pools, spa pools and ornamental ponds; and
- vi) fire fighting.

(Reason: To promote sustainable water management practice.)

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

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

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

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

(Reason: Council requirement.)

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

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

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

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

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

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

(Reason: Statutory requirement.)

57. NOTICE OF COMMENCEMENT (CW)

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

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

(Reason: Statutory requirement.)

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

58. CONTAMINATED LAND UNEXPECTED FINDS (DW)

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

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

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

(Reason: To ensure compliance with statutory requirements.)

59. FILL MATERIAL (DW)

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

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

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

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

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

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

(Reason: To maintain public access and safety.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

61. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

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

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

62. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

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

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

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

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete inform work, or the laying of roofing materials.
- iii) At the completion of the development.

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

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

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

64. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

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

(Reason: Maintenance of public infrastructure.)

65. CAR PARKING - VISITOR CAR PARKING SIGNAGE (OC)

A sign shall be erected in a suitable location on the property near the driveway entrance indicating where visitor parking is available on the site. Signage shall also be erected above the visitor parking itself. Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: Adequate access and egress.)

66. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

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

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

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

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

(Reason: Asset management.)

67. FIRE SAFETY CERTIFICATION (OC)

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

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

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

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

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

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

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

(Reason: Fire safety and statutory requirement.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

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

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

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

69. OCCUPATION OF BUILDING (OC)

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

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

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

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

(Reason: Statutory requirement.)

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

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

(Reason: Adequate stormwater management.)

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

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility on-site detention and water sensitive urban design components.

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

72. VENTILATION SYSTEMS – MECHANICAL (OC)

The mechanical ventilation system is to comply with the following:

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

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

At the completion of the installation of the mechanical exhaust ventilation system, a certificate from a practising mechanical engineer shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate demonstrating compliance with the above.

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

73. VENTILATION SYSTEMS – NATURAL (OC)

The natural ventilation system shall be designed, constructed and installed in accordance with the provisions of:

- i) The Building Code of Australia; and
- ii) Protection of the Environment Operations Act 1997.

Details demonstrating compliance with this condition shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate.

(Reason: To ensure any natural ventilation systems comply with the relevant regulations/standards.)

74. WASH DOWN AREAS - APPROPRIATE CONTAINMENT BUNDS (OC)

The wash down area must be appropriately banded. The effective volume of the banded area must be 110% of the total volume of the wash-down area. Documentation and plans are to be supplied to certify compliance with this requirement prior to the issue of the Construction Certificate.

A collection sump must be installed within the banded area and have no access to the stormwater system. The bund floor is to be graded in such a way to direct liquids into the sump.

The applicant must contact Sydney Water (tel.131 110) to discuss the requirements for a Trade Waste Permit before discharging any trade waste into the sewerage system.

(Reason: To prevent water pollution.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

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

75. CHEMICAL STORAGE REQUIREMENTS (OU)

All chemicals, paints and other liquids shall be stored in approved receptacles in an area that is bunded or has a spill containment system that will minimise the risk of pollution from liquid spills and leaks. Where applicable the construction of bunds must comply with the requirements of:

- i) Australian Standard AS 1940D1993: The storage and Handling of Flammable and Combustible Liquids;
- ii) Australian Standard AS 4452B1997: The storage and Handling of Toxic Substances; and
- iii) The Dangerous goods Act 1975.

(Reason: Environmental protection.)

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

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

(Reason: Safety and amenity.)

77. DELIVERIES (OU)

All deliveries must not occur before 7.00am or after 8.00pm weekdays and before 8.00am or after 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

(Reason: To control noise impacts.)

78. FIRE SAFETY ANNUAL STATEMENT (OU)

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

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

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

(Reason: Fire safety)

79. GREYWATER DIVERSION DEVICE (OU)

The greywater diversion device must:

- i) Comply with the Local Government (General) Regulation 2005 and Local Government Act 1993.

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

- ii) Comply with the NSW Code of Practice: Plumbing and Drainage 3rd Edition 2006.
- iii) Not be located in an area registered as environmentally sensitive. Areas registered as environmentally sensitive are listed on the Department of Energy, Utilities and Sustainability web site (www.deus.nsw.gov.au).
- iv) Not divert water from kitchen or toilet plumbing.
- v) Not be located where there is already an on-site sewage management facility.
- vi) Not be located on a property serviced by a dual reticulation system.
- vii) Have a switching or selection facility so that greywater can be easily diverted back to sewer.
- viii) If connected to, or modifies the existing plumbing system be a WaterMark licensed device (previously a Plumbing Safety licence), and must be installed by a licensed plumber.
- ix) Additional requirements:
 - a washing machine standpipe, or WaterMark licensed diversion device must deliver the greywater to a sub-surface irrigation system;
 - any diversion other than by gravity is only via a licensed non-storage surge tank and pump system installed by a licensed plumber;
 - a non-storage surge attenuation measure is to be installed as part of the diversion system (non-storage surge attenuation can be in the form of a tank system, a mulch basin or similar);
 - Sydney Water shall be notified in writing by the installing plumber that the device is in place; and
 - any diversion devices installed prior to the fixture trap must have provision to automatically maintain the water seal in the trap.

(Reason: Health and amenity.)

80. GREYwater TREATMENT SYSTEMS (OU)

Greywater must not be stored on the property unless within an approved greywater treatment system. The greywater treatment system and associated reuse distribution system must:

- i) comply with the Local Government (General) Regulation 2005 and Local Government Act 1993;
- ii) comply with the NSW Code of Practice: Plumbing and Drainage 3rd Edition 2006;
- iii) be accredited by the NSW Department of Health;
- iv) installed by a licensed plumber; and
- v) installed to prevent the incidence of cross-connection, overflow and backflow.

Additional requirements:

- Sydney Water shall be notified in writing by the installing plumber that the system is in place. Written notification shall be in the form of 'as completed plans' (e.g. an amended sewer service diagram) or other documentation as required by Sydney Water;
- where the GTS is connected to internal fixtures for toilet flushing and washing machine use, a back-up water supply is required to ensure a constant water supply to all fixtures should the GTS fail; and
- Greywater must be contained within the property and not allowed to migrate onto neighbouring properties.

(Reason: Health and amenity.)

DA2017/107
Nos. 101-109 Parramatta Road, Homebush
Lot 200, DP 1117827 (Cont'd)

81. HOURS OF OPERATION - COMMERCIAL PREMISES (OU)

The hours of operation of the premises (i.e. hours open for business) must not exceed the following, without the prior approval of Council:

Days	Approved hours of operation
Mon-Friday	8am – 6pm
Saturday	8am – 6pm
Sunday and public holidays	9am – 5pm

(Reason: To ensure the business operates between the approved hours.)

82. LOADING AND UNLOADING - NO OBSTRUCTION OF PUBLIC ROAD OR FOOTWAY (OU)

All loading and unloading operations including fork lift trucks or other similar loading, lifting and/or carrying appliances used in conjunction with the premises, shall be carried out wholly within the boundaries of the site, at all times. There shall be no obstruction of any public roadway or footway at any time, without the prior

(Reason: Public safety.)

83. NOISE - COMPLAINTS RELATING TO USE OR MACHINERY (OU)

The use of the premises shall comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2008.

Should substantiated complaints or breaches of noise regulations occur, a suitably qualified acoustic consultant shall be engaged by Council to measure noise emanating from the building/premises and to recommend appropriate action. The cost of such an appointment shall be borne by the operator/owner and any works recommended by the acoustic consultant shall also be borne by the operator/owner and carried out within a time frame set by Council.

(Reason: Noise control and amenity.)

84. NOISE - COMPLIANCE WITH ACOUSTIC ASSESSMENT REPORT (OU)

All recommendations contained in the approved Acoustic Impact Assessment Report prepared by Acoustic Logic dated 21 June 2017 shall be adopted, implemented, and adhered to.

The Principal Certifying Authority (PCA) shall obtain a statement from an appropriately qualified acoustic consultant, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied prior to the issue of any Occupation Certificate.

Any changes made to the proposal that would alter the acoustic assessment will require a further acoustic assessment and a copy of this further report shall be provided to Council for approval prior to the commencement of works and any recommendations adopted, implemented, and adhered to.

(Reason: Noise control and amenity.)

DA2017/107

Nos. 101-109 Parramatta Road, Homebush

Lot 200, DP 1117827 (Cont'd)

85. SECURITY MANAGEMENT PLAN (OU)

Management must ensure the implementation of the Security Management Plan which specifies security patrol, surveillance and other security and response methods and security management of the public and private domain within and surrounding the site.

(Reason: Amenity, health and safety.)

86. STAFF RESTRICTION GENERALLY (OU)

A maximum number of 40 staff are permitted to work on the premises at any one time. Any increase to this number requires a section 96 modification application be submitted to Council for approval.

(Reason: Environmental amenity.)

87. WASTE AND RECYCLING COLLECTION HOURS (OU)

The collection of waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

Garbage and recycling must not be placed on the kerbside for collection more than one hour before the scheduled collection time. Bins and containers are to be removed from the kerbside within one (1) hour of collection and returned to the designated garbage storage area(s).

The garbage and recyclable storage area and bins must be adequate to contain the volume and type of garbage and recyclable matter of the food premises.

All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.

(Reason: To regulate noise and garbage collection arrangements.)

88. WASTE - CONTROL OF LITTER (OU)

The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or public area adjacent to the premises is maintained in a clean and tidy condition. Where a litter problem arises and the offending material is found to usually include wrappers, containers or the like, and remains of goods or items which it might reasonably be assumed were purchased at the subject premises, the shopkeeper must comply with any direction of Strathfield Council with regard to the regular sweeping, collection and disposal of rubbish.

(Reason: Environmental health.)

ATTACHMENTS

1. [↓](#) DA2017/107 - 101-109 Parramatta Road, Homebush - Architectural Plans



PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.

SUTTONS HONDA HOMEBUSH.

101 - 109 PARRAMATTA ROAD HOMEBUSH, NSW, AUSTRALIA.

Layout Index			
Layout No:	Layout Name	Rev	Description
A.0001	COVER SHEET	E	N/A
A.0501	SITE ANALYSIS PLAN	"	-
A.0601	PERSPECTIVES	"	-
A.0602	SHADOW DIAGRAMS	"	-
A.1001	STREETSCAPE ELEVATION PLAN	"	-
A.1201	SURVEY	"	-
A.1202	DEMOLITION PLAN.	"	-
A.2001	BASEMENT FLOOR LAYOUT PLAN	"	-
A.2002	GROUND FLOOR LAYOUT PLAN	"	-
A.2003	FIRST FLOOR LAYOUT PLAN	"	-
A.2101	ROOF LAYOUT PLAN	"	-
A.2901	GFA SCHEDULE	"	-
A.3001	ELEVATIONS	"	-
A.3002	ELEVATIONS	"	-
A.3101	SECTION	"	-

NOTE:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
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 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

No	DATE	AMENDMENT	No	DATE	AMENDMENT
A	28.03.17	ISSUE FOR INTERNAL REVIEW (DTP only)			
B	02.04.17	ISSUE FOR CONSULTANTS COORDINATION			
C	03.04.17	ISSUE FOR CONSULTANTS COORDINATION			
D	20.04.17	ISSUE FOR CONSULTANTS COORDINATION			
E	28.06.17	ISSUE FOR CONSULTANTS COORDINATION			

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
 SITE:
**101 - 109 PARRAMATTA ROAD
 HOMEBUSH, NSW**
 CLIENT:
SUTTONS



BHI ARCHITECTS PTY LTD
 SYDNEY
 Suite 2 10/11 Darling Avenue
 Homebush NSW 1587 Australia
 Tel: (02) 9412 7888
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DRAWING TITLE:		STATUS:	
COVER SHEET		DA	
DRAWN	CHKD	PROJECT DATE	SCALE: @A1
JK	MH	20.08.16	1:0.75
PROJECT NO.	DRAWING NO.	REVISION	
3578	A.0001	E	

Project site LEP MAP
Strathfield Local Environmental Plan 2012)



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DA2017/107
19 July 2017



Site information.

- SITE: 101-109 Parramatta Road, Homebush, 2140 Lot 200DP1117827
- AREA: SITE AREA: 4,882 m² (1.194 m² - Parramatta)
- Source: Strathfield Council (Strathfield Local Environmental Plan 2012)
- Land zoning: M4 - Mixed Use (Provision of Clause 2.3 / Additional permitted uses for particular land & Clause 2 of Schedule 1 of SLERP 2012)
- Local Surface Water: Class 2
- Videlines (if any) run through the site

NOTE	No	DATE	AMENDMENT
1. AREA PERMITTED AND APPROVED TO DEVELOP IN ACCORDANCE WITH THE LOCAL ENVIRONMENTAL PLAN 2012.	1	28.02.17	ISSUE FOR INTERNAL REVIEW (DRAFT only)
2. THE LOCAL ENVIRONMENTAL PLAN 2012 DOES NOT PERMIT THE PROPOSED DEVELOPMENT.	2	02.04.17	ISSUE FOR CONSULTANTS COORDINATION
3. THE LOCAL ENVIRONMENTAL PLAN 2012 DOES NOT PERMIT THE PROPOSED DEVELOPMENT.	3	03.04.17	ISSUE FOR CONSULTANTS COORDINATION
4. THE LOCAL ENVIRONMENTAL PLAN 2012 DOES NOT PERMIT THE PROPOSED DEVELOPMENT.	4	20.04.17	ISSUE FOR CONSULTANTS COORDINATION
5. THE LOCAL ENVIRONMENTAL PLAN 2012 DOES NOT PERMIT THE PROPOSED DEVELOPMENT.	5	20.04.17	ISSUE FOR CONSULTANTS COORDINATION

No	DATE	AMENDMENT

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.

SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW

CLIENT:
SUTTONS

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SYDNEY
Suite 2 10/11 Durrong Street,
Homebush NSW Australia 2140
Tel: 02 9413 7888

DRAWING TITLE:
SITE ANALYSIS PLAN

STATUS:
DA

CLIENT:
SUTTONS

PROJECT NO.:
3578

DRAWING NO.:
A.0501

REVISION:
E

DATE:
20.08.16

SCALE:
@A1
1:300



Perspective 01 (front)



Perspective 02 (front)

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19 July 2017



Perspective 03 (rear)



Perspective 04 (rear)

NOTE:
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2. THE EXISTING BUILDING IS A 2-STOREY BRICK BUILDING.
3. THE EXISTING BUILDING IS A 2-STOREY BRICK BUILDING.
4. THE EXISTING BUILDING IS A 2-STOREY BRICK BUILDING.
5. THE EXISTING BUILDING IS A 2-STOREY BRICK BUILDING.
6. THE EXISTING BUILDING IS A 2-STOREY BRICK BUILDING.

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C	03.08.17	ISSUE FOR CONSULTANTS COORDINATION			
D	20.08.17	ISSUE FOR CONSULTANTS COORDINATION			
E	29.06.17	ISSUE FOR CONSULTANTS COORDINATION			

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW
CLIENT:
SUTTONS

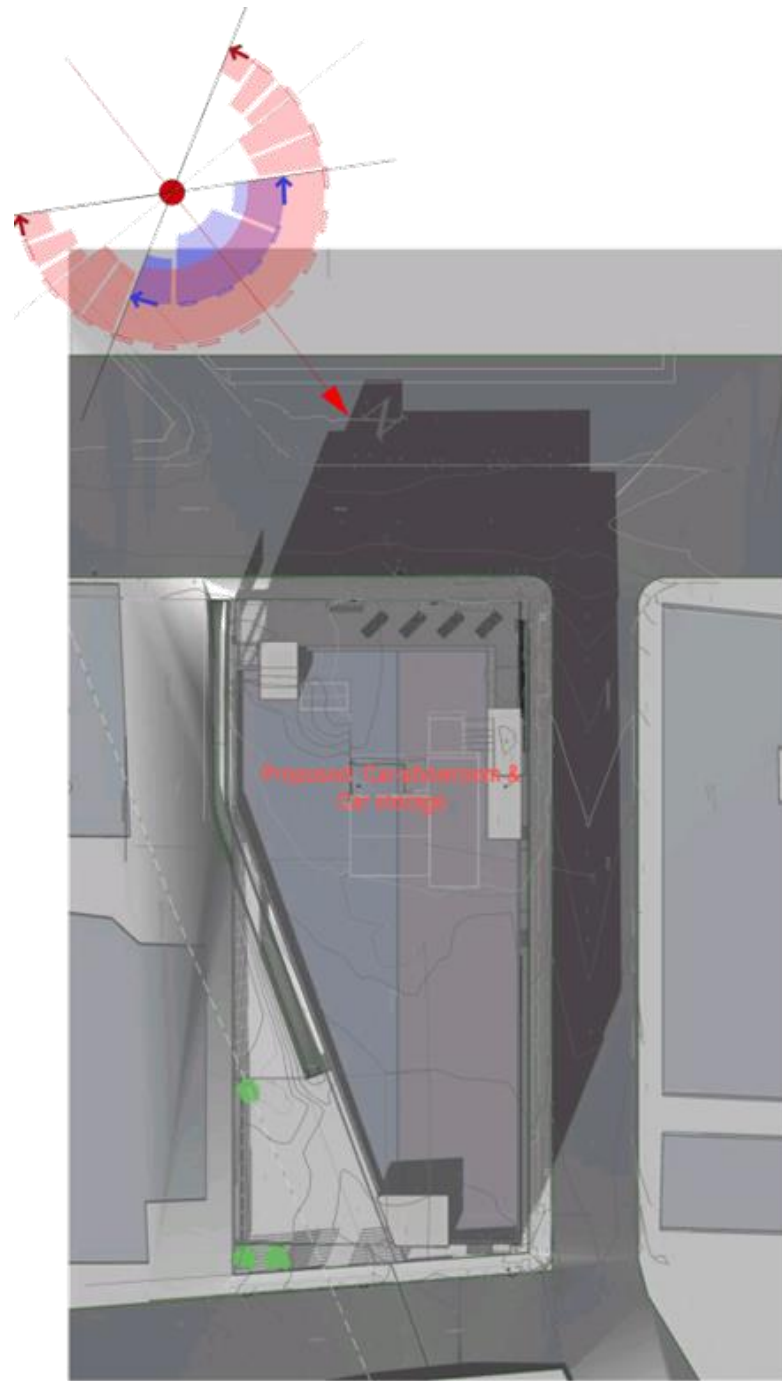


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Homebush NSW Australia 2148
PH: (02) 9413 7800
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DRAWING TITLE:	STATUS:
PERSPECTIVES	DA
DRAWN: JK	CHKD: MH
PROJECT NO: 3578	PROJECT DATE: 20.08.16
DRAWING NO: A.0601	SCALE: @A1
REVISION: E	

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19 July 2017



SHADOW DIAGRAM (9: 00: AM)

22 June.

SHADOW DIAGRAM (12: 00 PM)

22 June.

SHADOW DIAGRAM (3: 00 PM)

22 June.

NOTE:
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D	20.04.17	ISSUE FOR CONSULTANTS COORDINATION
E	20.06.17	ISSUE FOR CONSULTANTS COORDINATION

No	DATE	AMENDMENT

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
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HOMEBUSH, NSW**
CLIENT:
SUTTONS



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DRAWING TITLE:		STATUS:	
SHADOW DIAGRAMS		DA	
DRAWN	CHKD	PROJECT DATE	SCALE: @A1
JK	MH	20.08.16	1:0.56, 1:0.24, 4:0
PROJECT NO.	DRAWING NO.	REVISION	
3578	A.0602	E	

Street photo A



Street photo B



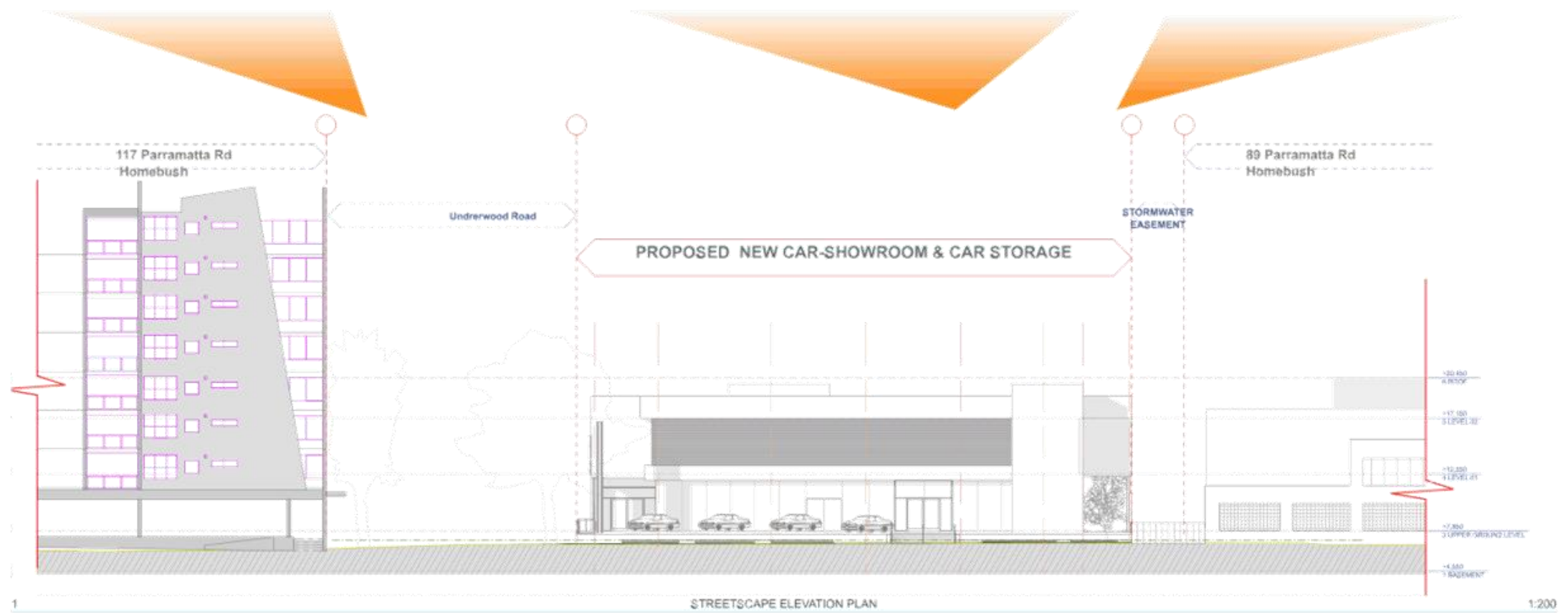
Street photo C



Underwood Road

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19 July 2017



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C	02.08.17	ISSUE FOR CONSULTANTS COORDINATION			
D	20.08.17	ISSUE FOR CONSULTANTS COORDINATION			
E	25.08.17	ISSUE FOR CONSULTANTS COORDINATION			

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.

SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW

CLIENT:
SUTTONS



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SYDNEY
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Homebush NSW Australia 2148
Tel: (02) 9412 7888

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DRAWING TITLE: STREETSCAPE ELEVATION PLAN
STATUS: PLAN
DRAWN: JK **CHKD:** MH **PROJECT DATE:** 20.08.16 **SCALE:** @A1
PROJECT NO.: 3578 **DRAWING NO.:** A.1001 **REVISION:** E

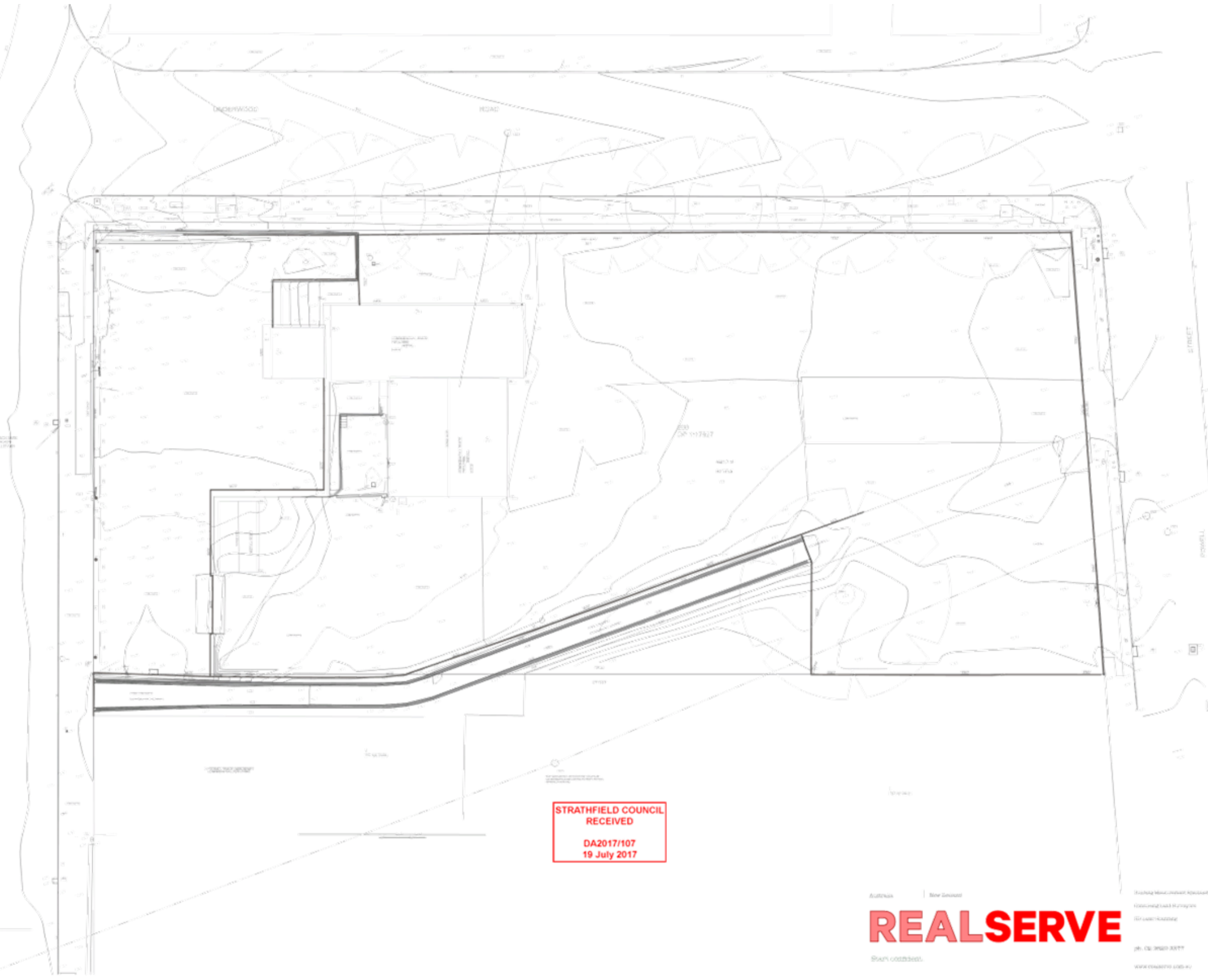
GENERAL NOTES

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 3. LEVELS ARE BASED ON AUSTRALIAN HEIGHT DATUM (AHD) THE ORIGIN HIGH IS 52M 95281 RL 5.206 AHD (SOURCE: SCIMS 10-1-17).
 4. LEVELS HAVE BEEN INTERPOLATED FROM SPOT HEIGHTS TAKEN AND ARE AN APPROXIMATION ONLY.
 5. IF ANY CONSTRUCTION OR DESIGN WORK IS PLANNED WHICH RELIES ON CALCULATIONS FROM BOUNDARIES, IT IS STRONGLY RECOMMENDED THAT A COMPLETE & THOROUGH BOUNDARY SURVEY BE UNDERTAKEN PRIOR TO DESIGN BEING FINALISED & COMMENCEMENT OF ANY WORKS.
 6. LOCATION OF ADJOINING BUILDING FEATURES HAVE BEEN IDENTIFIED WHERE VISIBLE FROM THE SUBJECT PROPERTY. ANY ADDITIONAL INFORMATION REQUIRED IS SUBJECT TO ADDITIONAL SURVEY & ACCESS BEING GRANTED TO ADJOINING PROPERTIES.
 7. LOCATION & LEVELS OF BUILDING RIDGES AND ROOF FEATURES HAVE BEEN DETERMINED BY INDIRECT METHODS (WHERE VISIBLE) & ARE TO APPROXIMATELY +/- 3.00m.
 8. RECORDS OF THE SERVICE AUTHORITIES HAVE NOT BEEN OBTAINED. ONLY THOSE SERVICES VISIBLE AT THE TIME OF SURVEY HAVE BEEN SHOWN.
 9. LOCATION OF EASEMENTS HAVE BEEN COMPILED FROM PLANS & RECORDS OBTAINED FROM LAND & PROPERTY INFORMATION N.E.W AND ARE SUBJECT TO A CADASTRAL SURVEY.

SYMBOL ABBREVIATIONS

- N - AWNING
 - M - BASE CONCRETE CHANNEL WALL
 - R - BOTTOM OF STORMWATER DRAIN (APPROX)
 - BITUMEN
 - BOLLARD
 - M - STEPPED BRICK RETAINING WALL
 - CONCRETE WALL
 - DRAIN
 - E - ELECTRICITY BOX
 - P - POWER POLE & LIGHT
 - FLOOR LEVEL
 - FLAG POLE
 - GRATED PIT
 - LAUNDRY RAIL
 - H - HYDRANT
 - INVERT
 - INVERT OF KERB
 - L - LIGHT POLE
 - F - METAL PANEL FENCING
 - T - OPTUS PIT
 - POWER POLE
 - ROOF TOP HEIGHT (APPROX)
 - S - SEWER (AMP HOLE)
 - H - SEWER MAN HOLE
 - STREET SKIN
 - TOP VALVE
 - C - TRAFFIC SIGNAL BOX
 - N - TOP CONCRETE CHANNEL WALL
 - TELECOM PIT
 - TOP BUTTER HEIGHT (APPROX)
 - TOP OF KERB
 - T - TRAFFIC LIGHT
 - TOP OF STORMWATER DRAIN WALL
 - UNCLASSIFIED PIT
 - UNDERSIDE AWNING
 - F - WIRE MESH FENCING
 - A - EASEMENT FOR STORM WATER DRAINAGE 3.66 WIDE (VIDE DEALING No. C120985)
- TR0 - TREE TRUNK APPROX. 0.20
 TR4 - TREE TRUNK APPROX. 0.40
 TR6 - TREE TRUNK APPROX. 0.60
 TR8 - TREE TRUNK APPROX. 0.80
 TR20 - TREE TRUNK APPROX. 2.00
- TREE SPREAD AS SHOWN
 TREE HEIGHT APPROX. RL 21.0

INDICATIVE LOCATION OF SEWER LINE AS INTERPOLATED FROM CITY OF SYDNEY SEWER DIAGRAM. NOT SURVEYED.



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REALSERVE

NOTE	No	DATE	AMENDMENT
1. THESE NOTES ARE AN INTEGRAL PART OF THE PLAN. THE INFORMATION SHOWN ON THIS PLAN OR IN THE ASSOCIATED CAD FILE APPLIED ON THE CONDITION THAT THESE GENERAL NOTES ARE KEPT ON ANY COPY OR EXTRACT OF THE HARD COPY DATA FILE.	A	28.02.17	ISSUE FOR INTERNAL REVIEW (DRAFT ONLY)
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3. LEVELS ARE BASED ON AUSTRALIAN HEIGHT DATUM (AHD) THE ORIGIN HIGH IS 52M 95281 RL 5.206 AHD (SOURCE: SCIMS 10-1-17).	C	03.04.17	ISSUE FOR CONSULTANTS COORDINATION
4. LEVELS HAVE BEEN INTERPOLATED FROM SPOT HEIGHTS TAKEN AND ARE AN APPROXIMATION ONLY.	D	20.04.17	ISSUE FOR CONSULTANTS COORDINATION
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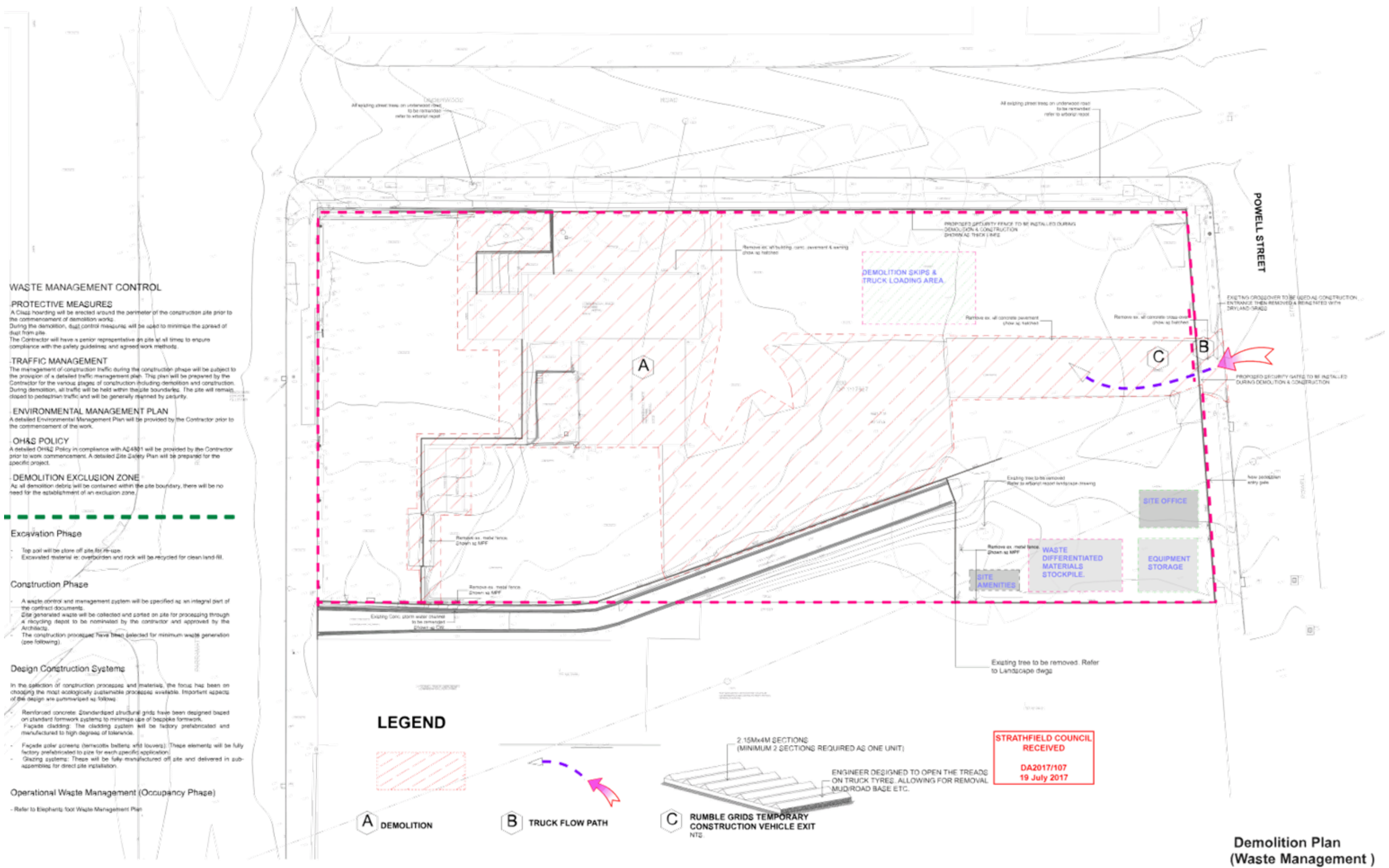
No	DATE	AMENDMENT

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
 SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW
 CLIENT
SUTTONS



BHI ARCHITECTS PTY LTD
 SYDNEY
 Suite 2 10/11 Dunning Avenue
 Homebush NSW Australia 1516
 Tel: 02 9412 7300
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bhi
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DRAWING TITLE:		STATUS:	
SURVEY		DA	
DRAWN	CHKD	PROJECT DATE	SCALE
JK	MH	20.08.16	1:200
PROJECT NO.	DRAWING NO.	REVISION	
3578	A.1201	E	



NOTE:

No	DATE	AMENDMENT
1	28.03.17	ISSUE FOR INTERNAL REVIEW (DHP only)
2	02.04.17	ISSUE FOR CONSULTANTS COORDINATION
3	03.04.17	ISSUE FOR CONSULTANTS COORDINATION
4	20.04.17	ISSUE FOR CONSULTANTS COORDINATION
5	20.04.17	ISSUE FOR CONSULTANTS COORDINATION
6	20.04.17	ISSUE FOR CONSULTANTS COORDINATION

No	DATE	AMENDMENT

No	DATE	AMENDMENT

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.

SITE:
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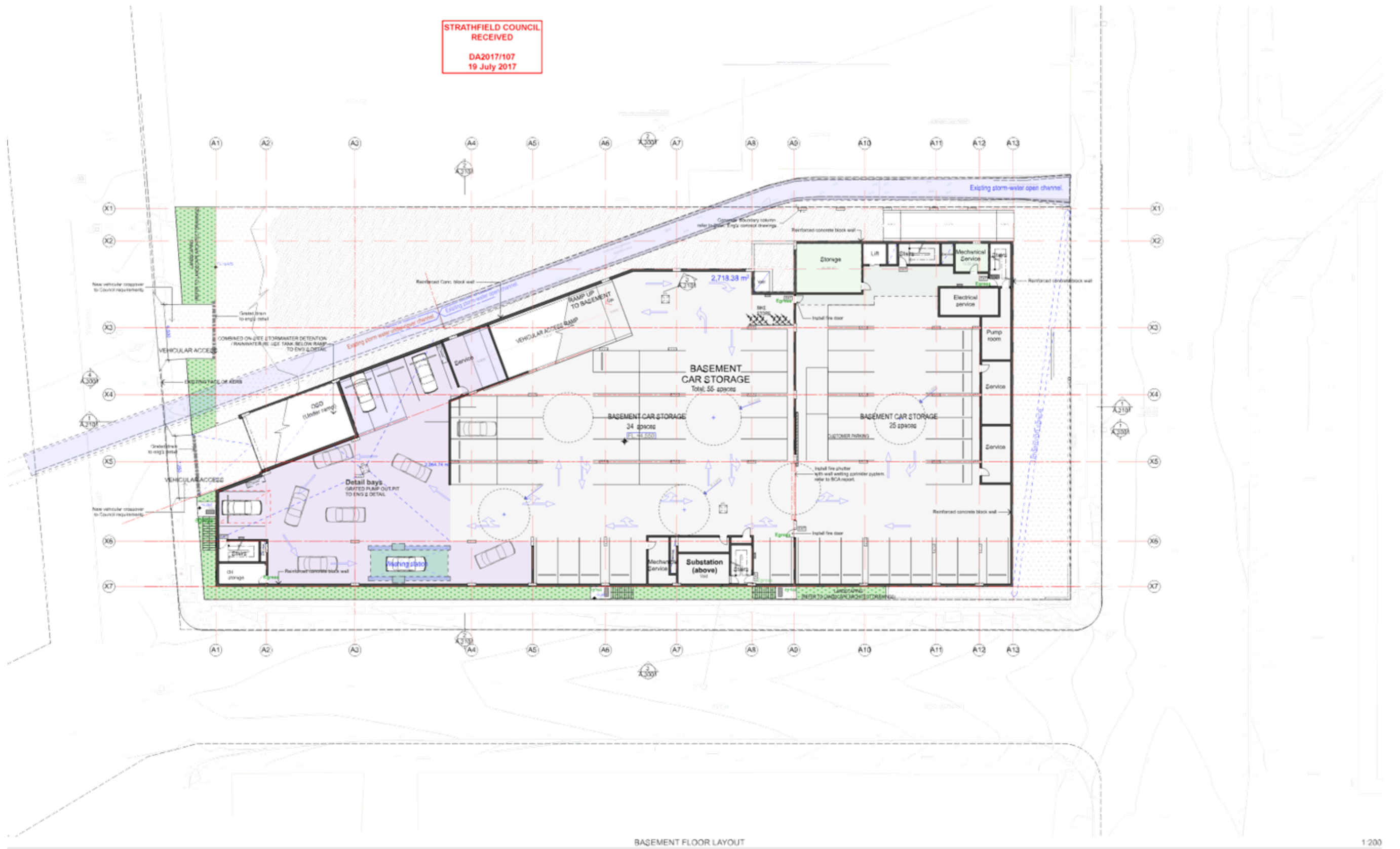


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DRAWN:	CHKD:	PROJECT DATE:	SCALE:	@A1	
JK	MH	20.08.16	1:200		
PROJECT NO.:	DRAWING NO.:	REVISION:			
3578	A.1202	E			

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BASEMENT FLOOR LAYOUT

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4	20.08.17	ISSUE FOR CONSULTANTS COORDINATION
5	28.08.17	ISSUE FOR CONSULTANTS COORDINATION

No	DATE	AMENDMENT

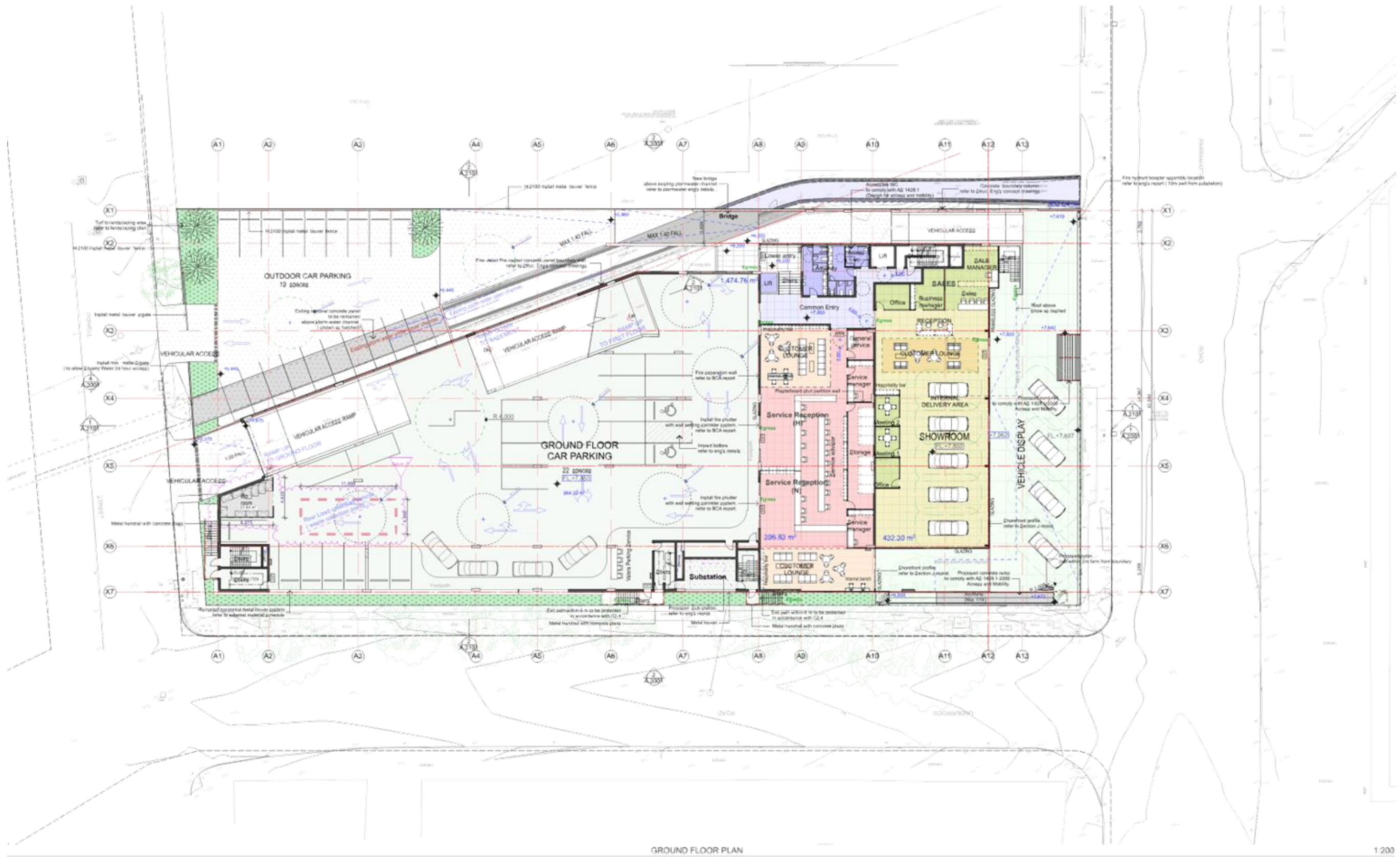
PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW
CLIENT:
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SYDNEY
Suite 2 16/17 Durrong Street
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DRAWING TITLE:		STATUS:	
BASEMENT FLOOR LAYOUT PLAN		A	
DRAWN	CHKD	PROJECT DATE	SCALE
JK	MH	20.08.16	1:200
PROJECT NO.	DRAWING NO.	REVISION	
3578	A.2001	E	



GROUND FLOOR PLAN

1:200

NOTE:

1. AREA STIPPLED AND SHOWN TO INDICATE AREA TO BE REMOVED TO OPEN UP CAR PARKING.
2. AREA STIPPLED AND SHOWN TO INDICATE AREA TO BE REMOVED TO OPEN UP CAR PARKING.
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No	DATE	AMENDMENT
A	28.02.19	ISSUE FOR INTERNAL REVIEW (DWP only)
B	02.04.19	ISSUE FOR CONSULTANTS COORDINATION
C	03.04.19	ISSUE FOR CONSULTANTS COORDINATION
D	20.04.19	ISSUE FOR CONSULTANTS COORDINATION
E	28.06.19	ISSUE FOR CONSULTANTS COORDINATION
F	28.10.17	ISSUE FOR DA

No	DATE	AMENDMENT

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
 SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW
 CLIENT:
SUTTONS

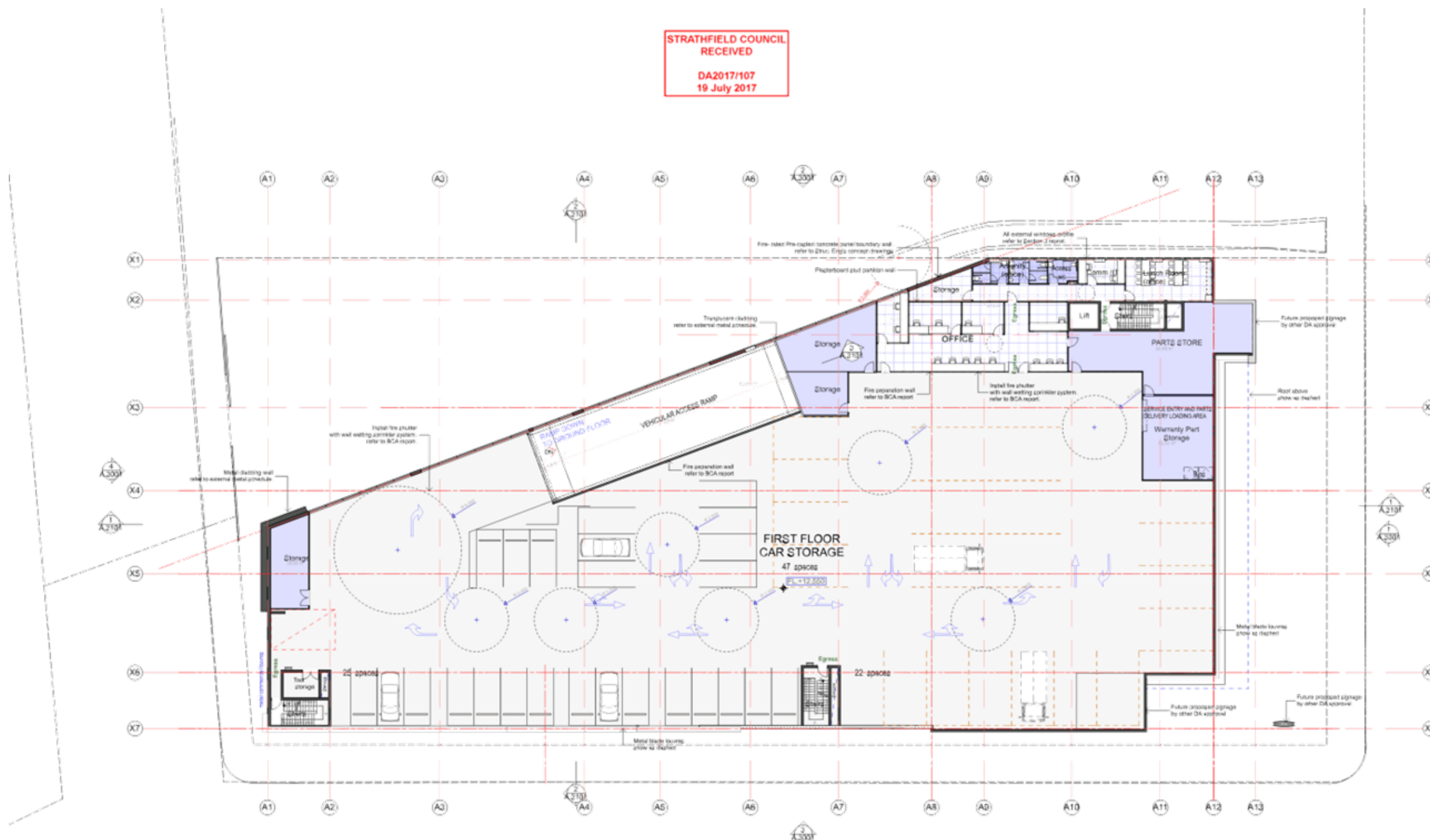


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DRAWING TITLE:		STATUS:	
GROUND FLOOR LAYOUT PLAN		A	
DRAWN: JK	CHKD: MH	PROJECT DATE: 20.08.16	SCALE: @A1
PROJECT NO.: 8578	DRAWING NO.: A.2002	REVISION: F	

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FIRST FLOOR PLAN

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E	28.08.17	ISSUE FOR CONSULTANTS COORDINATION			

PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.

SITE:
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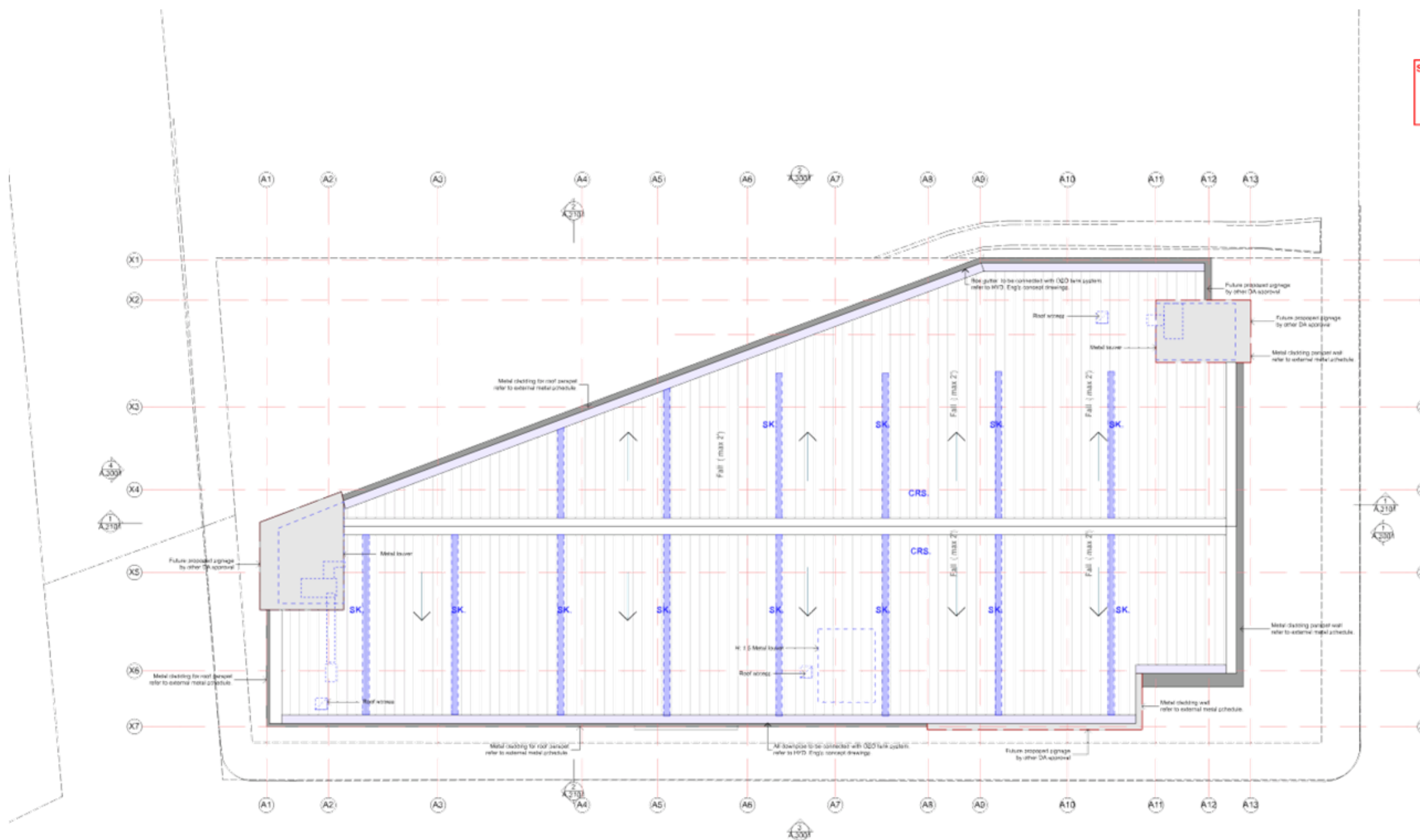


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FIRST FLOOR LAYOUT PLAN DA		DA	
DRAWN: JK	CHKD: MH	PROJECT DATE: 20.08.16	SCALE: @A1
PROJECT NO: 3578	DRAWING NO: A.2003	REVISION: E	

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ROOF LAYOUT PLAN

1:200

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D	20.04.17	ISSUE FOR CONSULTANTS COORDINATION			
E	28.06.17	ISSUE FOR CONSULTANTS COORDINATION			

PROJECT
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SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW
CLIENT:
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SYDNEY
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Tel: 02 9512 7888
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ROOF LAYOUT PLAN		DA	
DRAWN: JK	CHKD: MH	PROJECT DATE: 20.08.16	SCALE: @A1
PROJECT NO.: 3578	DRAWING NO.: A.2101	REVISION: E	

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AREA SCHEDULE.

- Total area of the proposed development

AREA SCHEDULE		
GFA Item	Area	M2
N/A	Basement - OGD	77.36
N/A	Basement - Plant room	95.56
N/A	Basement - Plant room	28.70
N/A	Basement - Plant room	16.78
1	Basement - Car Parking	2,442.94
7	Basement - Storage	13.00
7	Basement - Storage	43.08
2	Ground floor - Office	520.15
2	Ground floor - showroom	425.80
4	Ground floor - Car parking	1,471.26
N/A	Ground floor - Plant room	27.88
N/A	Ground floor - Plant room	3.75
N/A 1	Ground floor - External Display area	417.26
5	First floor - Car parking	2,203.40
N/A	First floor - Plant room	3.75
N/A	First floor - Plant room	1.73
N/A	First floor - Plant room	3.69
6	First floor - Office	218.93
7	First floor - Storage	29.45
7	First floor - Storage	63.02
7	First floor - Storage	8.02
7	First floor - Storage	148.32

- New Vehicle showroom and main reception

(2 + N/A1) = 843 M2

(Included: Internal & External Showroom, Reception, Customer Lounge & Delivery bay)

- General office

(3) = 533 m2

(Included: Office, Reception, Records, Warranty office, S/Manager)

- Storage room areas

(all 7) = 302 M2

- Plant room areas

(all N/A) = 268 M2

- Customer car parking / car storage areas

(1+4+5) = 6,248 M2

- Total GFA Calculation.

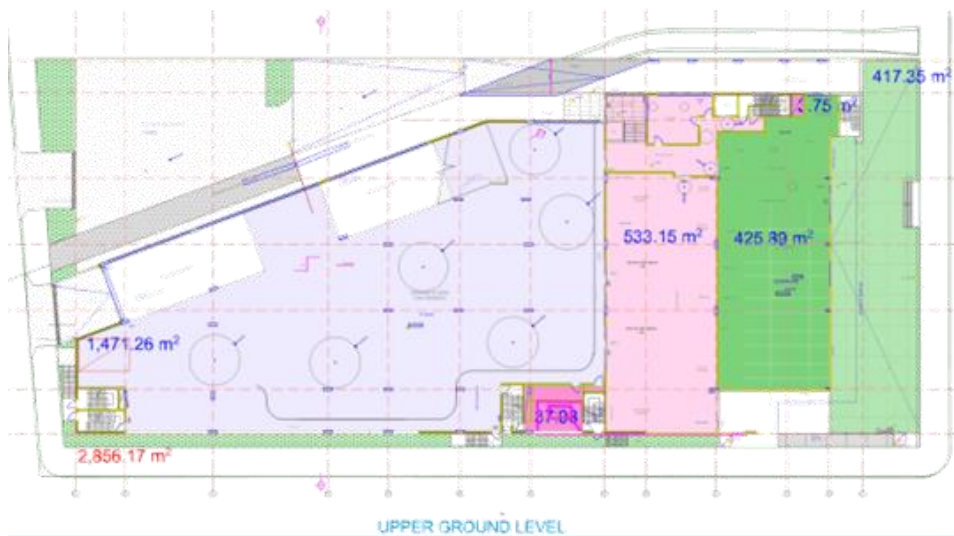
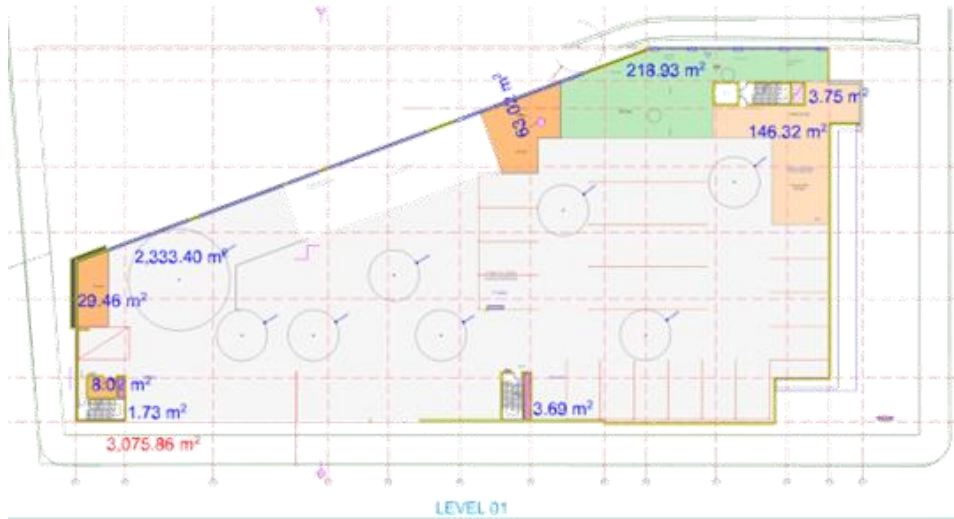
(1,2,3,4,5,6 & 7) = 7,139m2

- Carparking calculation & schedule

- Motor Showrooms
4,692m2 (site area) / 200 x 1.5 = 35.19 spaces

Total required carparking lot: 36 Spaces

(PART I Of Strathfield Consolidated Development Control Plan 3.4.2 / Motor Showrooms : Off-street customer/visitor parking at the rate of 1.5 spaces per 200m2 of site area is recommended.)



NOTE	No	DATE	AMENDMENT	No	DATE	AMENDMENT
1. AREA DIMENSIONS AND AREAS TO COMPLY WITH AS/NZS 4455:2009	A	28.02.17	ISSUE FOR INTERNAL REVIEW (DWP only)			
2. CHECK FOR CONFLICTS WITH ANY EXISTING SERVICES	B	02.04.17	ISSUE FOR CONSULTANTS COORDINATION			
3. CHECK FOR CONFLICTS WITH ANY EXISTING SERVICES	C	03.04.17	ISSUE FOR CONSULTANTS COORDINATION			
4. CHECK FOR CONFLICTS WITH ANY EXISTING SERVICES	D	20.04.17	ISSUE FOR CONSULTANTS COORDINATION			
5. CHECK FOR CONFLICTS WITH ANY EXISTING SERVICES	E	20.06.17	ISSUE FOR CONSULTANTS COORDINATION			

PROJECT: PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
 SITE: 101 - 109 PARRAMATTA ROAD HOME BUSH, NSW
 CLIENT: SUTTONS

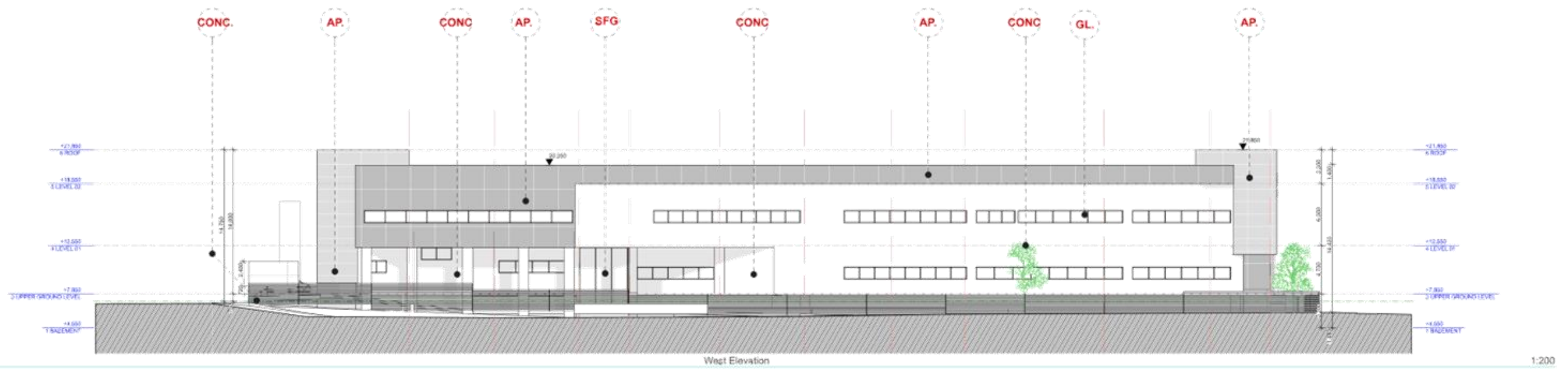
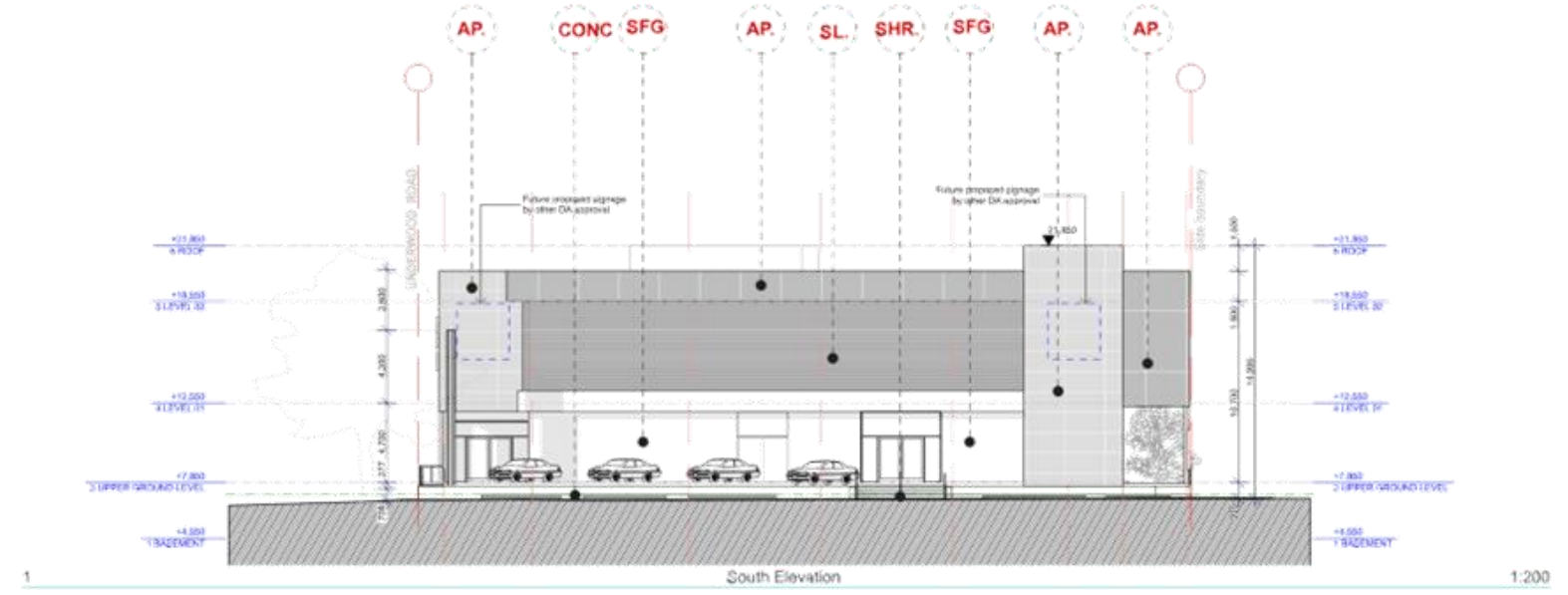
BHI ARCHITECTS PTY LTD
 SYDNEY
 Suite 2 10/11 Darling Street
 Homebus NSW Australia 2160
 Tel: 02 9413 7888
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DRAWING TITLE: GFA SCHEDULE
 STATUS: DA
 DRAWN: JK
 CHKD: MH
 PROJECT DATE: 20.08.16
 SCALE: @A1
 PROJECT NO.: 8578
 DRAWING NO.: A.2901
 REVISION: E

EXTERNAL MATERIAL FINISHES SCHEDULE

METAL CLADDING ALUCOBOND CLADDING "Pure White" External cladding system (Colours refer to 3rd perspectives)	AP	CONCRETE BLOCKWORK SORAL "Woolseley" Wall
COLORBOND STEEL NON CORRUGATED Colorbond "Windsor" Gutters, downpipes, roof sheeting, roof air vents	CB	METAL ROOF SHEET Zincalume "DUNE" Roof
CONCRETE FINISH N/A Floors: Beem walls Pre-cast panel	EDNC	Painted aluminium louvers To match Colorbond "Windsor" or "Stratstone" (imported louver: match with wall colour) Louvers
NOTE: AP: ALUMINIUM COMPOSITE CLADDING CONC: CONCRETE CPT: CARPET CL: CLOTHESLINE CRS: COLORBOND ROOF SHEETS CP: DOWNPIPE GR: GRASS RAFTER/TRADE PA: PAVEMENT PC: POLY CARBON FIBRE CLADDING TSD: TYPED SIGNAGE NL: METAL LOUVER SBL: STONE BLOCK SR: STONE RAIL EST: EXTERNAL STONE STAIRS TMB: TRIMMER BOARD TD: EXTERNAL TRIMMER BOARD TR: TRIMMER BOARD TLB: TRIMMER BOARD TL: TRIMMER LOUVER TC: TRIMMER CLADDING WBC: WEATHERBOARD CLADDING SFC: STEEL REINFORCED PANEL CLADDING SR: STEEL RAIL SNC: STEEL RAIL SECTION SL: SLAB SL: STEEL LOUVER SHR: STEEL HAND RAIL SPT: STEEL PORTAL ENTRY & SLAB ROOF	PNT Paint Finish Dulux: Match with metal cladding Door: Wet	
	SFG	SHOP FRONT Framless shop front system (refer to Section 1 report)

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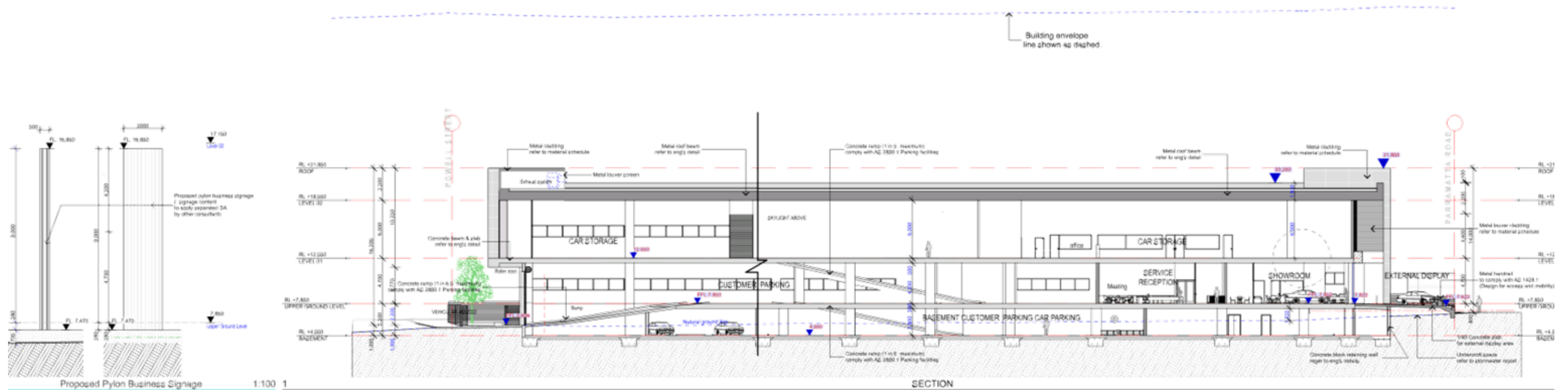
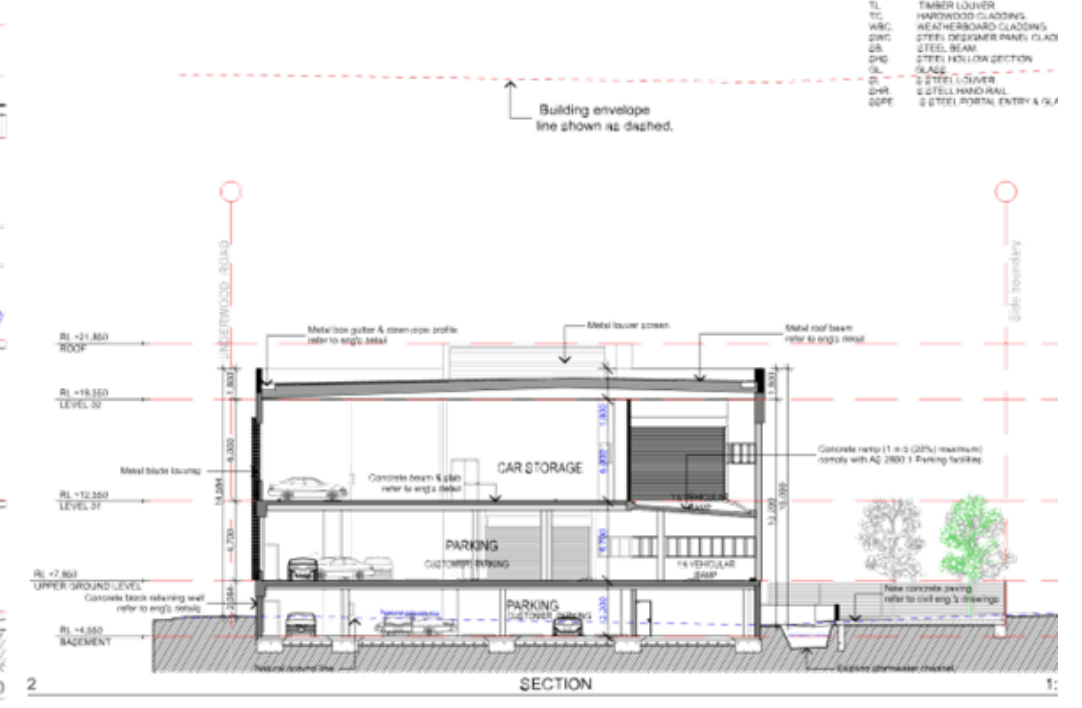
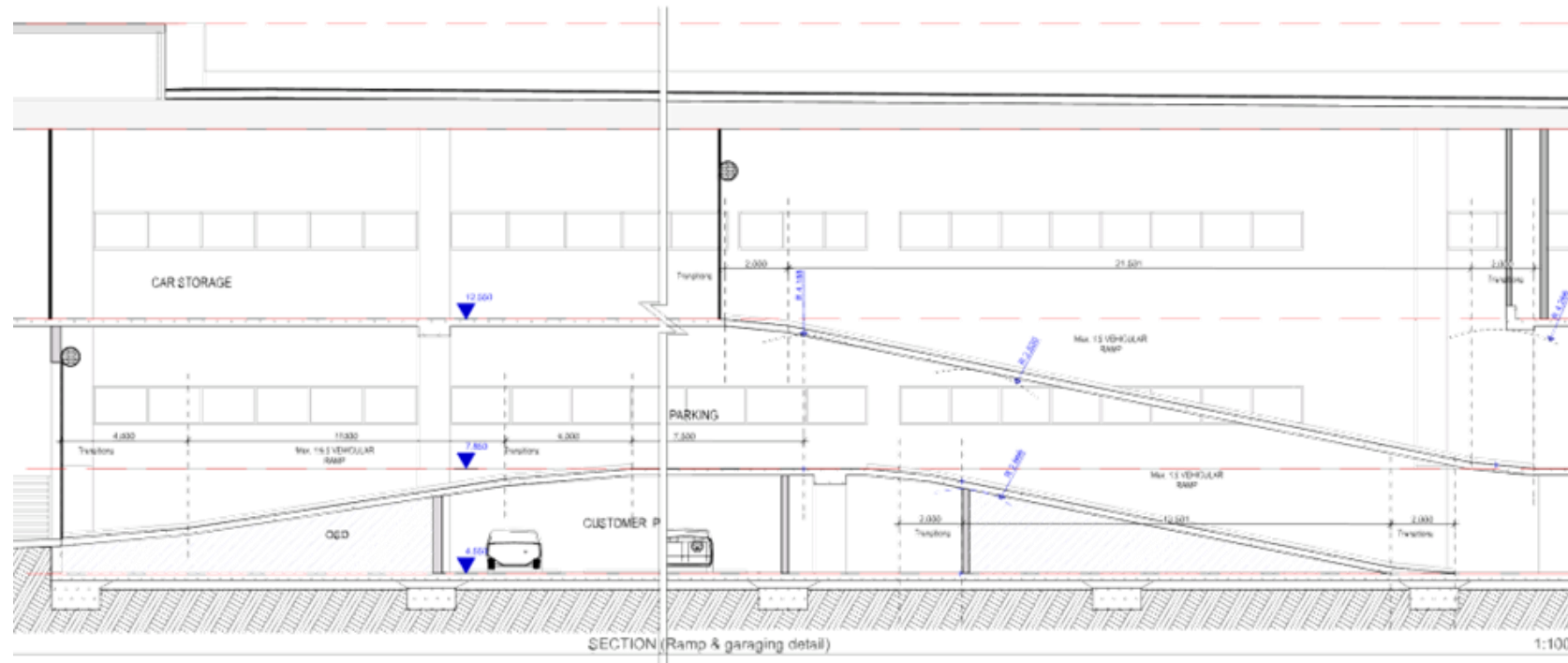
PROJECT
PROPOSED NEW CAR-SHOWROOM & CAR STORAGE.
SITE:
101 - 109 PARRAMATTA ROAD
HOMEBUSH, NSW
CLIENT:
SUTTONS

BHI ARCHITECTS PTY LTD
SYDNEY
Date: 20th August 2016
Homebush NSW Australia 2160
+61 (0)2 9412 7886
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DRAWN: JKH CHKD: MH	PROJECT DATE: 20.08.16
PROJECT NO.: 8578	DRAWING NO.: A.3001
	REVISION: E

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- AP ALUMINUM COMPOSITE CLAD
- CONC CONCRETE
- CPY CARPET
- CL CLOTHESLINE
- CRG COLORBOND ROOF SHEETS
- DB GLASS BALUSTRADE
- DP DOWNPIPE
- GR GRASS
- PA PAVES
- PC EGYON MATRIX GLASSING
- TD TILT GARAGE DOOR
- M METAL LOUVER
- CB CONC BLOCK
- SW STONE WALL
- EST EXTERNAL BENTONITE STAFF
- TMF TIMBER FLOOR
- TD EXTERNAL TIMBER SEATING
- TRF TIMBER FLOOR
- TUB TIMBER RAFTER
- TL TIMBER LOUVER
- HWB HARDWOOD GLASSING
- WBC WEATHERBOARD GLASSING
- DWC STEEL DECKING PANEL GLASS
- SB STEEL BEAM
- DNC STEEL HOLLOW SECTION
- SLG SLAB
- SL STEEL LOUVER
- DWR STEEL HANDRAIL
- SEPE STEEL PORTAL ENTRY & SL



NOTE:

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SITE:
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CLIENT
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Newcastle NSW Australia 2100
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DRAWING TITLE: SECTION
DRAWN: JK
CHKD: MH
PROJECT DATE: 20.08.16
PROJECT NO.: 3578
DRAWING NO.: A.3101
SCALE: @A1
1:200, 1:100
STATUS: DA
REVISION: E

TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017

REPORT: SIHAP – Report No. 2

SUBJECT: 23 SOUTH STREET, STRATHFIELD
LOT 67 DP 8778

DA NO. DA2017/082/01

SUMMARY

Proposal: A Section 82A Review – Demolition of existing structures and construction of a new two (2) storey dwelling with basement parking, in-ground swimming pool and front fence.

Applicant: Instinctive Designs Pty Ltd

Owner: Margarita Abdul-rahman

Date of lodgement: 2 November 2017

Notification period: 14 days

Submissions received: Nil

Assessment officer: KL

Estimated cost of works: \$1,500,000

Zoning: R2 Low Density Residential - SLEP 2012

Heritage: No – but adjoins heritage Item 1196

Flood affected: No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

The current application seeks a review of determination of DA No.2017/181/1 pursuant to Section 82A of the EP&A Act 1979. The application for demolition of existing structures and construction of a new two (2) storey dwelling with basement parking, in-ground swimming pool and front fence was originally refused by Council.

The plans and documentation submitted as part of the application were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005. No submissions were received during this time.

The subject application is substantially similar to the original development application, the reasons for refusal including compliance with Clause 5.10 of SLEP 2012, proposed roof structure, setback requirements and privacy are considered to have been adequately addressed.

It is recommended that the Development Application be approved subject to conditions.

BACKGROUND

27 June 2011 A Deferral Letter was sent to applicant raising a number of issues including exceeding the maximum permitted floor space, height, setbacks, stormwater matters and privacy concerns.

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

2 August 2017 The proposed Development Application was recommended for approval. However, Internal Development Assessment Panel meeting held on 2 August 2017 refused the Development Application due to the following reasons:

1. The proposal fails to achieve the objectives of Clause 5.10 of the Strathfield Local Environmental Plan 2012 which seek to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views. The front and side setbacks proposed as well as building materials and finishes sought are inconsistent with the character of the existing heritage dwelling and would adversely impact upon view corridors and the curtilage established around the heritage dwelling (Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*).
2. The application does not achieve compliance with Section 3.3.2 (1) and (2) of the SCDCP 2005 in that the proposal is inconsistent with the massing of surrounding residential dwellings which are all well-articulated (Section 79C (1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*).
3. The proposed roof structure with pedimented parapet to the central breakfront of the facade of the dwelling fails to integrate with other roof forms in the immediate streetscape and therefore fails to comply with Section 3.3.3 (1) of the SCDCP 2005 (Section 79C(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*).
4. The proposal fails to achieve the minimum 4 hours sunlight for the adjoining southern dwelling located at 25 South Street required under Section 6.3.1 of Part A of the SCDCP 2005 (Section 79C(1)(a)(iii) and (1)(b) of the *Environmental Planning and Assessment Act 1979*).
5. The two (2) south facing windows adjoining the master bedroom on the first floor of the development result in overlooking into the adjoining property's private open space area. This is contrary to Section 14.3.3 of Part A of the SCDCP 2005 which requires private open space areas to be protected from direct overlooking within 9m by appropriate use of screening devices (Section 79C(1)(a)(iii) and (1)(b) of the *Environmental Planning and Assessment Act 1979*).
6. The predominant portion of the dwelling fails to achieve compliance with the minimum 25% (5m) combined setback requirements contrary to Section 10.3.2 of Part A of the SCDCP 2005. Whilst the dwelling generally complies with the minimum 1.5m side setback controls, the building fails to provide any meaningful articulation throughout thus failing to reinforce a sense of openness in the locality. (Section 79C(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*).

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located upon the eastern side of South Street, located north of the intersection of Ada Avenue with South Street. The site is a regular shaped residential allotment containing a gradual fall to the rear western boundary of the site. The site provides a frontage width of 20.15m, a depth of 60.35m and a total site area of 1,213m².

The subject site is currently comprised of a detached two (2) storey brown brick dwelling with a detached outbuilding to the rear. Dwellings in the streetscape are predominantly traditional in style with pitched tiled roof forms and facebrick exterior walls. There are also examples of rendered brick dwellings in the streetscape. The dwelling immediately adjoining the site to the north is a heritage listed dwelling (I196) at No. 19 - 21 South Street. The dwelling contains a generous front setback with sweeping driveway and cream coloured exteriors with terracotta roof and bay windows.

23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)

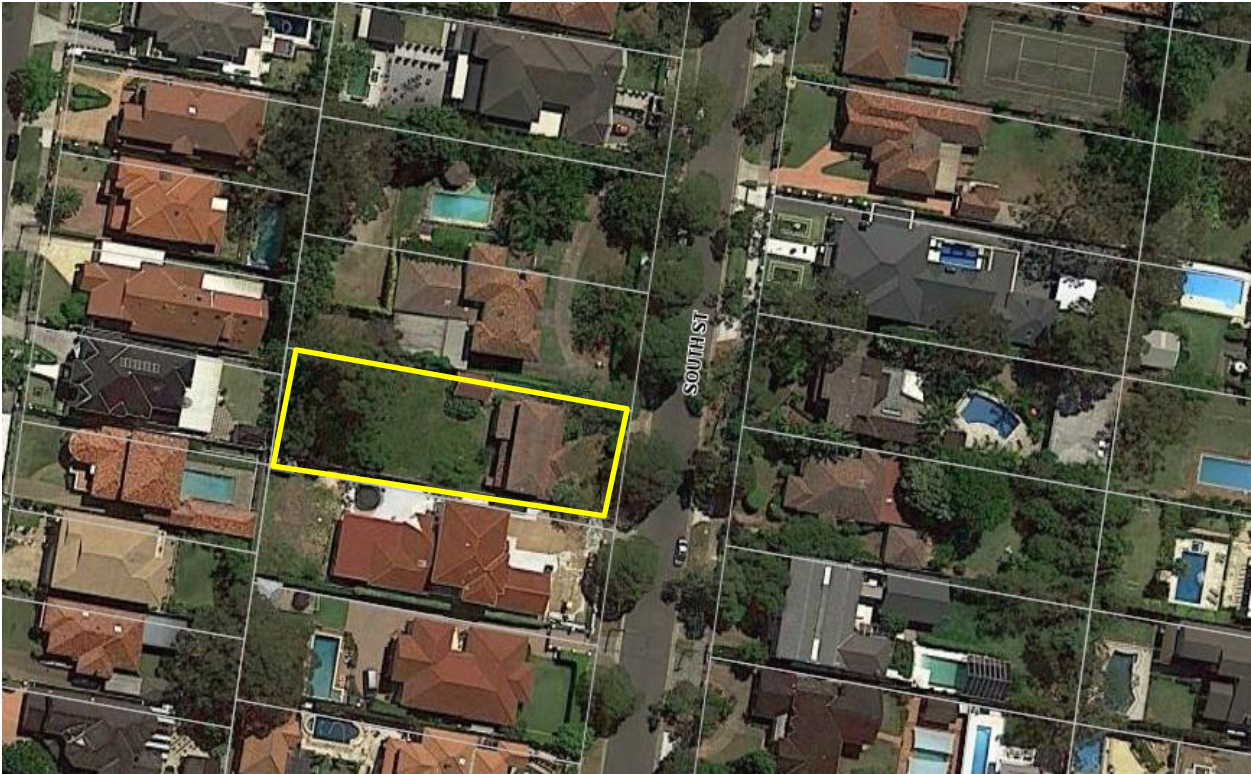


Figure 1: Locality plan



Figure 2: View of existing dwelling

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

The application seeks approval for demolition of existing structures and construction of a new two (2) storey dwelling with basement parking, in-ground swimming pool and front fence.

The specific elements of the proposal are:

Basement level:

- Four (4) parking spaces and toilet

Ground floor level:

- Laundry
- Library
- Study
- Guest bedroom
- Open plan living, dining and kitchen area
- Rear alfresco area

First floor level:

- Five (5) bedrooms

External works:

- Associated landscaping and drainage works

REFERRALS

INTERNAL REFERRALS

Landscaping Comments

Council's Tree Coordinator has commented on the proposal as follows:

"Council is in favour of this development subject to the Landscape plan amended to reflect 25 % locally indigenous species"

Council's Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Heritage Comments

Council's Heritage Advisor has commented on the proposal as follows:

"The proposal reduces the current setback from the front boundary; it is recommended that the setback from the front boundary be increased to maintain & enhance public views to the heritage item and appreciation of its heritage significance, and to reduce the visual impact of the new building on the streetscape adjoining the heritage item.

It is recommended that the design be amended to reduce the prominence of the façade on the streetscape by reducing the height of the parapet feature to the central breakfront."

Amended plans were submitted to Council demonstrating an increased front setback and a reduction in the height of the front parapet structure. The following comments were made:

- *The proposed building is sited well in front of the adjoining buildings on either side – the setback from the front boundary should be increased to reduce the visual impact of the proposed design on the adjoining heritage item, and to improve sightlines to the heritage item.*
- *The tall and prominent pedimented parapet to the central break-front to the eastern elevation should be reduced in height to reduce its visual impact.*

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

- *The height of the front fence should be reduced in height to reduce its impact on the streetscape.*

Further amended plans were submitted to demonstrate compliance with the maximum permitted height requirements (i.e. 1.8m).

Engineering Comments

Council’s Development Engineer has commented on the proposal as follows:

“Documentary evidence showing that monetary efforts have been made to obtain an easement were submitted to Council during the assessment process as requested by Council’s Engineer.”

No further objections were raised subject to the following conditions attached.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:
(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2)	Aims	Complies
(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

Comments: The proposal is considered appropriate to the character of the streetscape and will be a positive contribution to the street.

Permissibility

The subject site is Zoned R2 – Low Density Residential under Strathfield Local Environmental Plan (SLEP) 2012.

A dwelling house is permissible within the R2 – Low Density Residential Zone with consent and is defined under SLEP 2012 as follows:

“**dwelling house** means a building containing only one dwelling.”

The proposed development for the purpose of a dwelling house and is permissible within the R2 Zone with consent.

Zone Objectives

An assessment of the proposal against the objectives of the R2 Zone is included below:

Objectives	Complies
➤ To provide for the housing needs of the community within a low density residential environment.	Yes
➤ To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.	Yes

Comments: The proposal has considered the zone objectives through providing a detached two (2) storey dwelling which provides for the housing needs of the community in a low density setting.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	<i>Height of building</i>	9.5m	9.48m	Yes

	Objectives	Complies
(a)	<i>To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area</i>	Yes
(b)	<i>To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area</i>	Yes
(c)	<i>To achieve a diversity of small and large development options.</i>	Yes

Comments: Amended plans were submitted demonstrating a reduction in the height of the parapet and dome structure to comply with the maximum permitted height requirements.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	<i>Floor space ratio</i>	0.50:1 (606.5m ²)	0.49:1 (590.9m ²)	Yes

	Objectives	Complies
(a)	<i>To ensure that dwellings are in keeping with the built form character of the local area</i>	Yes

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

(b)	<i>To provide consistency in the bulk and scale of new dwellings in residential areas</i>	Yes
(c)	<i>To minimise the impact of new development on the amenity of adjoining properties</i>	Yes
(d)	<i>To minimise the impact of development on heritage conservation areas and heritage items</i>	Yes
(e)	<i>In relation to Strathfield Town Centre:</i> <i>i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and</i> <i>ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development</i>	Yes
(f)	<i>In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor</i>	Yes

Comments: Amended plans were submitted demonstrating a reduction in FSR from 605.9m² to 590.9m².

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the SLEP 2012 are addressed below as part of this assessment:

5.10 Heritage Conservation

The subject site is identified as being located next to a Heritage Listed Item under Schedule 5 of the SLEP, 2012. The Heritage Conservation objectives under Clause 5.10 of the SLEP seek to:

- (a) Conserve the environmental heritage of Strathfield, and*
- (b) Conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.*

As previously discussed, the dwelling located immediately north of the site on the opposite side of South Street is a heritage listed dwelling (*Item 196*) under Schedule 5 of the SLEP 2012. The dwelling is a Georgian Revival style house with cream coloured rendered brick exterior walls, a hipped tile roof and bay windows.

Amended plans were submitted to Council to reduce the overall building height of the structure and increase side setbacks of the site. The amended plans have also resulted an increased front setback of the dwelling to better align with the northern adjoining heritage dwelling as well as retain sightlines which are provided around the heritage dwelling. The cream coloured sandstone work proposed to the dwelling is neutral and will be sympathetic to the cream colour exterior of the heritage dwelling.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

6.2 Earthworks

Appropriate conditions of consent to be imposed.

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

Heritage and Conservation

Cl. 1.11	Aims	Complies
A	<i>To preserve and enhance the visual and environmental amenity of heritage items and heritage conservation areas within the municipality of Strathfield</i>	Yes
B	<i>Ensure all new development affecting heritage items and conservation areas is designed to be compatible in setting, scale, setbacks, form, materials and character with the building and surrounding area</i>	Yes
C	<i>Ensure that development in the vicinity of a heritage item or conservation area does not have any adverse impact on the heritage significance or setting and that development is compatible in setting, scale, setbacks, form, materials and character with the item or conservation area</i>	Yes
D	<i>Conserve archaeological sites and places of Aboriginal significance</i>	Yes
Cl. 1.11	Controls	Complies
(1)	<i>A Statement of Heritage Impact is required for proposed development:</i> a) <i>affecting a heritage item;</i> b) <i>within a heritage conservation area; or</i> c) <i>in the vicinity of an item or heritage conservation area</i>	Yes
(2)	<i>This statement must set out the heritage significance of the structure or place and assess the extent to which carrying out of the proposed development would affect the significance of the heritage item or heritage conservation area concerned and outline measures to minimise any identified impact</i>	Yes

Comments: A Heritage Impact Report was submitted having consideration for the existing dwelling and the minimal impact its demolition will have upon the streetscape including the adjoining heritage dwelling. Notwithstanding, as discussed amended plans were submitted providing an increase front setback and a reduction in overall building height.

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

An assessment of the proposal against the objectives contained within Clause 1.3 of Part A of SCDCP 2005 is included below:

No.	Objectives	Complies
A	<i>To preserve and enhance the residential amenity and heritage value of buildings in the Strathfield Municipality</i>	Yes
B	<i>To encourage construction of environmentally sustainable dwelling houses and ancillary structures</i>	Yes
C	<i>To preserve the appearance of dwellings in tree-lined streets and park-like settings</i>	Yes
D	<i>To maintain compatible architectural styles of dwelling houses within the</i>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

<i>streetscape</i>		
E	<i>To encourage innovation in housing design and detail</i>	Yes
F	<i>To maintain continuity of streetscape by requiring new and altered dwellings to be constructed to a similar size and scale to adjoining developments</i>	Yes
G	<i>To provide a high standard of dwelling house design, construction and finish</i>	Yes
H	<i>To maximise solar access to existing and proposed developments</i>	Yes
I	<i>To provide adequate and convenient on-site car parking</i>	Yes

Comments: The proposed dwelling is of high quality built form as it has considered the prevailing building rhythm, scale, bulk and architectural qualities in the streetscape so as not to detract from the character of development the street. Dwelling styles and designs are predominantly traditional-style dwellings with pitched roof forms, delicate detailing and mature gardens. Whilst the proposal seeks a sandstone exterior finish, the dwelling responds well to its context through providing a roof pitch, scale, height and level of articulation which is appropriate to the streetscape.

Streetscape

Cl. 3.2	Objectives	Complies
A.	<i>Ensure that development respects the height, scale, character, materials and architectural qualities of the surrounding neighbourhood, including any adjoining or nearby heritage item or heritage conservation area</i>	Yes
B.	<i>Protect and retain the amenity of adjoining properties</i>	Yes
C.	<i>Discourage the use of non-responsive streetscape elements</i>	Yes
D.	<i>Ensure that each new dwelling, addition or alteration respects the predominant height, bulk and scale of existing residential development in the immediate vicinity</i>	Yes
E.	<i>Ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements</i>	Yes
F.	<i>Retain a feeling of openness and space between built elements by maintaining landscaped setbacks</i>	Yes
G.	<i>Ensure that new dwellings have facades, which define, address, and enhance the public domain</i>	Yes
H.	<i>Preserve the appearance of dwellings set in the tree lined streets and park-like environment</i>	Yes
I.	<i>Achieve quality architecture in new development through the appropriate composition and articulation of building elements</i>	Yes
J.	<i>Encourage building materials, colours and finishes that are sympathetic to the materials and finishes of surrounding buildings and can be integrated into the overall building form</i>	Yes
K.	<i>To ensure fencing is sympathetic to the design of the dwelling and enhances the character of both the individual house and street</i>	Yes

Cl.	Element	Controls	Complies
3.3.1	<i>Neighbourhood character and amenity</i>	(1) <i>New dwellings positioned and oriented to address the street frontage and complement the existing pattern of development in the street</i> (2) <i>Consistently occurring positive building façade features within existing streetscape incorporated into the dwelling design</i>	Yes
3.3.2	<i>Scale, massing and rhythm</i>	(1) <i>Overall scale, massing, bulk and layout to complement existing streetscape</i> (2) <i>New buildings, alterations and additions shall reflect dominant building rhythm in the street</i>	Yes
3.3.3	<i>Street edge and garden</i>	(1) <i>Retain existing trees within the front setback</i> (2) <i>At least two (2) canopy trees within the front</i>	No

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

	<i>setting</i>	<p><i>setback with minimum mature height of 10m</i></p> <p>(3) <i>Driveway location must not necessitate the removal of any street tree</i></p> <p>(4) <i>At least 50% of the front setback area must comprise deep soil landscaping</i></p>	
3.3.4	<i>Materials, colours, roof forms and architectural detailing</i>	<p>(1) <i>Roof design to be similar in pitch, materials and colour to roofs in the immediate streetscape</i></p> <p>(2) <i>Colours of garages, window frames, ventilation and downpipes and balustrading on main facades and elevation to complement external design of the building</i></p> <p>(3) <i>Building form to be articulated to avoid large expanses of unbroken wall.</i></p> <p>(4) <i>In relation to heritage items or buildings within a conservation area, cement render of previously unrendered masonry is not permitted</i></p> <p>(5) <i>Materials used for additions and ancillary structures to be compatible with the existing dwelling house</i></p> <p>(6) <i>Monotone face brick walls and tiled roofs used where they are existing in the immediate streetscape</i></p> <p>(7) <i>Highly reflective materials are not acceptable for roof or wall cladding</i></p>	Yes
3.3.5	<i>Fencing</i>	<p>(1) <i>Front and side fencing facing a secondary street to be sympathetic to the style of the dwelling.</i></p> <p>(2) <i>Any fencing forward of the building line may be topped by an additional 0.8m high open timber picket, wrought iron, palisade or similar element. Brick piers over 1m are permitted to support decorative elements, provided they are equally spaced along the street, and do not exceed a height of 1.8m.</i></p> <p>(3) <i>Solid fencing forward of the building line shall not exceed 1m above NGL.</i></p> <p>(4) <i>Solid fencing up to 1.8m along a secondary frontage.</i></p> <p>(5) <i>Side and rear fences permitted up to 1.8m high.</i></p> <p>(6) <i>Materials not supported for front fences: unrendered cement block, galvanised or aluminium sheeting, fibre-cement board, brushwood, barbed wire, or fencing with a spear type design.</i></p> <p>(7) <i>Side fencing shall be stepped to reflect the topography of the street.</i></p> <p>(8) <i>Side and rear fences to allow stormwater to flow through or under the fence.</i></p> <p>(9) <i>Fencing on corner allotments to incorporate a minimum 1.5m x 1.5m splay adjacent to the road intersection to maintain sight distances for pedestrians and drivers.</i></p> <p>(10) <i>Solid fences adjoining vehicular access driveways to be provided with a minimum 1m x 1m splay to maintain sight distances for pedestrians and drivers.</i></p> <p>(11) <i>Corner splays must be landscaped.</i></p> <p>(12) <i>Council does not permit trees to be removed to facilitate a fence design.</i></p> <p>(13) <i>Dividing fences between private property and Council parks, reserves, open space etc. must be constructed only in timber palings (lapped and capped) with a maximum height of 1.8m.</i></p>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

(14) No gates or entries from private property onto Council's parks, reserves, open space, etc. are permitted.

Comments: The proposal results in the removal of several trees in the front setback of the site. Whilst this has been supported by Council's Tree Coordinator, a condition of consent is recommended to ensure a minimum two (2) new canopy tree plantings are provided within the front setback of the site.

Architectural Design and Details

Cl. 5.2	Objectives	Complies
A.	Encourage architecture that is innovative and that uses high quality detailing, blending elements characteristic of Strathfield with contemporary materials and features	Yes
B.	Encourage building materials and finishes which are sympathetic to the materials and finishes within the surrounding context	Yes
C.	Require the use of colours that are sympathetic to the surrounding dwelling and streetscape that is within proximity of the new development.	Yes
D.	Reduce the use of highly reflective colours and materials that create visual prominence	Yes
E.	Building forms should be compatible with the existing dwelling house (in the case of alteration and additions) or with adjoining dwelling houses and the streetscape in terms of type, form and colour	Yes

Cl.	Element	Controls	Complies
5.3.1	Building forms	(1) Flat roofs may be considered where there are similar roof forms present in the immediate street. Flat roofs are not appropriate in the case of heritage items or heritage conservation areas. (2) Where a dwelling is located on a street corner it shall be designed to address both street frontages. Blank walls shall not be presented to either frontage and walls shall be articulated or staggered so as to avoid appearing unduly bulky or long.	Yes
5.3.2	Two (2) storey porticoes	(1) Two (2) storey porticoes may be considered where they are in scale with the proposed dwelling and compatible with the streetscape. (2) Two (2) storey porticoes are to be vertically articulated or broken to reduce their height. (3) No porticoes or associated porches shall protrude more than 1m forward of the front building façade. (4) Porticoes are not to extend higher than the understorey of the eaves/guttering.	Yes
5.3.3	Dormers	Dormers shall be traditionally proportioned and rectilinear.	Yes

Comments: The proposal has sought to incorporate a parapet feature through the central portion of the façade of the dwelling which extends beyond the eaves of the dwelling. Refer to likely impacts discussion.

Ecologically Sustainable Development

Cl. 6.2	Objectives	Complies
A.	Encourage passive and active strategies in the design of dwellings and promote the achievement of ecologically sustainable practices	Yes
B.	Ensure dwellings are designed to allow sufficient natural ventilation and	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating

C.	<i>Minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies</i>	Yes
D.	<i>Utilise low greenhouse impact water systems technology in all new dwellings</i>	Yes
E.	<i>Achieve greater efficiency in domestic energy consumption, thereby helping to alleviate the effects of greenhouse emissions</i>	Yes

Cl.	Element	Controls	Complies
6.3.1	<i>Solar access and natural lighting</i>	(1) <i>The design of new dwellings should ensure that living areas face north, sleeping areas face to the east or south, and utility areas to the west or south to maximise winter solar access.</i> (2) <i>In new dwellings, solar access to the windows of habitable rooms and to at least 50% of private open space must be provided or achieved for a minimum period of 4 hours between 9.00am and 3.00pm at the winter solstice (June 22).</i> (3) <i>In the case of alterations or additions to existing dwellings, solar access to the windows of habitable rooms and to the majority of private open space of adjoining properties must be substantially maintained or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 22).</i>	Yes
6.3.2	<i>Natural heating</i>	(1) <i>Living areas should be oriented to the north to maximise direct solar access</i> (2) <i>Where it is proposed to plant trees to the north of the dwelling they must be deciduous to allow solar access during the winter</i> (3) <i>Materials with a high thermal mass are encouraged</i>	Yes
6.3.3	<i>Natural cooling</i>	(1) <i>Windows and walls should be shaded by the use of shading devices, eaves, louvres and trees. Shading devices should be sympathetic to dwelling design and not detract from the appearance of the dwelling</i> (2) <i>Windows should be positioned to capture breezes and allow for cross-ventilation</i>	Yes
6.3.5	<i>Water tanks</i>	(1) <i>Above ground water tanks shall be located behind the dwelling. Where it is not possible to locate a water tank wholly behind the dwelling, it should be located behind the front building line and screened from view from the public domain with appropriate landscaping</i> (2) <i>Above ground water tanks must be located at least 450mm from any property boundary</i>	Yes
6.3.6	<i>Hot water heater units</i>	(1) <i>Hot water units shall be located behind the dwelling. Where it is not possible to locate the unit either internally or wholly behind the dwelling, it must be located behind the front building line and screened from view from the public domain with appropriate landscaping</i> (2) <i>Hot water systems are not to be located on balconies unless they are screened from public view</i>	Yes

Comments: The proposed development provides more than 4 hours of sunlight access to the subject sites' private open space and habitable areas. The proposed development would also provide more than 4 hours of sunlight access during winter solstice to the southern property at No.

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

25 South Streets' private open space and the main habitable rooms at the rear. Therefore the proposed development is designed to maximise winter solar access and is considered acceptable.

Building Height

Cl. 8.2 Objectives	Complies
A. <i>Dwelling houses and ancillary structures, including garages are to be no more than two (2) storey's high</i>	Yes
B. <i>Ensure that the overall size and height of dwellings relative to NGL responds to the adjoining dwellings, site topography and the desired future scale of buildings in the street.</i>	Yes
C. <i>Provide suitable anchor points on the external load bearing walls for where additions are proposed</i>	Yes
D. <i>Promote the continuation of pyramidal roof forms within Strathfield where they are already prevalent</i>	Yes
E. <i>Achieve development that does not reduce or restrict reasonable solar access to living and outdoor areas</i>	Yes

Cl.	Element	Controls	Complies
8.3.2	<i>Roof pitches and shape</i>	(1) <i>Pitched roofs should be designed with a pitch between 23.5 and 45 degrees.</i> (2) <i>An attic may be built in the roof space of either a two (2) storey dwelling or a single storey dwelling or garage provided access to the attic is via internal stairs.</i> (3) <i>Flat roofs will be considered where they are already present in the street or where a street has no discernible architecture style.</i> (4) <i>Balconies are not permitted in the attic of a garage, unless:</i> a) <i>less than 1.8m² in area;</i> b) <i>they are located in the centre of the wall or roof facing into the site; and</i> c) <i>do not allow any significant overlooking of adjoining properties.</i>	Yes

Comments: A pitched roof form is proposed which is compatible with surrounding pitched roof forms.

Landscaped Areas

Cl. 9.2 Objectives	Complies
A. <i>Encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development</i>	Yes
B. <i>Encourage new dwellings to preserve existing landscape elements on site and encourage the integration of existing landscape elements in the design of the proposal</i>	Yes
C. <i>Ensure adequate deep soil planting is retained on each allotment</i>	Yes
D. <i>Ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer</i>	Yes
E. <i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
F. <i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
G. <i>Provide functional private open and outdoor spaces for active or passive use by residents</i>	Yes
H. <i>Provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place</i>	Yes
I. <i>Encourage the greater provision of more effective shade within the community</i>	Yes

23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)

J.	<i>Encourage the integration of existing trees into the design of the new or altered dwelling</i>	Yes
K.	<i>Require owners assess the feasibility of retaining existing site trees prior to the design of a development</i>	Yes
L.	<i>Ensure protection of trees during construction is adequate</i>	Yes

Cl.	Element	Controls	Complies
9.3.1	Minimum landscaped area	45% as per Table 2 of Part A SCDCP 2005	Yes
9.3.2	Planting of landscaped areas	(1) Minimum 25% of canopy trees to comprise locally sourced indigenous species (2) Planting areas shall include a mix of low-lying shrubs, medium-high shrubs and canopy trees in location where they will soften the built form. (3) Where no existing canopy trees are present on a site at least two (2) canopy trees must be provided in the front yard and one (1) canopy tree in the rear yard. (4) New structures shall be positioned to provide for the retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.	Yes
9.3.3	Private outdoor living space	Private open space is to be provided in a single parcel rather than a fragmented space and shall be directly accessible from internal living areas of the dwelling	Yes
9.3.4	Tree removal and preservation	(1) Development shall provide for the retention and protection of existing significant trees, especially near property boundaries (2) The trunk of a proposed canopy tree must be planted a minimum of 4m from built structures, or a minimum of 3m from pier beam footings (3) New dwellings must be setback a minimum of 5m from any significant tree listed in Council's significant tree register (4) Building works should be located outside of the canopy spread of existing trees, with suitable setbacks depending upon species and size (5) Trees planted on side boundaries adjacent to neighbouring dwellings and structures must have a minimum 0.6m deep root deflection barrier provided for a minimum of 1.5m either side of the tree centre	Yes

Comments: Amended plans result in an increased landscaped area to 580m² (48%) and complies with the required 45% of the site area.

Setbacks

Cl	Objectives	Complies
10.2		
A.	<i>Establish and maintain the desired setbacks from the street and define the street edge</i>	Yes
B.	<i>Provide a transitional area between public and private space</i>	Yes
C.	<i>Create a perception of openness in streets</i>	Yes
D.	<i>Assist in achieving passive surveillance whilst protecting visual privacy</i>	Yes
E.	<i>Preserve and enhance the established garden settings within each local area</i>	Yes
F.	<i>Ensure new development is compatible with the established streetscape character</i>	Yes
G.	<i>Maintain view corridors between dwellings</i>	Yes

23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)

H.	<i>Reinforce a sense of openness of the locality</i>	Yes
I.	<i>Ensure that all new and existing dwellings achieve adequate visual and acoustic privacy</i>	Yes
J.	<i>Allow for appropriate access for services and utilities easements</i>	Yes
K.	<i>Minimise overshadowing of neighbouring properties from new developments</i>	Yes

Cl.	Element	Controls	Complies
10.3.1	<i>Street setback</i>	(1) 9m or prevailing setback in the street block a) 1.5m for secondary street setbacks for dwellings on corner allotments b) 3m where main entrance to dwelling from secondary frontage (2) Despite subclause (1), a primary street setback of less than 9m may be considered where: a) the predominant setback is the street block is less than 9m b) the proposed setback is not less than the setback of the existing dwelling c) the proposed setback would not be in conflict with the character of the existing streetscape (3) The street setback is measured at right angles from the lot boundary to the front wall of a dwelling (4) In the case of a corner site with two (2) frontages, the 9m setback applies to the narrowest or primary street frontage	Yes
10.3.2	<i>Side and rear setbacks</i>	(1) New dwellings and extensions: 25% of the width of the block with minimum 1.5m setbacks for each side (2) Minimum 6m rear setback to provide adequately sized outdoor living areas and adequate deep soil areas for shading/screening trees (3) Subject to meeting minimum landscaped areas, ancillary facilities such as garages/outbuildings may be located within the rear setback area (4) Following minimum setbacks apply to ancillary structures: a) Nil for detached garages and carport structures open on three (3) sides; 0.5m for all other b) 0.5m setback from side and rear boundaries for garden sheds, studios, cabanas c) 1m for pool concourse d) 1m from any boundary and 3m from neighbouring habitable buildings for tennis courts	Yes
10.3.3	<i>East-west lots</i>	(1) Primary frontage facing west: the southern side setback should be utilised for the driveway/garage entry to reduce overshadowing (2) Primary frontage facing east: minimum side setback should be on the north (3) The wider setbacks on the southern side may require relocation of driveway or crossing	Yes

Comments: The side setbacks have been increased to the minimum of 2.5m on both side of the dwelling and in addition the front setback has been increased an extra 1m to further minimise impact to the adjoining heritage building.

Vehicle Access and Parking

Cl. 11.2	Objectives	Complies
A.	<i>Ensure that the area of access driveways is minimised in the design of the</i>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

	<i>new development, addition or alteration</i>	
B.	<i>Ensure driveway widths are kept to a minimum to allow for maximum landscaped areas</i>	Yes
C.	<i>Ensure that construction materials used for driveways respect the architectural qualities of the dwelling</i>	Yes
D.	<i>Garages and carports should not visually dominate the street façade of the dwelling</i>	Yes

Cl.	Element	Controls	Complies
11.3.1	<i>Driveway and grades</i>	(1) Existing driveways must be used unless the applicant can demonstrate that: <ul style="list-style-type: none"> (a) relocation would improve solar access to the property and/or adjoining properties; (b) the amenity of any adjoining residences would not be unduly affected (with regard to sleeping areas); (c) relocation would not impact on street trees, on street parking or the streetscape; and (d) relocation would not adversely impact the safety of vehicles or pedestrians (2) Kerb and footpath crossings as part of the public domain must only be finished in natural finished concrete and not customised finishes that match the property driveway. Coloured concrete is not permitted in the driveway crossing outside the property boundary. (3) Driveway crossings, including apron and layback shall be located a minimum of 1m clear of any existing stormwater pits, lintels or poles and 2m clear of the trunk of any trees within the road reserve (4) The maximum width of driveways at the property boundary is to be 3m. (5) Vehicles accessing sites which front main roads shall be capable of entering and exiting in a forward direction (i.e., vehicle manoeuvring shall be fully maintained within the site). (6) Vehicular turning areas for garages shall comply with the relevant Australian Standard. (7) Areas of concrete visible from a public road (including driveways and pedestrian ways) are to be kept to a minimum and coloured charcoal, grey or brown. (8) New dual or combined driveways are not encouraged. Existing dual driveways may be retained in circumstance where: <ul style="list-style-type: none"> a) The area of deep soil planting in the front garden is at least 50% of the front setback area; and b) Where the entry and egress are able to be undertaken in a safe manner in accordance with Australian road rules. 	Yes

Comments: The existing driveway is located adjacent to the northern side boundary of the site. The proposal seeks to retain the existing driveway.

Basements

Cl. 12.2	Objectives	Complies
A.	<i>Ensure that any proposed basement minimises disturbance to natural drainage systems</i>	Yes
B.	<i>Basements are to have discreet entries, safe access and a high degree of natural cross-ventilation</i>	Yes
C.	<i>Minimise excavation to reduce disturbance to NGL particularly adjacent</i>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

	<i>to site boundaries</i>	
D.	<i>To ensure that flooding, drainage or ventilation impacts would not be created for the site, or for adjoining or nearby properties</i>	Yes

Cl.	Element	Controls	Complies
12.3.1	<i>Basement car parking</i>	(1) <i>The maximum area of a basement shall be limited to and contained within the footprint of the dwelling at ground level</i> (2) <i>The height of the dwelling will be measured from NGL and will need to satisfy the building height controls in this policy. Where a basement is proposed, the maximum height of the basement above NGL is limited to 1m measured to the predominant finished floor level of the level above. Where the basement exceeds 1m, it will be considered a storey and included in the calculation of maximum FSR</i> (3) <i>Minimum internal clearance of 2.2m in accordance with BCA requirements</i> (4) <i>Driveways shall comply with the relevant Australian Standards (AS1428.1 and a maximum 1:4 gradient)</i> (5) <i>Basement entries and ramps/driveways within the property are to be no more than 3.5m wide</i> (6) <i>Basements are not to be used for habitable purposes</i> (7) <i>No excavation is permitted within the required minimum side setbacks. Furthermore, the location of basement walls may warrant increased setbacks to provide sufficient area for water proofing, drainage etc.</i> (8) <i>Driveway ramps are to be perpendicular to the property boundary at the street frontage</i> (9) <i>Basements shall be designed to permit vehicles to enter and exit the basement in a forward direction</i> (10) <i>Provision of pump-out systems and stormwater prevention should be in accordance with Council's Stormwater Management Code</i> (11) <i>Basements may not be permissible on flood affected sites. Applicants should check with Council and consider the submitting a pre-lodgement application</i>	Yes

Comments: The rear portion of the basement is located 1m above NGL with all remaining portions of the basement being located below the maximum 1m requirement.

Altering Natural Ground Level (cut and fill)

Cl. 13.2	Objectives	Complies
A.	<i>Encourage minimal use of cut and fill to reduce site disturbance</i>	Yes
B.	<i>Ensure existing trees and shrubs are undisturbed and maintain ground water tables</i>	Yes
C.	<i>Minimise impacts on overland flow/drainage and encourage the maintenance of existing ground levels</i>	Yes

Cl.	Element	Controls	Complies
13.3.1	<i>Cut and fill</i>	(1) <i>Fill is limited to a maximum of 1m above natural ground level (NGL)</i> (2) <i>For all excavation works that require the use of fill, only clean fill is to be used</i> (3) <i>Cut and fill batters must be stabilised consistent with the soil properties.</i> (4) <i>Vegetation or structural measures are to be implemented as soon as the site is disturbed</i>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

- (5) All areas of excavation shall be setback from property boundaries in accordance with the building setback controls. No excavations shall be made to the ground within the minimum required setbacks
- (6) Where excavation work is proposed, the work must not affect or undermine the soil stability or structural stability of any buildings on adjoining properties
- (7) A dilapidation report may be required for all buildings which adjoin proposed excavation areas
- (8) Avoid excessive fill or floor levels to ensure convenient access between internal spaces and external recreation areas and to minimise potential impacts from overlooking

Privacy

Cl. 14.2	Objectives	Complies
A.	Maintain reasonable sharing of views from public places and living areas	Yes
B.	Ensure that public views and vistas are protected, maintained and where possible, enhanced	Yes
C.	Ensure that canopy trees take priority over views	Yes
D.	Ensure that the placement of balconies does not adversely impact on the visual privacy of adjoining properties	Yes

Cl.	Element	Controls	Complies
14.3.1	Views and view sharing	(1) Buildings shall maintain views where possible from surrounding and nearby properties and those available to the public from nearby public domain areas (2) Established building lines are to be maintained to preserve view sharing	Yes
14.3.2	Visual privacy	Private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by: (1) arranging the layout of a building so as to reduce opportunities for overlooking; (2) the use of fixed screening devices; (3) the separation of buildings; (4) the considered placement of windows and openings; (5) appropriate evergreen screen plants and trees; and (6) ensuring finished floor levels are not excessively elevated above NGL	Yes
14.3.3	Windows	Windows shall be designed to avoid overlooking of adjacent dwellings and where a transparent window is to be located within 9m of windows of an adjoining dwelling, the window must: (a) be offset from the edge of any windows in the adjoining dwelling by a distance of at least 0.5m; or (b) have a sill height of at least 1.7m about the floor; or have fixed, obscure glazing in any part of the window less than 1.7m above the floor	Yes
14.3.4	Balconies and screening	(1) Upper storey balconies are not permitted on side boundaries, except where facing the secondary frontage of a corner lot, and provided other setback controls can be achieved (2) Elevated decks, verandahs and balconies shall incorporate privacy screens where necessary and shall be located at the front or rear of the building only (3) Small upper floor rear balconies measuring no more than 1m in depth by 2m in length may be permitted	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

		<p>where an applicant can demonstrate that the balcony would not unreasonably impact upon the privacy of adjoining premises (including buildings and outdoor spaces)</p> <p>(4) Second storey balconies extending for the full width of the front façade are not permitted</p>	
14.3.5	Acoustic privacy	<p>(1) Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and recreation areas and the like</p> <p>(2) Double glazing, laminated glass, vibration-reducing footings or other materials, should be considered to minimise the effects of noise and/or vibrations</p> <p>(3) Suitable acoustic screen barriers or other noise mitigation measures may be required where physical separation is not able to be achieved</p>	Yes

Comments: The two (2) south facing windows adjoining the master bedroom on the first floor of the development have been deleted.

Access, Safety and Security

Cl. 15.2	Objectives	Complies
A.	Increase the safety and perception of safety in public and semi-public spaces	Yes
B.	Encourage the incorporation of crime prevention principles in the design of the proposed development	Yes
C.	Provide casual surveillance of the public domain to promote a safe pedestrian environment	Yes
D.	Provide privacy to rooms overlooking the street whilst maintaining surveillance	Yes
E.	Ensure the safety of pedestrians by separating pedestrian access from vehicle access	Yes
F.	Encourage the provision of an accessible entry to dwellings to accommodate a greater range of lifestyles and improve residential amenity and convenience	Yes

Cl.	Element	Controls	Complies
15.3.1	Address and entry sightlines	<p>(1) Buildings are to be designed to allow occupants to overlook public places in order to maximise passive surveillance</p> <p>(2) Design landscaping and materials around dwellings and buildings, so that when plants are mature they do not unreasonably restrict views of pathways, parking and open space areas</p> <p>(3) External lighting should enhance safe access and security around the dwelling and light spill must not adversely impact on adjoining properties</p> <p>(4) Lighting must be designed and located so that it minimises the possibility of vandalism or damage, is appropriate for the street and minimises glare</p> <p>(5) Security lighting must be fitted with motion detectors to reduce energy use and meet relevant Australian Standards</p>	Yes
15.3.2	Pedestrian entries	<p>(1) Pedestrian entries and vehicular entries should be suitably separated to ensure pedestrian and resident safety</p> <p>(2) Building entrances and house numbers are to be clearly visible from the street, easily identifiable and</p>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

- appropriately lit*
- (3) *Walkways and landscaping should be used to direct visitors to the main building entrance*
 - (4) *One (1) entry to the dwelling should be designed to be as accessible as possible. This entry should be a generous width, without steps, and should be located to facilitate movement*
 - (5) *The path to any accessible entry should be appropriately paved, ideally achieve a 1:14 grade, and incorporate barriers or handrails where there is a drop off or change in level at the side of the path*

Comments: Both the front and northern side elevation of the dwelling provides a number of windows and openings so as to achieve an appropriate level of passive surveillance to each street. Pedestrian and vehicular entrance paths are separated.

Water and Soil Management

Cl. 16.2 Objectives	Complies
A. <i>Encourage the incorporation of Sydney Water's Water Management Strategies in the development</i>	Yes
B. <i>Ensure compliance with Council's Stormwater Management Code</i>	Yes
C. <i>Ensure compliance with the NSW State Governments Flood Prone Lands Policy</i>	Yes
D. <i>Ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction</i>	Yes
E. <i>Ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality</i>	Yes
F. <i>Ensure that new development in areas that may be affected by acid – sulfate soils do not adversely impact the underlying ground conditions and soil acidity</i>	Yes
G. <i>Ensure that economic and social costs, which may arise from damage to property from flooding, are not greater than that which can reasonably be managed by the property owner and general community</i>	Yes

Cl.	Element	Controls	Complies
16.3.1	<i>Onsite water management and stormwater control</i>	1) <i>Developments shall comply with Council's Stormwater Management Code</i> 2) <i>On site detention devices may be required to assist in the management of stormwater on site.</i>	Yes
16.3.2	<i>Acid sulfate soils</i>	<i>Development is to ensure that sites with potential to contain acid sulfate soils are managed in a manner consistent with the provisions contained in Strathfield Draft LEP 2008 and the relevant standards and guidelines</i>	Yes
16.3.3	<i>• Flood prone areas and through site drainage</i>	(1) <i>Flood affected properties must comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas and Through Site Drainage)</i> (2) <i>Where a site is subject to flooding applicants should seek written advice from Councils Planning & Environment section in relation to minimum habitable floor height for the site</i> (3) <i>In areas subject to major overland flow from adjoining properties, applicants are required to engage a suitably qualified hydraulics engineer and lodge a drainage/flood report prepared by a hydraulics engineer</i> (4) <i>Applicants must comply with Council's Stormwater Management Code with regard to drainage and stormwater detention matters. Full details and plans of the stormwater system are to be submitted for</i>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

<i>approval as part of the development application</i>			
16.3.3	<i>Flood prone areas and through site drainage</i>	(1) <i>Flood affected properties must comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas and Through Site Drainage)</i> (2) <i>Where a site is subject to flooding applicants should seek written advice from Councils Planning & Environment section in relation to minimum habitable floor height for the site</i> (3) <i>In areas subject to major overland flow from adjoining properties, applicants are required to engage a suitably qualified hydraulics engineer and lodge a drainage/flood report prepared by a hydraulics engineer</i> (4) <i>Applicants must comply with Council's Stormwater Management Code with regard to drainage and stormwater detention matters. Full details and plans of the stormwater system are to be submitted for approval as part of the development application</i>	N/A
16.3.4	<ul style="list-style-type: none"> • <i>Soil erosion and sediment control</i> 	(1) <i>Appropriate soil erosion and sediment control measures must be detailed in the development application and implemented prior to the commencement of work.</i> (2) <i>The following sediment control measures are recommended:</i> a) <i>perimeter bank and channels;</i> b) <i>turf filter strips;</i> c) <i>sediment fences;</i> d) <i>sediment traps; and</i> e) <i>roof guttering.</i> (3) <i>Applicants may be required to provide plans showing stormwater quality treatment techniques to prevent sediments and polluted waters from discharging from the site during the construction phase. Such plans will show temporary measures designed in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual.</i>	Yes

Comments: Conditions of consent imposed to ensure compliance with the proposed sediment and erosion control plan.

Ancillary Structures

Cl. 20.1	Objectives	Complies
A.	<i>Ensure that the design and location of ancillary structures takes into account the streetscape and overall environmental impact</i>	Yes
B.	<i>Ensure that the provision of ancillary structures, such as air conditioning units, are considered at the design stage of a proposed development</i>	Yes

Cl.	Element	Controls	Complies
20.2.1	<i>Waste bin storage and management</i>	1) <i>Developments shall comply with Part H of SCDCP 2005</i> 2) <i>On site detention devices may be required to assist in the management of stormwater on site.</i>	Yes
20.2.4	<i>Air conditioning</i>	1) <i>Air-conditioning units are to be located within a proposed dwelling or within a suitable building and appropriately soundproofed from any habitable room of an adjoining property</i> 2) <i>Where an air-conditioning unit cannot be located in a building or concealed in a structure (as indicated above), it is to be located in the central third of the rear wall of the dwelling and be a</i>	Yes

23 South Street, Strathfield
 Lot 67 DP 8778 (Cont'd)

		<p><i>minimum of 3m from any boundary</i></p> <p>3) <i>Any building work associated with the installation of an air-conditioning unit must not reduce the structural integrity of any existing buildings</i></p> <p>4) <i>Only residential grade air conditioners are to be installed and not commercial grade air conditioners</i></p> <p>5) <i>Air-conditioning units must be installed to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2000</i></p>	
20.2.7	Swimming pools	<p>1) <i>Where a pool is more than 1m above ground, the space between the bond beam/concourse and the ground is to be suitably finished with decorative blocks or other approved material and landscaped to Council's satisfaction</i></p> <p>2) <i>Swimming Pool enclosures shall comply with the Swimming Pools Act and relevant Australian Standards as amended</i></p> <p>3) <i>The outside edge of a pool concourse (and any paved/concreted area adjacent to the concourse) must be separated from a property boundary by an area of land at least 1m wide of deep soil soft landscape area containing a continuous planting of screening shrubs</i></p> <p>4) <i>An approved depth indicator must be attached to each end of the pool</i></p> <p>5) <i>The pool filter and pump equipment are to be located where they will not create a nuisance to neighbouring property owners/occupiers</i></p> <p>6) <i>Lighting should be installed so as not to cause nuisance</i></p>	Yes

Comments: The swimming pool has been relocated during the assessment process to attain a minimum 3m separation from the northern side boundary of the site. Deep soil landscaping is proposed to be provided between the pool and the northern side boundary of the site.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal was accompanied by a Waste Management Plan prepared in accordance with Part H of the SCDCP 2005. Compliance with the waste minimisation strategies of this waste management plan shall be enforced via the conditions of consent.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does

23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)

involve the demolition of a building for the purposes of *AS 2601 – 1991: The Demolition of Structures*.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The reasons for refusal have been adequately addressed, where amendments have been made to meet compliance.

- The proposal fails to achieve the objectives of Clause 5.10 of the Strathfield Local Environmental Plan 2012 which seek to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views. The front and side setbacks proposed as well as building materials and finishes sought are inconsistent with the character of the existing heritage dwelling and would adversely impact upon view corridors and the curtilage established around the heritage dwelling (Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*).

Comment: Further amended plans were submitted with increased side setback of 2.5m to the northern boundary and an additional 1m front setback. Maximum building height was also reduced to meet the maximum height requirement of SLEP 2012. As such, the building size, scale and mass has been greatly reduced to minimise the impact to the neighbouring heritage item. Schedule of finishes submitted also indicates the material proposed to be used on the exterior is limestone blocks, consistent with the character of the house and therefore, is considered acceptable.

- The application does not achieve compliance with Section 3.3.2 (1) and (2) of the SCDCP 2005 in that the proposal is inconsistent with the massing of surrounding residential dwellings which are all well-articulated (*Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).

Comment: Amended plans were submitted to demonstrate compliance with minimum 25% (5m) combined setback requirement and also serve to increase the articulation of the dwelling.

- The proposal fails to achieve the minimum 4 hours sunlight for the adjoining southern dwelling located at 25 South Street required under Section 6.3.1 of Part A of the SCDCP 2005 (*Section 79C(1)(a)(iii) and (1)(b) of the Environmental Planning and Assessment Act 1979*).

23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)

Comment: The proposed development has been redesigned to increase the side setbacks and reduce building height to maximise winter solar access. The development provides more than 4 hours of sunlight access to the subject sites' private open space and habitable areas. The proposed development would also provide more than 4 hours of sunlight access during winter solstice to the southern property at No. 25 South Streets' private open space and the main habitable rooms at the rear. Therefore the proposed development is considered acceptable.

- The two (2) south facing windows adjoining the master bedroom on the first floor of the development result in overlooking into the adjoining property's private open space area. This is contrary to Section 14.3.3 of Part A of the SCDP 2005 which requires private open space areas to be protected from direct overlooking within 9m by appropriate use of screening devices (*Section 79C(1)(a)(iii) and (1)(b) of the Environmental Planning and Assessment Act 1979*).

Comment: The two (2) south facing windows in the master bedroom have been removed to protect the privacy of the neighbouring dwelling.

- The predominant portion of the dwelling fails to achieve compliance with the minimum 25% (5m) combined setback requirements contrary to Section 10.3.2 of Part A of the SCDP 2005. Whilst the dwelling generally complies with the minimum 1.5m side setback controls, the building fails to provide any meaningful articulation throughout thus failing to reinforce a sense of openness in the locality. (*Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).

Comment: The side setbacks have been increased to the minimum of 2.5m on both side of the dwelling. In addition, the front setback has been increased by further 1m to minimise any impact to the adjoining heritage house.

79C(1)(c) the suitability of the site for the development

The subject site is considered suitable for the proposed development and generally complies with Council's LEP and DCP requirements. The proposal is considered an acceptable outcome for the site which will not compromise amenity of adjoining residents.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDP 2005 for 14 days, with no submissions received.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- "(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

- (a) *the dedication of land free of cost, or*
- (b) *the payment of a monetary contribution, or both.*
- (2) *A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned."*

STRATHFIELD INDIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030 as follows:

Local Amenity Improvement Levy	\$15,000
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CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. 2017/082/01 for demolition of existing structures and construction of a new two (2) storey dwelling with basement parking, in-ground swimming pool and front fence at 23 South Street, Strathfield be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. DEEP SOIL LANDSCAPING (SC)

Prior to the issue of a construction certificate the applicant shall submit and have approved by an Accredited Certifier detailed landscape plan prepared generally in accordance with the landscape plan prepared by Conzept Landscape Architects (Drawing No.LPDA 17-314/1) May 2017 and the Landscape provisions contained within section 10.0 of Part A of the Strathfield Council Development Control Plan. The plans shall include the following:

- (a) A minimum 1.5m wide garden is to be established to the full width of the property frontage (except for vehicular crossings and pedestrian ways). The garden bed is to be planted with suitable shrubs and ground cover plants;
- (b) A minimum two (2) canopy trees planted in the front setback and one (1) in tree to the rear each attaining a minimum mature height of 10m.
- (c) A detailed planting schedule for all garden areas indicating the species type, height, number and size;
- (d) Details of all hard and soft surfaces such as turf, gravel, paving, stepping stones and the like shall be shown;
- (e) Gardens should feature a mix of trees, shrubs, grasses and ground covers. A minimum of 25% of all plantings shall be locally indigenous species;
- (f) Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along side and rear boundaries to provide privacy screening; and
- (g) The plan shall demonstrate compliance with any other landscape condition of consent.

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

(Reason: Provide landscaping which is appropriate for the site)

2. AIR CONDITIONING UNIT (SC)

The air-conditioning unit which is required to be provided in accordance with the abovementioned BASIX Certificate shall be a residential system and shall be enclosed within an appropriate soundproof box or alternatively be located at least 3m from any boundary. Details demonstrating compliance shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: Minimise noise affectation to adjoining residents)

GENERAL CONDITIONS (GC)

3. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/082/01:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA006	Demolition Plan	Instinctive Designs	D	19/10/017
DA007	Basement Floor Plan	Instinctive Designs	D	19/10/017
DA008	Ground Floor Plan	Instinctive Designs	D	19/10/017
DA009	Level 01 Floor Plan	Instinctive Designs	D	19/10/017
DA010	Roof Plan	Instinctive Designs	D	19/10/017
DA012	North, East & West Elevation Plan	Instinctive Designs	D	19/10/017
DA013	South Elevation & Fence Detail	Instinctive Designs	D	19/10/017
DA015	Section AA, Section BB and Section CC-Ramp Detail	Instinctive Designs	D	19/10/017
LPDA 17-314/1	Landscape Plan	Conzept Landscape Architects	B	28/09/17
LPDA 17-314/2	Landscape Details	Conzept Landscape Architects	B	28/09/17
LPDA 17-314/3	Landscape Specification	Conzept Landscape Architects	B	28/09/17
SW01	Stormwater Drainage Layout – General Notes	AKT Engineering & Consulting	A	2 June 2017
SW02	Stormwater - Basement Floor Plan	AKT Engineering & Consulting	A	2 June 2017
SW03	Stormwater Basement Details	AKT Engineering & Consulting	A	2 June 2017
SW04	Stormwater – Ground Floor Plan	AKT Engineering & Consulting	A	2 June 2017
SW05	Stormwater Ground Floor Details	AKT Engineering & Consulting	A	2 June 2017

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

SW06	Stormwater – First Floor Plan	AKT Engineering & Consulting	A	2 June 2017
SW07	Stormwater – Roof Floor Layout Plan	AKT Engineering & Consulting	A	2 June 2017

Reference Documentation affixed with Council’s ‘Development Consent’ stamp relating to Development Consent No. 2017/082/01:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	TP Consulting	A	November 2017
BASIX		Cert No:818474S	19/10/17
Heritage Impact Report	TP Town Planning & Heritage Consultant	A	2 June 2017
Site Construction, waste Management & Soil and Water Management Erosion and Sediment Control Plan	Instinctive Designs	A	2 June 2017

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail. However, the conditions of this consent shall prevail to the extent of any inconsistency.

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

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

The height of the building measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 45.81m AHD to the ridge of the roof top parapet structure of the building and 45.47 at the top of the skylight dome structure.

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

5. CONSTRUCTION HOURS (GC)

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

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

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

6. CONSTRUCTION WITHIN BOUNDARIES (GC)

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

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

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

7. DEMOLITION – GENERALLY (GC)

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

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

8. DEMOLITION - SITE SAFETY FENCING (GC)

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

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

payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and

provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

9. LANDSCAPING ADJACENT SWIMMING POOLS/SPAS (GC)

A minimum one (1) metre wide landscape strip is to be provided between the swimming pool and adjacent common boundaries. The landscape strip is to be planted with a continuous row of evergreen shrubs of a minimum five (5) litre container size and capable of achieving a minimum mature height of three (3) metres. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: Privacy amenity of adjoining properties.)

10. LANDSCAPING - CANOPY TREES IN FRONT SETBACK (GC)

New development shall provide at least two (2) canopy trees within the front setback adjacent the front boundary (existing trees may be included). New canopy trees shall be at least three (3) metres high at the time of planting and capable of reaching a mature height of 10m.

Species shall be selected from Council's Recommended Tree List (Available from Council's website or from the Customer Service Centre). Compliance with this condition is to be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the landscape character of the locality is maintained.)

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

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

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

Tree	Height/ Spread (m)	Location
1)Brachychiton acerifolius (Illawarra Flame Tree)	5.5m x 3m	Front yard
2)Jacaranda mimosifolia (Jacaranda)	6m x 5m	Front yard

All trees permitted to be removed by this consent shall be replaced by species selected from Council’s Recommended Tree List.

Replacement trees shall be a minimum 50 litre container size. Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting; and shall be maintained until maturity.

All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.

Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.

Soil conditioner/fertilizer/moisture retention additive/s are to be applied in accordance with manufacturer’s recommendations, and mixed into the backfilling soil after planting tree/s.

A minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the base of the tree.

Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure appropriate planting back onto the site.)

12. LANDSCAPING - TREE PRESERVATION (GC)

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

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

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

13. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

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

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

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

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

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

(Reason: Statutory requirement.)

15. PRIVACY - SCREEN PLANTING TO SIDE AND REAR BOUNDARIES (GC)

Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along the side and rear boundaries to provide suitable privacy screening. Screen planting shall be maintained at all times. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To maintain privacy amenity to neighbouring residences.)

16. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.

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

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

17. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

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

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

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

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

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

(Reason: Compliance with Sydney Water requirements.)

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

19. BASIX COMMITMENTS (CC)

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

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

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

(Reason: Statutory compliance.)

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

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

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

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

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

21. CAR PARKING - BASEMENT CAR PARKING REQUIREMENTS (CC)

Details demonstrating compliance with the following is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate:

- i) Minimal internal clearance of the basement is 2.2m in accordance with BCA requirements.
- ii) Driveways shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and achieve a maximum gradient of 1:4.
- iii) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.
- iv) Provision of pump-out systems and stormwater prevention shall be in accordance

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

with Council's Stormwater Management Guide.

(Reason: To ensure suitable development.)

22. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to be submitted shall contain the following details:

- i) Longitudinal section along the extreme wheel paths of each driveway/access ramp at a scale of 1:25 demonstrating compliance with the scraping provisions of AS/NZS 2890.1:2004. It shall include all levels and grades, including those levels stipulated as boundary levels, both existing and proposed. It shall extend from the centre-line of the roadway through to the parking area.
- ii) Sections showing the clearance to the underside of any overhead structure (minimum headroom requirements 2200mm minimum for standard headroom clearance or 2400mm where disabled access provisions are to be provided) demonstrating compliance with the provisions of AS/NZS 2890.1:2004.
- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

The certification referred to in (vi) above shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate (for the design) and to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the 'as-built works'.

(Reason: To ensure adequate vehicular access can be achieved.)

23. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

24. CAR PARKING - VEHICULAR CROSSING WIDTH AT PROPERTY BOUNDARY (CC)

Vehicular crossings are to have a maximum width of 3m at the property boundary. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance with SCDCP 2005.)

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

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

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

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

Works Permit

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

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement)

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

27. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

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

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

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

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

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

28. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

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

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

(Reason: Structural safety.)

29. PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

30. SECTION 94 CONTRIBUTION PAYMENT - INDIRECT CONTRIBUTIONS PLAN) (CC)

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

requirements, any relevant Council Rainwater Policy and/or specification of the management of stormwater, whichever is applicable. A detailed stormwater plan showing the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

33. SWIMMING POOLS / SPAS (CONSTRUCTION OF)

The approved swimming pool/spa must comply with all relevant legislation including:

- i) Swimming Pools Amendment Act 1992 (as amended);
- ii) Swimming Pools Regulations 2008; and
- iii) Australian Standard AS1926.1-2012 – Safety Barriers for Swimming Pools.

Details demonstrating compliance with this condition shall be demonstrated to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Safety and statutory compliance.)

34. SWIMMING POOLS / SPAS - MECHANICAL PLANT ENCLOSURE (CC)

Any mechanical plant associated with the swimming pool and spa shall be acoustically treated to comply with the Protection of the Environment Operations Act 1997. Details are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the acoustic amenity of the neighbouring residents.)

35. TREE BONDS (CC)

A tree bond of **\$6,600** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

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

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

36. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

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

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

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

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

37. WASTE MANAGEMENT PLAN (CC)

A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

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

(Reason: To ensure appropriate management of waste.)

38. WATER HEATING SYSTEMS - LOCATION OF (CC)

Water heating systems shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To maintain streetscape character.)

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

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

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

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

(Reason: Council requirement.)

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

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

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

- i) A construction certificate for the building work has been issued by the consent

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

- authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
 - iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
 - iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
 - v) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

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

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

(Reason: Statutory requirement.)

41. HOME BUILDING COMPENSATION FUND (CW)

No residential building work within the meaning of the Home Building Act 1989 may commence until:

- i) A contract of insurance in accordance with Part 6 of the Home Building Act 1989 is entered into and in force, where such a contract is required under that Act (this is a prescribed condition of consent pursuant to clause 981(b) Environmental Planning and Assessment Regulation 2000.
- ii) The PCA is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the Home Building Act 1989 (unless the work is to be carried out by an owner-builder).
- iii) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner -builder permit required under the Home Building Act 1989.
- iv) Written notice of the following information has been provided to Council (this is a prescribed condition of consent pursuant to clause 98B of the Environmental Planning and Assessment Regulation 2000):
 - In the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

- the name of the insurer by which the work is insured under Part 6 of the Home Building Act 1989.
In the case of work to be done by an owner-builder:
- the name of the owner-builder; and
- if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989, the number of the owner-builder permits.

Where Council is not the PCA, the PCA is responsible for notifying Council of the above matters.

Note: Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the PCA (where not the Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement.)

42. NOTICE OF COMMENCEMENT (CW)

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

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

(Reason: Statutory requirement.)

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

43. FILL MATERIAL (DW)

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

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

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

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

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

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

(Reason: To maintain public access and safety.)

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

45. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

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

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

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

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

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- iii) At the completion of the development.

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

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

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

47. DRAINAGE SYSTEM - MAINTENANCE OF EXISTING SYSTEM (OC)

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

(Reason: Maintenance and environment.)

48. ENGINEERING WORKS (CERTIFICATION OF)

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

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

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

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

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

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

(Reason: Asset management.)

49. OCCUPATION OF BUILDING (OC)

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

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

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

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

(Reason: Statutory requirement.)

50. RAINWATER TANKS (OC)

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- i) Australian/New Zealand Standard AS/NZS 3500:2003;
- ii) NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR); and
- iii) Council's rainwater tank policy.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To protect public health and amenity.)

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

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

(Reason: Adequate stormwater management.)

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

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

Where any drainage line or service conduit is to traverse any property other than that which

**23 South Street, Strathfield
Lot 67 DP 8778 (Cont'd)**

it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

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

53. SWIMMING POOLS / SPAS - REGISTRATION AND REQUIREMENTS (OC)

The approved swimming pool/spa must comply with all relevant legislation including:

- i) Swimming Pools Amendment Act 1992 (as amended);
- ii) Swimming Pools Regulations 2008; and
- iii) Australian Standard AS1926.1-2012 – Safety Barriers for Swimming Pools.

Swimming pool owners must register their swimming pool or spa on the NSW Swimming Pool Register. A copy of a valid certificate of compliance or relevant occupation certificate must be attached to new residential tenancy agreements to rent property with a swimming pool or spa pool. Note: This requirement does not apply to a lot in strata or community title schemes with more than two lots.

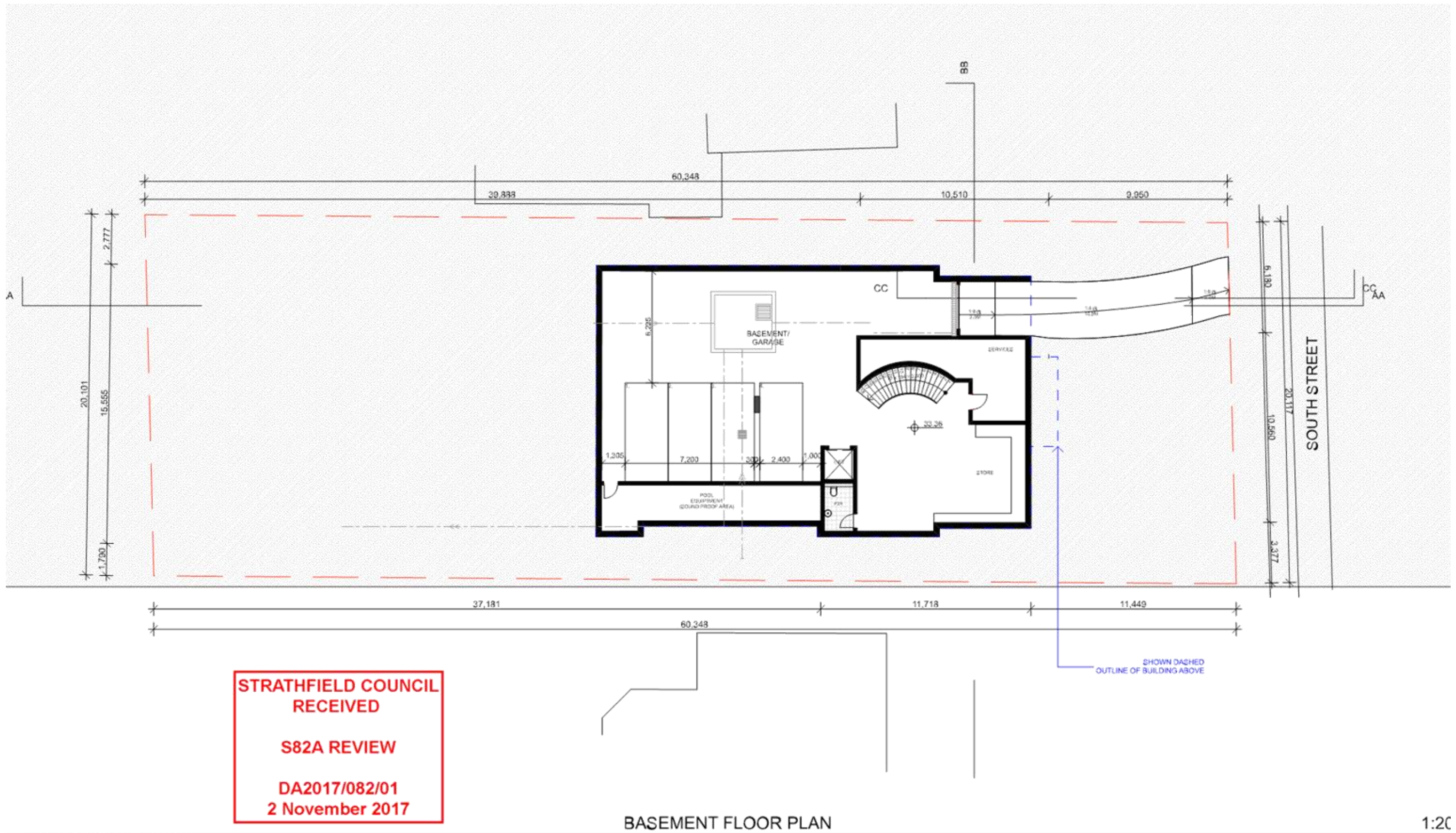
A copy of a valid certificate of compliance or relevant occupation certificate must be attached to new residential tenancy agreements to rent property with a swimming pool or spa pool. Note: This requirement does not apply to a lot in strata or community title schemes with more than two lots; or for any off the plan contacts.

Details demonstrating compliance with this condition shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: Safety and statutory compliance.)

ATTACHMENTS

- 1. [↓](#) Architecturals



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Rev	Description	Date
1	ISSUE FOR PERMIT	09/03/17
2	ISSUE FOR PERMIT	09/03/17
3	ISSUE FOR PERMIT	09/03/17
4	ISSUE FOR PERMIT	09/03/17
5	ISSUE FOR PERMIT	09/03/17

SOUTH ST

23 SOUTH STREET
 STRATHFIELD NSW
 2135

Drawing Name
BASEMENT FLOOR PLAN

Drawing Status
DA

Modified by
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Checked by
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Drawing Scale
1:200

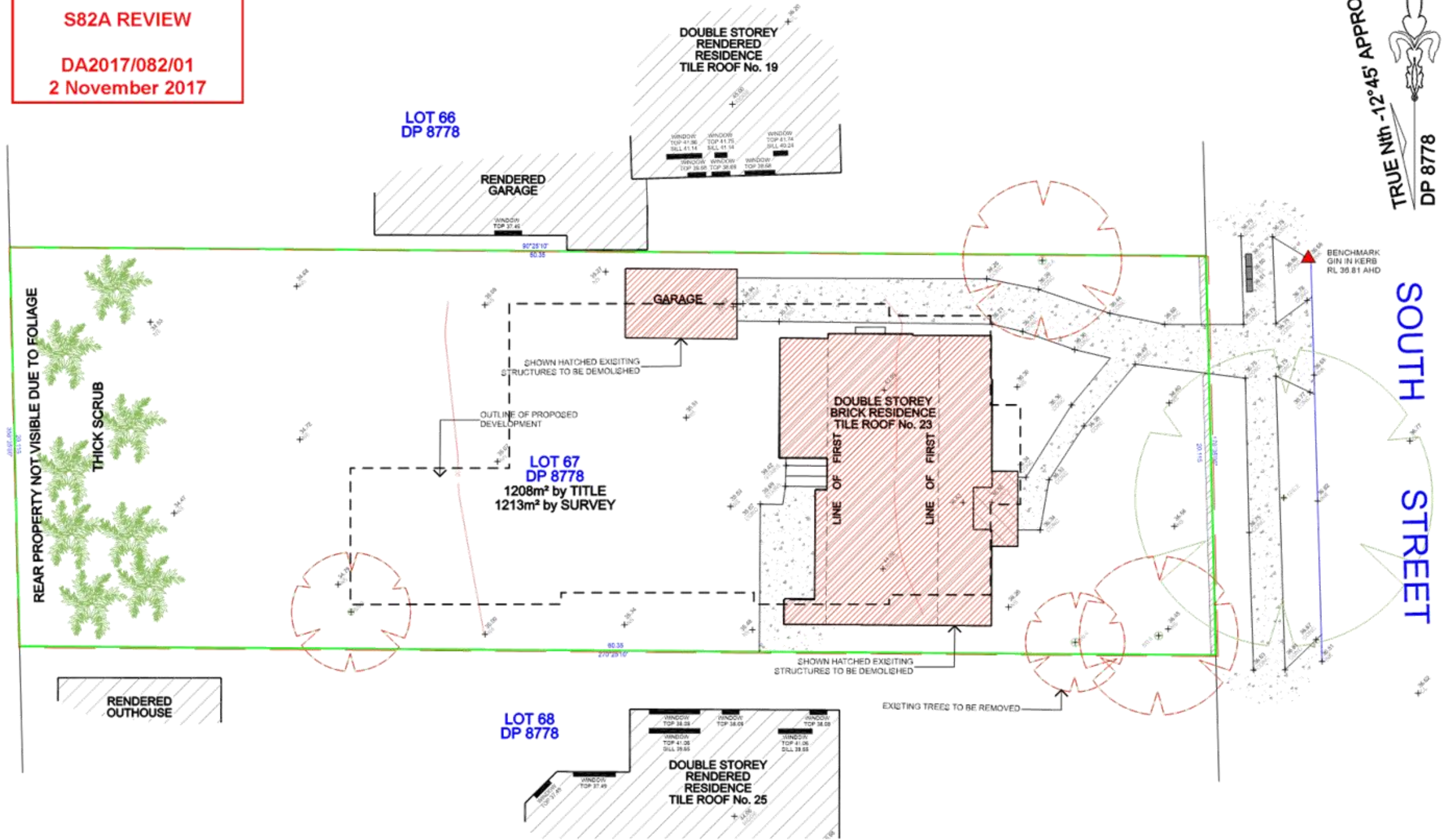
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DA2017/082/01
2 November 2017



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2	REVISED PERMIT	09/02/2017
3	REVISED PERMIT	09/02/2017
4	REVISED PERMIT	09/02/2017
5	REVISED PERMIT	09/02/2017

SOUTH ST

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Drawing Name
DEMOLITION PLAN

Drawing Status
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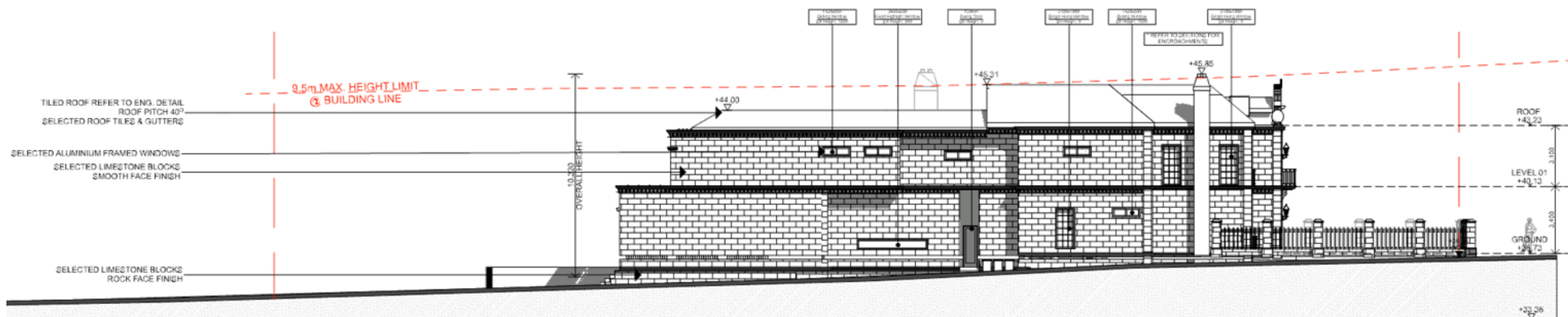
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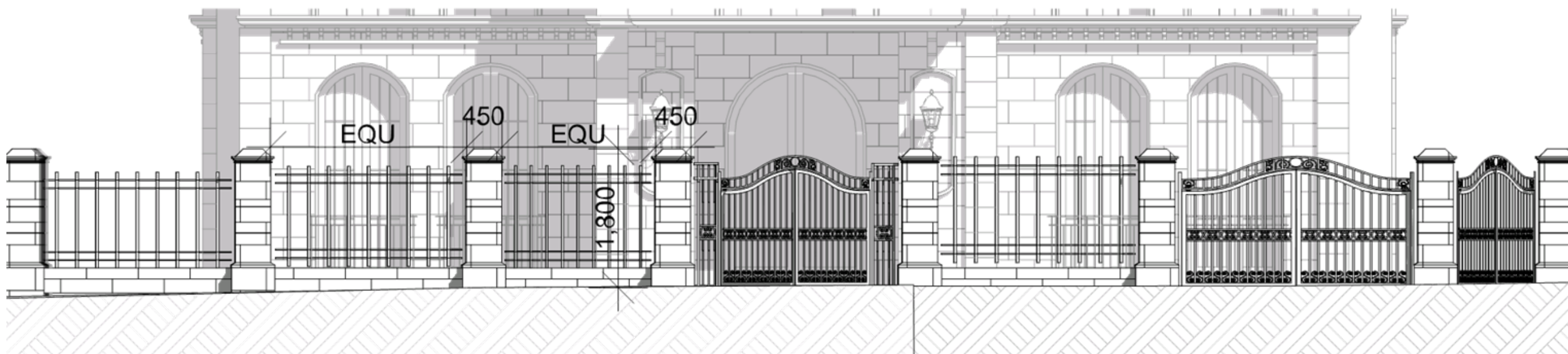
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SOUTH ELEVATION

1:20



FENCE DETAIL

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Revision History		
Rev	Description	Date
1	PROJECT APPROVED	15/02/2017
2	1:500 PLAN	15/02/2017
3	AS PER PROPOSAL REVISIONS	12/03/2017
4	AS PER PROPOSAL REVISIONS	13/03/2017
5	AS PER PROPOSAL REVISIONS	15/03/2017

SOUTH ST
 23 SOUTH STREET
 STRATHFIELD NSW
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Drawing Name
SOUTH ELEVATION, FENCE DETAIL

 Drawing Status
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Modified by
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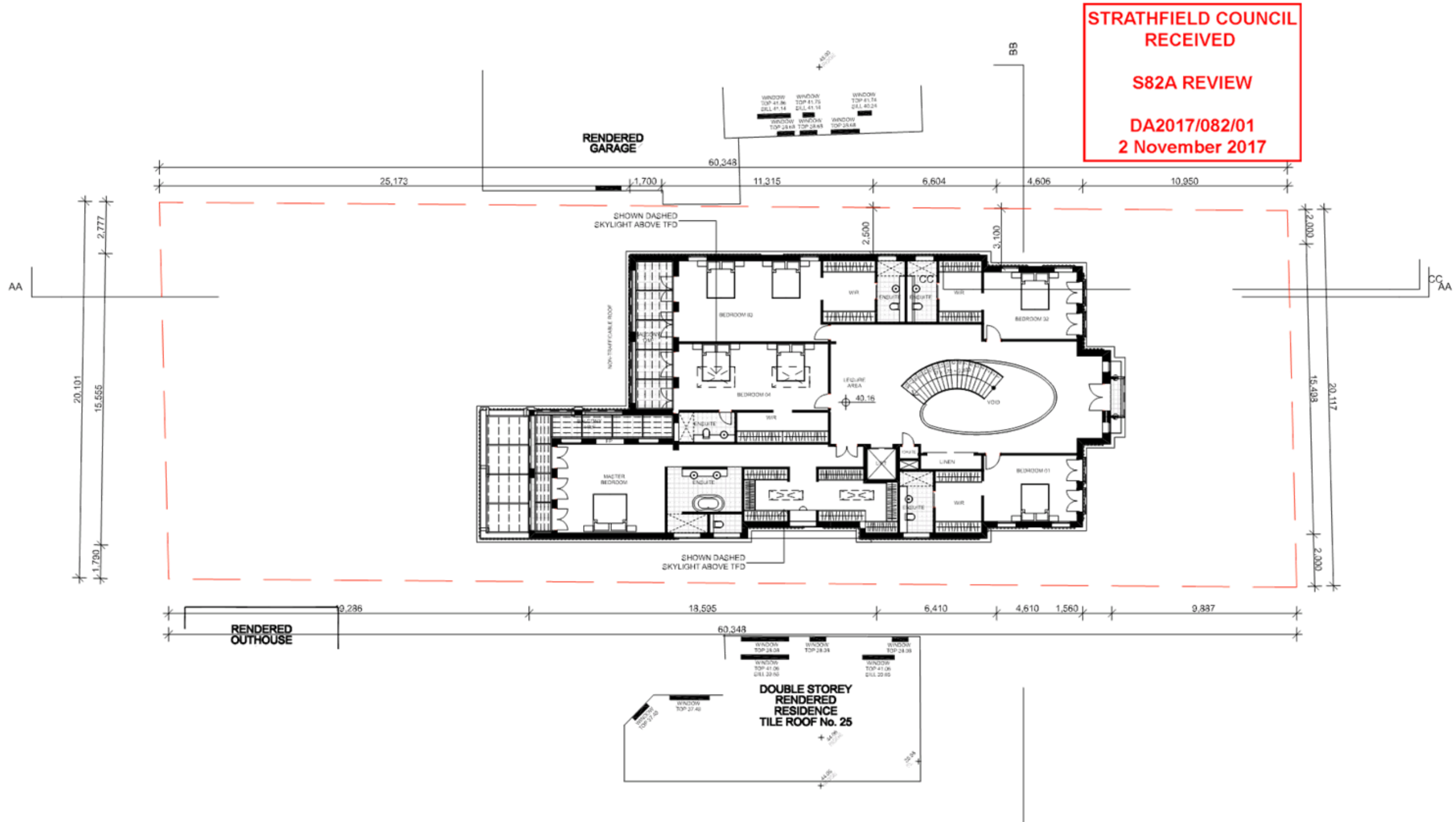
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LEVEL 01 FLOOR PLAN

1:200



Rev	Description	Date
1	PRELIMINARY	15/03/2017
2	REVISED	19/05/2017
3	NO PERMITS REQUIRED	12/09/2017
4	NO PERMITS REQUIRED	18/09/2017
5	NO PERMITS REQUIRED	19/10/2017

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Drawing Name
LEVEL 01 FLOOR PLAN

Drawing Status
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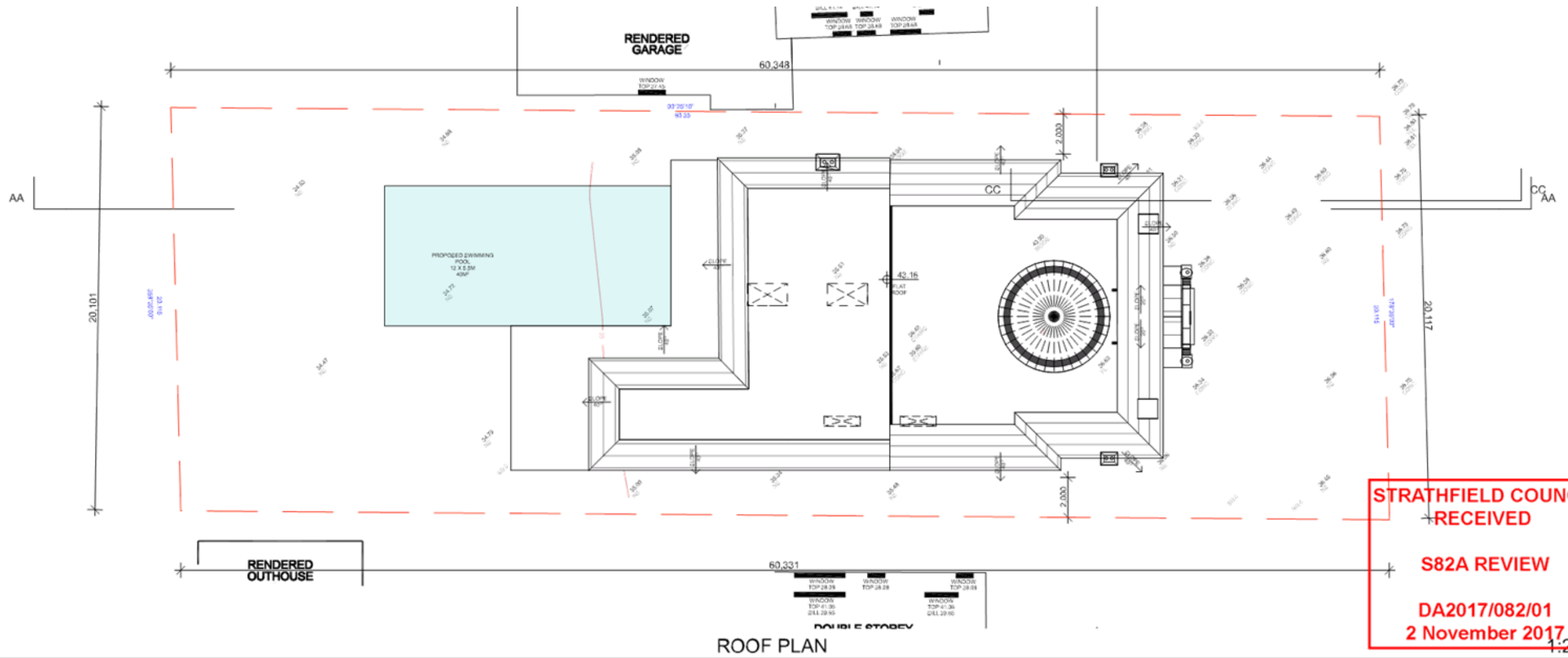
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Revision
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1	PREP DRAWING	15/03/17
2	1/24/17	15/03/17
3	NO PERMITS REQUIRED	15/03/17
4	NO PERMITS REQUIRED	15/03/17
5	2/21/17	15/03/17

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Drawing Name
ROOF PLAN, STREETSCAPE ANALYSIS

Drawing Status
DA

Modified by
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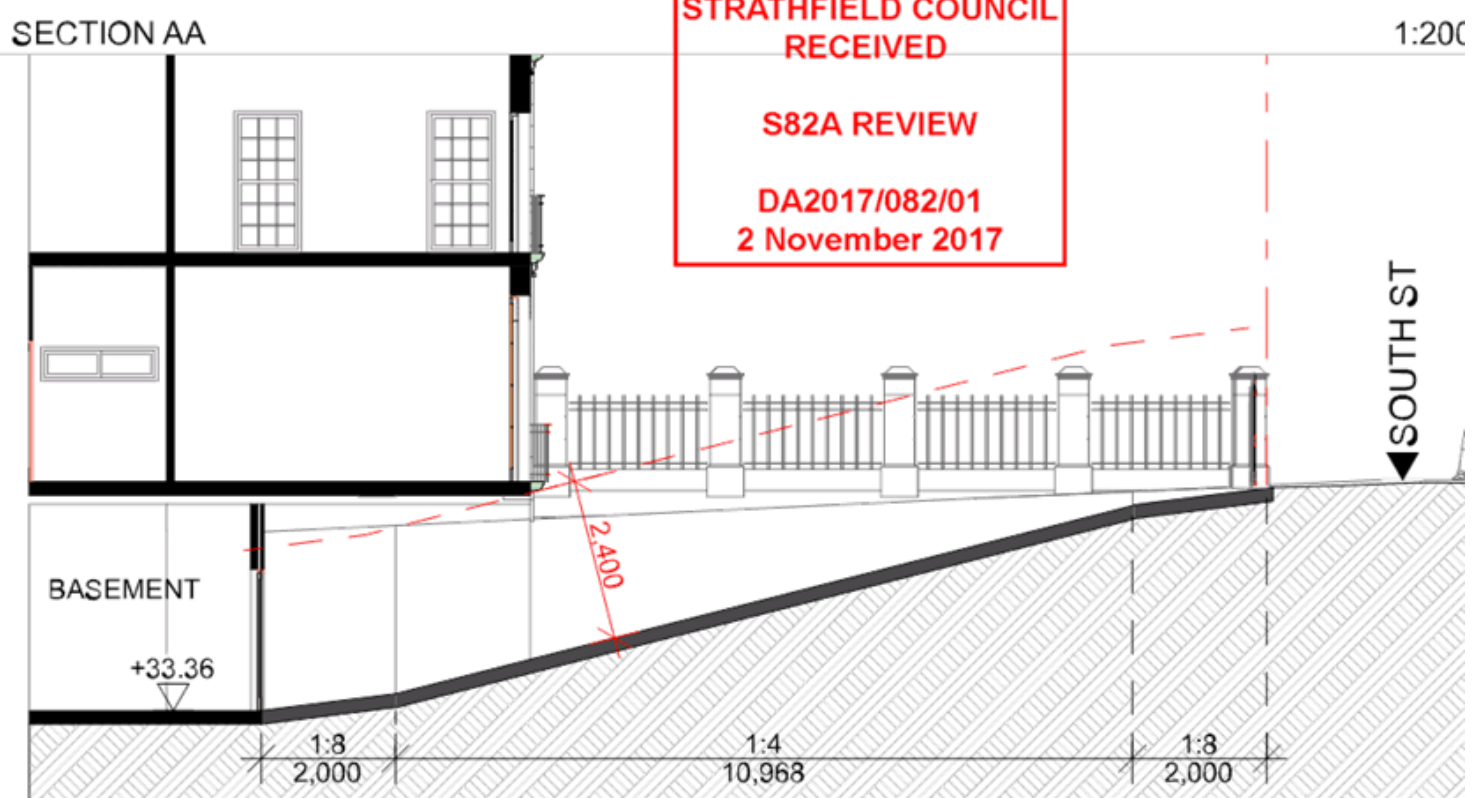
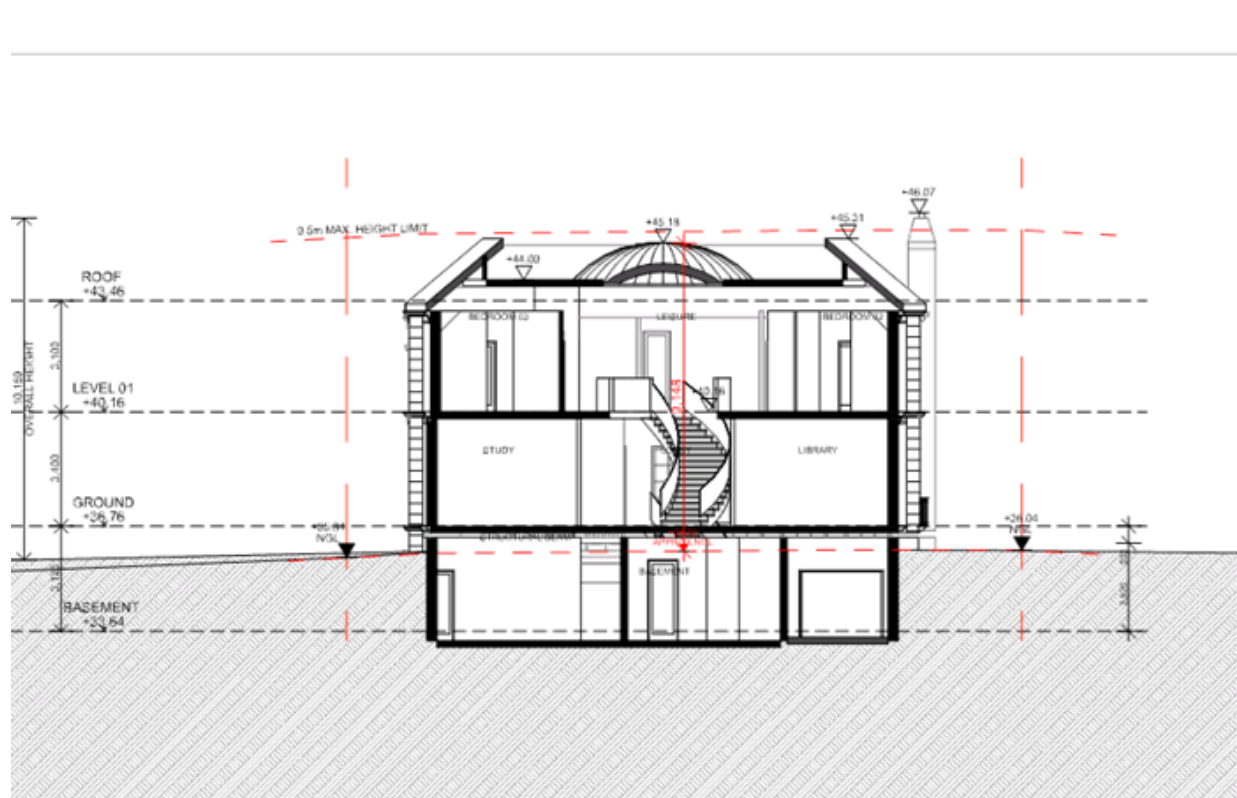
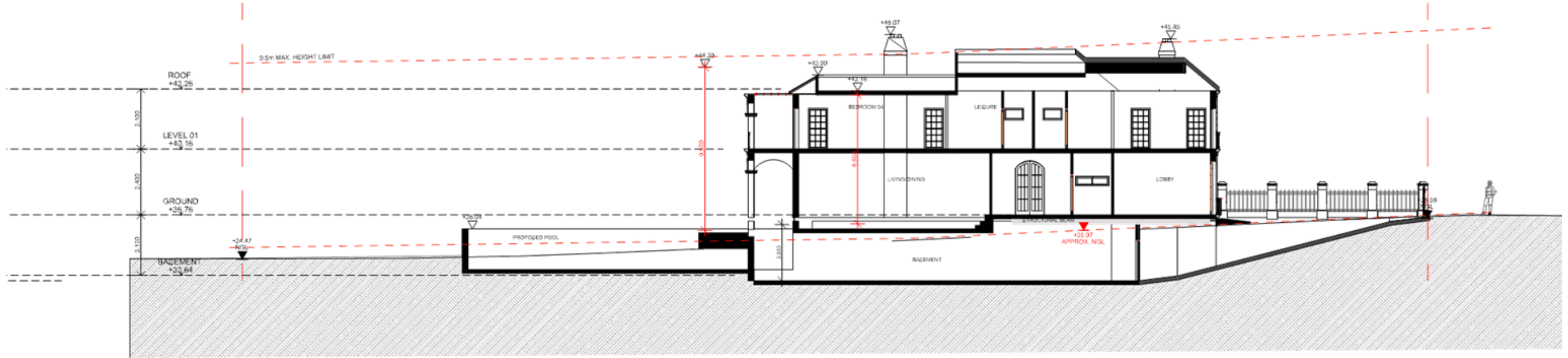
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SECTION BB 1:200

SECTION CC- RAMP DETAIL 1:100



Rev	Description	Date
1	PRELIMINARY	15/03/2017
2	1:100 DA	09/05/2017
3	NO PERMITS/CONSULT REQUIRED	12/09/2017
4	NO PERMITS/CONSULT REQUIRED	13/09/2017
5	2017/10/15 REV	09/10/2017

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Drawing Name
**SECTION AA, SECTION BB, SECTION CC- RAMP
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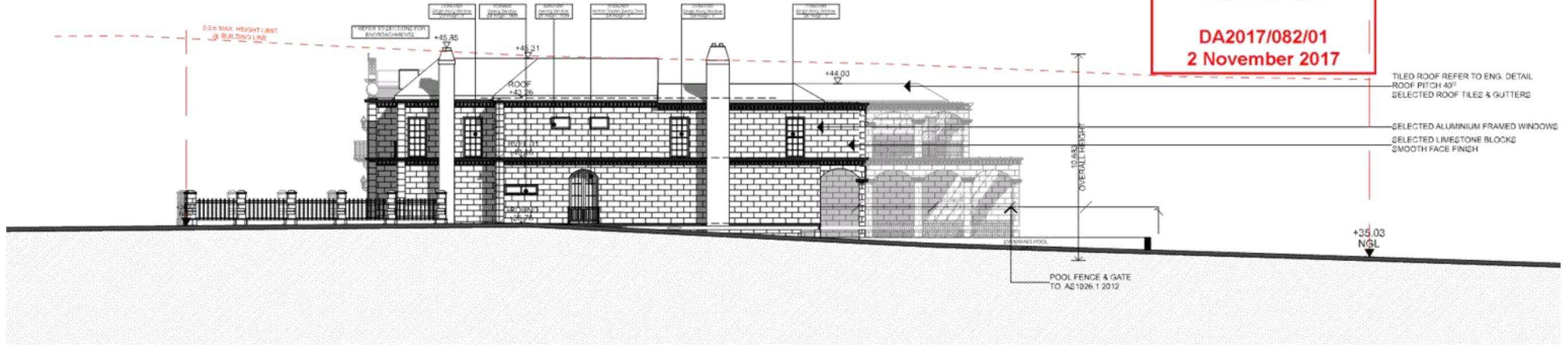
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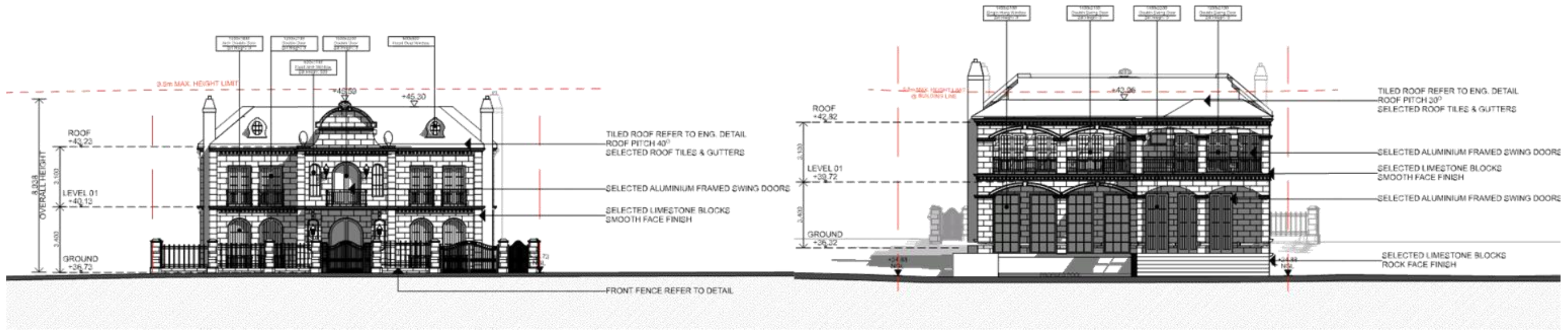
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2 November 2017**



NORTH ELEVATION

1:20



EAST ELEVATION

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WEST ELEVATION

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Rev	Description	Date
1	ISSUE FOR PERMIT	12/02/2017
2	REVISED PERMIT	12/02/2017
3	REVISED PERMIT	12/02/2017
4	REVISED PERMIT	12/02/2017
5	REVISED PERMIT	12/02/2017

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Drawing Name
**NORTH ELEVATION, EAST ELEVATION, WEST
 ELEVATION**
 Drawing Status
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TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017

REPORT: SIHAP – Report No. 3

SUBJECT: 69 REDMYRE ROAD, STRATHFIELD
LOT 2 DP 208343

DA NO. DA2017/154

SUMMARY

Proposal: Alterations and additions to an existing dwelling

Applicant: Strathfield Council

Owner: Strathfield Council

Date of lodgement: 19 October 2017

Notification period: 14 days

Submissions received: NIL

Assessment officer: ND

Estimated cost of works: \$30,000

Zoning: R2 – Low Density Residential - SLEP 2012

Heritage: Yes – Located within Redmyre Road Heritage Conservation Area

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The application seeks approval for alterations and additions to an existing dwelling.
- 2.0 The plans and documentation accompanying the application were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005 from 3 November 2017 to 16 November 2017. No written submissions were received.
- 3.0 The proposed works involve the demolition and construction of a sunroom located at the rear of the existing dwelling and will not be visible from the streetscape through an appropriate scale and design.
- 4.0 Accordingly, it is recommended that the Development Application be approved subject to conditions.

The subject application was referred to Council's Internal Development Assessment Panel (IDAP) for consideration on 22 November 2017. The Panel supported the Assessing Officer's recommendation and associated conditions and recommended that the application be referred to SIHAP for determination.

BACKGROUND

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

21 July 2016 DA2016/083 for restoration works to the exterior of an existing dwelling and use as a public administration building with an ancillary carpark was approved under delegated authority.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the northern side of Redmyre Road near the intersection of Redmyre Road and Homebush Road and is located immediately to the north and east of Strathfield Municipal Council (as shown in Figure 1). The site is legally known as Lot 2 in DP 208343 with a total site area of 777.8m².

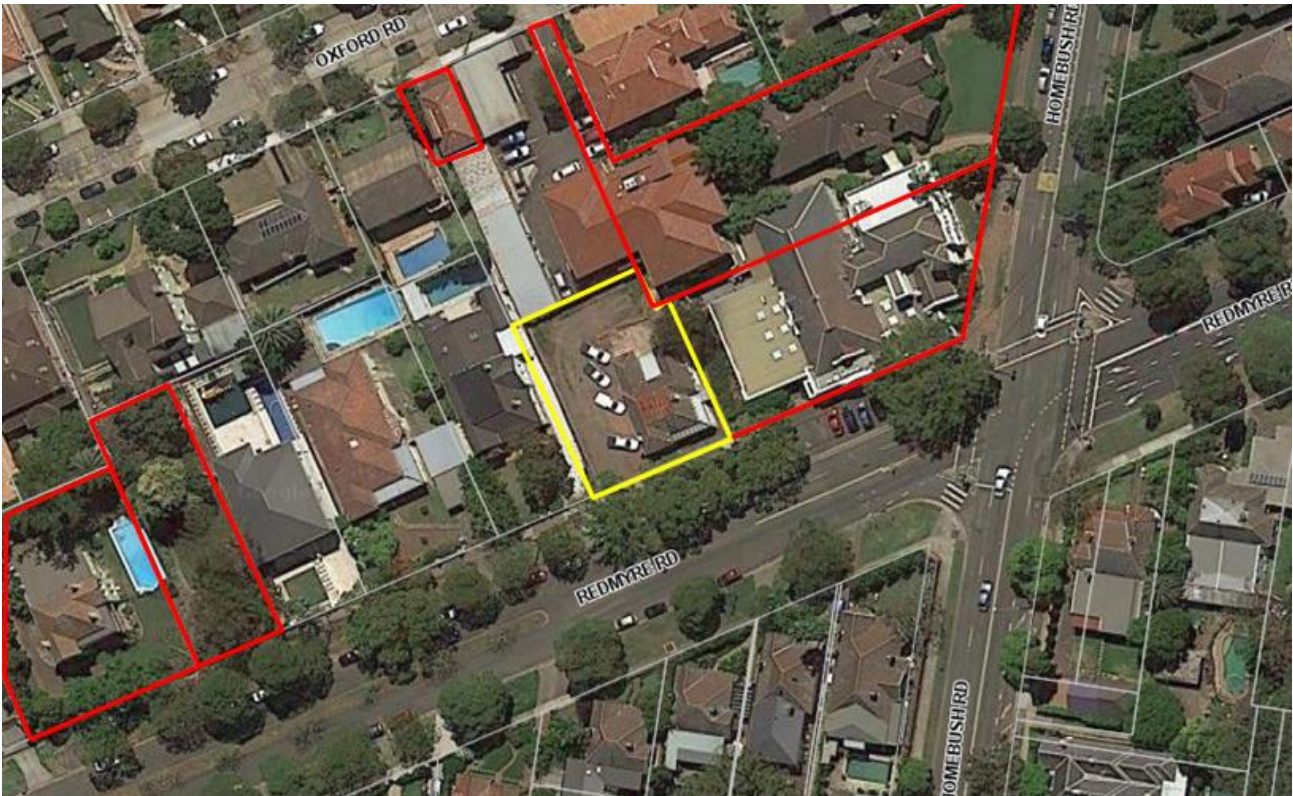


Figure 1: Aerial view of the subject site and surrounding properties. The subject site is outlined in yellow and listed local heritage items outlined in red.

The subject site is presently comprised of a single storey Victorian dwelling 'Halloween' built in 1887, used as the residence of the Town Clerk until the 1960s and made of rendered masonry with a hipped roof. According to the Strathfield LEP Heritage Inventory the dwelling "retains much of its Victorian Italianate form detailing and contributes to the significance of the Redmyre Road Precinct." The site is located within the Redmyre Road Heritage Conservation Area listed under Schedule 5 of the *Strathfield Local Environmental Plan 2012* and is not a Heritage Listed Item. The Conservation Area is characterised by early twentieth century architecture styles including Victorian Italianate, Federation and Bungalow with some modern infill.

The site is also occupied by an ancillary carpark for the use of Strathfield Municipal Council constructed in addition to restoration works and use of the dwelling as a public administration building approved in July 2016 under DA2016/083.

In addition to being located in the Redmyre Road Heritage Conservation Area, the house adjoins heritage listed items including the Strathfield Council Chambers and Town Hall to the east and 'Ravenswood' (Federation House and Garden) to the north-east.

69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)



Figure 2: View of the existing dwelling from Redmyre Road.

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks approval for additions and alterations to an existing dwelling.

The specific elements of the proposal are:

- Demolition of the existing sunroom (finished floor level is to remain) located at the rear of the dwelling;
- Construction of a new sunroom in the same location as the one to be demolished with metal framed glass roof, doors and windows;
- Awning over the new sunroom; and
- Brick paving to the area immediately surrounding the sunroom.

It is to be noted that the proposed demolition to the existing sunroom has already been completed due to structural safety concerns.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer has commented on the proposal as follows:

"I have reviewed the architectural plans and I can advise that the increase in roof area is less than 40m² therefore the proposed roof area can connect to the existing drainage system. The proposal is acceptable and there are no objections to its approval.

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

The following conditions are to be imposed:

- a) Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.
- b) A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

Heritage Comments

Council’s Heritage Advisor has commented on the proposal as follows:

“The proposed external column is to be relocated so as to project no further than the existing adjacent northern masonry wall of the building.”

The comments provided by Council’s Heritage Advisor were taken into consideration.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

- (i) any environmental planning instrument**

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

The value of works is less than \$50,000 and as a result there is no requirement for the application to be assessed in accordance with the BASIX SEPP.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2) Aims	Complies
(a) <i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b) <i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c) <i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d) <i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e) <i>To promote future development that integrated land use and transport</i>	Yes

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

	<i>planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	Yes
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: The location of the proposed sunroom will be in the same location as the one to be demolished so as to be in keeping with the character of the dwelling. The proposed development will provide an additional entrance to the rear of the dwelling.

Permissibility and Zone Objectives

The subject site is Zoned R2 – Low Density Residential under *Strathfield Local Environmental Plan (SLEP) 2012*. The proposed development will not alter the use of the dwelling as a public administration approved under DA2016/083 and will not be visible from the streetscape.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the *SLEP 2012* is provided below.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	<i>Height of building</i>	9.5m	3.77m	Yes
Objectives				Complies
(a)	<i>To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area</i>			Yes
(b)	<i>To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area</i>			Yes
(c)	<i>To achieve a diversity of small and large development options.</i>			Yes

Comments: The maximum height of the proposed sunroom is appropriate as it will sit below the ridgeline of the existing dwelling and will not be visible from the streetscape.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	<i>Floor space ratio</i>	0.575:1 (447.23m ²)	0.19:1 (151.97m ²)	Yes
Objectives				Complies
(a)	<i>To ensure that dwellings are in keeping with the built form character of the local area</i>			Yes
(b)	<i>To provide consistency in the bulk and scale of new dwellings in residential areas</i>			Yes
(c)	<i>To minimise the impact of new development on the amenity of adjoining properties</i>			Yes
(d)	<i>To minimise the impact of development on heritage conservation areas and heritage items</i>			Yes

Comments: The proposed alterations and additions are located within the existing building footprint of the dwelling and will maintain the scale of the dwelling as viewed from the streetscape.

69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the *SLEP 2012* are addressed below as part of this assessment:

5.10 Heritage Conservation

The subject site is located within the Redmyre Road Heritage Conservation Area under Schedule 5 of the *SLEP 2012*. The Heritage Conservation objectives under Clause 5.10 of the *SLEP 2012* seek to:

- (a) *Conserve the environmental heritage of Strathfield, and*
- (b) *Conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.*

A Heritage Impact Statement was submitted as part of the subject application to determine the impacts of the proposal upon the heritage significance of the heritage conservation area. The proposed works including landscaping are confined to the rear portion of the existing dwelling so as to minimise the impact on the surrounding streetscape. The proposed sunroom is to be located in the same position as the sunroom to be demolished, at the rear of the dwelling between Bedrooms 2 and 3. The skillion roof form is similar to the roof form of the existing sunroom, sitting below the roof ridgelines of the existing dwelling so as to be invisible from the street frontage. Further, the extensive use of glass for the structure enables the traditional Victorian structure of the dwelling to be visible through a modern median. As part of the development assessment process the application was forwarded to Council's Heritage Advisor and recommended that the proposed external columns to support the awning be re-engineered so as not to project further than the adjacent Bedroom 2 masonry wall of the building. Accordingly a condition of consent has been recommended pertaining to this effect so as to complement the existing dwelling. Overall the proposal is consistent with the objectives of Clause 5.10 of the *SLEP 2012*.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the *SLEP 2012* are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the *SLEP*, 2012.

6.2 Earthworks

The proposed development will involve minimal earthworks. Appropriate conditions of consent have been recommended.

6.3 Flood planning

The subject site is identified as being affected by overland flow of stormwater runoff from the adjoining properties in the 1 in 100 year flood event. The proposed development was assessed against Clause 6.3 Flood Planning of the *SLEP 2012*. The submitted plans demonstrate that only the façade of the sunroom is to be demolished and rebuilt, with the existing finished floor levels to remain. Given that the footprint and the finished floor level of the existing building are not proposed to change, the proposal is considered to be consistent with the Flood Planning Objectives under Clause 6.3 of the *SLEP 2012*.

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

Heritage and Conservation

Cl. 1.11	Aims	Complies
A	<i>To preserve and enhance the visual and environmental amenity of heritage items and heritage conservation areas within the municipality of Strathfield</i>	Yes
B	<i>Ensure all new development affecting heritage items and conservation areas is designed to be compatible in setting, scale, setbacks, form, materials and character with the building and surrounding area</i>	Yes
C	<i>Ensure that development in the vicinity of a heritage item or conservation area does not have any adverse impact on the heritage significance or setting and that development is compatible in setting, scale, setbacks, form, materials and character with the item or conservation area</i>	Yes
D	<i>Conserve archaeological sites and places of Aboriginal significance</i>	Yes
Cl. 1.11	Controls	Complies
(1)	<i>A Statement of Heritage Impact is required for proposed development: a) affecting a heritage item; b) within a heritage conservation area; or c) in the vicinity of an item or heritage conservation area</i>	Yes
(2)	<i>This statement must set out the heritage significance of the structure or place and assess the extent to which carrying out of the proposed development would affect the significance of the heritage item or heritage conservation area concerned and outline measures to minimise any identified impact</i>	Yes

Comments:

- The Heritage Impact Statement was submitted with the development application having regard to the Redmyre Heritage Conservation Area.
- The proposal has been assessed against the objectives of Clause 5.10 Heritage Conservation of the SLEP 2012.

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

An assessment of the proposal against the objectives contained within Clause 1.3 of Part A of SCDCP 2005 is included below:

No.	Objectives	Complies
A	<i>To preserve and enhance the residential amenity and heritage value of buildings in the Strathfield Municipality</i>	Yes
B	<i>To encourage construction of environmentally sustainable dwelling houses and ancillary structures</i>	Yes
C	<i>To preserve the appearance of dwellings in tree-lined streets and park-like settings</i>	Yes
D	<i>To maintain compatible architectural styles of dwelling houses within the</i>	Yes

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

<i>streetscape</i>		
E	<i>To encourage innovation in housing design and detail</i>	Yes
F	<i>To maintain continuity of streetscape by requiring new and altered dwellings to be constructed to a similar size and scale to adjoining developments</i>	Yes
G	<i>To provide a high standard of dwelling house design, construction and finish</i>	Yes
H	<i>To maximise solar access to existing and proposed developments</i>	Yes
I	<i>To provide adequate and convenient on-site car parking</i>	Yes

Comments: The proposed development is of a high quality built form as it has considered the scale, bulk and architectural qualities of the existing dwelling and in the streetscape so as not to impact on the heritage significance of the Redmyre Road Heritage Conservation Area. The proposed replacement of the rear sunroom provides a skillion roof form so as to not be visible from the streetscape.

Streetscape

Cl. 3.2 Objectives	Complies
A. <i>Ensure that development respects the height, scale, character, materials and architectural qualities of the surrounding neighbourhood, including any adjoining or nearby heritage item or heritage conservation area</i>	Yes
B. <i>Protect and retain the amenity of adjoining properties</i>	Yes
C. <i>Discourage the use of non-responsive streetscape elements</i>	Yes
D. <i>Ensure that each new dwelling, addition or alteration respects the predominant height, bulk and scale of existing residential development in the immediate vicinity</i>	Yes
E. <i>Ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements</i>	Yes
F. <i>Retain a feeling of openness and space between built elements by maintaining landscaped setbacks</i>	Yes
G. <i>Ensure that new dwellings have facades, which define, address, and enhance the public domain</i>	Yes
H. <i>Preserve the appearance of dwellings set in the tree lined streets and park-like environment</i>	Yes
I. <i>Achieve quality architecture in new development through the appropriate composition and articulation of building elements</i>	Yes
J. <i>Encourage building materials, colours and finishes that are sympathetic to the materials and finishes of surrounding buildings and can be integrated into the overall building form</i>	Yes
K. <i>To ensure fencing is sympathetic to the design of the dwelling and enhances the character of both the individual house and street</i>	N/A

Cl.	Element	Controls	Complies
3.3.2	<i>Scale, massing and rhythm</i>	(1) Overall scale, massing, bulk and layout to complement existing streetscape (2) New buildings, alterations and additions shall reflect dominant building rhythm in the street	Yes
3.3.3	<i>Street edge and garden setting</i>	(1) Retain existing trees within the front setback (2) At least two (2) canopy trees within the front setback with minimum mature height of 10m (3) Driveway location must not necessitate the removal of any street tree (4) At least 50% of the front setback area must comprise deep soil landscaping	N/A
3.3.4	<i>Materials, colours, roof</i>	(1) Roof design to be similar in pitch, materials and colour to roofs in the immediate streetscape	Yes

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

<i>forms and architectural detailing</i>	(2) <i>Colours of garages, window frames, ventilation and downpipes and balustrading on main facades and elevation to complement external design of the building</i> (3) <i>Building form to be articulated to avoid large expanses of unbroken wall.</i> (4) <i>In relation to heritage items or buildings within a conservation area, cement render of previously unrendered masonry is not permitted</i> (5) <i>Materials used for additions and ancillary structures to be compatible with the existing dwelling house</i> (6) <i>Monotone face brick walls and tiled roofs used where they are existing in the immediate streetscape</i> (7) <i>Highly reflective materials are not acceptable for roof or wall cladding</i>
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Comments:

- The new sunroom seeks to provide a skillion roof form that will sit below the ridgeline of the hipped roof form of the existing dwelling.
- The accompanying schedule of colours and finishes proposes glass for the roof and rear façade infill. The choice of material will enable the traditional Victorian features of the dwelling to be visible. A condition of consent is recommended to ensure that the glass has a low reflection index.
- The proposal seeks to replace existing broken pavers located at the rear of the dwelling. No further landscaping works are proposed.

Architectural Design and Details

Cl. 5.2 Objectives	Complies
A. <i>Encourage architecture that is innovative and that uses high quality detailing, blending elements characteristic of Strathfield with contemporary materials and features</i>	Yes
B. <i>Encourage building materials and finishes which are sympathetic to the materials and finishes within the surrounding context</i>	Yes
C. <i>Require the use of colours that are sympathetic to the surrounding dwelling and streetscape that is within proximity of the new development.</i>	Yes
D. <i>Reduce the use of highly reflective colours and materials that create visual prominence</i>	Yes
E. <i>Building forms should be compatible with the existing dwelling house (in the case of alteration and additions) or with adjoining dwelling houses and the streetscape in terms of type, form and colour</i>	Yes

Comments:

- The proposed sunroom has sought a low angle skillion roof form that will sit below the ridgeline of the existing dwelling so as to minimise its impact on the street frontage.
- Whilst the proposal seeks to demolish the existing sunroom, the slab is to remain and be utilised for the construction of the new sunroom.

Ecologically Sustainable Development

Cl. 6.2 Objectives	Complies
A. <i>Encourage passive and active strategies in the design of dwellings and promote the achievement of ecologically sustainable practices</i>	Yes
B. <i>Ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating</i>	Yes

69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)

C.	<i>Minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies</i>	Yes
D.	<i>Utilise low greenhouse impact water systems technology in all new dwellings</i>	Yes
E.	<i>Achieve greater efficiency in domestic energy consumption, thereby helping to alleviate the effects of greenhouse emissions</i>	Yes

Cl.	Element	Controls	Complies
6.3.1	<i>Solar access and natural lighting</i>	<p>(1) <i>The design of new dwellings should ensure that living areas face north, sleeping areas face to the east or south, and utility areas to the west or south to maximise winter solar access.</i></p> <p>(2) <i>In new dwellings, solar access to the windows of habitable rooms and to at least 50% of private open space must be provided or achieved for a minimum period of 4 hours between 9.00am and 3.00pm at the winter solstice (June 22).</i></p> <p>(3) <i>In the case of alterations or additions to existing dwellings, solar access to the windows of habitable rooms and to the majority of private open space of adjoining properties must be substantially maintained or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 22).</i></p>	Yes

Comments:

- The sunroom is located between two (2) sections of the dwelling (Bedroom 2 and 3) with a maximum height of 3.77m and will not alter the existing shadow patterns of the dwelling.
- The proposed roof material (clear glass) will provide additional solar access to the adjoining rooms.

Building Height

Cl. 8.2	Objectives	Complies
A.	<i>Dwelling houses and ancillary structures, including garages are to be no more than two (2) storey's high</i>	Yes
B.	<i>Ensure that the overall size and height of dwellings relative to NGL responds to the adjoining dwellings, site topography and the desired future scale of buildings in the street.</i>	Yes
C.	<i>Provide suitable anchor points on the external load bearing walls for where additions are proposed</i>	Yes
D.	<i>Promote the continuation of pyramidal roof forms within Strathfield where they are already prevalent</i>	Yes
E.	<i>Achieve development that does not reduce or restrict reasonable solar access to living and outdoor areas</i>	Yes

Cl.	Element	Controls	Complies
8.3.1	<i>Building height</i>	<p>(1) <i>3.5m maximum height for outbuildings, detached garages and carports</i></p> <p>(2) <i>The building height shall follow the gradient for any given site</i></p>	Yes

Comments:

- The proposed development is to be single storey with a maximum height of 3.77m so as to be consistent with the single storey form of the existing dwelling.

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

Landscaped Areas

Cl. 9.2	Objectives	Complies
A.	<i>Encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development</i>	Yes
B.	<i>Encourage new dwellings to preserve existing landscape elements on site and encourage the integration of existing landscape elements in the design of the proposal</i>	Yes
C.	<i>Ensure adequate deep soil planting is retained on each allotment</i>	Yes
D.	<i>Ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer</i>	Yes
E.	<i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
F.	<i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
G.	<i>Provide functional private open and outdoor spaces for active or passive use by residents</i>	Yes
H.	<i>Provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place</i>	Yes
I.	<i>Encourage the greater provision of more effective shade within the community</i>	Yes
J.	<i>Encourage the integration of existing trees into the design of the new or altered dwelling</i>	Yes
K.	<i>Require owners assess the feasibility of retaining existing site trees prior to the design of a development</i>	Yes
L.	<i>Ensure protection of trees during construction is adequate</i>	Yes

Cl.	Element	Controls	Complies
9.3.1	<i>Minimum landscaped area</i>	<i>44.5% (346.12m²) as per Table 2 of Part A SCDGP 2005</i>	Yes
9.3.2	<i>Planting of landscaped areas</i>	<ul style="list-style-type: none"> <i>(1) Minimum 25% of canopy trees to comprise locally sourced indigenous species</i> <i>(2) Planting areas shall include a mix of low-lying shrubs, medium-high shrubs and canopy trees in location where they will soften the built form.</i> <i>(3) Where no existing canopy trees are present on a site at least two (2) canopy trees must be provided in the front yard and one (1) canopy tree in the rear yard.</i> <i>(4) New structures shall be positioned to provide for the retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.</i> 	Yes
9.3.3	<i>Private outdoor living space</i>	<i>Private open space is to be provided in a single parcel rather than a fragmented space and shall be directly accessible from internal living areas of the dwelling</i>	Yes
9.3.4	<i>Tree removal and preservation</i>	<ul style="list-style-type: none"> <i>(1) Development shall provide for the retention and protection of existing significant trees, especially near property boundaries</i> <i>(2) The trunk of a proposed canopy tree must be planted a minimum of 4m from built structures, or a minimum of 3m from pier beam footings</i> <i>(3) New dwellings must be setback a minimum of 5m from any significant tree listed in Council's significant tree register</i> <i>(4) Building works should be located outside of the canopy spread of existing trees, with suitable setbacks depending upon species and size</i> <i>(5) Trees planted on side boundaries adjacent to neighbouring dwellings and structures must have a</i> 	Yes

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

*minimum 0.6m deep root deflection barrier provided
 for a minimum of 1.5m either side of the tree centre*

Comments: Please refer to Section 79C (1)(b) for discussion on landscaping non-compliance.

Setbacks

Cl	Objectives	Complies
10.2		
A.	<i>Establish and maintain the desired setbacks from the street and define the street edge</i>	Yes
B.	<i>Provide a transitional area between public and private space</i>	Yes
C.	<i>Create a perception of openness in streets</i>	Yes
D.	<i>Assist in achieving passive surveillance whilst protecting visual privacy</i>	Yes
E.	<i>Preserve and enhance the established garden settings within each local area</i>	Yes
F.	<i>Ensure new development is compatible with the established streetscape character</i>	Yes
G.	<i>Maintain view corridors between dwellings</i>	Yes
H.	<i>Reinforce a sense of openness of the locality</i>	Yes
I.	<i>Ensure that all new and existing dwellings achieve adequate visual and acoustic privacy</i>	Yes
J.	<i>Allow for appropriate access for services and utilities easements</i>	Yes
K.	<i>Minimise overshadowing of neighbouring properties from new developments</i>	Yes

Cl.	Element	Controls	Complies
10.3.2	<i>Side and rear setbacks</i>	(1) <i>New dwellings and extensions: 25% of the width of the block with minimum 1.5m setbacks for each side</i> (2) <i>Minimum 6m rear setback to provide adequately sized outdoor living areas and adequate deep soil areas for shading/screening trees</i> (3) <i>Subject to meeting minimum landscaped areas, ancillary facilities such as garages/outbuildings may be located within the rear setback area</i> (4) <i>Following minimum setbacks apply to ancillary structures:</i> <ol style="list-style-type: none"> a) <i>Nil for detached garages and carport structures open on three (3) sides; 0.5m for all other</i> b) <i>0.5m setback from side and rear boundaries for garden sheds, studios, cabanas</i> c) <i>1m for pool concourse</i> d) <i>1m from any boundary and 3m from neighbouring habitable buildings for tennis courts</i> 	Yes

Comments: The proposed works will not alter the existing rear setbacks of the dwelling.

Privacy

Cl. 14.2	Objectives	Complies
A.	<i>Maintain reasonable sharing of views from public places and living areas</i>	Yes
B.	<i>Ensure that public views and vistas are protected, maintained and where possible, enhanced</i>	Yes
C.	<i>Ensure that canopy trees take priority over views</i>	Yes
D.	<i>Ensure that the placement of balconies does not adversely impact on the visual privacy of adjoining properties</i>	Yes

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

Cl.	Element	Controls	Complies
14.3.1	Views and view sharing	(1) Buildings shall maintain views where possible from surrounding and nearby properties and those available to the public from nearby public domain areas (2) Established building lines are to be maintained to preserve view sharing	Yes
14.3.2	Visual privacy	Private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by: (1) arranging the layout of a building so as to reduce opportunities for overlooking; (2) the use of fixed screening devices; (3) the separation of buildings; (4) the considered placement of windows and openings; (5) appropriate evergreen screen plants and trees; and (6) ensuring finished floor levels are not excessively elevated above NGL	Yes
14.3.3	Windows	Windows shall be designed to avoid overlooking of adjacent dwellings and where a transparent window is to be located within 9m of windows of an adjoining dwelling, the window must: (a) be offset from the edge of any windows in the adjoining dwelling by a distance of at least 0.5m; or (b) have a sill height of at least 1.7m about the floor; or have fixed, obscure glazing in any part of the window less than 1.7m above the floor	Yes
14.3.4	Balconies and screening	(1) Upper storey balconies are not permitted on side boundaries, except where facing the secondary frontage of a corner lot, and provided other setback controls can be achieved (2) Elevated decks, verandahs and balconies shall incorporate privacy screens where necessary and shall be located at the front or rear of the building only	Yes

Comments:

- The sunroom is to be located between two (2) sections of the existing dwelling resulting in no privacy concerns for adjoining dwellings to the east and west.
- The windows of the sunroom are located 14.72m from the windows of the adjoining northern building, exceeding the minimum 9m window separation requirement under Clause 14.3.3 of the SCDCP 2005. Accordingly no visual privacy measures have been recommended.

Water and Soil Management

Cl. 16.2	Objectives	Complies
A.	Encourage the incorporation of Sydney Water's Water Management Strategies in the development	Yes
B.	Ensure compliance with Council's Stormwater Management Code	Yes
C.	Ensure compliance with the NSW State Governments Flood Prone Lands Policy	Yes
D.	Ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction	Yes
E.	Ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality	Yes
F.	Ensure that new development in areas that may be affected by acid – sulfate soils do not adversely impact the underlying ground conditions and soil acidity	Yes
G.	Ensure that economic and social costs, which may arise from damage to	Yes

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

property from flooding, are not greater than that which can reasonably be managed by the property owner and general community

Cl.	Element	Controls	Complies
16.3.1	<i>Onsite water management and stormwater control</i>	1) <i>Developments shall comply with Council's Stormwater Management Code</i> 2) <i>On site detention devices may be required to assist in the management of stormwater on site.</i>	Yes
16.3.2	<i>Acid sulfate soils</i>	<i>Development is to ensure that sites with potential to contain acid sulfate soils are managed in a manner consistent with the provisions contained in Strathfield Draft LEP 2008 and the relevant standards and guidelines</i>	Yes
16.3.3	<i>Flood prone areas and through site drainage</i>	(1) <i>Flood affected properties must comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas and Through Site Drainage)</i> (2) <i>Where a site is subject to flooding applicants should seek written advice from Councils Planning & Environment section in relation to minimum habitable floor height for the site</i> (3) <i>In areas subject to major overland flow from adjoining properties, applicants are required to engage a suitably qualified hydraulics engineer and lodge a drainage/flood report prepared by a hydraulics engineer</i> (4) <i>Applicants must comply with Council's Stormwater Management Code with regard to drainage and stormwater detention matters. Full details and plans of the stormwater system are to be submitted for approval as part of the development application</i>	Yes
16.3.4	<i>Soil erosion and sediment control</i>	(1) <i>Appropriate soil erosion and sediment control measures must be detailed in the development application and implemented prior to the commencement of work.</i> (2) <i>The following sediment control measures are recommended:</i> a) <i>perimeter bank and channels;</i> b) <i>turf filter strips;</i> c) <i>sediment fences;</i> d) <i>sediment traps; and</i> e) <i>roof guttering.</i> (3) <i>Applicants may be required to provide plans showing stormwater quality treatment techniques to prevent sediments and polluted waters from discharging from the site during the construction phase. Such plans will show temporary measures designed in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual.</i>	Yes

Comments:

- In accordance with Council's Stormwater Management Code the proposal seeks to increase the existing roof area of the dwelling by less than 40m² and therefore can connect to the existing drainage system.
- Conditions of consent have been recommended to ensure compliance with the proposed sediment and erosion control plan.
- The proposal has been assessed against the objectives of Clause 6.3 Flood Planning of the SLEP 2012.

69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal was accompanied by a Waste Management Plan prepared in accordance with Part H of the SCDCP 2005. Compliance with the waste minimization strategies of the waste management plan shall be enforced via the conditions of consent.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

According to Council's Cooks River and Coxs Creek Revised Flood Study, the subject site is affected by overland flow of stormwater runoff from the adjoining properties in the 1 in 100 year flood event. Given that the footprint and the finished floor level of the existing building (including the sunroom) is not proposed to change, there are no flood design requirements.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Heritage

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

The proposal seeks to demolish the existing sunroom located at the rear of the dwelling and construct a new sunroom with a skillion roof form and awning with predominantly glass and metal materials. As previously discussed, the proposed roof form is similar to the existing and will sit below the ridgelines of the dwelling so as to maintain the main building façade when viewed from Redmyre Road. The extensive use of glass enables the structure to be distinguished yet sympathetic to the original dwelling elements. As recommended by Council's Heritage Advisor, a condition of consent has been recommended for the placement of the external columns projecting from the sunroom to support the awning be amended (including any corresponding structural components of the sunroom) so as to align with the northernmost wall of Bedroom 2. The condition will ensure that only original characteristics of the dwelling are visible from any location along Redmyre Road.

Landscaping

Whilst the scope of works of the development application is confined to the demolition of the existing sunroom, construction of a new sunroom and awning and replacement of broken brick pavers at the rear of the dwelling, there are inconsistencies between the landscaping of the site as approved under DA2016/083 and this development application. Specifically the front setback area between the porch and front boundary line is to be turf as per DA2016/083, however the submitted plans denote the same area as 'concrete'. To ensure the front setback of the dwelling is consistent with the deep soil landscape characteristics of the streetscape a condition of consent is recommended for the front setback to remain as deep soil landscaping as per the approved Concept Landscape Plan under DA2016/083. An amended landscape plan is required prior to construction certificate.

79C(1)(c) the suitability of the site for the development

The subject site is considered suitable for the proposed development and generally complied with Council's LEP and DCP requirements. The proposal is considered an acceptable outcome for the site which will not compromise the amenity of the adjoining residents or detract from the heritage characteristics of the Redmyre Heritage Conservation Area.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDCP 2005 for 14 days. No written submissions were received.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

STRATHFIELD INDIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are not applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030 as the cost of works is less than \$100,000.

69 Redmyre Road, Strathfield
 Lot 2 DP 208343 (Cont'd)

CONCLUSION

The application has been assessed having regard to Section 79C of the *Environmental Planning and Assessment Act 1979*, the *Strathfield Local Environmental Plan 2012* and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. DA2017/154 for alterations and additions to an existing dwelling at 69 Redmyre Road, Strathfield be **APPROVED**, subject to the following conditions:

1. **EXTERNAL GLASS – REFLECTIVITY INDEX**

The external glass used in the building shall have a reflectivity index of less than 20%. Details and specifications of the glass shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: To maintain the amenity of the surrounding properties.)

2. **AWNING SUPPORT COLUMNS**

The two (2) external columns supporting the awning projecting from the sunroom are to be re-designed so as not to project further than the adjacent Bedroom 2 masonry wall of the existing dwelling. Amended plans and specifications demonstrating compliance with the above shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: To maintain the heritage characteristics of the existing dwelling.)

3. **FRONT SETBACK LANDSCAPING**

The concrete within the front setback shall be deleted and reinstated as deep soil landscaping. All landscaping within the front setback of the subject site shall be in accordance with the approved Concept Landscape Plan under DA2016/083. A landscape plan reflecting the approved Concept Landscape Plan under DA2016/083 shall be submitted to and approved by the Principal Certifying Authority and a copy submitted to Council (for record purposes) **prior to the issue of a Construction Certificate.**

(Reason: To maintain appropriate deep soil landscaping within the front setback.)

GENERAL CONDITIONS (GC)

4. **APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)**

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

Plans affixed with Council’s ‘Development Consent’ stamp relating to Development Consent No. 2017/154:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
010	Site Plan	Figgis &	Issue A	19 October 2017

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

		Jefferson Tewa Pty Ltd		
100	Proposed Plans	Figgis & Jefferson Tewa Pty Ltd	Issue A	19 October 2017
200	Elevations & Sections	Figgis & Jefferson Tewa Pty Ltd	Issue A	19 October 2017
350	Erosion & Sediment Control Plan	Figgis & Jefferson Tewa Pty Ltd	Issue A	19 October 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/154:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Heritage Impact Statement	Tropman & Tropman Architects	Issue 02	19 October 2017
Schedule of External Finishes	Tropman & Tropman Architects	Issue A	19 October 2017
Waste Management Plan	Chris Richmond	19.10.2017	19 October 2017

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

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

5. CONSTRUCTION HOURS (GC)

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

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

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

6. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

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

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

- i) the Principal Certifying Authority (PCA) by showing the name, address and

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

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

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

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

(Reason: Statutory requirement.)

8. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

- xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Any work must not prohibit or divert any natural overland flow of water.
- xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

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

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

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

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

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

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

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

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

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

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

11. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

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

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;

69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)

- management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
- the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
- details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
- measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

Asbestos in the Workplace.

- Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
- The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

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

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

Works Permit

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

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement)

13. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

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

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

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

69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)

(Reason: Environmental protection.)

14. **HERITAGE - REUSE OF SIGNIFICANT BUILDING ELEMENTS (CC)**

The reuse and recycling of significant elements such as bricks, sandstone blocks, verandah thresholds, wall vents, ceiling roses and timber joinery etc. is required. The recycling is to occur, preferably on site and/or to suitable professional recycling yards specialising in the recycling of historic building materials. Removal and storage of these materials is to be carefully carried out by the workers and a specific stockpile area is to be designated and protected. A detailed plan for execution of the above requirements is to be submitted to and approved by Council's Heritage Advisor, prior to issue of a Construction Certificate.

(Reason: To allow for preservation of cultural resources within the Strathfield Council area.)

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

A security (damage deposit) of **\$1,330.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

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

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

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

(Reason: Protection of Council infrastructure.)

16. **TREE BONDS (CC)**

A tree bond of **\$6,600.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

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

69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)

Charges.

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

17. WASTE MANAGEMENT PLAN (CC)

All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

NOTE: The property must be inspected by a Council Waste Officer prior to the issue of an Occupation Certificate so as to ensure that the correct number of general waste and recycling bins are ordered from Strathfield Council.

(Reason: To ensure appropriate management of waste.)

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

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

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

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

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

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

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

(Reason: Statutory requirement.)

19. HOME BUILDING COMPENSATION FUND (CW)

No residential building work within the meaning of the Home Building Act 1989 may commence until:

- i) A contract of insurance in accordance with Part 6 of the Home Building Act 1989 is entered into and in force, where such a contract is required under that Act (this is a prescribed condition of consent pursuant to clause 981(b) Environmental Planning and Assessment Regulation 2000.
- ii) The PCA is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the Home Building Act 1989 (unless the work is to be carried out by an owner-builder).
- iii) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner -builder permit required under the Home Building Act 1989.
- iv) Written notice of the following information has been provided to Council (this is a prescribed condition of consent pursuant to clause 98B of the Environmental Planning and Assessment Regulation 2000):
 - In the case of work for which a principal contractor is required to be appointed:
 - 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 the Home Building Act 1989.In the case of work to be done by an owner-builder:
 - the name of the owner-builder; and
 - if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989, the number of the owner-builder permits.

Where Council is not the PCA, the PCA is responsible for notifying Council of the above matters.

Note: Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the PCA (where not the Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement.)

20. NOTICE OF COMMENCEMENT (CW)

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

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

(Reason: Statutory requirement.)

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

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

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

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

(Reason: To maintain public access and safety.)

22. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- x) All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- xv) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- xvi) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- xviii) Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

**69 Redmyre Road, Strathfield
Lot 2 DP 208343 (Cont'd)**

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

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

23. DRAINAGE SYSTEM - MAINTENANCE OF EXISTING SYSTEM (OC)

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

(Reason: Maintenance and environment.)

24. OCCUPATION OF BUILDING (OC)

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

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

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

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

(Reason: Statutory requirement.)

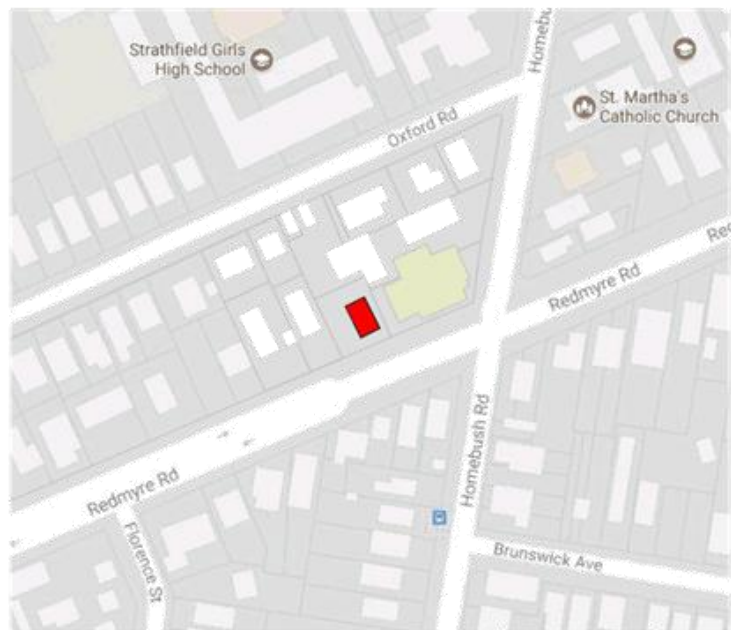
ATTACHMENTS

- 1. [↓](#) 69 Redmyre Road - Architecturals



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1 Location Plan

DRAWING LIST DA		
Drawing No:	Description	Scale
00	DRAWING LIST & LOCATION PLAN	NOT TO SCALE
010	SITE PLAN	1:200
020	SITE ANALYSIS PLAN	1:200
030	EXISTING PLANS	1:100
040	DEMOLITION PLANS	1:100
100	PROPOSED PLANS	1:100
200	ELEVATIONS + SECTIONS	1:100
350	EROSION & SEDIMENT CONTROL PLAN	NOT TO SCALE
360	SCHEDULE OF EXTERNAL FINISHES	1:100



2 Existing View from Car Park



3 Proposed View from Car Park



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 Board Nominated Architect Stephen Figgis 3595

A 03/10/2017 3611 Conservatory for 96 Redmyre St. Strathfield
ISSUE : **DATE :** **DESCRIPTION :**
A 03/10/2017 **ISSUE FOR DEVELOPMENT APPLICATION**
 PROJECT NORTH
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 Alterations
FOR
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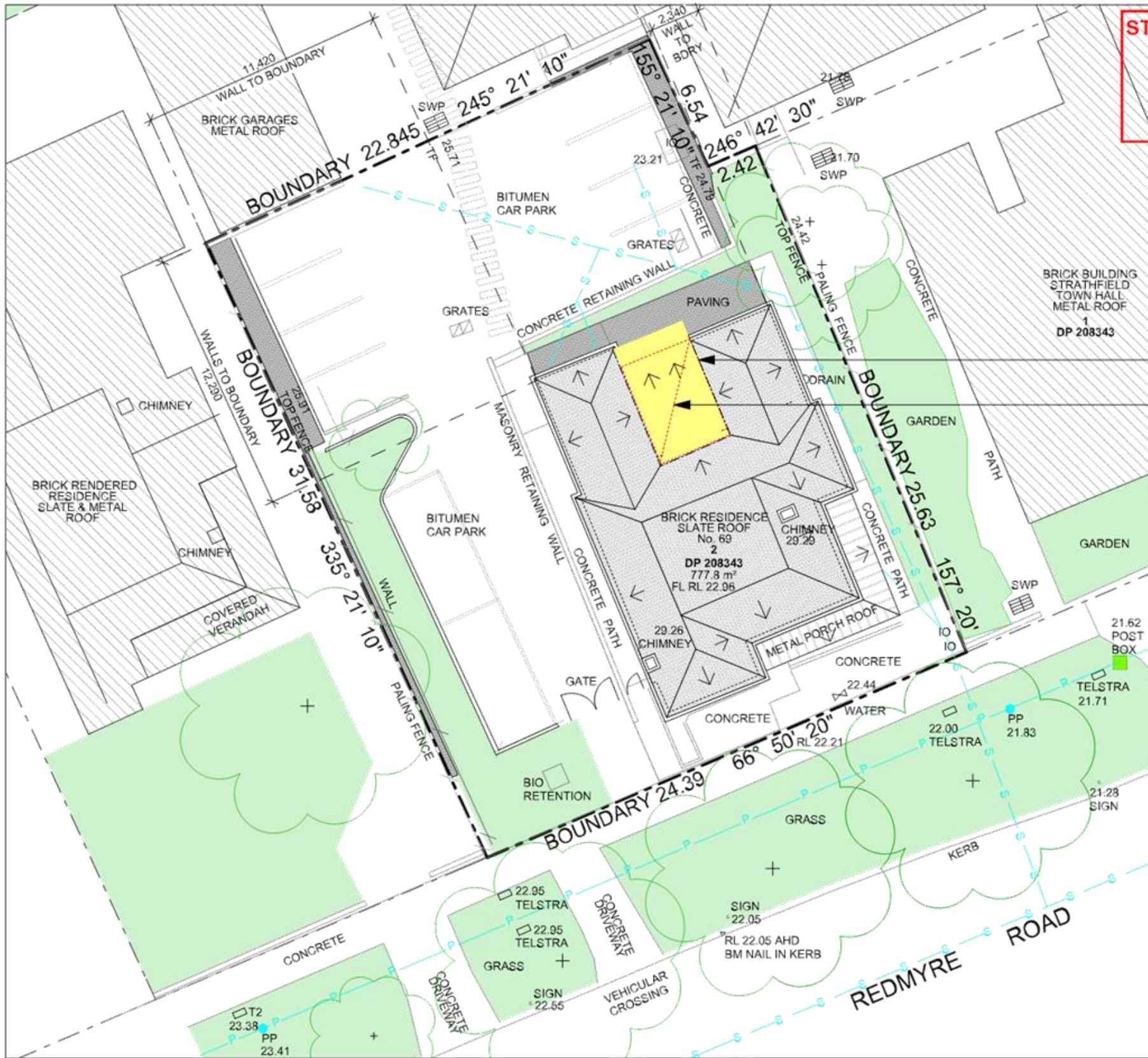
AT
 69 Redmyre Road Strathfield
 NSW 2135
DRAWING TITLE
 DRAWING LIST & LOCATION PLAN

ARCHITECT Stephen Figgis
DRAWN Marie Stockdale
LAST PRINTED 17/10/03
 SCALE 0m
DRAWING NO. 3611 DA 00
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EXISTING SUNROOM
FACADE TO BE
REMOVED &
REPLACED WITH NEW

EXISTING ROOF TO BE
REMOVED SHOWN RED
DASHED

SITE PLAN LEGEND

- EXISTING NEIGHBOURING BUILDING
- PROPOSED NEW
- STRUCTURE TO BE REMOVED
- EXISTING BRICK PAVERS
- SOFT LANDSCAPED AREA
- LINE OF WALLS BELOW EAVES
- SITE BOUNDARY
- FENCE
- TREE
- DRAIN
- GRATED DRAIN
- GRATED DRAIN
- STORMWATER PIT
- VALVE
- POST BOX
- TELSTRA
- INSPECTION OPENING
- POWER POLE
- POWER LINE
- SEWER LINE

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PROJECT
Alterations

FOR
Strathfield Council

AT
69 Redmyre Road Strathfield
NSW 2135

DRAWING TITLE
SITE PLAN

ARCHITECT Stephen Figgis
DRAWN Marie Stockdale
LAST PRINTED 17/10/03

SCALE 0m 2 4 6 8 10 12 14 16
SCALE(m) 1:200 @ A3 size

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ISSUE A

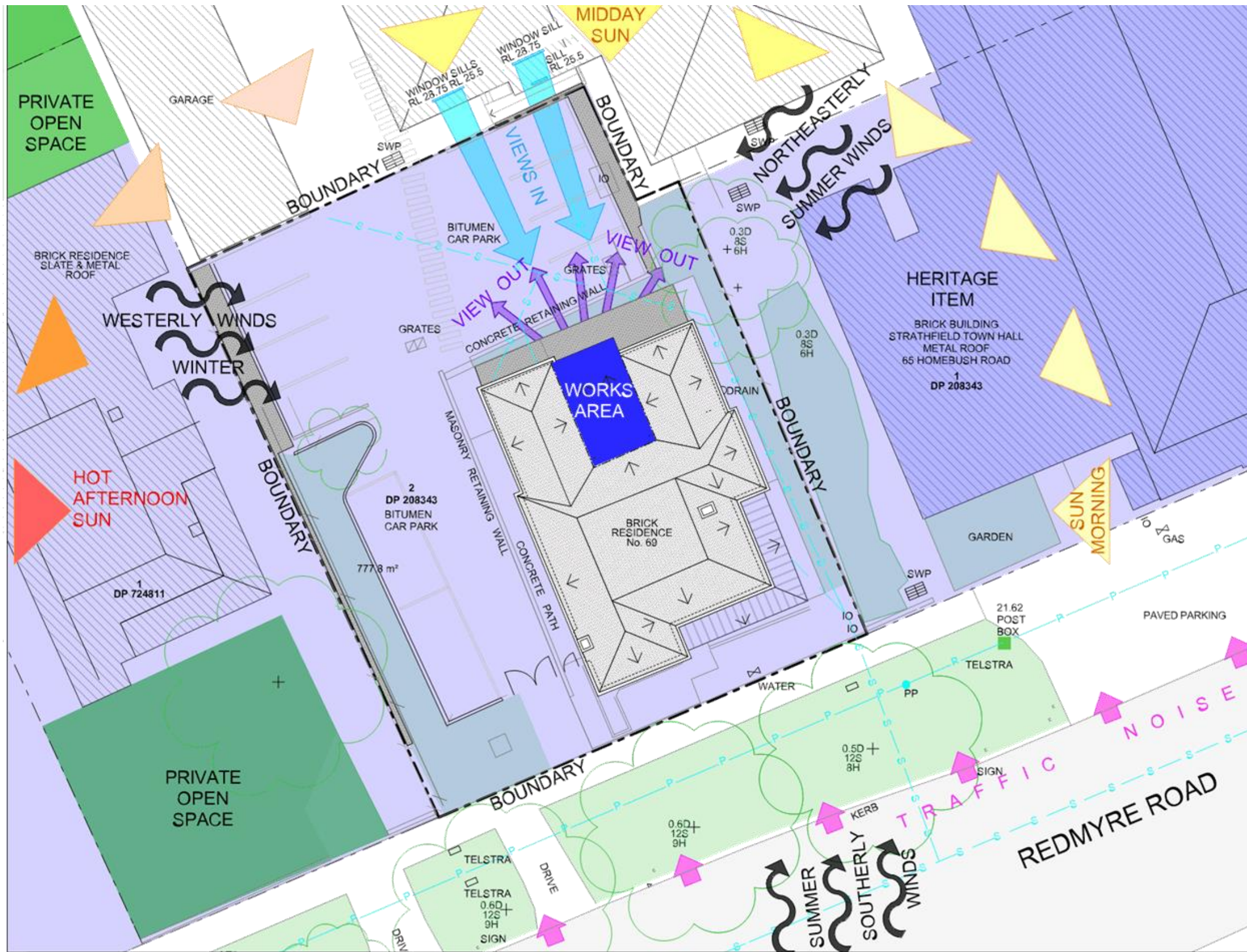


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SITE ANALYSIS LEGEND

- AREA OF PROPOSED WORKS
- NEIGHBOURING BUILDING
- HERITAGE ITEM
- HERITAGE CONSERVATION AREA
- EXISTING BRICK PAVERS
- PRIVATE OPEN SPACE
- SOFT LANDSCAPED AREA
- SITE BOUNDARY FENCE
- TREE +
- TRUNK DIAMETER CANOPY SPREAD HEIGHT 0.5D
12S
8H
- GRATED DRAIN DRAIN
- GRATED DRAIN DRAIN
- STORMWATER PIT SWP
- VALVE X
- TELSTRA TELSTRA
- POST BOX POST BOX
- INSPECTION OPENING IO
- POWER POLE PP
- POWER LINE
- SEWER LINE

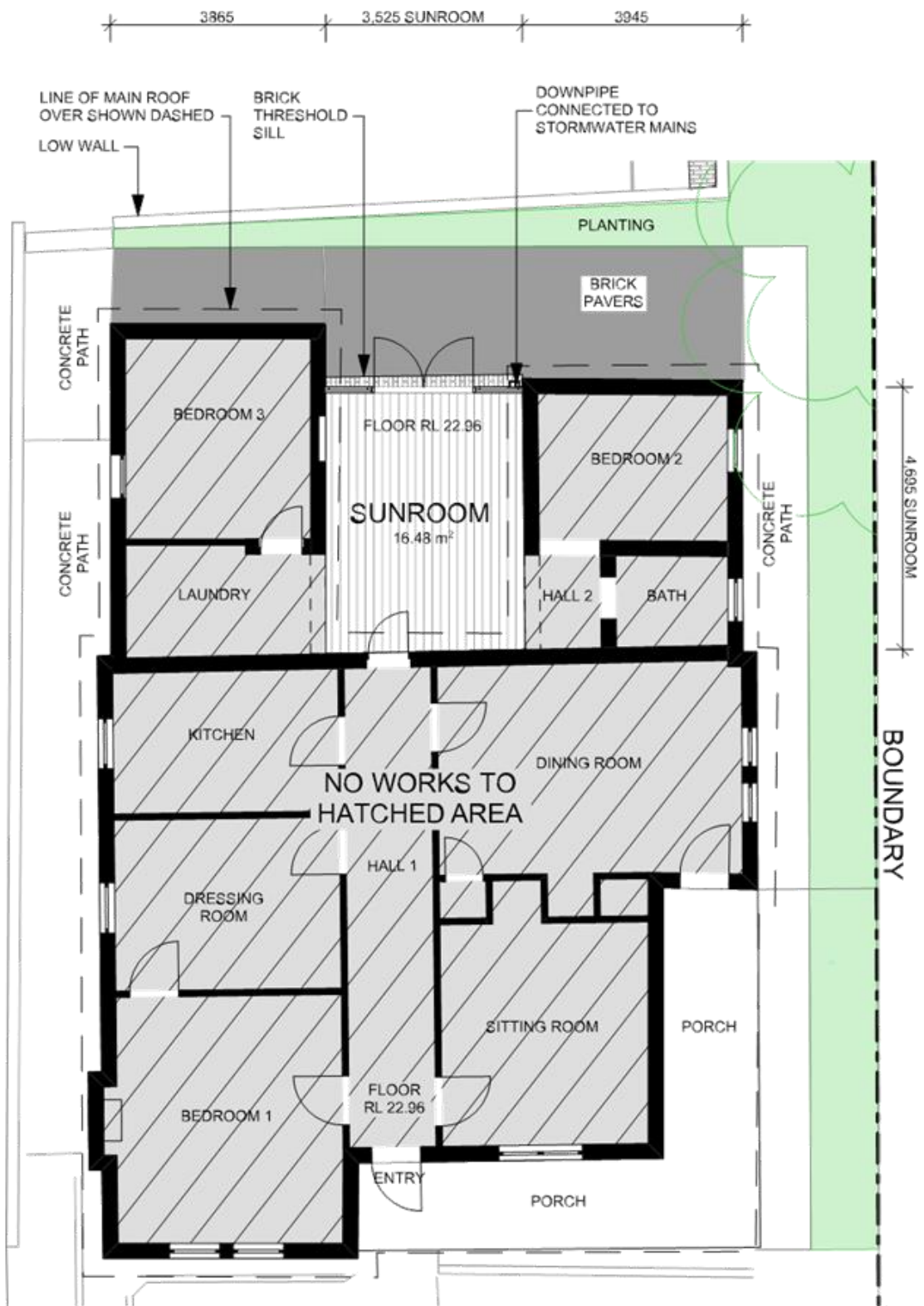


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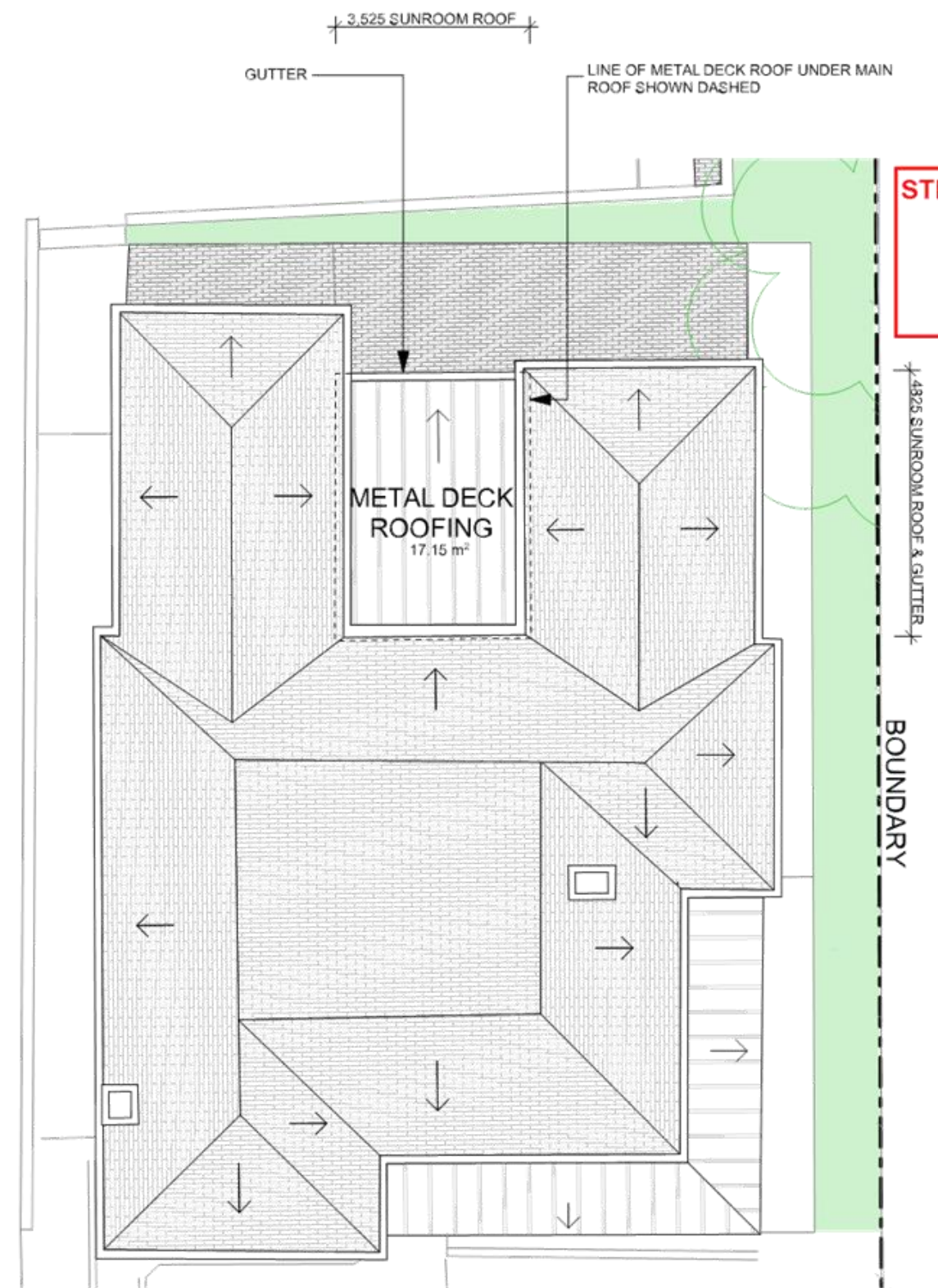


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19 Oct 2017**



1 Existing Floor Plan
1:100



2 Existing Roof Plan
1:100

- LEGEND**
- EXISTING METAL ROOF
 - EXISTING SLATE TILES
 - EXISTING TIMBER BOARD
 - EXISTING BRICK PAVERS
 - NO WORKS

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PROJECT Alterations
AT 69 Redmyre Road Strathfield NSW 2135
FOR Strathfield Council
DRAWING TITLE EXISTING PLANS

ARCHITECT Stephen Figgis
DRAWN Marie Stockdale
LAST PRINTED 17/10/03

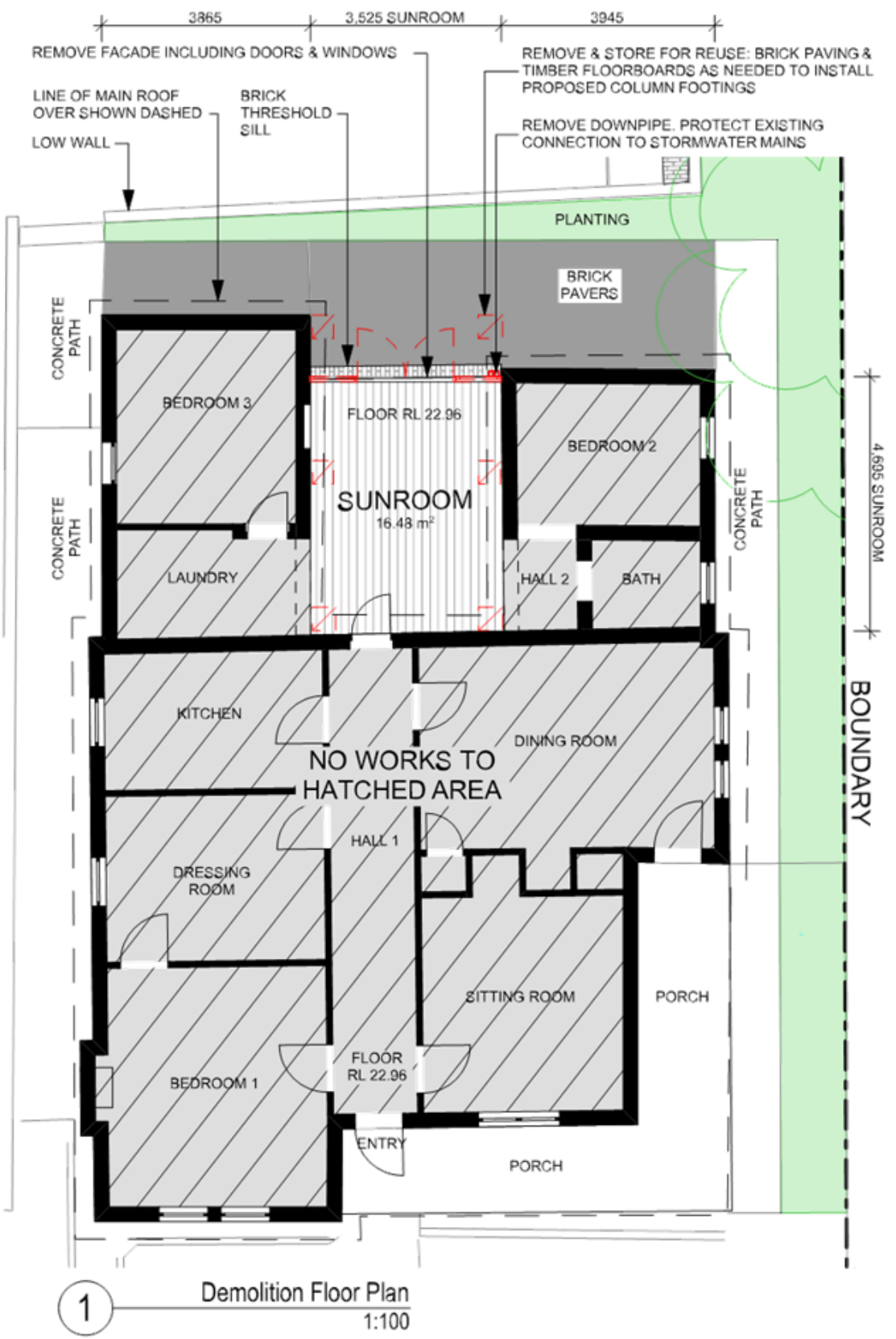
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SCALE 1:100 (A3 size)

DRAWING NO. 3611 DA 030
ISSUE A

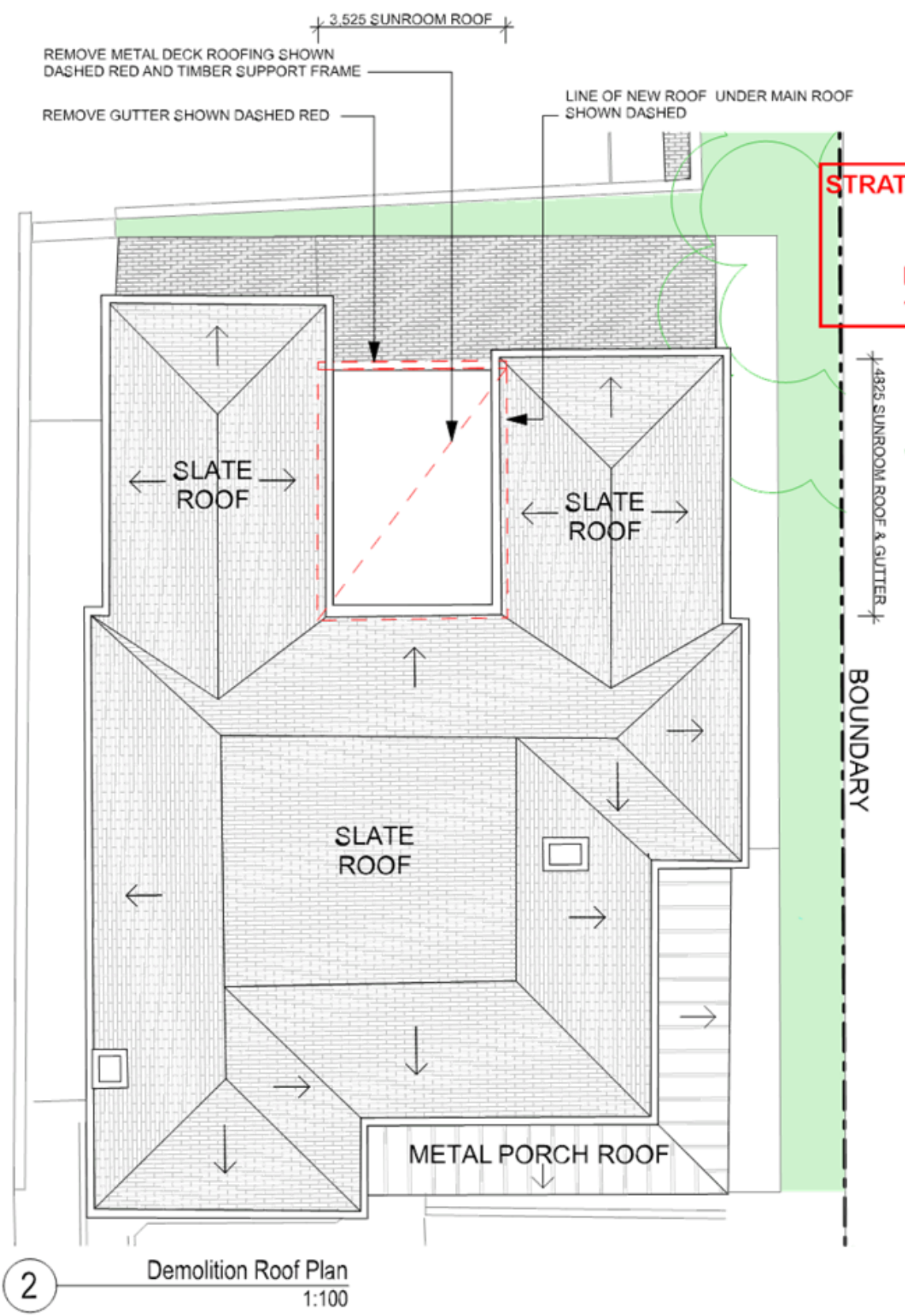


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1 Demolition Floor Plan
1:100



2 Demolition Roof Plan
1:100

- LEGEND**
- EXISTING METAL ROOF [Symbol]
 - EXISTING SLATE TILES [Symbol]
 - EXISTING TIMBER BOARD [Symbol]
 - EXISTING BRICK PAVERS [Symbol]
 - NO WORKS [Symbol]
 - TO BE DEMOLISHED [Symbol]

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PROJECT Alterations

AT 69 Redmyre Road Strathfield NSW 2135

FOR Strathfield Council

DRAWING TITLE DEMOLITION PLANS

ARCHITECT Stephen Figgis

DRAWN Marie Stockdale

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SCALE 0m 1 2 3 4 5 6 7 8

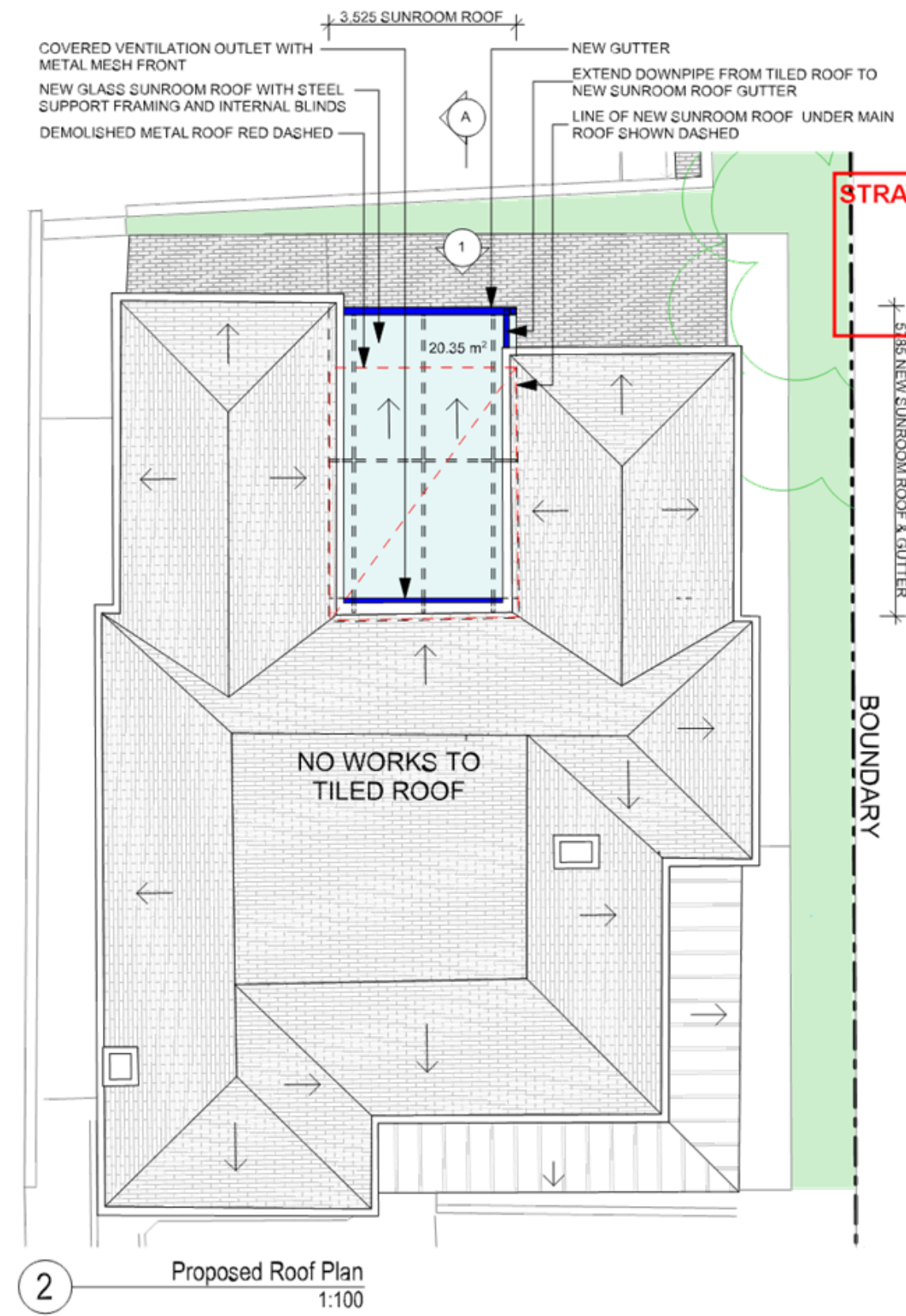
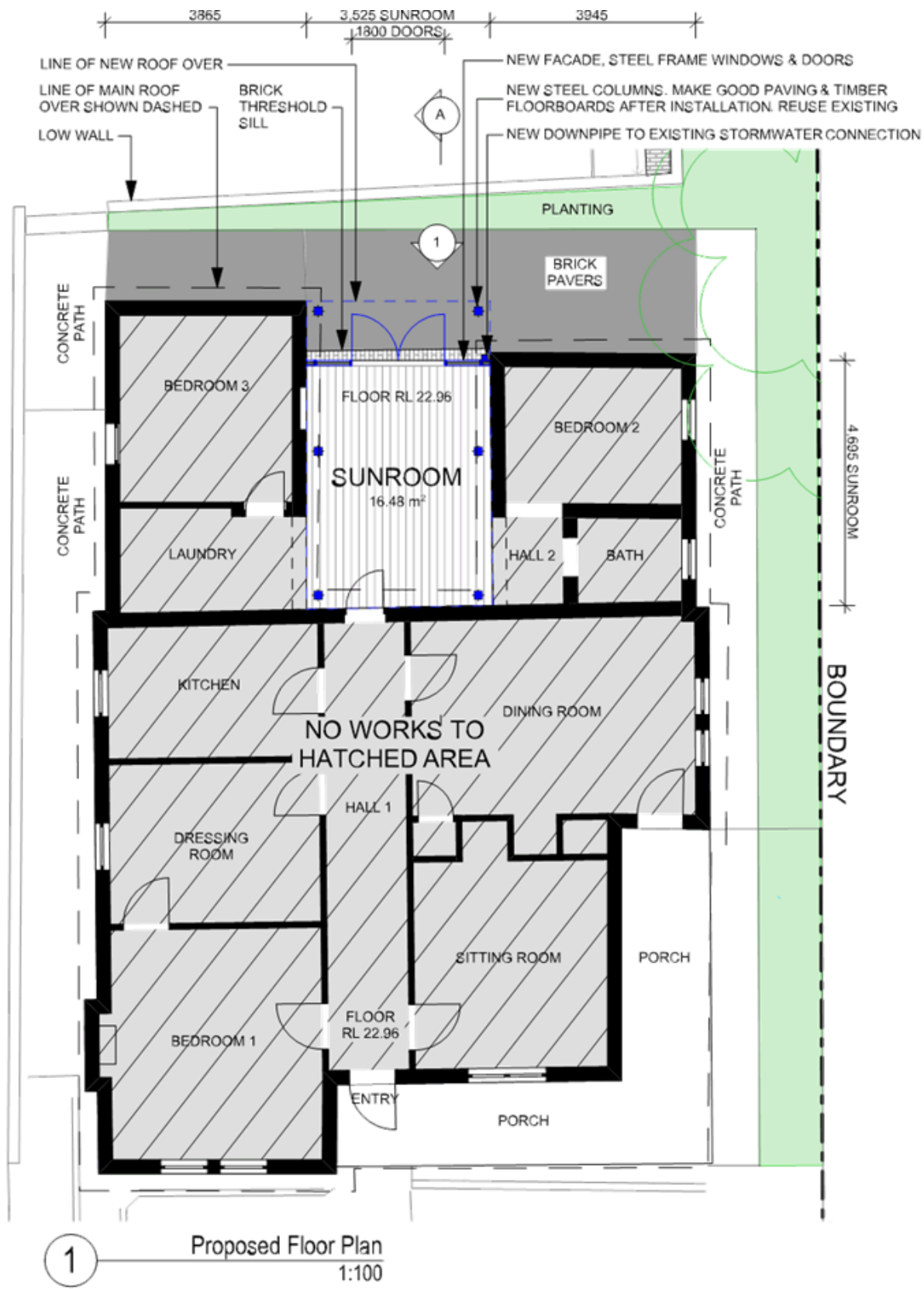
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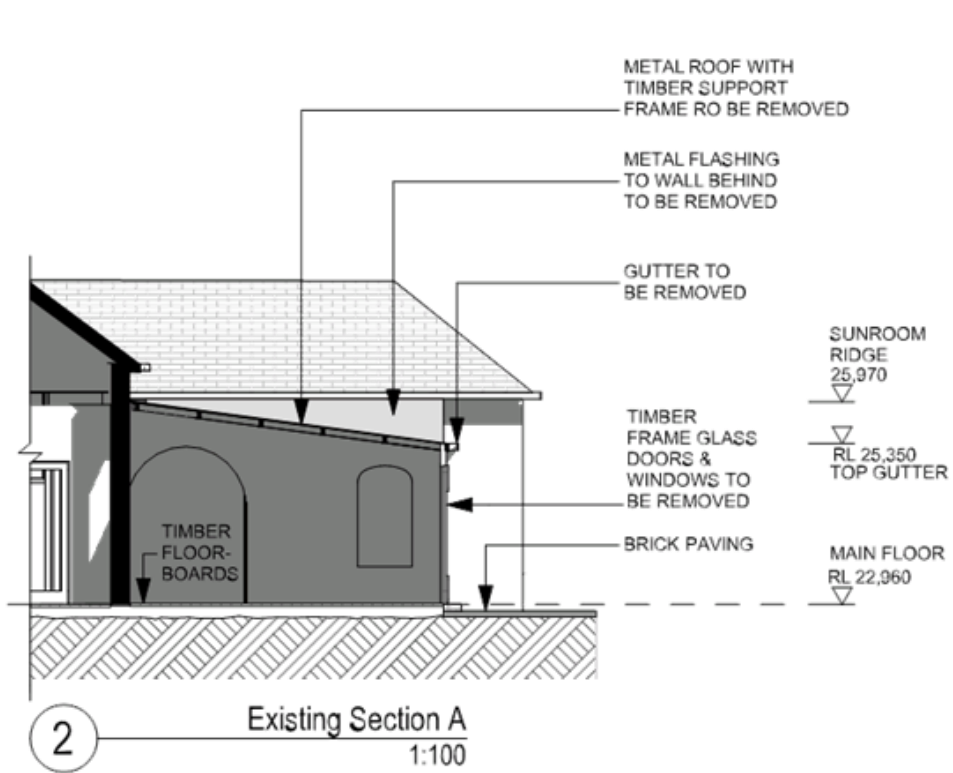
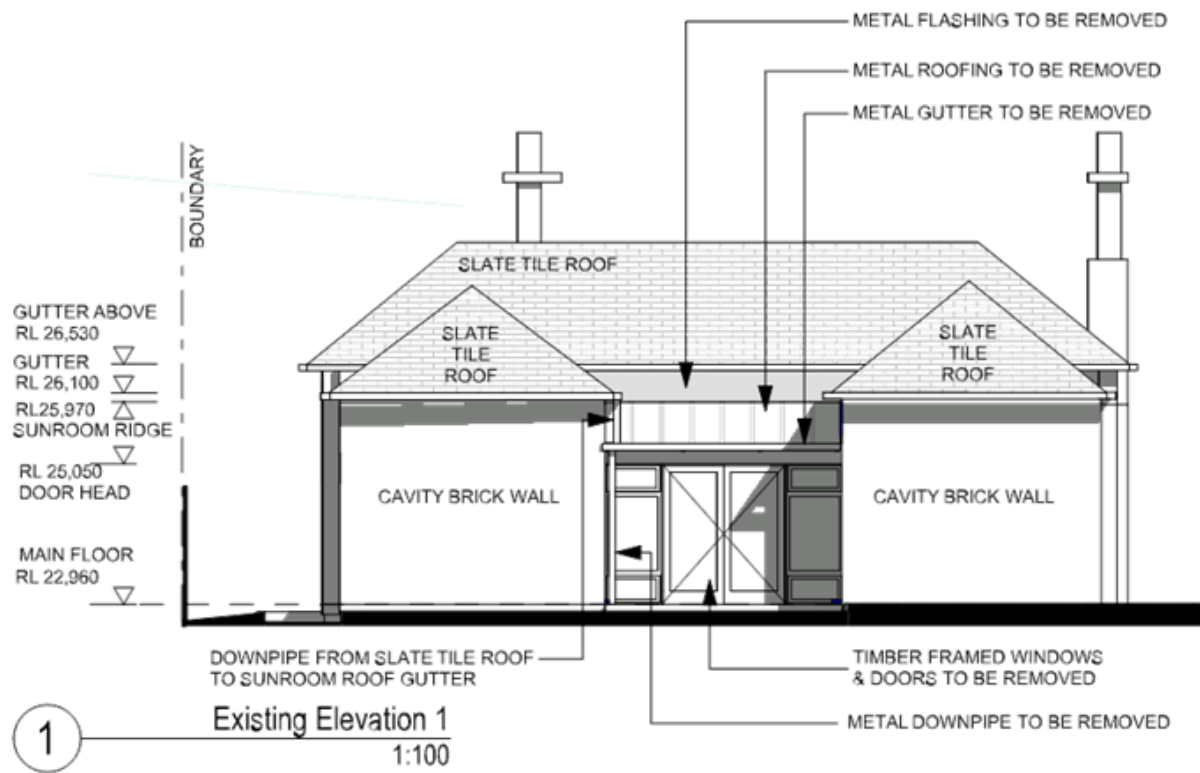
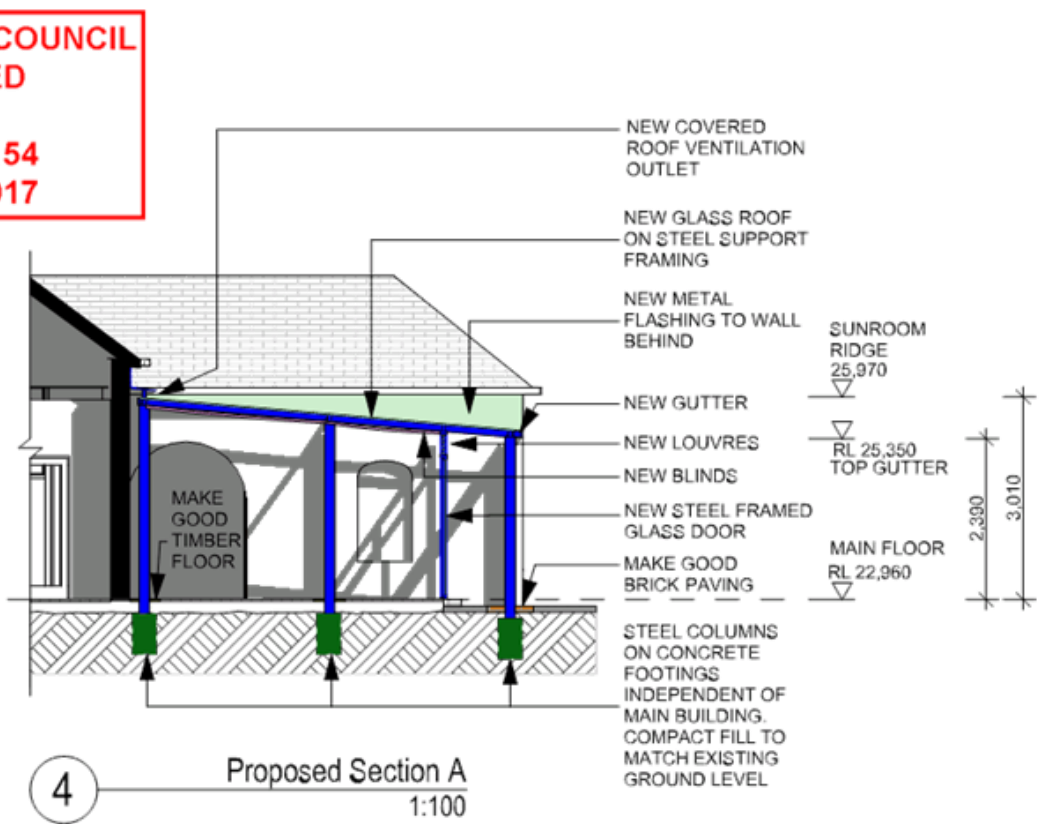
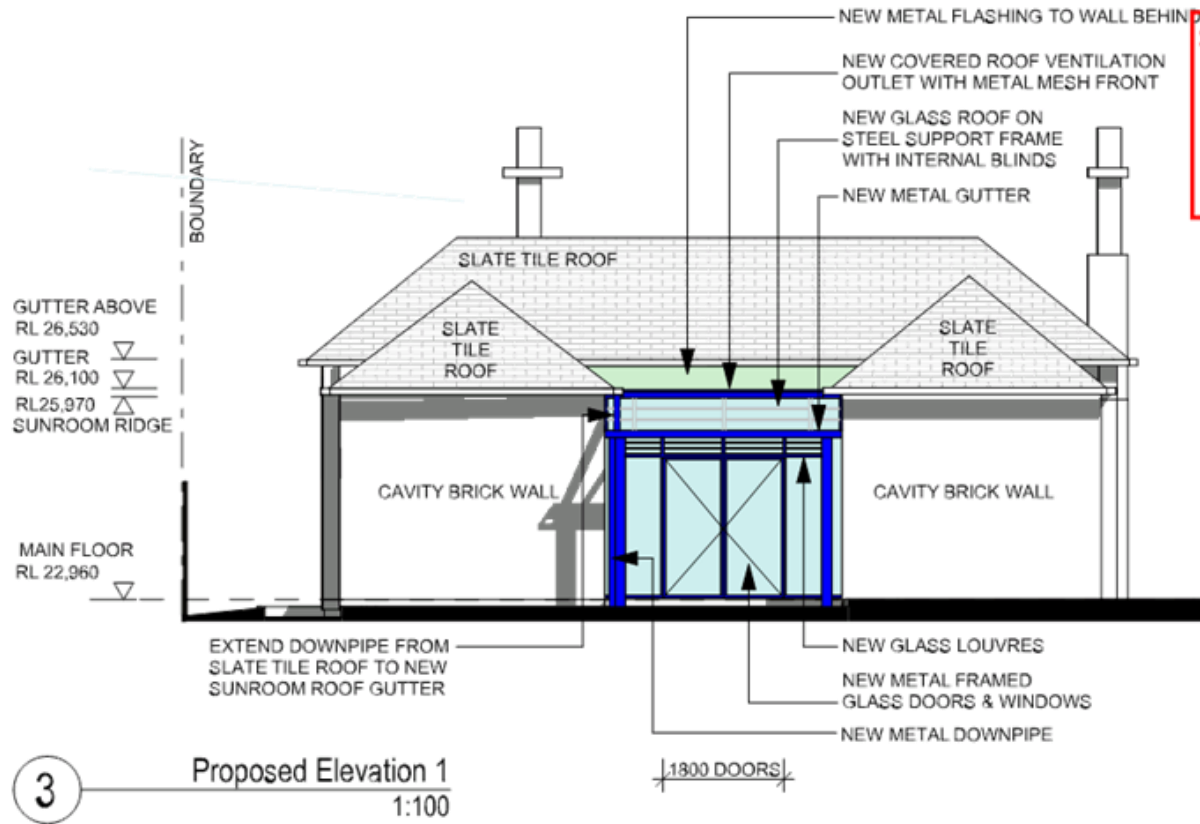
- LEGEND**
- EXISTING METAL ROOF
 - EXISTING SLATE TILES
 - EXISTING TIMBER BOARD
 - EXISTING BRICK PAVERS
 - NO WORKS
 - TO BE DEMOLISHED
 - NEW GLASS
 - NEW METAL

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19 Oct 2017**



LEGEND

EXISTING METAL ROOF	
EXISTING SLATE TILES	▨
EXISTING TIMBER BOARD	▨
EXISTING BRICK PAVERS	■
NO WORKS	▨
NEW GLASS	■
NEW METAL	■
NEW CONCRETE	■
NEW METAL FLASHING	■
NEW FLOORING MATCH EXIST.	▨
NEW PAVERS MATCH EXIST.	■

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PROJECT
Alterations

AT
69 Redmyre Road Strathfield NSW 2135

FOR
Strathfield Council

DRAWING TITLE
ELEVATIONS + SECTIONS

ARCHITECT
Stephen Figgis

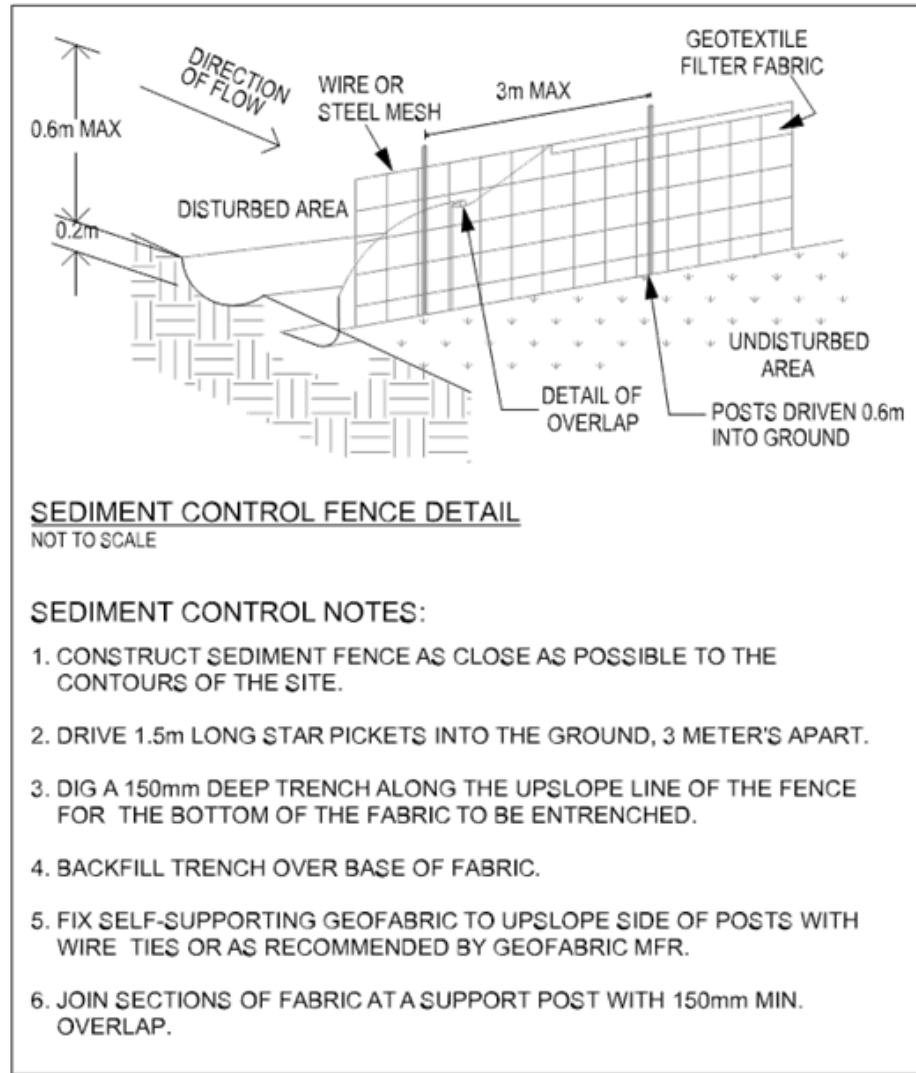
DRAWN
Marie Stockdale

LAST PRINTED
17/10/03

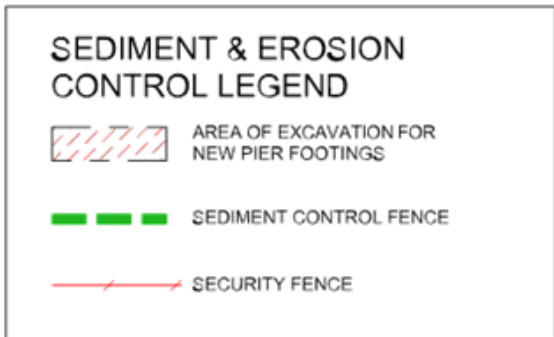
SCALE
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DRAWING NO.
3611 DA 200

ISSUE
A

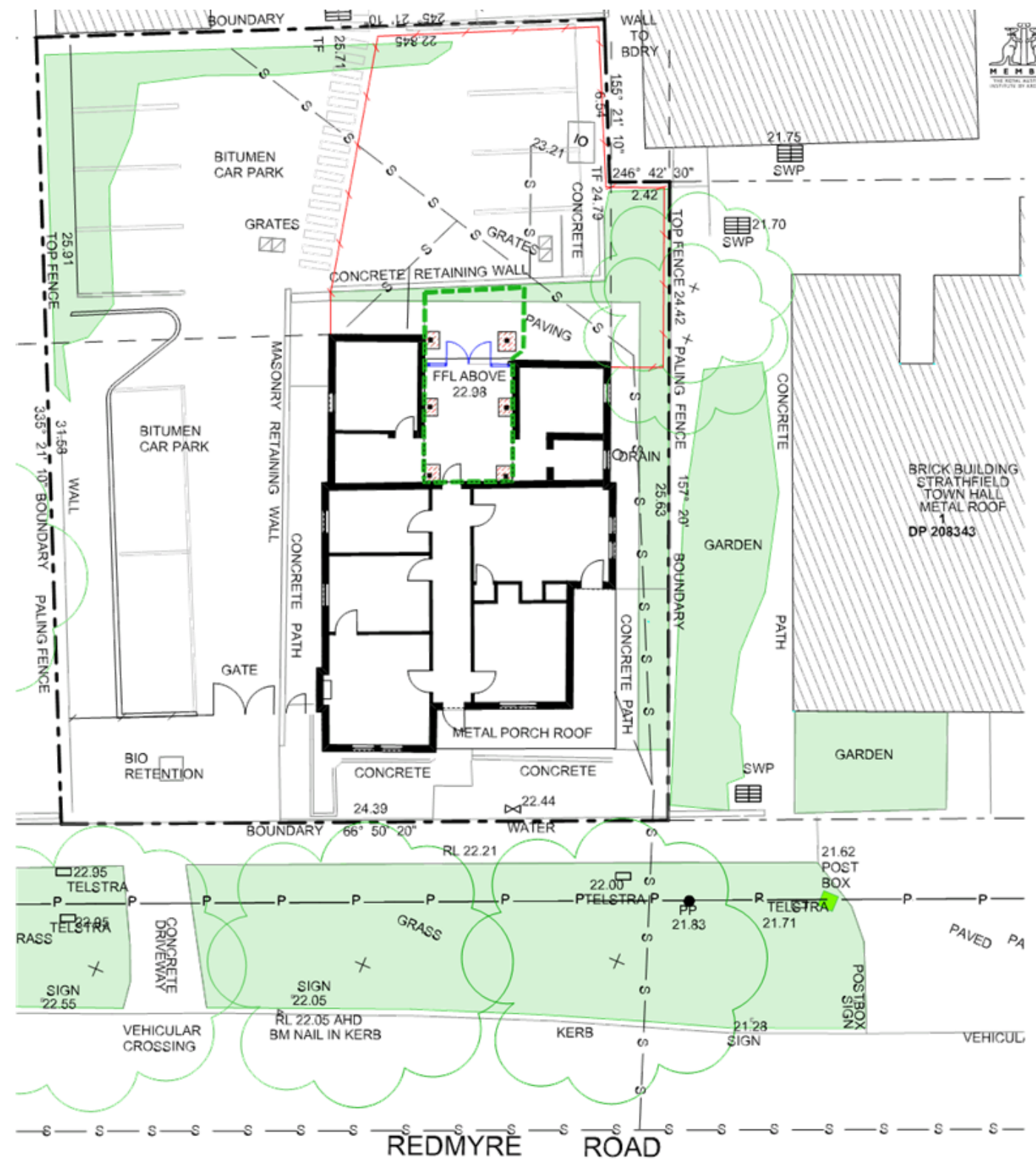


1 Sediment Control Fence Detail



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2 Sediment Erosion Control Plan

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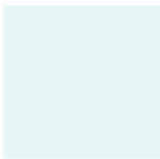


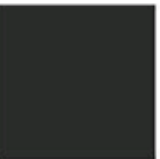



PROJECT Alterations
FOR Strathfield Council

AT 69 Redmyre Road Strathfield NSW 2135
DRAWING TITLE EROSION & SEDIMENT CONTROL PLAN


ARCHITECT Stephen Figgis
DRAWN Marie Stockdale
LAST PRINTED 17/10/03

SCALE 0m 2 4 6 8 10 12 14 16
DRAWING NO. 3611 DA 350
ISSUE A



BUILDING ELEMENT	FINISH	COLOUR	MATERIAL	IMAGE
ROOF	HIGH PERFORMANCE SAFETY GLASS	CLEAR	GLASS	
ROOF FRAME & POSTS	SATIN POWDERCOAT DULUX DUROBOND 9109024S OR SIMILAR	BLACK	STEEL	
SHADING LOUVRES	SATIN POWDERCOAT DULUX DUROBOND 9109024S OR SIMILAR	BLACK	METAL	
SUNROOM GUTTER	SATIN POWDERCOAT DULUX DUROBOND 9109024S OR SIMILAR	BLACK	METAL	
SUNROOM DOWNPIPE	SATIN POWDERCOAT DULUX DUROBOND 9109024S OR SIMILAR	BLACK	METAL	
FACADE FRAME	SATIN POWDERCOAT DULUX DUROBOND 9109024S OR SIMILAR	BLACK	STEEL	
FACADE INFILL	HIGH PERFORMANCE GLASS	CLEAR	GLASS	
FLOORING	REUSE OR MATCH EXISTING TIMBER BOARDS	REUSE OR MATCH EXISTING TIMBER BOARDS	TIMBER BOARDS EXISTING OR TO MATCH	N/A
OUTDOOR PAVING	REUSE OR MATCH EXISTING BRICK	REUSE OR MATCH EXISTING BRICK	BRICK EXISTING OR TO MATCH	N/A

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TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017

REPORT: SIHAP – Report No. 4

SUBJECT: 32-36 UNDERWOOD ROAD, HOMEBUSH
LOT 1 & 2 DP 209535, LOT 1 DP 305029

DA NO. DA2014/124/04

SUMMARY

Proposal: Section 96(2) modification involving the construction of two (2) additional x 2 bedroom units, additional communal open space and reduction of the size of an approved x 2 bedroom unit.

Applicant: Urban Link Pty Ltd

Owner: Underwood Road Properties Pty Ltd

Date of lodgement: 26 September 2017

Notification period: 21 days

Submissions received: Three (3) written submissions received.

Assessment officer: ND

Zoning: B2 – Local Centre - SLEP 2012

Heritage: N/A

Flood affected: No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 On 19 May 2015, Council's Planning Committee approved Development Application No. DA2014/124 for the demolition of existing structures and construction of a five (5) storey mixed use development containing one (1) commercial tenancy and (32) residential units comprising (12) x 1 bedroom, (18) x 2 bedroom and two (2) x 3 bedroom units above two (2) levels of basement parking.
- 2.0 The modification application seeks the construction two (2) additional x 2 bedroom units, additional communal open space and reduction of the internal area of an approved x 2 bedroom unit.
- 3.0 In accordance with Part L of the Strathfield Consolidated DCP 2005, the modification application was notified from the 10 October 2017 to 30 October 2016 with three (3) written submissions received. Concerns were raised in regards to the impact of the proposed additional units to off-street parking, impact on the surrounding community, traffic and pedestrian impacts during the construction phase of the development.
- 4.0 The modification application is substantially similar to the original development application and continues to comply with the minimum off-street parking requirements, solar access, natural ventilation and maximum permissible FSR.

**32-36 Underwood Road, Homebush
Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)**

5.0 The proposed modifications are recommended for approval with amended conditions of consent.

The subject application was referred to Council's Internal Development Assessment Panel (IDAP) for consideration on 22 November 2017. The Panel supported the Assessing Officer's recommendation and associated conditions and recommended that the application be referred to SIHAP for determination.

BACKGROUND

- 19 May 2015 DA2014/124 was approved for the demolition of existing structures and construction of a five (5) storey mixed use development containing one (1) commercial tenancy and (32) residential units comprising (12) x 1 bedroom, (18) x 2 bedroom and two (2) x 3 bedroom units above two (2) levels of basement parking.
- 11 June 2015 Section 96(1) Application was approved to correct a minor error in the development description which was modified to read as follows "the demolition of existing structures and construction of a five (5) storey mixed use development containing one (1) commercial tenancy and (33) residential units comprising (12) x 1 bedroom, (19) x 2 bedroom and two (2) x 3 bedroom units above two (2) levels of basement parking".
- 24 January 2017 Section 96(2) Application was approved to convert one (1) x 3 bedroom unit to one (1) x studio and one (1) x 2 bedroom unit and delete conditions relating to Water Sensitive Urban Design (WSUD) and ground water management.
- 18 April 2017 Section 96(1) Application was approved to delete conditions associated with WSUD.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for to construct two (2) additional x 2 bedroom units, additional communal open space and reduce the internal area of an approved x 2 bedroom unit.

The specific elements of the proposal are:

- Installation of a water meter and a 2.1m high fire on the Ground Level;
- Construction of one (1) additional x 2 bedroom apartment on Level 2;
- Construction one (1) additional 2 bedroom apartment on Level 3;
- Reduction of the size of approved x 2 bedroom unit (Unit 33 on Level 4) from 76.5m² to 75.23m²; and
- New 84m² communal open space on Level 4.

Approved unit mixture as modified by Section 96(2) Application DA2014/124/02:

- One (1) x commercial tenancy;
- One (1) x studio;
- (12) x 1 bedroom;
- (20) x 2 bedroom; and
- One (1) x 3 bedroom.

Total number of residential units = (34)

Proposed unit mixture:

- One (1) x commercial tenancy;
- One (1) x studio;

32-36 Underwood Road, Homebush
 Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

- (12) x 1 bedroom;
 - (22) x 2 bedroom; and
 - One (1) x 3 bedroom.
- Total number of residential units = (36)

REFERRALS

INTERNAL REFERRALS

Traffic Comments

Council's Traffic Management Engineer provided the following comments regarding the proposed Section 96(2) application:

"The addition of two (2) x 2 bedroom units will not change the traffic conditions substantially in relation to already approved DA for the site. Hence no traffic impact assessment is required as additional traffic generated by this development will not change the level of service at which the intersection would have operated with the originally approved application."

SECTION 96(2) OF THE EP&A ACT 1979

Section 96(2) of the Environmental Planning and Assessment states as follows:

(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) it has notified the application in accordance with:*
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

With regard to sub-clause (a), the proposed development (as modified) is substantially the same development as the development for which consent originally granted in that the development remains to be for the purposes of the demolition of existing structures and construction of a five (5) storey mixed use development above two (2) levels of basement parking.

With regard to sub-clause (b), the proposed development is Integrated Development requiring the concurrence of the NSW Department of Primary Industries (now Water NSW) – Water under the Water Management Act 2000 to undertake an aquifer interface activity. As this Section 96(2) application does not propose any additional excavation no referral or approval by Water NSW was required.

In relation to sub-clauses (c) and (d), the Application was publicly notified from 10 October 2017 to 30 October 2017 in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005. Three (3) written submissions were received.

32-36 Underwood Road, Homebush
 Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

Section 96(3) of the *Environmental Planning and Assessment Act 1979* requires consideration be given to the matters referred to in Section 79C(1). An assessment of the subject application pursuant to the heads of consideration of Section 79C of the Environmental Planning and Assessment Act and the relevant matters described in Subsection (1)(a), (b), (c), (d) and (e) of Section 79C has been considered below.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

An appropriate condition is included under the original consent to ensure future compliance with these targets. An amended BASIX Certificate was submitted during the assessment process and has been reflected in the conditions of consent.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purposes for which development consent is being sought.

The proposed development as modified is contained entirely within the footprint of the approved structure and involves no additional excavation works. Accordingly, the subject modification is considered unlikely to alter the suitability of the site for the purposes of the proposed development.

STATE ENVIRONMENTAL PLANNING POLICY NO.65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT (SEPP 65)

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. An amended SEPP 65 design statement addressing the design quality principles accompanied the development application. The modification application does not alter the compliance of the development with any of the design quality principles contained in SEPP 65.

Apartment Design Guide Quality Design of Residential flat buildings

The following table provides an assessment of the proposed modification against the ADG.

Design Criteria	Required	Proposed	Compliance
3D – Communal Open Space	Min. 25% (312.02m ²) Min 2h to 50% communal open space at mid-winter Consolidated area Min dimension of 3m Where developments are unable to achieve the design criteria, such as on small lots they should; - Provide communal open space	The modification application seeks to provide an additional 84m ² of communal open space in a new area at Level 4, resulting in 28.43% (354.88m ²) of the total site are being dedicated as communal open space.	Yes.

32-36 Underwood Road, Homebush
 Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

	<p>elsewhere such as a landscape rooftop terrace;</p> <ul style="list-style-type: none"> - Provide larger balconies or increased private open space' - Demonstrate good proximity to public open space and facilities. 		
3F – Visual Privacy	<p>Up to 4 storeys: 0-12m</p> <ul style="list-style-type: none"> • 6m between habitable rooms/balconies and the boundary • 3m between habitable and non-habitable rooms and the boundary. <p>Up to 25m (5-8 storeys)</p> <ul style="list-style-type: none"> • 9m between habitable rooms/balconies; and • 4.5m between habitable and non-habitable rooms and the boundary. 	<p>This Section 96 (2) application seeks to add two (2) additional 2 bedroom units and reduce the size one (1) approved x 2 bedroom unit. Contrary to Section 3F, Bedroom 1 in Unit 24 at Level 2 and Bedroom 1 in Unit 32 at Level 3 are located 5m from the boundary.</p>	<p>No. Bedroom 1 within Unit 24 and 32 has windows to the south eastern elevation with a separation of 5 metres. Accordingly, a condition of consent has been recommended for the windows in Bedroom 1 in Unit 24 and 32 to be highlight windows so as to minimise any overlooking opportunities.</p>
3J – Bicycle and car parking	<p>Minimum RMS car parking rates:</p> <ul style="list-style-type: none"> • 1 bedroom: 0.6 spaces = 7.8 spaces • 2 bedroom: 0.9 spaces = 19.8 spaces • 3 bedroom: 1.4 spaces = 1.4 spaces • Visitor 1 per 5 units = 7.2 spaces <p>Minimum requirement = (29) resident spaces and (7) visitor spaces.</p>	<p>As per amended Condition No. 22 of DA2014/124/02, (57) off-street spaces are to be provided of which (48) spaces are to be for residents and 7 for visitors.</p>	<p>Yes.</p>
4A – Solar and Daylight Access	<p>Min. 70% of units receive a minimum of 2 hours solar access.</p> <p>Max. 15% units have no solar access</p> <p>Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited Design incorporates shading and glare control.</p>	<p>72% (26) of units achieve at least of 2 hours solar access daily.</p>	<p>Yes.</p>
4B – Natural Ventilation	<p>Min. 60% units are cross ventilated</p>	<p>66% (24) units are able to naturally cross ventilate.</p>	<p>Yes.</p>

32-36 Underwood Road, Homebush
 Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

	Light wells are not the primary source of ventilation for habitable rooms Single aspect units have limited depth to maximise ventilation.		
4C – Ceiling Heights	Habitable: 2.7m Non-habitable: 2.4m 2 storey apartments: 2.7m main living area, 2.4m mezzanine Mixed Use: 3.3m ground floor.	Each level has 3.05m ceiling heights across all units.	Yes.
4D – Apartment Size and Layout	1 bed: 50m ² 2 bed: 70m ² 3 bed: 90m ² Additional bathrooms +5m ² Each habitable room must have a window > 10% floor area of the room. If open plan layout =max 8m from a window Master bed: min 10m ² Other bedroom: min 9m ² Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m.	All of the units comply with the minimum apartment sizes.	Yes.
4E – Private Open Space and Balconies	Studio: 4m ² 1 bed: 8m ² , min depth 2m 2 bed: 10m ² , min depth 2m 3 bed: 12m ² , min depth 2.4m	All units are provided with an area of private open space meeting the minimum dimensions.	Yes.
4F – Common Circulation and Spaces	Max 8 apartments off a single core	Level 2 – 9 units Level 3 – 8 units	No. However the ADG states up to 12 apartments off a single circulation core on a single level is acceptable. Further the corridors are generous in size and the units are orientated and separated so as to provide ample solar access and natural light.
4G – Storage	Studio: 4m ³ 1 bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³ At least 50% within the basement	Storage space is located within the units and basement levels.	Condition No. 32 was imposed under DA2014/124 to ensure adequate storage space is provided according to the unit sizes.
4K – Apartment Mix	Variety of apartment types with an appropriate mix. Different apartments distributed throughout the building.	The modification proposes the following housing mix: One (1) x studio;	The proposed housing mix is suitable for the location of the site, being within close

32-36 Underwood Road, Homebush
 Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

		(12) x 1 bedroom; (22) x 2 bedroom; and One (1) x 3 bedroom.	proximity to the Sydney CBD and schools and universities.
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STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3A	Exceptions to height of building (Parramatta Road Corridor)	29m	Unchanged	N/A

	Objectives	Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

Comments: The proposed modified application will not increase the maximum building height of the mixed use building as approved under DA2014/124 and subsequent modification applications.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4A	Exceptions to floor space ratio (Parramatta Road Corridor)	2:1 (2,496.2m ²)	1.99:1 (2,496m ²)	Yes

	Objectives	Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area	Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas	Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties	Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor	Yes

Comments: The proposed development is considered compatible with the prevailing bulk and scale of approved residential flat developments in the streetscape. The proposed additional units and communal open will not be directly visible from Underwood Road and Pomeroy Street.

Part C – Multi Unit Housing of the Strathfield Consolidated Development Control Plan 2005

While the subject application relates to a mixed use development comprising both commercial and residential components and the provisions of Part C of the Strathfield Consolidated DCP do not strictly apply to this type of development, Part C was applied as a guideline in assessing the parent application. As such, it is appropriate that Part C be given consideration in the assessment of the subject application.

32-36 Underwood Road, Homebush
 Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

Section	Development Control	Required	Proposal	Compliance
2.3	Dwelling Unit and Building Design	15% of the development is required to be designed as adaptable housing for older people or people with disabilities.	16.6% (6) units are adaptable.	Yes.
2.7	Open space and landscaping	10% (129m ²) of the site area is to be provided as communal open space.	The modification application seeks to provide a new 84m ² communal open space area at Level 4, resulting in a 22.35% (279m ²) of the total site dedicated as communal open space.	Yes.
2.9	Car Parking	Car parking is required to be provided: 1 bed :1 space = 13 spaces 2 bed:1.5 spaces = 33 spaces 3 + bed = 2 spaces = 2 spaces Total 48 residential spaces required.	As per amended Condition No. 22 of DA2014/124/02, (57) off-street spaces are to be provided of which (48) spaces are to be allocated to the residents.	Yes.
		1 visitor space is to be provided per 5 units. = (7.2) spaces required.	As per amended Condition No. 22 of DA2014/124/02, seven (7) car parking spaces are to be visitor designated.	Yes.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Appropriate conditions are included on the original consent to ensure compliance with the relevant regulations.

(ii) any coastal zone management plan

The proposed development is not located on a site that is subject to flooding attributed to either Powell’s Creek or Cook’s River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

32-36 Underwood Road, Homebush
 Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

Overshadowing

The proposed modification seeks to construct two (2) additional x 2 bedroom units at Levels 2 and 3 and a new communal open space area at Level 4 to the approved mixed-use development. Whilst the proposed works will not be visible from either Underwood Road or Pomeroy Street frontages as a result of the orientation of the site the additional units will cast additional shadows over 38 and 40 Underwood Road. Accordingly, amended shadow diagrams accompanied the modification application (as shown in Figure 1). An acceptable level of solar access will be retained to the living rooms at the rear portion of the dwelling and the private open space at 38 Underwood Road. In terms of solar access to 40 Underwood Road, the dwelling will retain a minimum of three (3) hours daily solar access. It is noted that both sites are likely to be redeveloped in the future in a similar density to the subject site given their B2 – Local Centre and R3 – Medium Density Residential Zonings with an appropriate level of solar access achievable to the future development through a suitable design.

Overall the proposed modification to the approved mixed use development is considered suitable and recommended for approval.

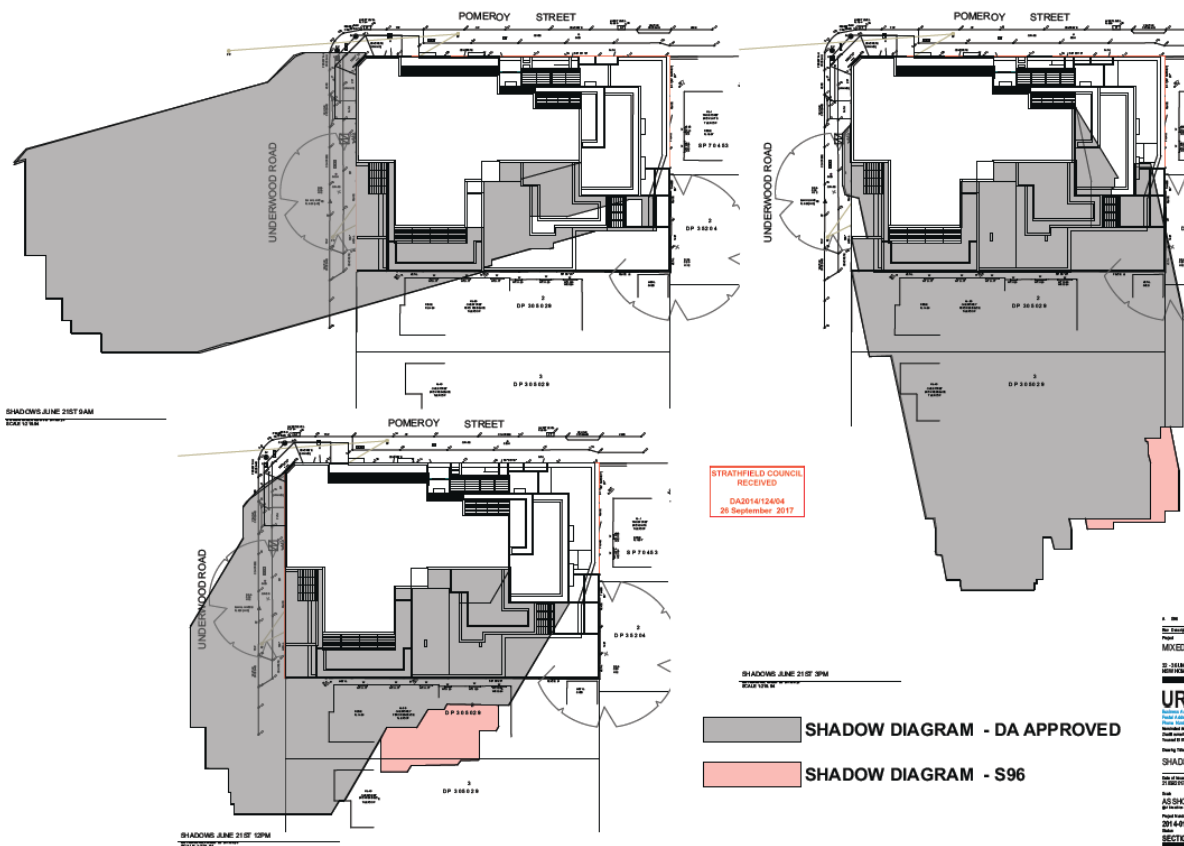


Figure 1: Shadow diagrams of the mixed use development as approved and as modified incorporating the two additional units and communal open space.

79C(1)(c) the suitability of the site for the development

No changes are proposed to the originally approved development and its deemed suitability to the site.

79C(1)(d) any submissions made in accordance with this Act or the regulations

**32-36 Underwood Road, Homebush
Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)**

The application was notified in accordance with Part L of the SCDCP 2005 for 21 days with three (3) submissions received, raising the following concerns:

1. Over Development of the Site

Concern is raised that the modification application increases the density of the approved development resulting in an overdevelopment of the subject site.

Assessing officer's comments: The proposed modification application seeks to increase the FSR of the approved mixed use development to 1.99:1 which complies with the maximum of 2:1 permitted under Clause 4.4 of the *SLEP 2012*. It is important to note that no increase to the maximum building height of the building is sought in this Section 96(2) application. The proposed modified development remains generally consistent in terms of scale and bulk with the desired future character for the locality.

2. Visitor Off-Street Parking

Concern is raised that the development does not provide sufficient visitor off-street parking.

Assessing officer's comments: The modified proposed seeks to provide two (2) levels of basement parking to include a total of (57) off-street parking spaces. Of these (57) spaces, a minimum of seven (7) will be provided to service visitors of the residents in accordance with the requirements of Council's DCP and SEPP 65.

3. Traffic Impact on the Surrounding Streetscape

Concern is raised regarding the impact of the building's residents on the availability of on-street parking for the surrounding streetscape and transient through traffic.

Assessing officer's comments: The approved development provides a total of (57) spaces of which (48) spaces are to be resident designated, achieving compliance with the minimum required (48) resident spaces under Council's DCP 2005. Further, the modification application was forwarded to Council's Traffic Engineer for comment stating that "*the addition of two (2) x 2 bedroom units will not change the traffic conditions substantially in relation to already approved DA for the site. Hence no traffic impact assessment is required as additional traffic generated by this development will not change the level of service at which the intersection would have operated with the originally approved application.*"

4. Public Infrastructure

Concern is raised over the additional demands of the development upon the surrounding community including parking, traffic and local parks.

Assessing officer's comments: Section 94 of the Environmental Planning and Assessment Act 1979 enables Council to levy contributions to fund additional or upgrade public facilities and infrastructure such as local and major parks, road and traffic improvements and community facilities resulting from the increase demands new population generated by development. As this Section 96(2) Application seeks to construct an additional two (2) x 2 bedroom units a new condition is to be imposed for additional contribution fees to be paid as a result of the increase of the total number of units.

5. Construction Impacts

Concern is raised regarding ongoing construction impacts to the immediately surrounding streetscape including the reduction of available on-street parking due to construction worker's vehicles and the obstruction of pedestrian access to the footpath on Underwood Road.

32-36 Underwood Road, Homebush
Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)

Assessing officer's comments: Under the originally approved development application a condition of consent was imposed requiring a Construction Traffic Management Plan to be submitted to Council prior to the commencement of works.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the *EP&A Act 1979* relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The proposal seeks to alter the unit composition of the approved development and accordingly additional Section 94 Contribution fees are required.

CONCLUSION

The application has been assessed having regard to Section 79C of the *Environmental Planning and Assessment Act 1979*, the *Strathfield Local Environmental Plan 2012* and the *Strathfield Development Control Plan 2005* and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

Pursuant to Section 96(2) of the *Environmental Planning and Assessment Act 1979*, the proposed modifications to Development Consent No. 2014/124 relating to the demolition of existing structures and construction of a five (5) storey mixed use development containing one (1) commercial tenancy and (34) residential units comprising one (1) x studio, (12) x 1 bedroom, (20) x 2 bedroom and one (1) x 3 bedroom units above two (2) levels of basement parking at 32-36 Underwood Road, Homebush are **APPROVED** subject to:

1. The original conditions of consent as approved on 19 May 2015.
2. As modified by the Section 96(1) Application (DA2014/124/01) as approved on 11 June 2015.
3. As modified by the Section 96(2) Application (DA2014/124/02) as approved on 24 January 2017.
4. As modified by the Section 96(1) Application (DA2014/124/03) as approved on 18 April 2017.
5. As modified by the Section 96(2) Application (DA2014/124/04) involving the construction of two additional of two (2) x 2 bedroom units, additional communal open space and the reduction in the size of one (1) x 2 bedroom unit.

Amended Proposed Development Description:

Demolition of existing structures and construction of a five (5) storey mixed use development containing one (1) commercial tenancy and (36) residential units comprising one (1) x studio, (12) x 1 bedroom, (22) x 2 bedroom and one (1) x 3 bedroom units above two (2) levels of basement parking at 32-36 Underwood Road, Homebush

**32-36 Underwood Road, Homebush
Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)**

Under Part B – Other Conditions:

Condition 1 shall be modified to read as follows:

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied, and subject to any amendments “in red” and any variation as required by conditions of this consent:

Elevations Plan Project 2014-013 DWG DA3001 prepared by Urbanlink received by Council 26 September 2017

Elevations Plan Project 2014-013 DWG DA3002 prepared by Urbanlink received by Council 26 September 2017

Section A Plan Project 14026 DWG DA 300 Revision G prepared by Baker Kavanagh architects received by Council 10 March 2015

Section B Plan Project 14026 DWG DA 301 Revision G prepared by Baker Kavanagh architects received by Council 10 March 2015

Lower Basement Plan Project 14026 DWG DA 110 Revision H prepared by Baker Kavanagh architects received by Council 10 March 2015

Basement Plan Project 14-013 DWG 111A Rev A prepared by Urbanlink received by Council 24 October 2016

Ground Floor Plan Project 14-013 DWG DA2002 Revision A prepared by Urbanlink received by Council 26 September 2017

Level 1 Project 2014-013 DWG DA2003 Revision A prepared by Urbanlink received by Council 26 September 2017.

Level 2 Project 2014-013 DWG DA2004 Revision A prepared by Urbanlink received by Council 26 September 2017.

Level 3 Project 2014-013 DWG DA2005 Revision A prepared by Urbanlink received by Council 26 September 2017.

Level 4 Project 2014-013 DWG DA2006 Revision A prepared by Urbanlink received by Council 26 September 2017.

Roof Plan Project 14026 DWG DA 117 Revision I prepared by Baker Kavanagh architects received by Council 10 March 2015

Material Palette Plan Project 14026 Dwg DA 805 prepared by Baker Kavanagh architects received by Council 26 August 2014

Cover Sheet and Instructions Job No.12018 DWG No.E1 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Erosion and Sediment Control Plan Job No.12018 DWG No.E2 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Erosion and Sediment Control Details Job No.12018 DWG No.E3 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

**32-36 Underwood Road, Homebush
Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)**

Cover Sheet & Calculations Job No.12018 DWG No.D1 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Stormwater Management Plan Job No.12018 DWG No.D2 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Basement Drainage Design Job No.12018 DWG No.D3 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Lower Basement Drainage Design Job No.12018 DWG No.D4 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Typical Details Job No.12018 DWG No.D5 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Typical Kerb Inlet Pit Details & Design Job No.12018 DWG No.D6 prepared by Eze Hydraulic Engineers received by Council 26 August 2014

Environmental Noise Impact Assessment prepared by Acoustic Logic received by Council 23 January 2015

BASIX Certificate No.568199M_03 dated 20 September 2017 received by Council 26 September 2017.

Arboricultural Impact Assessment prepared by arboreport dated 16/01/15 received by Council 23 January 2015

Landscape Plan – Gnd Floor Drawing No. 14-2852 L01 Revision A Sheet 1 of 6 prepared by ZENITH Landscape Designs received by Council 23 January 2015

Landscape Plan – 1ST Floor Drawing No. 14-2852 L02 Revision A Sheet 2 of 6 prepared by ZENITH Landscape Designs received by Council 23 January 2015

Landscape Plan – 2ND Floor Drawing No. 14-2852 L03 Revision A Sheet 3 of 6 prepared by ZENITH Landscape Designs received by Council 23 January 2015

Landscape Plan – 3RD Floor Drawing No. 14-2852 L04 Revision A Sheet 4 of 6 prepared by ZENITH Landscape Designs received by Council 23 January 2015

Landscape Plan – 4TH Floor Drawing No. LSS96-101 Revision A prepared by Greenplan received by Council 27 November 2017

Existing Tree Plan & Details Drawing No. 14-2852 L06 Revision A Sheet 6 of 6 prepared by ZENITH Landscape Designs received by Council 23 January 2015

Detailed Site Investigation prepared by SMEC Testing Services Pty Ltd dated September 2014 received by Council 3 March 2015

Geotechnical Investigation prepared by SMEC Testing Services Pty Ltd dated March 2015 received by Council 3 March 2015

Condition 132 is added to read as follows:

132. In addition to the Section 94 Contributions which has already been levied by Council under DA2014/124/01 (plus indexation) and DA2014/124/02 (plus indexation), the following contribution is required to be paid to Council for the subject Section 96 Application in

**32-36 Underwood Road, Homebush
Lot 1 & 2 DP 209535, Lot 1 DP 305029 (Cont'd)**

accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030. The contribution is payable in the form of cash, cheque or credit card (financial transaction fee applies) and shall be paid to Council for the following purposes:

Provision of Community Facilities	\$ 4,297.23
Provision of Major Open Space	\$19,551.12
Provision of Local Open Space	\$ 4,302.38
Provision Roads and traffic Management	\$ 1,134.26
Administration	\$ 370.54
TOTAL	\$29,655.54

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

The required contribution shall be paid **prior to the issue of an amended Construction Certificate**.

Condition 133 is added to read as follows:

133. Prior to the issue of a Construction Certificate, plans are to be amended to include the following privacy measures:
- a) The windows located at the eastern corner of Bedroom1 in Units 24 (Level 2) and Unit 32 (Level 3) shall have a highlight window with a sill height of at least 1.7m above the finished floor level or have fixed, obscure glazing in any part of the windows less than 1.7m above finished floor level.

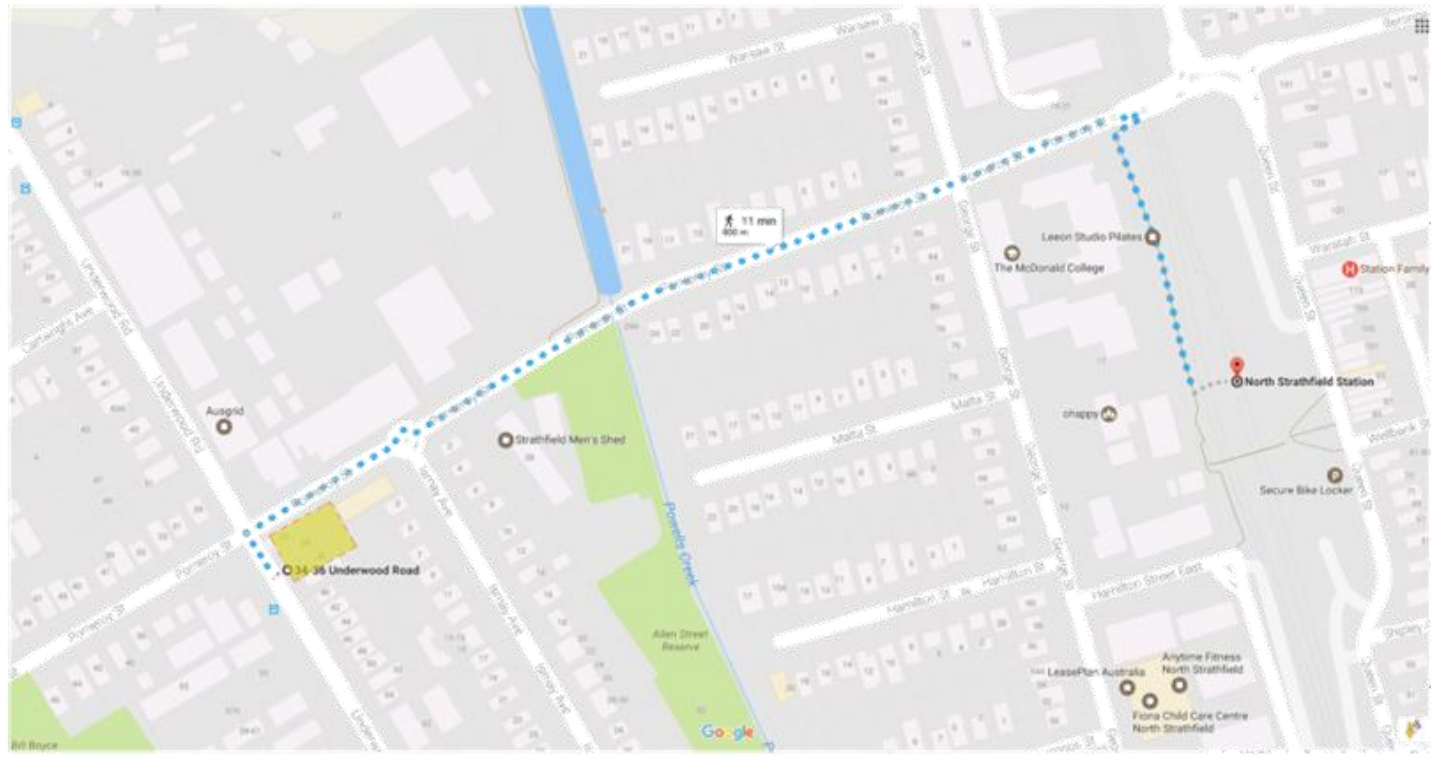
Details of the above measures shall be submitted to and approved by the Principal Certifying Authority for approval **prior to the Issue of a Construction Certificate**.

ATTACHMENTS

1. [↓](#) 32-36 Underwood Rd - Architecturals

32 - 36 UNDERWOOD NSW 2135 - MIXED USE RESIDENTIAL APARTMENT *S96 MODIFICATION*

NOTE: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWING.



Drawing No:	Description	...
DA001	COVER	
DA002	CALCULATIONS	
DA1001	SITE LOCATION & ANALYSIS	
DA2000_A	BASEMENT 02	
DA2001_A	BASEMENT 01	
DA2002_A	GROUND FLOOR PLAN	
DA2003_A	Level 1	
DA2004_A	Level 2	
DA2005_A	Level 3	
DA2006_A	Level 4	
DA2007_A	ROOF LEVEL	
DA2901	SHADOW DIAGRAMS	
DA3001	ELEVATIONS	
DA3002	ELEVATIONS	



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DA2014/124/04
26 September 2017

32 - 36 UNDERWOOD ROAD
NEW HOMERUGH

URBAN LINK

Business Address: Level 10, 11-12 Street, Strathfield NSW 2159
Postal Address: PO Box 1222 Strathfield NSW 2159
Phone Number: +61 (0)294 2014
Homepage Address: 2nd Strathfield Reg 18308
Yasraj @ Kinship Reg 18308

Drawing Title:
COVER

Date of Issue: 21/09/2017
Checked: JE
Approved: TJ

Drawn:
AS SHOWN

Project Number:
2014-013

Drawing Number/Revision:
DA001

Date:
SECTION 96 MODIFICATION

NOTE: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

UNIT MIX - DA APPROVED					
LEVEL	STUDIO	1 BED	2 BED	3 BED	TOTAL
COMMS	CAFÉ 60.2	-	-	-	-
Ground	1		5		6
1	0	4	5	0	9
2	0	4	4	0	8
3	0	4	3	0	7
4	0	0	3	1	4
TOTAL	1	12	20	1	34
PERCENT		35%	59%	3%	100%

GFA CALC - DA APPROVED	
GFA TOTAL	
COMMS	60.2
GROUND	432
1	598
2	521.7
3	446.4
4	333
TOTAL	2331.1
SITE AREA	1248.1

STRATHFIELD COUNCIL
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DA2014/124/04
26 September 2017

UNIT MIX - S96					
LEVEL	STUDIO	1 BED	2 BED	3 BED	TOTAL
COMMS	CAFÉ 60.2	-	-	-	-
Ground	1		5		6
1	0	4	5	0	9
2	0	4	5	0	9
3	0	4	4	0	8
4	0	0	3	1	4
TOTAL	0	12	22	1	36
PERCENT		33%	61%	3%	100%

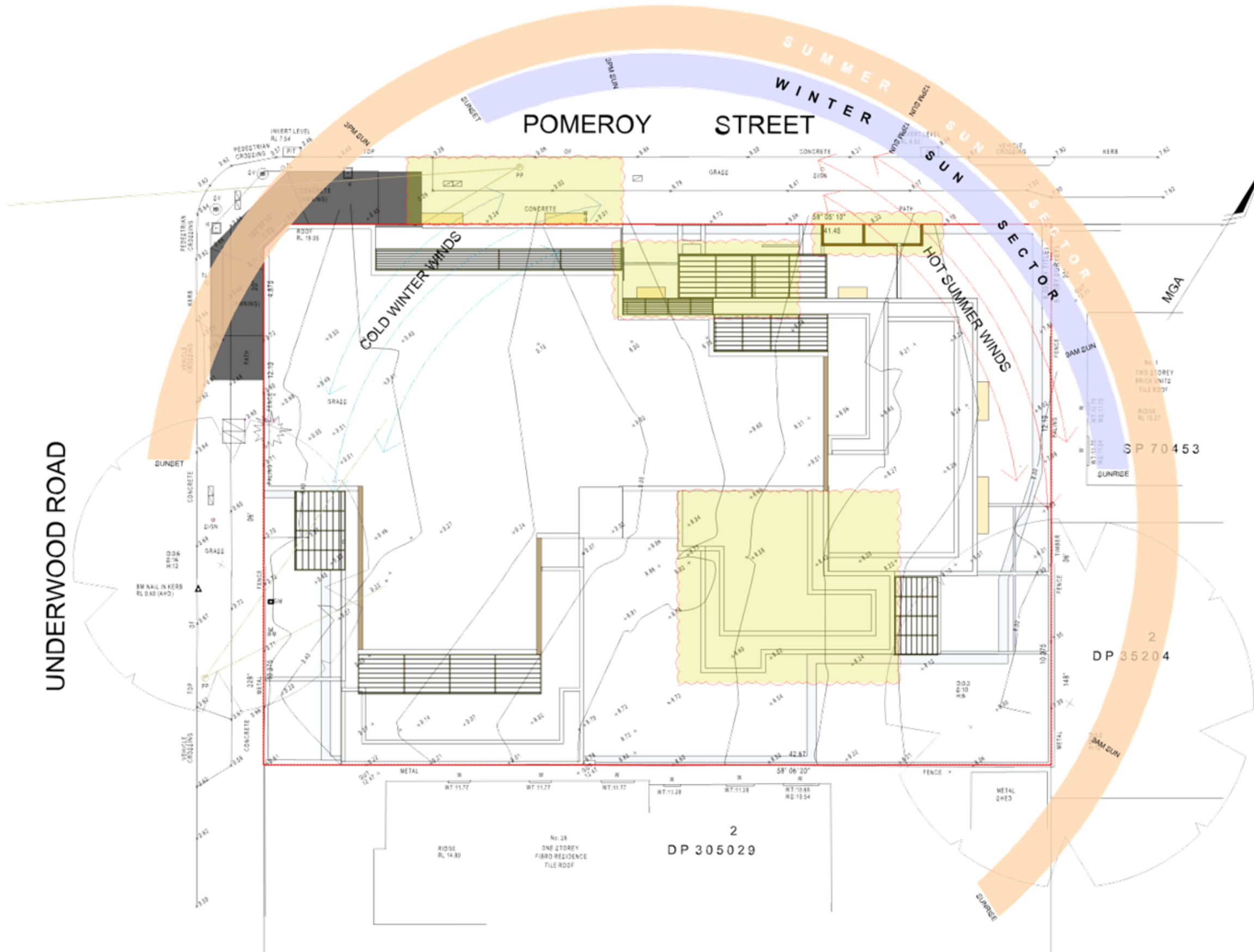
GFA CALC - S96	
GFA TOTAL	
COMMS	60.2
GROUND	432
1	598
2	598
3	535
4	333
TOTAL	2496.00
SITE AREA	1248.1

CALCULATION TABLE - DA APPROVED			
TOTAL SITE AREA	1248.1 m ²		
CONTROL	MAX ALLOWABLE	PROPOSED	
MIN. COMMS (GFA)			
MIN. COMMS (FSR)			
GROSS FLOOR AREA (GFA)	2496.2		2331.1
FLOOR SPACE RATIO (FSR)	2 : 1		1.8 : 1
BUILDING HEIGHT	16m & 13m		
COMMON OPEN SPACE	312m ² or 25%		353
CONTROL	MIN. REQUIRED	PROPOSED	
SOLAR ACCESS	70%	24 UNITS	26 UNITS
CROSS VENTILATION	60%	21 UNITS	21 UNITS
SINGLE ORIENTED SOUTH FACING UNITS	10%	6 UNITS	0 UNITS
CONTROL	m ²	UNITS	MIN REQUIRE
1 - 1 SPACES / STUDIO & 1 BED UNIT		13	13
1.5 SPACES / 2 BED UNIT		20	30
2 - SPACES / 3 BED UNIT		1	2
VISITOR = 1 SPACE / 5 UNITS		34	6.8
Total Residential			51.8
Car Wash			1
Total			52.8
COMMS PARKING			
1 SPACE / 50m ²			1.204
Total			54.004

CALCULATION TABLE - S96			
TOTAL SITE AREA	1248.1 m ²		
CONTROL	MAX ALLOWABLE	PROPOSED	
MIN. COMMS (GFA)			
MIN. COMMS (FSR)			
GROSS FLOOR AREA (GFA)	2496.2		2496
FLOOR SPACE RATIO (FSR)	2 : 1		1.99: 1
BUILDING HEIGHT	16m & 13m		
COMMON OPEN SPACE	312m ² or 25%		367m ²
CONTROL	MIN. REQUIRED	PROPOSED	
SOLAR ACCESS	70%	26 UNITS	26 UNITS
CROSS VENTILATION	60%	22 UNITS	24 UNITS
CONTROL	m ²	UNITS	MIN REQUIRE
1 - 1 SPACES / 1 BED UNIT		12	12
1.5 SPACES / 2 BED UNIT		22	33
2 - SPACES / 3 BED UNIT		1	2
VISITOR = 1 SPACE / 5 UNITS		37	7.4
Total Residential			54.4
Car Wash			1
Total			55.4
COMMS PARKING			
1 SPACE / 50m ²			1.204
Total			56.604

A 228 210617 MV
Rev Description Date April
Project
MIXED USE MULTI RESIDENTIAL
22 - 26 UNDERWOOD ROAD
NEW HOMERIGH
URBAN LINK
Business Address: Unit 10, 11 & 12 Deane Street, Strathfield NSW 2154
Postal Address: PO BOX 2222 Strathfield NSW 2154
Phone Number: +61 (0)2 942 2014
Northcott Accounting
2nd Strathfield Reg no 8338 Northcott Taxation Reg no 8338
Drawing Title
CALCULATIONS
Date of Issue: 21/09/2017
Checked: JE
Approved: TJ
Drawn: AS SHOWN
Project Number: 2014-013
Drawing Number: DA002
Revision: [Signature]
Drawing Number Revison: DA002
SECTION 96 MODIFICATION

NOTE
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

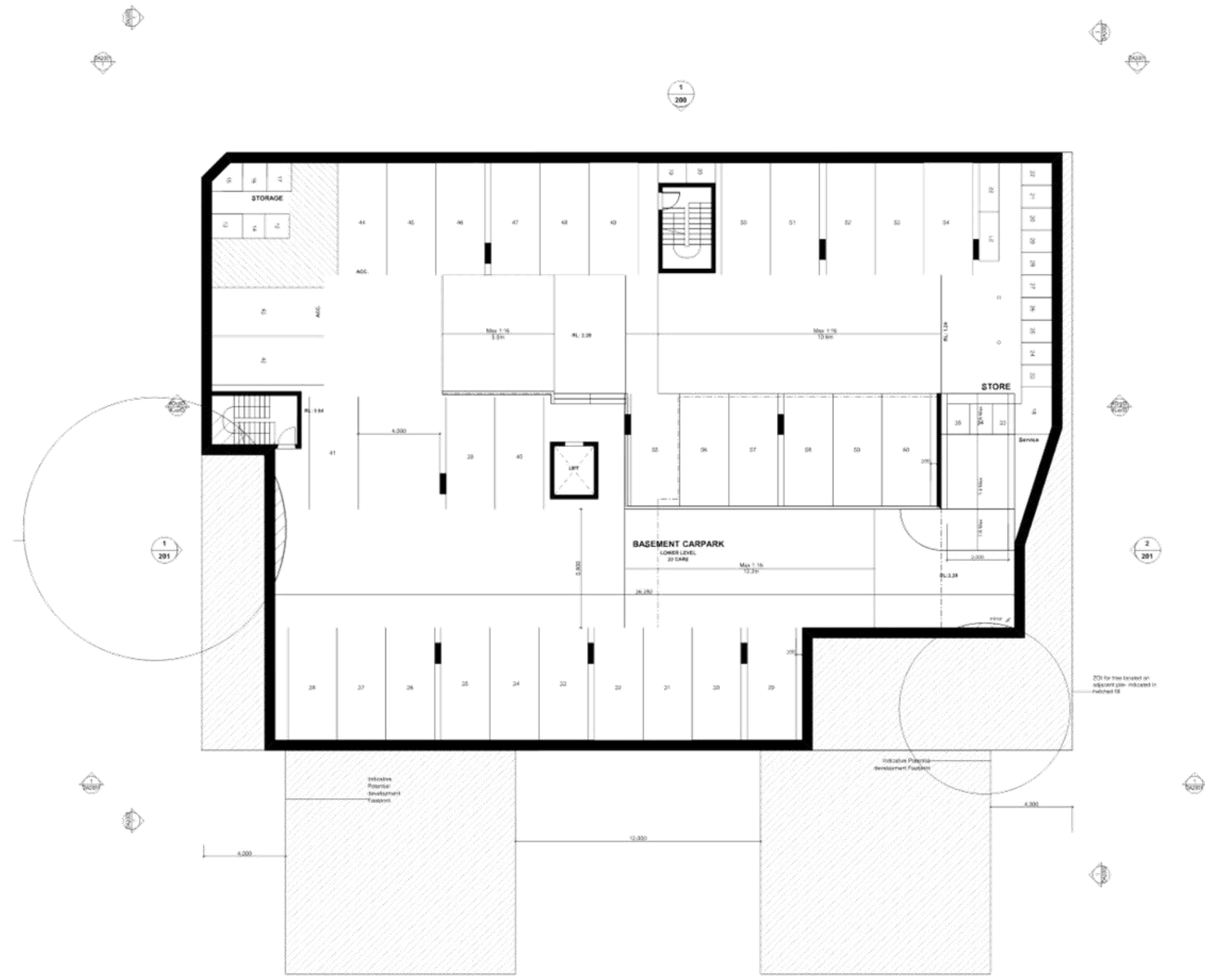


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26 September 2017

SITE / ANALYSIS PLAN
SCALE 1:100

A 200 2000/17 MM
Rev Description Date
Project
MIXED USE MULTI RESIDENTIAL
23 - 26 UNDERWOOD ROAD
NEW HOMERIDGE
URBAN LINK
Business Address: Level 10, 11-13 Deane Street, Newmarket NSW 1514
Postal Address: PO BOX 1222 Newmarket NSW NSW 1514
Phone Number: +61 29740 2014
Website Address:
2nd Stratum Reg no 8338 Nsw State Reg no 8338
Trustee @ Knowledge Reg no 8338
Drawing Title
SITE LOCATION & ANALYSIS
Date of Issue: 21/09/2017
Checked: JE
Approved: TJ
Drawn: AS SHOWN
Project Number: 2014-013
Drawing Number: DA1001
Revision: Drawing Number Reviser
DATE

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
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DA2014/124/04
26 September 2017

1 BASEMENT 02

4 1400 0236 002/0126/14/04 0000 04

A EN 21/06/17 MN

Rev Description Date

Project
MIXED USE MULTI RESIDENTIAL

22 - 26 UNDERWOOD ROAD
NEW HOMERUGH

URBAN LINK

Business Address: Level 10, 11-13 Green Street, Strathfield NSW 2154
Postal Address: PO BOX 2122 Strathfield NSW 2154
Phone Number: +61 (0)294 0214
Nominating Authority:
Zel Strathfield Reg no 8338 Nominating Reg no 8338
Trustee & Nominating Reg no 8338

Drawing Title
BASEMENT 02

Date of Issue: 21/06/2017
Checked: JE
Approved: TJ

Drawn: AS SHOWN
By: [Signature]

Project Number: 2014-013
Drawing Number: DA2000_A

Date:
SECTION 96 MODIFICATION

Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.



STRATHFIELD COUNCIL
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DA2014/124/04
26 September 2017

BASIX REQUIREMENTS

Fixtures/Appliances
Showerheads 3 star / Toilet 4 star / Kitchen Taps 5 star / Bathroom taps 5 star

Hot Water System - gas instantaneous 5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to facade or roof

Cooling/Heating
Living areas/Bedrooms - 1-phase airconditioning 2 Star

Kitchen cooktop - gas and electric oven

A 228 210617 MV
Rev Description Date April
Project
MIXED USE MULTI RESIDENTIAL

22 - 26 UNDERWOOD ROAD
NEW HOMERIDGE

URBANLINK
Business Address: Level 10, 11-13, Deane Street, Strathfield NSW 2154
Postal Address: PO BOX 2222 Strathfield NSW 2154
Phone Number: +61 (0)2 942 2014
Northgate Accounting: 2nd Sturminster Reg rd 8288 Strathfield NSW 2154
Taxation: 11 Kingsway Reg rd 8222

Drawing Title
GROUND FLOOR PLAN

Date of Issue: 21/09/2017
Checked: JE
Approved: TJ

Drawn: AS SHOWN
Scale: 1/50
Project Number: 2014-013
Drawing Number: DA2002_A

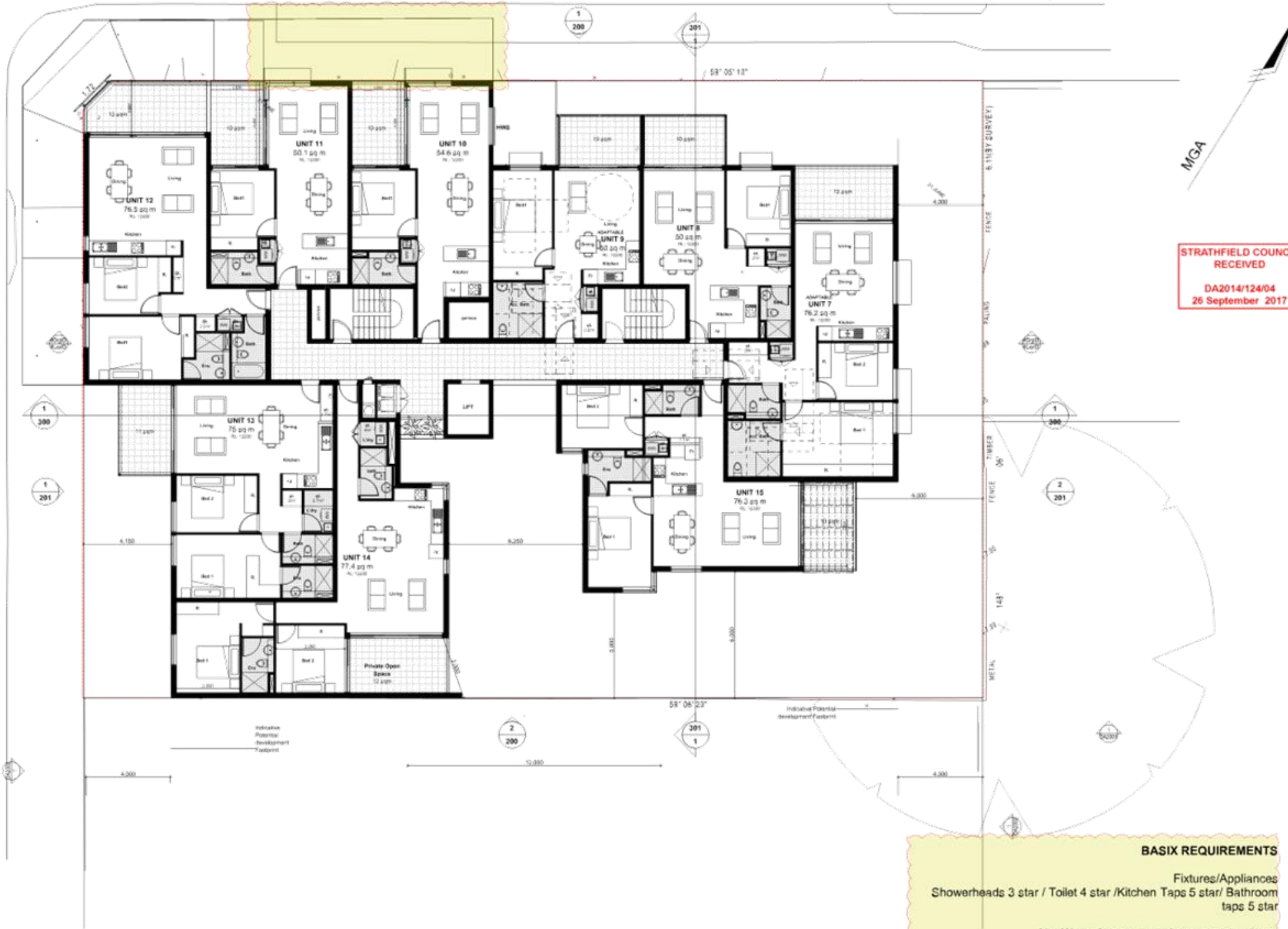
Date:
SECTION 96 MODIFICATION

1 GROUND FLOOR PLAN

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
DO NOT SCALE DRAWING

UNDERWOOD ROAD

POMEROY STREET



STRATHFIELD COUNCIL
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DA2014/124/04
26 September 2017

1 LEVEL 01

BASIX REQUIREMENTS

Fixtures/Appliances
Showerheads 3 star / Toilet 4 star / Kitchen Taps 5 star/ Bathroom taps 5 star

Hot Water System - gas instantaneous 5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to facade or roof

Cooling/Heating
Living areas/Bedrooms - 1-phase airconditioning 2 Star

Kitchen cooktop - gas and electric oven

URBANLINK
22-26 UNDERWOOD ROAD
NEW HEMELSHAM
NSW 2148

Project: MIXED USE MULTI RESIDENTIAL
Drawing Title: Level 1

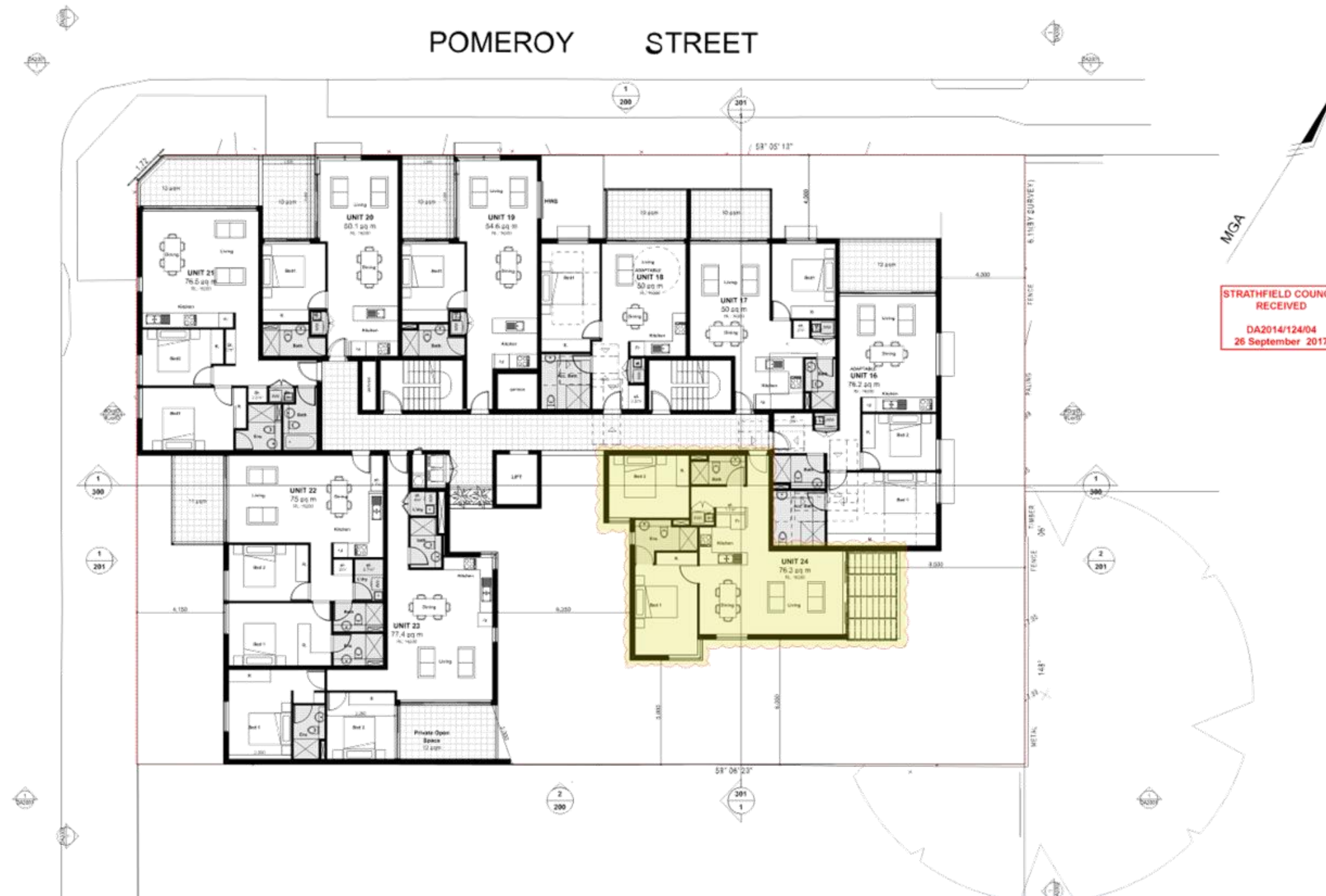
AS SHOWN

Project Number: 2014-013
Drawing Number: DA2003_A
Section: SECTION 96 MODIFICATION

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
DO NOT SCALE DRAWING

UNDERWOOD ROAD

POMEROY STREET



STRATHFIELD COUNCIL
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DA2014/124/04
26 September 2017

BASIX REQUIREMENTS

Fixtures/Appliances
Showerheads 3 star / Toilet 4 star / Kitchen Taps 5 star/ Bathroom taps 5 star

Hot Water System - gas instantaneous 5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to facade or roof

Cooling/Heating
Living areas/Bedrooms - 1-phase airconditioning 2 Star

Kitchen cooktop - gas and electric oven

A: EN 30/11/17
B: Description
Project: MIXED USE MULTI RESIDENTIAL

22 - 26 UNDERWOOD ROAD
NEW HOMERUGH

URBANLINK
Supply Address: Unit 10, 11-13 Green Street, Strathfield NSW 2154
Postal Address: PO BOX 222 Strathfield NSW 2154
Phone Number: +61 (0)294 0214
Nominate Address: 2/1 Southton Reg rd 838
Yours & Ours Reg no 852
Mobile: 0413 838 838

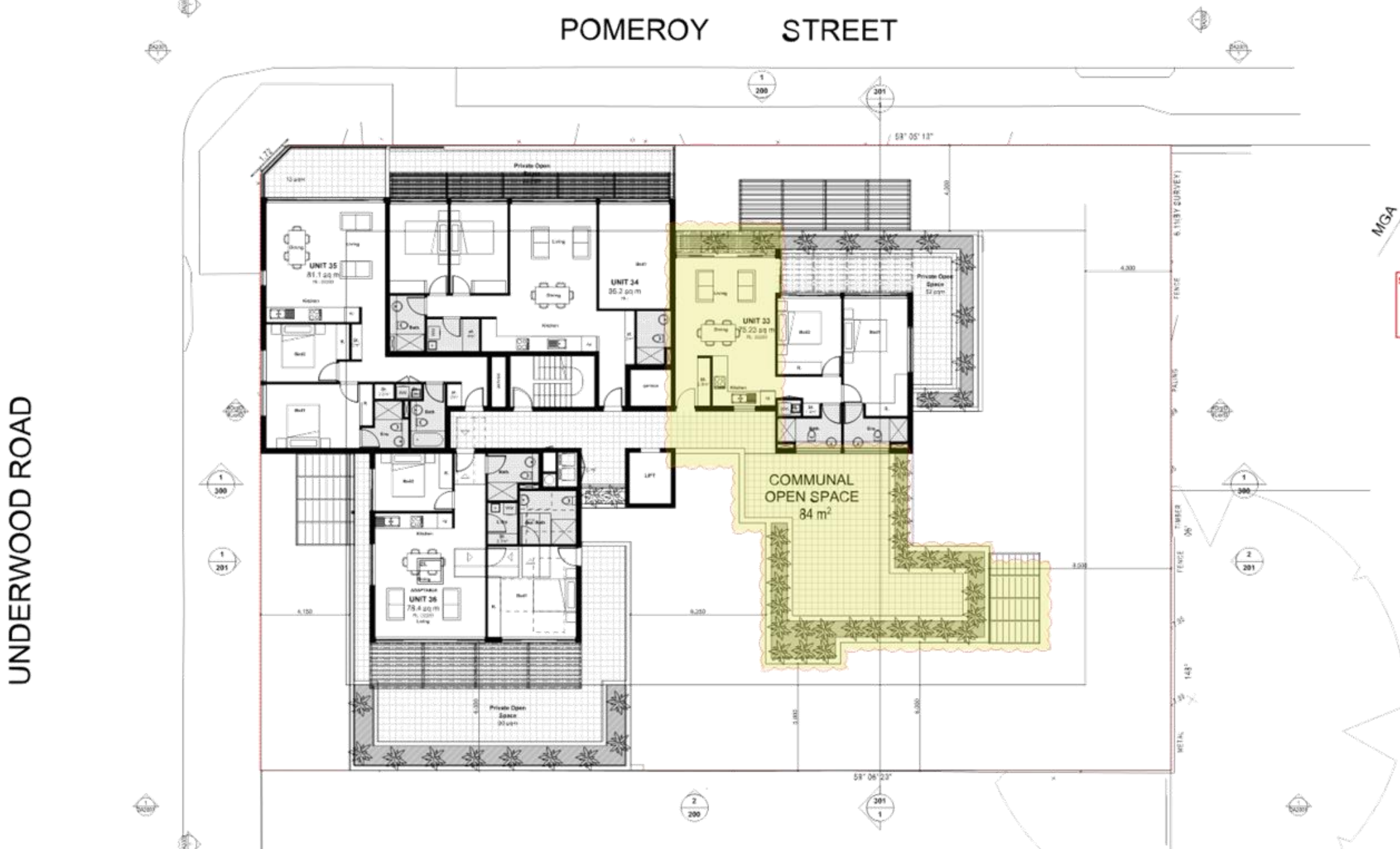
Drawing Title: Level 2

Date of Issue: 21/09/2017
Checked: JE
Approved: TJ

Drawn: AS SHOWN
Project Number: 2014-013
Drawing Number: DA2004_A
Section: SECTION 96 MODIFICATION

1 LEVEL 02

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
DO NOT SCALE DRAWING



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DA2014/124/04
26 September 2017

UNDERWOOD ROAD

POMEROY STREET

MGA

BASIX REQUIREMENTS

Fixtures/Appliances
Showerheads 3 star / Toilet 4 star / Kitchen Taps 5 star/ Bathroom taps 5 star

Hot Water System - gas instantaneous 5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to facade or roof

Cooling/Heating
Living areas/Bedrooms - 1-phase airconditioning 2 Star

Kitchen cooktop - gas and electric oven

A: EN 30/11/17
Rev: Description Date
Project: MIXED USE MULTI RESIDENTIAL

22 - 26 UNDERWOOD ROAD
NEW HOMERUGH

URBANLINK
Business Address: Level 10, 11-13 Green Street, New Homelugh NSW 2124
Postal Address: PO BOX 1222 Newell NSW 2124
Phone Number: +61 (0)2940 2014
Nominating Authority: Z&P Sustainable Reg v1 8/10
Nominating Authority: Z&P Sustainable Reg v1 8/10

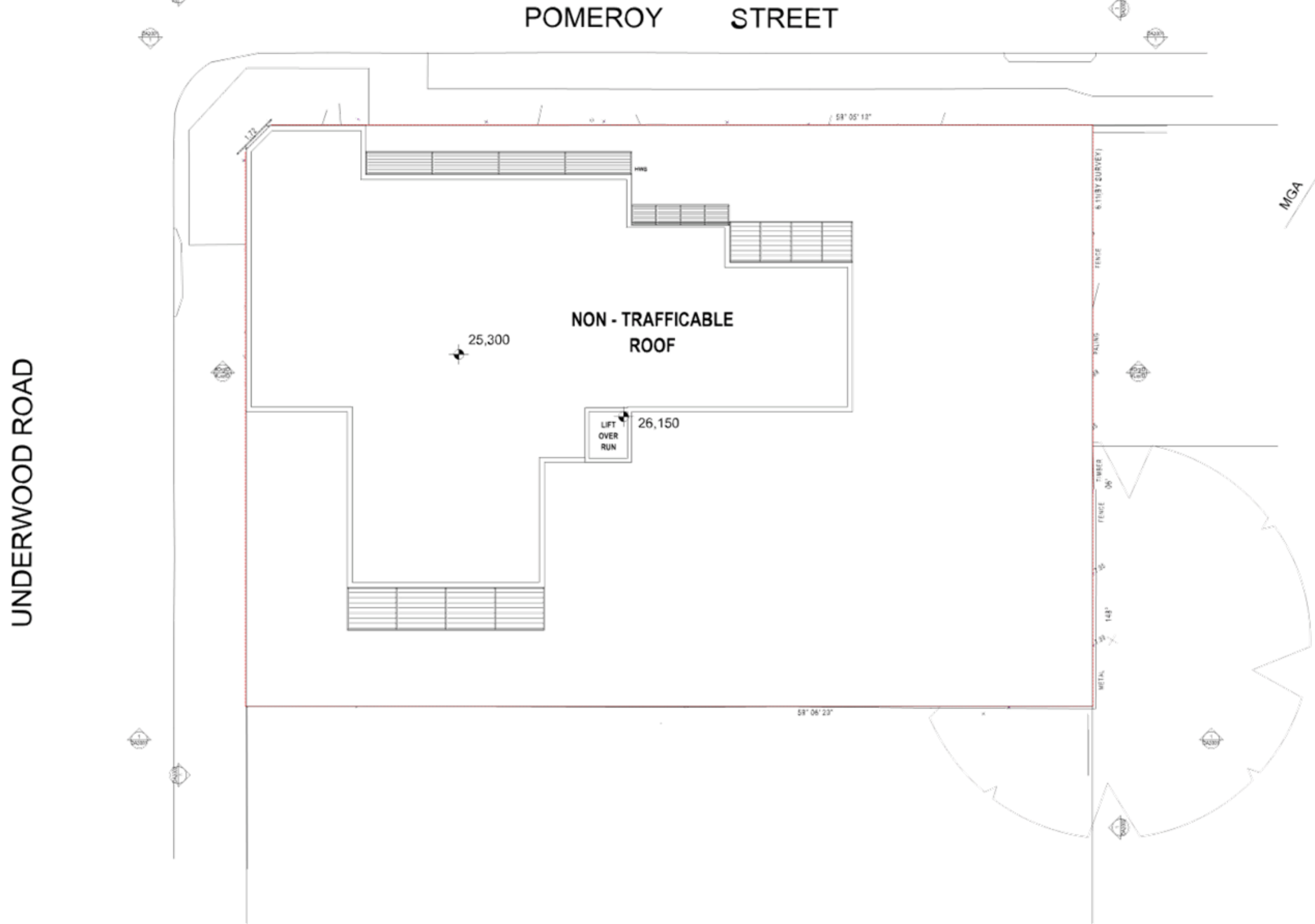
Drawing Title: Level 4

Date of Issue: 21/09/2017
Checked: JE
Approved: TJ

Drawn: AS SHOWN
Project Number: 2014-013
Drawing Number: DA2006_A
Section: SECTION 96 MODIFICATION

1 LEVEL 04

NOTE
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

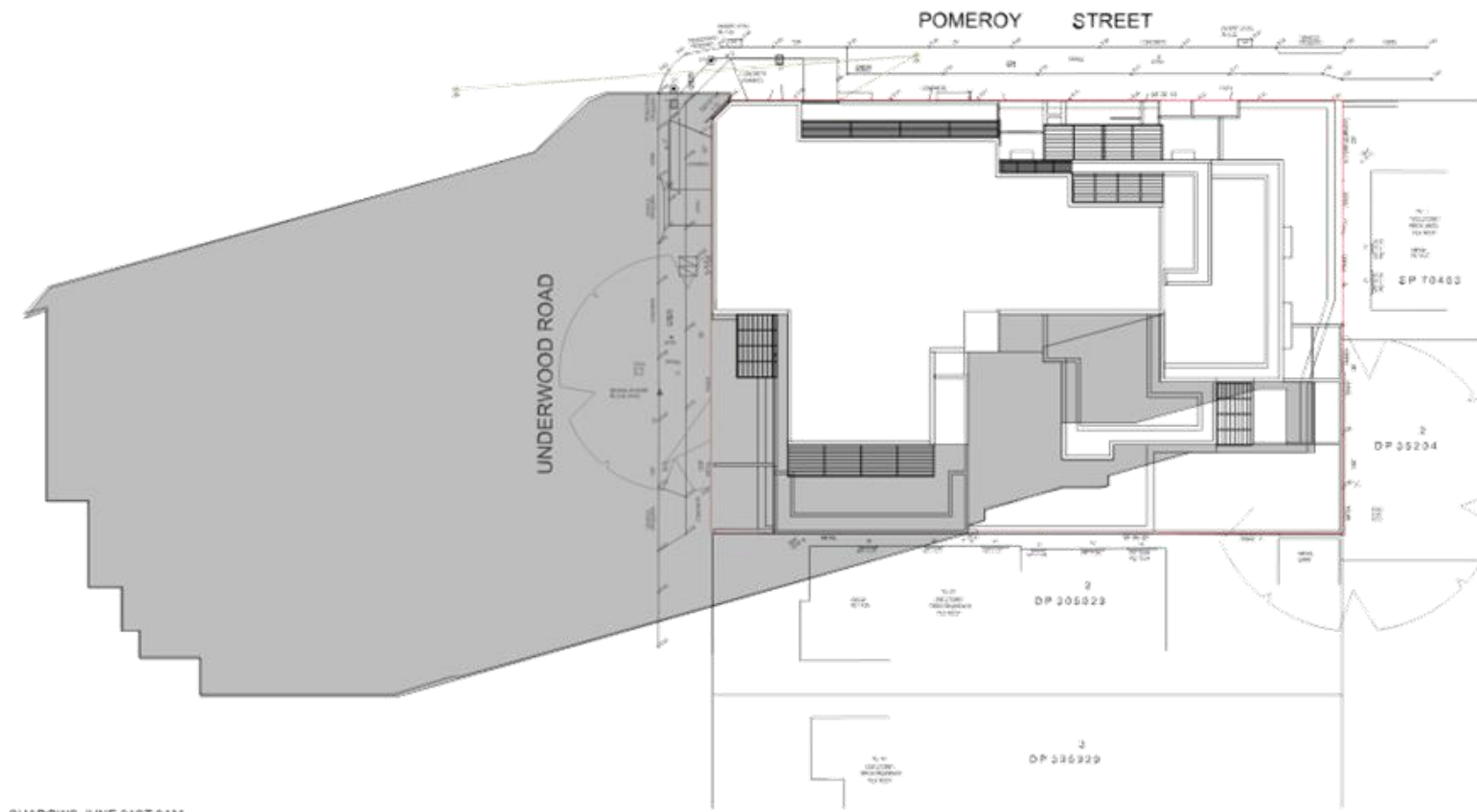


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DA2014/124/04
26 September 2017

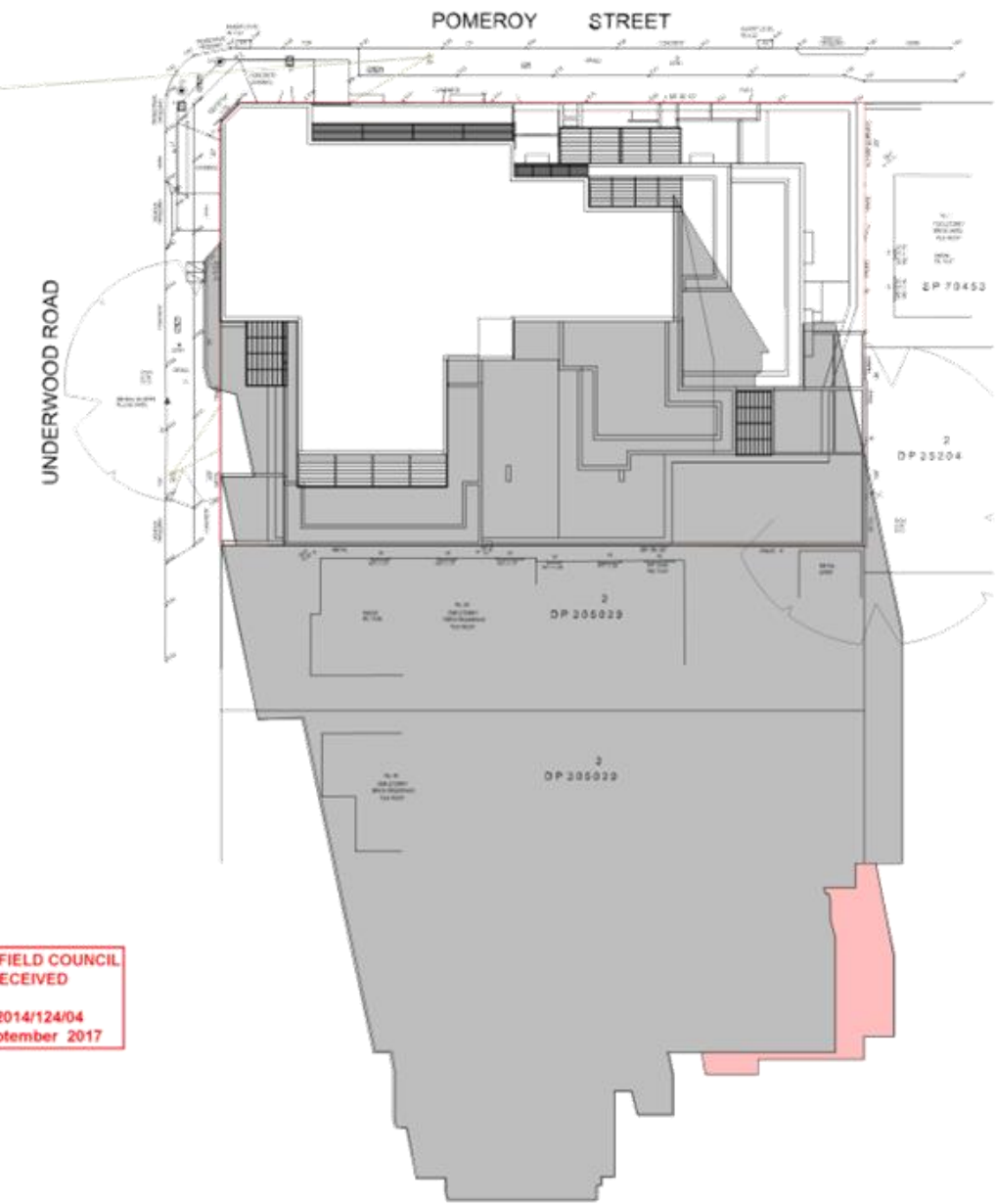
1 ROOF PLAN

A 225 210617 MN
Rev Description Date April
Project
MIXED USE MULTI RESIDENTIAL
22 - 26 UNDERWOOD ROAD
NEW HOMEBURGH
URBANLINK
Business Address: Level 10, 11-13 Deane Street, Strathfield NSW 2154
Postal Address: PO BOX 2222 Burwood NSW 2134
Phone Number: +61 (0)2 942 2014
Solicitor/Architect:
2nd Solicitor Reg no 8288 Notary Public Reg no 828
Trustee @ Knowledge Reg no 822
Drawing Title
ROOF LEVEL
Date of Issue Checked Approved
21/09/2017 JE TJ
Drawn AS SHOWN
9th level use
Project Number Drawing Number Revison
2014-013 DA2007_A
Date SECTION 96 MODIFICATION

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS
DO NOT SCALE DRAWING

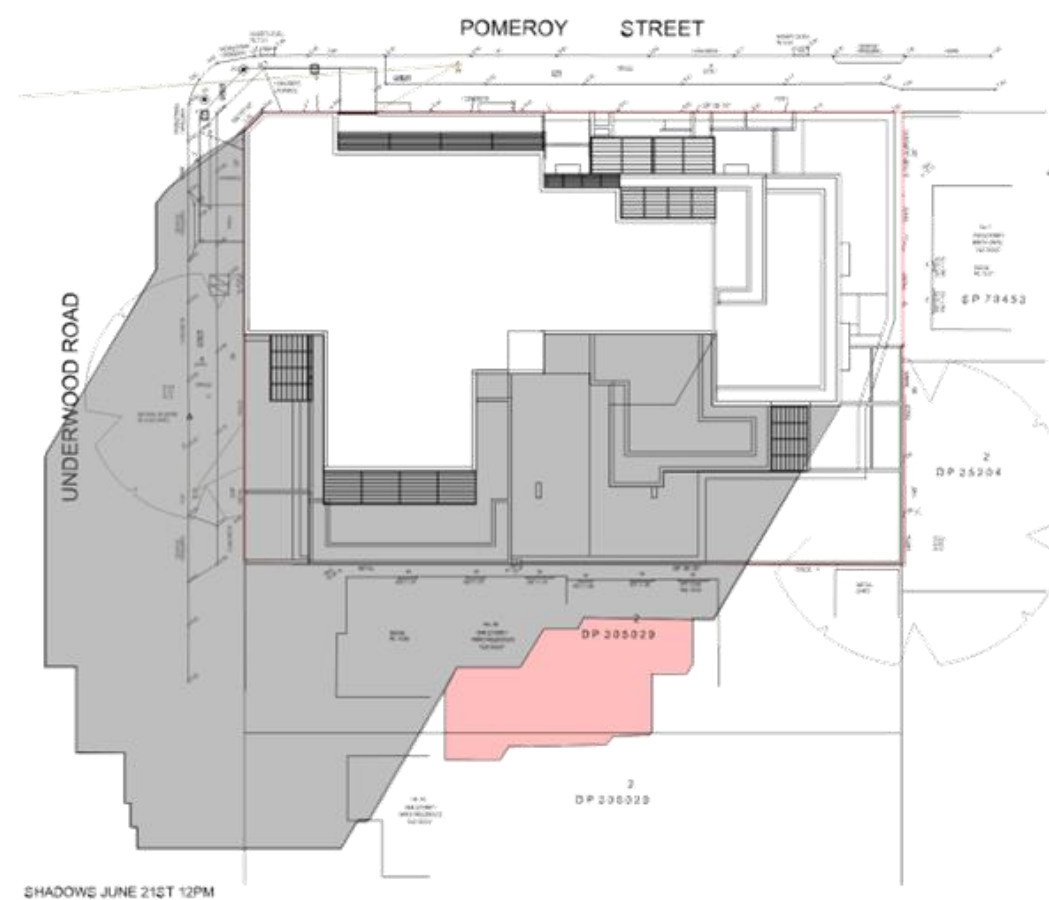


SHADOWS JUNE 21ST 8AM
SCALE 1:250



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DA2014/124/04
26 September 2017

SHADOWS JUNE 21ST 3PM
SCALE 1:250



SHADOWS JUNE 21ST 12PM

SHADOW DIAGRAM - DA APPROVED

SHADOW DIAGRAM - S96

A 2017 2017

Rev: Description Date: April

Project: MIXED USE MULTI RESIDENTIAL

22 - 26 UNDERWOOD ROAD
NEW HOMERUGH

URBANLINK

Business Address: Unit 10, 11-13 Green Street, Strathfield NSW 2154
Postal Address: PO BOX 2122 Strathfield NSW 2154
Phone Number: +61 (0)294 2014
Nominating Authority: Zof Solutions Pty Ltd NSW Nominating Authority
Nominating Authority Reg No: 8338 Nominating Authority Reg No: 8338

Drawing Title: SHADOW DIAGRAMS

Date of Issue: 21/09/2017 Checked: JE Approved: TJ

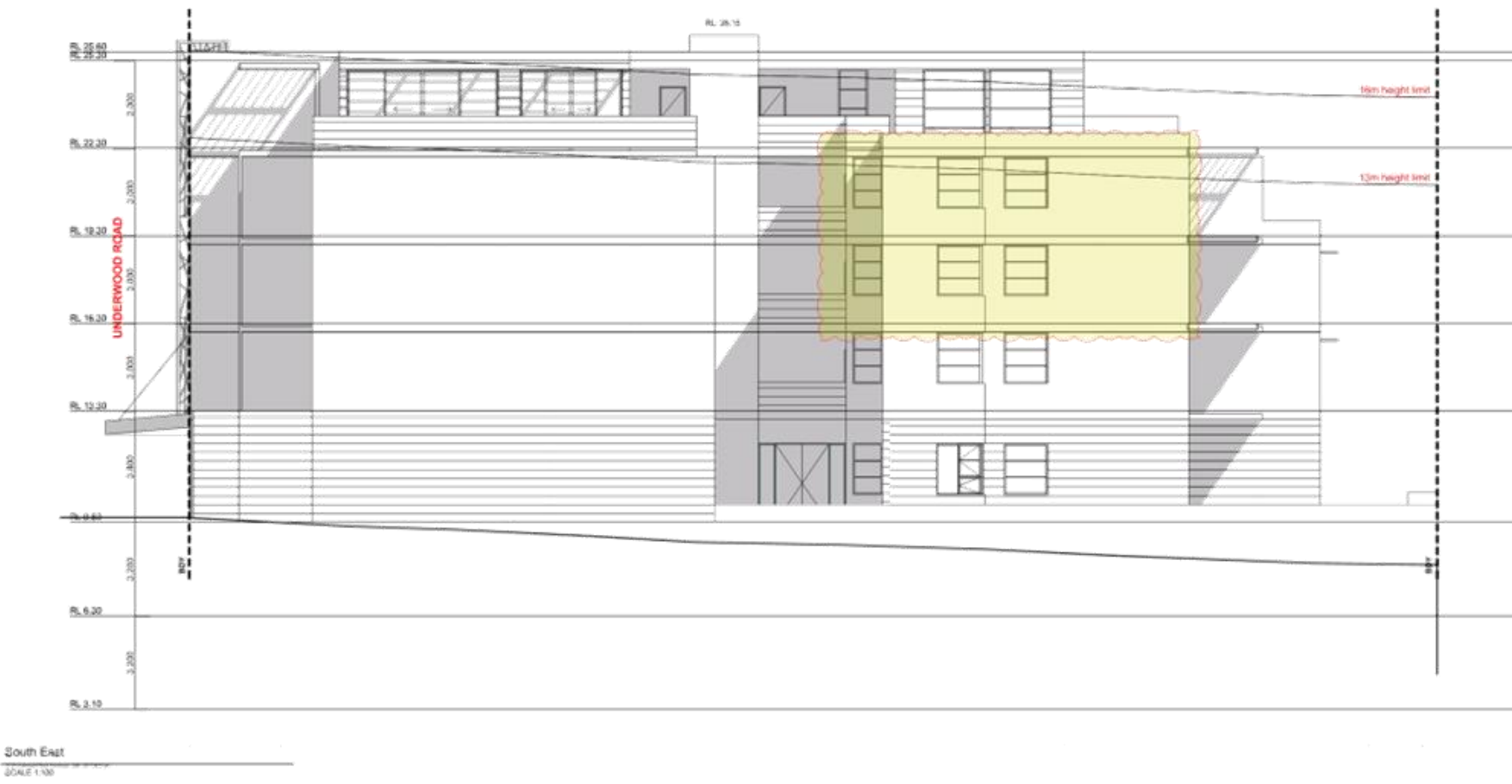
Drawn: AS SHOWN

Project Number: 2014-013 Drawing Number: DA2901

Issue: SECTION 96 MODIFICATION



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DA2014/124/04
26 September 2017



A: EN 20/01/17
Rev: Description Date April

Project
MIXED USE MULTI RESIDENTIAL

22 - 26 UNDERWOOD ROAD
NEW HOMERUGH

URBAN LINK
Business Address: Level 10, 11-15 Green Street, Strathfield NSW 2154
Postal Address: PO BOX 2122 Strathfield NSW 2154
Phone Number: +61 (0)2940 2014
Nominating Authority:
Zof Solutions Pty Ltd ASIC Mobile Trade Reg no 838
Trustart & Kinship Reg no 852

Drawing Title
ELEVATIONS

Date of Issue: 21/09/2017
Checked: JE
Approved: TJ

Drawn: AS SHOWN
Project Number: 2014-013
Drawing Number: DA3001
Revision: DA3001

SECTION 96 MODIFICATION

Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

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DA2014/124/04
26 September 2017



A 228 210617 MN
Rev Description Date Appr
Project
MIXED USE MULTI RESIDENTIAL
22 - 26 UNDERWOOD ROAD
NEW HOMERUGH
URBAN LINK
Business Address: Unit 10, 11-13 Deane Street, Strathfield NSW 2154
Postal Address: PO BOX 2222 Strathfield NSW 2154
Phone Number: +61 (0)294 2014
Sponsorship Addressing:
Zet 1 Strathfield Reg no 8288 Nominating Reg no 8288
Trustee 10 Kingsway Reg no 8222
Drawing Title
ELEVATIONS
Date of Issue: 21/09/2017
Checked: JE
Approved: TJ
Drawn: AS SHOWN
9/11/2017
Project Number: 2014-013
Drawing Number: DA3002
Revision: Drawing Number Reviser
DA3002
SECTION 96 MODIFICATION

TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017

REPORT: SIHAP – Report No. 5

SUBJECT: 29 POMEROY STREET, HOMEBUSH
LOT 35 IN DP 834

DA NO. 2017/142

SUMMARY

Proposal: Demolition of existing structures and construction of a four (4) storey boarding house containing (13) rooms over a single level of basement parking under the Affordable Rental Housing SEPP 2009

Applicant: Bechara Chan & Associates

Owner: Maxim Property Holdings P/L

Date of lodgement: 21 September 2017

Notification period: 21 days

Submissions received: Five (5) written submissions received

Assessment officer: LM

Estimated cost of works: \$1,811,529

Zoning: R3 – Medium Density Residential - SLEP 2012

Heritage: No

Flood affected: No

Is a Clause 4.6 variation proposed? Yes – Building Height

Extent of the variation supported? 22.84% (2.17m)

Peer review of Clause 4.6 variation: A peer review of the Clause 4.6 variation has been undertaken and the assessment officer's recommendation is supported.

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

Approval is sought for the demolition of existing structures and construction of a four (4) storey boarding house containing (13) rooms over a single level of basement parking under the Affordable Rental Housing SEPP 2009.

The application was notified under Part L of the Strathfield Development Control Plan 2005 with five (5) written submissions received during this time. Concerns were raised in relation to on-street and off-street parking; acoustic amenity; permissibility; management of the site; character compatibility; building height; tree preservation; solar access; density; setbacks; safety of residents; vehicular accessibility of basement and visual privacy. All of the abovementioned concerns have been discussed throughout this report with appropriate conditions recommended where required.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

The proposed development seeks to vary the 9.5m maximum building height by 2.17m or 22.84% resulting in a 11.67m maximum building height. A Clause 4.6 variation request was submitted as part of the application to vary the height of the building development standard. The variation is considered to be well founded given that the proposed development is significantly under the FSR provisions pertaining to the development and will not result in additional overshadowing and/or visual privacy impacts.

The proposal is satisfactory with respect to the relevant legislative provisions of the State Environmental Planning Policy (Affordable Rental Housing – ARH SEPP) 2009, the Strathfield Local Environmental Plan (SLEP) 2012 and relevant DCP 2005 controls. The layout of the boarding house achieves an acceptable level of amenity through reasonably sized rooms, common areas, provision of bathroom facilities and landscaped areas. Further, the development provides an acceptable level of articulation to ensure view corridors are maintained between buildings.

The subject site is located within a medium and high density residential and commercial setting providing a suitable location for boarding house accommodation. Accordingly, the subject site is recommended for approval.

The subject application was referred to Council's Internal Development Assessment Panel (IDAP) for consideration on 22 November 2017. The Panel supported the Assessing Officer's recommendation and associated conditions and recommended that the application be referred to SIHAP for determination.

BACKGROUND

- 25 March 2015 Approval was granted under delegated authority for the demolition of the existing dwelling and garage and construction of a new two (2) storey detached dual occupancy development (DA2014/186).
- 31 January 2017 A pre-lodgement meeting was held regarding demolition of existing structures and construction of a three (3) storey multi-dwelling housing development with basement parking. Matters addressed at the meeting involved:
- Planning for the flood affectation of the site;
 - Meeting the minimum 1000m² lot size for multi dwelling housing;
 - Affordable Rental Housing;
 - Maximum FSR provisions;
 - Meeting minimum deep soil zoning requirements under the ARH SEPP;
 - Solar access;
 - Side and rear setbacks;
 - Minimum off-street parking provisions;
 - Location of stairwell to front portion of building;
 - Material treatments proposed;
 - Waste management;
 - Tree removal and;
 - Strategic direction regarding the Parramatta Road Corridor Urban Transformation Strategy.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is a corner allotment located on the south-western corner of the Pomeroy Street and Underwood Road intersection. The site is rectangular in shape described as follows:

Dimensions: 13.715m x 40.235m
Site Area: 551.8m²

29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)

The subject site currently comprises a brick and tile dwelling and detached garage. The dwelling fronts Pomeroy Street whilst the garage faces Underwood Road, with access obtained via an existing crossover towards the rear of the site. The site falls from the west to the east across the site, with the lowest point occurring towards the northern corner of Underwood Road. A single tree exists on the site close to the Underwood Road boundary. An aerial and streetscape photo of the subject site is included below.



Figure 1 – View of subject site and surrounding development



Figure 2 – View of existing dwelling on subject site

The surrounding streetscape is in a state of transition from low density development to medium and high density development. Whilst the land immediately north and west of the subject site is zoned R3 – Medium Density Residential (providing a maximum building height of 9.5m), development located immediately south and south-east of the site is zoned B2 – Local Centre (providing a maximum building height of up to 16m).

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

More specifically, the corner site opposite the site to the south (30-32 Pomeroy Street) is a commercial building of approximately three (3) storeys. An application is currently under assessment for a (max 22 storey) mixed use development.



Figure 3: View of existing development at 30-32 Pomeroy Street, Homebush

To the east of the site on the opposite side of Underwood Road is the Ausgrid Homebush Depot, a collection of large industrial type buildings of varying height and scale. Diagonally opposite the subject site on the south-east corner Underwood and Pomeroy Street is an approved seven (7) storey mixed use development containing one (1) commercial tenancy which is currently under construction.



Figure 4 – View of 32-38 Underwood Road, Homebush (currently under construction)

PROPERTY BURDENS AND CONSTRAINTS

A Sydney Water sewer line traverses the rear portion of the property to the north.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

The rear boundary of the site will be provided with deep soil landscaped area so as to minimise disturbance and permit ease of access to the existing sewer line.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for demolition of existing structures and construction of a four (4) storey boarding house containing (13) rooms over a single level of basement parking under the Affordable Rental Housing SEPP 2009.

The specific elements of the proposal are:

- Excavation to accommodate a single level of basement parking containing five (5) car parking spaces and three (3) motorcycle spaces;
- Construction of a four (4) storey boarding house building; and
- Provision of open space areas and associated stormwater works.

An elevation of the front façade of the building is provided below:



REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer has commented on the proposal as follows:

- *“Catchment contributing to the basement pump out pit needs to be limited to subsoil drainage and basement access ramp. Concept plan shows stairwell draining to the basement pump out pit.*
- *Concept plan doesn't have a roof drainage plan and how the roof drains to the OSD basin not reflected.*

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

- *Based on the issues highlighted above, the concept plan is not feasible and cannot be supported in its current format”.*

Amended plans were submitted during the assessment process having consideration for the abovementioned concerns raised. Council’s Engineer offered no further objections to the proposal subject to the imposition of recommended conditions of consent.

Waste Comments

Council’s Waste Officer has commented on the proposal as follows:

“As per section 3.6. of Part H; The Waste Management Plan (WMP) which has been created previously for the site, should be edited to include the addition of the following information:

- *Bins should be presented kerbside. Collection will occur weekly for general waste and bi-weekly for recycling.*
- *Bulk bin storage is to be provided based on the use of 240L bins, in accordance with the generation rates in Appendix B. Due to the bi-weekly collection of recycling, 3 x 240L recycling bins are required and 3 x 240L general waste bins.*
- *The dedicated waste storage room should be compliant with the standards in Appendix D. To fit 6 x 240L bins with space to move, it must be a minimum area of 3.6m².*
- *An additional storage area of 5m² is to be provided for the temporary storage of bulky items (e.g. mattresses/furniture).*
- *A caretaker or individual(s) shall be nominated as being responsible for transferring the bins to the kerbside collection point and back into the waste storage room. ”*

An amended waste management plan was prepared and submitted to Council

Council’s Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Landscaping Comments

Council’s Tree Coordinator has commented on the proposal as follows:

“Council supports this development subject to tree protection measures for existing street trees outlined within submitted Arborist report prepared by S. Freeman, dated 9th August, 2017 (see 14.0 Retention of adjoining trees 1, 2 and 3, P28).

Council supports the species selection proposed to revegetate this site in accordance with submitted Landscape plan prepared by S. Zindo, dated 9th April 2017, drawing number L-01”

Council’s Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Traffic Comments

Council’s Traffic Engineer has commented on the proposal as follows:

“The general conditions of consent will suffice for the traffic related comments of this DA.”

Council’s Traffic Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

EXTERNAL REFERRALS

Ausgrid

The application was referred to Ausgrid. No concerns raised subject to the imposition of conditions.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

The following Environmental Planning Instrument's (EPI) are applicable in the assessment of the subject application:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- Strathfield Local Environmental Plan 2012
- Strathfield Development Control Plan 2005

An assessment of the proposal against the relevant provisions of each of these EPI's is provided below.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purposes for which development consent is being sought.

A preliminary or "Stage 1" Environmental Site Assessment (ESA) was carried out by Geo-environmental Engineering. The report identified that the site has historically been used for residential purposes and associated soil contamination of the site is considered to be low.

Overall, the report concludes that the site is considered to be suitable for the purposes of the proposed development and therefore satisfies the requirements of SEPP 55.

State Environmental Planning Policy (Affordable Rental Housing) 2009

The proposed development has been lodged under Part 2, Division 3 of the ARH SEPP which relates to the provision of 'boarding houses'.

An assessment of the development against the development standards for boarding houses under the ARH SEPP is presented in the table below.

It is relevant to note that the ARH SEPP states that Council is unable to refuse an application where it complies with the minimum standards provided by Clause 29 (refer to shaded section of table).

Clause	Development Control	Required	Proposal	Compliance
26	Permissibility	Permissible in the following zones: <ul style="list-style-type: none"> • R2 Low Density Residential 	Within a prescribed	Yes

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

		<ul style="list-style-type: none"> • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use 	zone (R3 – Medium Density Residential) under `SLEP	
27(2)	Location and access to facilities	If it is located in R2 – must be within an 'accessible area'	N/A – not located in R2 zone	N/A
29 Note: Unable to refuse based on compliance these standards	FSR	Max as per SLEP 2012: 0.65:1 (358.67m ²) PLUS incentive of 0.5:1(275.9m ²) if the max FSR is < 2.5:1 = 1.15 (634.57m ²)	0.795:1 (438.78m ²)	Yes.
	Height	Max as per SLEP: 9.5m	11.67m	No, refer to SLEP discussion.
	Landscaping	Front setback is compatible with streetscape	A 9m front setback is compatible with the existing varied front setbacks provided in the street ranging between 6.5m – 9m.	Yes.
	Solar Access	At least one (1) common area receives at least three (3) hours of direct sunlight between 9am and 3pm, mid-winter	North facing common living area capable of receiving a minimum 3 hours solar access.	Yes.
	Private Open Space	Lodgers: Min 20m ² with min. dimension of 3m	117.223m ² Min 3m dimension.	Yes.
	Parking	In an 'accessible area': 0.2 spaces per room = (3) 2.6 spaces required	(5) spaces proposed including one (1) accessible space.	Yes.
	Dwelling size	Single: min 12m ² Other: min 16m ² May have a kitchen/bathroom however is not required to.	Single: min 22.256m ² max 25.7m ² Double: min 17.74m ² max 20.49m ² All are provided with private bathrooms and kitchens.	Yes. Yes.

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

30	Standards for Boarding Houses	<p>One (1) communal living room required where there are five (5) or more rooms</p> <p>No boarding room > 25m²</p> <p>No boarding room occupied by > two (2) adult lodgers</p> <p>Adequate bathroom and kitchen facilities available</p> <p>Boarding House Manager where capacity of > 20 lodgers</p> <p>One (1) bicycle space and one (1) motorcycle space per five (5) boarding rooms. Therefore: 13 rooms = 2.6 (3) spaces each required.</p>	<p>One (1) living room provided.</p> <p>Max 25.7m²</p> <p>Condition to be imposed</p> <p>Condition to be imposed requiring separate laundry facilities to be provided.</p> <p>Max 18 lodgers, therefore a manager room is not required.</p> <p>(3) motorcycle spaces are proposed. No bicycle spaces have been provided.</p>	<p>Yes.</p> <p>Yes</p> <p>Yes, subject to condition.</p> <p>Yes, subject to condition.</p> <p>Yes.</p> <p>No, refer to discussion.</p>
30A	Character	<p>A consent authority must not consent to development to which this division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.</p>	<p>The site is located in a transitioning streetscape from low and medium density development to mostly medium and high density development. The greatest heights and densities are centered upon the Pomeroy St & Underwood Road intersection. The proposal is therefore compatible with the transitioning streetscape to medium and high density residential and commercial</p>	<p>Yes.</p>

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

			development.	
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STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2)	Aims	Complies
(a)	To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield	Yes
(b)	To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development	Yes
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	Yes
(d)	To provide opportunities for economic growth that will enhance the local community	Yes
(e)	To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use	Yes
(f)	To identify and protect environmental and cultural heritage	Yes
(g)	To promote opportunities for social, cultural and community activities	Yes
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	Yes

Comments: The proposed development is considered appropriate for the site and will integrate well with surrounding approved and recently constructed residential flat development in the streetscape. The proposed boarding house is an appropriate use of the site and will promote affordable rental accommodation for residents. The proposed development is simplistic in its design yet incorporates high quality material finishes with a neutral colour palette so that it remains compatible with both the existing and more recently constructed development in the streetscape as well as potential future development in the street.

Permissibility

The subject site is Zoned R3 Medium Density Residential under Strathfield Local Environmental Plan (SLEP) 2012.

Boarding Houses are permissible within the R3 Zone with consent and are defined under SLEP 2012 as follows:

“boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers, but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.”

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

The proposed development for the purpose of a boarding house is consistent with the definition above. Conditions of consent have been imposed to ensure the boarding house operates within the confines of its approved use in accordance with the abovementioned boarding house definition provided by the SLEP 2012.

Zone Objectives

An assessment of the proposal against the objectives of the R3 Zone is included below:

Objectives	Complies
➤ To provide for the housing needs of the community within a medium density residential environment	Yes
➤ To provide a variety of housing types within a medium density residential environment	Yes
➤ To enable other land uses that provide facilities or services to meet the day to day needs of residents	Yes

Comments: The proposed boarding house development achieves the objectives of the R3 zone given that the development is suited to the medium density residential environment and is compatible with approved residential flat building developments within the streetscape.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	11.67m	No

	Objectives	Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

Comments: Refer to discussion below regarding height non-compliance.

Floor space ratio

As previously discussed, the proposal complies with the maximum Floor Space Ratio requirements of the ARH SEPP which override Clause 4.4 of the SLEP 2012.

Clause 4.6 Exceptions to Development Standards

Under Clause 4.6 of the SLEP 2012, the consent authority may consider a variation, where that variation would achieve a better outcome.

As demonstrated in the table above, the proposed development fails to comply with the maximum building height development standard permitted under Clause 4.3 of the SLEP 2012. The area of non-compliance relates to level 3 (mezzanine) level of the development (refer to Figure 5).

As such, the proposed development extends 2.17m above the maximum permitted 9.5m building height, representing a 22.84% variation.

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)



Figure 5: View of the eastern elevation of the building noting the extent of the proposed building height variation.

Clause 4.6(3) of the SLEP 2012 states the following:

“Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

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

The applicant has provided a written request that seeks to justify the proposed contravention of the building height development standard on the following grounds:

- The maximum height exceedance is restricted to the top level of the building which is of a significantly reduced footprint compared to the floor level immediately below. Given the uppermost level is recessed approximately 1.4m from the nearest wall plate on the level below, it considerably reduces the perceptibility of the height exceedance from the streetscape.
- The local area is currently in the stages of urban reform and building typology is transitioning from older style detached dwelling houses to more modern townhouses and residential flat buildings of considerable height and density. This is demonstrated by the recent approvals in the existing area.
- At a maximum height of 11.67m, the proposed development provides a suitable transition from the 16.0m plus buildings that have been approved opposite the site to the medium density residential zone that adjoins the subject site.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

- Through Council's approval of these buildings on the opposite corners of the subject site, Council have effectively introduced a level of built form significance to the intersection that would not be honoured should the subject site be developed to a 9.5m building height limit.
- The careful consideration of building features, materials, style and proportionate height further ensures that the proposed building integrates and complements the existing and approved development within the local area without unduly impeding on the amenity of adjoining property.
- The design of the building will contribute positively to the changing streetscape of Pomeroy Street and Underwood Road.
- Through appropriate design measures, adjoining developments are not unduly impacted by way of visual privacy, noise, or overshadowing.
- It is identified that the proposal is well within the required floor space ratio of 1.15:1 at 0.834:1. Reducing the proposed building height to achieve compliance with the development standard would unreasonably result in a building that is unable to utilise the floor space ratio bonus under Clause 29 (1) (c) (ii), greatly reducing the provision of much needed affordable housing within accessible locations in Greater Sydney.
- Reference must be made to the desired future form of the site and the surrounding area when considering the optimum sustainable capacity height for the area. In November of 2016, Urban Growth New South Wales released the final version of the '*Parramatta Road Corridor Urban Transformation – Planning and Design Guidelines*' (Guidelines). This document provided a range of strategies and guidelines for redevelopment along the corridor for which the site is located within.
- The proposed development will provide affordable housing, as is sought by the objectives and provisions of the ARH SEPP, i.e. '(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards.
- The proposed development is in the public interest, as it provides for additional affordable housing opportunities, within an accessible and desirable location.

Clause 4.6(4) of the SLEP 2012 states the following:

“Development consent must not be granted for a development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3)

The applicant's written request to justify the contravention of the building height standard adequately addresses the matters required to be demonstrated in subclause 4.6(3), specifically, that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The written request is considered to provide sufficient substantive information on the environmental planning grounds relating to streetscape, bulk, scale, form and amenity.

29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)

- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

The proposal is considered to be consistent with the objectives of the development standard in that:

- The development achieves a better transition between the 16m maximum height provisions to the south and south east and the 9.5m maximum height provisions to the west and north of the site.
- The development provides greater diversity of small and large development options in the immediate vicinity of the site

The site is Zoned R3 – Medium Density Residential under SLEP 2012 wherein development for the purposes of a boarding house is permissible with consent. The proposal is generally consistent with the objectives of the R3 – Medium Density Residential Zone in that:

- The development is for the purposes of a boarding house which provides a variation in housing types in the immediate streetscape and wider LGA; and
- The development provides for the needs of the wider community as it provides for people who specifically require affordable accommodation

(b) the concurrence of the Secretary has been obtained.”

Council may assume the concurrence of the Director-General under the Planning Circular PS 08-003 issued in May 2008.

In conclusion, the applicant's written request to justify the contravention of the building height development standard is considered to be well founded in that the applicant has satisfactorily demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is located within 500m of Class 2 soils. As the development will not excavate below 5 AHD, an Acid Sulfate Soils Management Plan was not required. As such, the proposed development has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

6.2 Earthworks

Appropriate conditions of consent are recommended so as to ensure compliance with the sediment erosion control plan. Conditions of consent that include the preparation of a dilapidation report to be provided to adjoining property owners is also recommended

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

Section	Development Standard	Required	Proposal	Compliance
2.2	Site Requirements	Minimum site area of 1000m ² and a minimum street frontage of 30m.	N/A	Refer to ARH SEPP
	Building Street Setback	12m (provides a frontage to two (2) or more streets)	A combined 12m setback to front and eastern side elevation of development is provided	Yes
	Rear Setback	Determined by the building envelope, exceptions are for sites which adjoin open space.	A 6m rear setback is provided to the entire rear elevation of the development with the exception of the ground floor stairwell which is setback 3.87m from the rear boundary. This is considered appropriate given that the stairwell structure is contained to the ground floor and an appropriate degree of separation is provided between the northern building wall and the building wall to the northern adjoining property. Further, deep soil landscaped spaces are provided within the rear setback which will assist in providing a visual buffer between developments.	Yes
	Side setback	4m.	A minimum 4m side setback is provided to the western elevation of the development. The eastern side setback varies between 2.4m and 3m. This is considered acceptable given that this elevation fronts Underwood Road and will therefore achieve a suitable degree of separation between the development and other developments opposite the site. Further, the eastern side elevation is well articulated including open	Yes.

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

			corridors to improve a sense of openness in the streetscape.	
2.3	Dwelling Unit and Building Design	15% of the development is required to be designed as adaptable housing for older people or people with disabilities.	The plans indicate that two (2) units located to the ground floor have been designed to accommodate for people with disabilities.	Yes – condition of consent recommended.
	Dwelling Unit and Building Design for residential flat buildings	At least one main convenient entry is to have barrier free access to ground floor units (for people with disabilities)	Direct access via Underwood Road. Separate ramp access into the building is provided.	Yes.
	Dwelling Unit and Building Design	Walls greater than 10m in length to be broken down or staggered.	Both the western and eastern elevations of the development are provided with an appropriate level of articulation to prevent a continuous/unbroken building wall.	Yes.
	Dwelling Unit and Building Design	Access to common areas without unnecessary barriers.	Common living room and corridors are made easily accessible and do not contain unnecessary barriers.	Yes.
	Dwelling Unit and Building Design	Parking for people with disabilities.	One (1) accessible parking space provided in basement.	Yes.
	Dwelling Unit and Building Design	Building materials and finishes are to be sympathetic to with the adjoining buildings and the streetscape.	Building materials and colours have been amended to better reflect the original as well as recently approved development in the streetscape. The development is predominantly facebrick with timber and render accents to ensure the finishes are sympathetic to the streetscape which provide similar building materials and colours.	Yes.
	Unit Sizes and Lot Layout	1 bed = 70m ² 2 bed = 85m ² 3 bed = 100m ²	Refer to ARH SEPP	N/A

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

2.4.2.2	Solar Access	50% of the principle private open space achieves a minimum of 3 hours sunlight during the winter solstice.	Shadow Diagrams demonstrate that the private terraces to units G.02 and G.03 will not receive minimum 3 hours direct solar access at mid-winter. This is considered acceptable given that the adjoining common living room with outdoor terrace will receive 3 hours direct solar access which these residents can utilise at any given time.	Acceptable on merit.
	Solar Access	Solar access to habitable rooms and private open space of adjoining properties be provided for a minimum of 3 hours during the winter solstice.	Whilst the western adjoining dwellings will be cast in shadow at 9am, the shadow will move south which will allow the western adjoining dwelling to receive direct solar access from 12pm onwards. Only one (1) eastern orientated window to the adjoining dwelling will fail to receive a minimum 3 hours solar access however will receive direct solar access from 3pm onwards.	Refer to discussion.
2.4.3	Natural Space Heating and Cooling	Reduce the need to artificially heat and cool dwellings.	The development is provided with an open corridor to the eastern side elevation of the development which will assist in naturally circulating air through the development. Further, all units are provided with multiple windows/openings to allow cross ventilation through rooms. The development is a double brick construction which will assist in keeping the development insulated.	Yes.
2.4.4	Natural Lighting	Reduce reliance on artificial lighting	The open corridor to the east with various windows and openings throughout all elevations of the development will ensure sufficient solar access is provided to all lodger rooms.	Yes.
2.4.6	Water Management	Mandatory water storage 10 dwell= 500lt /	Refer Part H discussion.	Yes.

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

		dwelling each dwelling thereafter = 250 lt/dwelling		
2.5	Streetscape orientation	Compatible with the existing character and address the street frontage.	Refer to Likely impacts discussion.	Yes.
	Streetscape orientation	Dwellings facing the street will have frontage and apparent access.	All ground floor apartments have direct access from the street.	Yes.
2.5	Front Fences	Sympathetic to street.	A brown facebrick fence is proposed with 1m solid fencing, 1.8m masonry piers and grey metal infill. This is appropriate to the streetscape which provides a variety of fencing heights and styles	Yes.
2.7	Open space and landscaping	40% of the total site area for 2-3 storey townhouses must equate to open space at ground level (this area can include driveways). 50% of RFBs site area to be open space at ground level.	Refer to ARH SEPP requirements	N/A
2.8	Privacy and Security	Windows are not to be located less than 9m apart from other dwellings.	All windows to the northern and western side elevation of the building are conditioned to be redesigned to minimise opportunities for overlooking into adjoining properties.	Refer likely impacts discussion.
		Casual surveillance of street and public areas.	Various windows and openings including open corridor and stairwell core to eastern elevation of the development provide casual surveillance to the street	Yes.
2.9	Car Parking	Car parking is required to be provided: 1 bed = 1 space 2 bed = 1.5 spaces 3 + bed = 2 spaces	Refer ARH SEPP	N/A
	Ramp Driveway		Condition of consent	Refer

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

	Gradient/ design		recommended to ensure compliance with AS.	conditions.
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PART H - WASTE MANAGEMENT (SCDCP 2005)

As previously discussed, amended plans were submitted during the assessment process following Council’s Waste Education Officer’s comments. The proposal now provides a compliant bulk bin storage area with correct bin numbers to service the site. Waste will be collected kerb-side from the Pomeroy Street frontage of the site. Conditions of consent have been imposed to ensure compliance with the amended waste management plan.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) however does involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell’s Creek and Cook’s River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell’s Creek or Cook’s River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Streetscape

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

Amended plans were submitted during the assessment process to improve the presentation of the development from the streetscape whilst having consideration for the amenity of adjoining residents. With regard to the western side elevation of the development, a recess wall to the rear third portion of the western elevation has been provided so as to provide a distinct visual break and further articulation to the western side elevation of the building. Amendments have also included a re-design of the western-orientated balconies and openings with privacy screening and highlight windows proposed to mitigate privacy impacts to western adjoining properties without compromising the amenity of future lodgers.

With regard to the front façade and eastern side elevation of the building (which front Underwood Road and Pomeroy Street), the amended design has resulted in additional windows and screening provided to each elevation. This not only a functional element which protects privacy of lodgers and improves solar access to lodger rooms but also contributes to the aesthetic appearance of the development. Further, the provision of additional windows to these elevations provides passive surveillance to the street in accordance with CPTED principles.

External Finishes

The proposed finishes are understated as they have sought to incorporate brown facebrick, timber, and neutral coloured render so as to achieve a balance between the traditional-style development in the streetscape as well as new development. This is similar to the approved finishes to the new development immediately south-east of the site which also provides brown coloured facebrick and neutral coloured detailing.

Built Form

It is noted that whilst the proposed built form varies considerably to that of the single storey traditional-style dwellings located immediately west of the site, the street is in a state of transition and it is envisaged that these single storey dwellings will eventually be re-developed with respect to their medium density zoning allocations. As previously mentioned the land immediately south and south east of the site is zoned B2 – Commercial Core providing a maximum 16m permissible building height. The development immediately opposite the site to the south-east is an approved seven (7) storey mixed use development and it is envisaged that the site at 30-32 Pomeroy Street, Homebush will be constructed to a similar height and density. As such, the proposed four (4) storey development, whilst not strictly complying with the maximum 9.5m building height, will achieve compatibility with these neighbouring sites.

Bicycle Parking

Clause 30 of the ARH SEPP 2009 requires a total of 2.6 (3) bicycle spaces and (3) motorcycle spaces to be provided on the site. Whilst the proposal provides three (3) motorcycle spaces within the basement, no bicycle spaces have been provided on the site. Bicycle parking provides opportunities for lodgers to travel via bicycle and supports sustainable modes of transport and should therefore be provided on the subject site. A condition of consent is therefore recommended to ensure a minimum of three (3) bicycle parking spaces in addition to the three (3) motorcycle spaces are provided on the site.

Laundry Facilities

The plans fail to specify whether laundry facilities have been provided for lodgers on the site. The ARH SEPP does not specify what the minimum requirements are for laundry facilities and whether these facilities must be shared or provided separately within each lodger room. To ensure that lodgers are provided with access to a laundry, a condition of consent is recommended to ensure that each lodger room is equipped with laundry facilities which meet the relevant Australian Standards.

29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)

Visual Privacy

The windows provided to the rear northern elevation of the development through levels 1-3 of the development provide opportunities for overlooking into adjoining northern properties. The development achieves a 6m rear setback to the north, which is acceptable under Section 2.2 of Part C of the SCDCP 2005. Notwithstanding, it is considered that the 6m separation is unacceptable in this instance as windows are relatively large and result in direct overlooking into the private open space areas of northern adjoining properties. The windows to these levels of the development pertain to various uses such as bedrooms, bathrooms and kitchens and will therefore require various treatments to obscure views rather than be redesigned like for like.

As such, a condition of consent is recommended to ensure that all northern-orientated windows located between levels 1-3 of the development are provided with appropriate privacy measures capable of precluding views to northern adjoining residents. This will provide the developer with a degree of flexibility to redesign windows accordingly. It is noted that regardless, the bathroom window will be subject to obscure glazing as recommended under a separate condition of consent.

79C(1)(c) the suitability of the site for the development

The proposed development is located within close proximity to the North Strathfield Railway Station as well as bus services. The site is also in close proximity to a plethora of restaurants, shops and communal facilities to meet the needs of local residents.

The provision of low cost rental housing in the form of a boarding house is considered a suitable form of development for the subject site. Overall, the proposed development is considered to be of a high quality construction which will positively contribute to the streetscape without adversely impacting upon the amenity of future lodgers and adjoining residents.

The proposed development is therefore considered suitable for the site.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDCP 2005 for 21 days, with **five (5)** submissions received, raising the following concerns:

1. *Visual Privacy- All rooms facing north-west can see into adjoining properties*

Assessing officer's comments: All western facing windows have been redesigned as highlight windows so as to minimise opportunities for overlooking into western adjoining properties. A further condition of consent is recommended to ensure all bathroom windows are installed with obscure glazing as an additional privacy precaution. Whilst the development provides a 6m setback to the rear, a special condition of consent has been recommended to ensure all northern-orientated windows are redesigned accordingly to minimise opportunities for overlooking into northern adjoining properties.

2. *Zoning – What is the zoning code which would make a boarding house permissible on such a small piece of land?*

Assessing officer's comments: The site is zoned R3 – Medium Density Residential whereby a boarding house development is permissible with consent under the SLEP 2012. The provisions of the ARH SEPP 2009 permit boarding house developments to be constructed on allotments 450m². The site is 551.8m² whereby a boarding house development is permissible.

3. *Off-street parking – the parking is inadequate but allowed by the legislation that supports affordable housing development. Additional parking stress on nearby streets will prove a source of additional frustration for new and existing residents.*

29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)

Assessing officer's comments: The site provides three (3) off-street car parking spaces in accordance with Clause 30 of the ARH SEPP. The site also provides three (3) motorcycle spaces with a condition of consent recommended to ensure a minimum three (3) bicycle spaces are provided on site. This will support various modes of transport which will accommodate for the needs of boarding house residents. It is also noted that the site is in close proximity to train lines and bus routes for boarding house lodgers to utilise.

4. *Acoustic Privacy – the area is peaceful except for traffic noise. The high density of residents of the building would impact upon family life equality.*

Assessing officer's comments: A standard condition of consent is recommended to ensure an operation plan is prepared and submitted to Council to demonstrate how the boarding house will be managed. A further condition of consent is recommended to ensure noise generated from the boarding house will be kept to a reasonable standard.

5. *On-site manager – concern is raised that the proposed development will not have an on-site boarding house manager and that the development has specifically sought to have less than 20 lodgers to avoid a boarding house manager.*

Assessing officer's comments: Clause 30 of the ARH SEPP only requires an on-site manager in the instance where there are 20 or more lodgers to a boarding house development. Given that the site will be limited to a maximum of (18) boarders at any given time, an on-site manager is not warranted and cannot be enforced via conditions of consent as it complied with the minimum requirements.

6. *Excessive Building Height – concern is raised that the proposed development is 11.67m high which exceeds the maximum 9.5m permissible building height and will block light into properties at 31 and 33 Pomeroy Street. The additional height allowed the additional floor to overlook into adjoining properties*

Assessing officer's comments: Refer to Clause 4.6 discussion.

7. *Character of Area – concern is raised that the proposed development does not reflect the character of the nearby residences either in appearance, size or usage. The proposed development appears as a residential flat building of four floors when viewed from the street and from the adjoining lots. The proposal in no way complements, nor is compatible with the single and double storey character of the adjoining dwellings, and should not be supported.*

Assessing officer's comments: As previously discussed, the site is in a transitioning area from low density to medium and high density development. The Clause 4.6 variation request is considered well-founded which supports the height of the development. It is also noted that the site is a corner allotment whereby the development sites located to the south and south-east are provided with a 16m height limit. The development will achieve compatibility with these developments whilst also providing a smooth transition between the max. 16m height B2 – Commercial Core development sites and the 9.5m max. height R3 – Medium Density development limits provided by western and northern allotments. The surrounding zonings which include commercial uses indicate that the development is appropriate in terms of its use. Further, the site is located in an accessible location given its close proximity to North Strathfield Railway station and bus services which further supports the appropriateness of the proposed use of the site.

8. *Tree Removal – concern is raised that the development has sought the removal of the large Lilly Pilly tree which was once assessed by Aura Tree Services Senior Arborist Kyle Kill in their July 2014 report as an endangered tree.*

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

Assessing officer's comments: The application was referred to Council's Tree Coordinator who raises no concern for the removal of the *lilly pilly* tree subject to revegetation of the site as well as tree protection measures for existing street trees.

9. *Amenity – There appears to be no laundry facilities and the spaces provided are in many cases small with no room for a lounge chair or eating table.*

Assessing officer's comments: A condition of consent has been recommended to ensure each lodger room is equipped with appropriate laundry facilities. All lodger rooms meet the minimum room size requirements which indicates that the room will meet the needs of the lodgers including provision of a table. Further, the development is provided with a common living room which will be made available to all lodgers for lounging.

10. *Solar Access – The development will substantially reduce solar access to adjacent properties. Rooms on the eastern side of neighbours will be now in darkness particularly in morning periods. Shadow diagrams show that full sunlight*

Assessing officer's comments: The shadow diagrams submitted with the application are indicative of the worst case scenario of overshadowing to western adjoining properties. Whilst the shadow diagrams demonstrate that the proposed development will cast a shadow of the majority of the two (2) immediately adjoining properties to the west, the shadow will move south throughout the day. As such, at 12pm the development will cast a shadow over the driveway and eastern facing window to the western adjoining property. The western adjoining dwelling is provided with various windows and openings to all remaining elevations and accordingly will still receive direct northerly and westerly solar access from 12pm onwards. It is noted that all open space areas to the western adjoining dwelling and remaining windows and openings will receive direct solar access from 12pm onwards. Accordingly, the western adjoining dwelling will receive a minimum 3 hours direct solar access which is considered acceptable.

11. *Traffic Flow – Concern is raised for the new driveway which is located a single car length from the traffic lights. Entering and exiting the drive area will be worse when grid lock occurs and cars waiting at the western side of Pomeroy Street are not even able to cross Underwood Road in a single light cycle.*

Assessing Officer's comments: The driveway has been located as close to the western side boundary as possible in order to maintain the furthest distance away from the intersection of Pomeroy Street and Underwood Road. It is noted that there will only be a maximum of three (3) cars entering and/or exiting the site at any given time which is unlikely to severely impact upon traffic flows through the immediate vicinity of the site. The traffic impact assessment submitted with the application supports this and states that the expected trips from the proposed boarding house during weekday AM and PM peak hour are low and can be accommodated within the local road network and the nearby intersection.

12. *Front Setbacks – the building does not comply with the required setbacks of a total of 12m. Developers acknowledge these are only equal to 11.4m.*

Assessing Officer's comments: The development provides a combined 12m setback to the front and eastern side elevation of the development in accordance with Section 2.2 of Part C of the SDCDP 2005. The 9m front setback to Pomeroy Street will align with the front setback provided by the western adjoining dwelling and other setbacks provided by existing dwellings further along Pomeroy Street which (in most instances) provide a setback of less than 9m. The development provides a 3m side setback to the east whereby the stairwell core slightly encroaches into this space. Notwithstanding, the stairwell and corridor components of the development are relatively open which assists in achieving a sense of openness in the streetscape.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

13. *Demographics – This area has had some demographic changes in recent years due to the aging of long term residents and the inflow of many families with young children. The proposed use of this site is inappropriate given that presumably most of the residents will be single males. While heterogeneity is to be applauded we already have that in this area as a result of the ethnic, religious and age structure of the current population.*

Assessing Officer’s comments: Boarding house developments are designed specifically for the housing needs of low-income earners. They are not designed to select lodgers based on any other factor such as ethnicity, age, gender and/or religion.

79C(1)(e) the public interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments (EPI’s), development control plans and by Council ensuring that any adverse effects on the surrounding properties and the environment are minimised.

As the proposed development satisfies these requirements, approval of the application is not contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:

 - (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
 - or both.**
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$16,243.54
Provision of Major Open Space	\$73,903.24
Provision of Local Open Space	\$16,262.99
Provision Roads and traffic Management	\$5,766.01
Administration	\$1,400.64
TOTAL	\$113,576.42

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)

RECOMMENDATION

That Development Application No. 2017/142 for Demolition of existing structures and construction of a four (4) storey boarding house containing (13) rooms over a single level of basement parking under the Affordable Rental Housing SEPP 2009 at 29 Pomeroy Street, Homebush be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. BICYCLE PARKING (SC)

A minimum of three (3) bicycle parking spaces in addition to the three (3) motorcycle spaces are required to be provided on the site. The spaces shall be provided either in the basement or in an undercover area to the ground floor. Amended plans demonstrating compliance with this requirement shall be prepared and submitted to a Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**

(Reason: Ensure adequate provision of bicycle parking is provided on site)

2. LAUNDRY FACILITIES (SC)

Each lodger room shall be equipped with laundry facilities which meet the relevant Australian Standards. Details demonstrating compliance with this requirement shall be prepared and submitted to a Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**

(Reason: Ensure residential amenity is maintained)

3. WINDOW TREATMENTS (SC)

All windows located between levels 1-3 to the rear northern elevation of the development shall be redesigned as highlight windows with a minimum sill height of 1.7m above the floor or provided with fixed privacy louvers capable of precluding views to northern adjoining residents. Amended plans demonstrating compliance with this requirement shall be prepared and submitted to a Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**

(Reason: Protect privacy of adjoining residents)

4. ACCESSIBLE UNITS (SC)

Units G.02 and G.03 shall each be retained as accessible units which achieve compliance with the relevant Australian Standards.

(Reason: Ensure accessible housing is provided within the development)

5. AUSGRID (SC)

Method of Electricity Connection

The method of connection will be in line with Ausgrid's Electrical Standard (ES) 1 – 'Premise Connection Requirements'

Conduit Installation

The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)

Street lighting

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

Proximity to Existing Network Assets

Overhead Powerlines

There are existing overhead electricity network assets in Underwood Road and Pomeroy Street. Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given tot the positioning and operating of cranes and the location of any scaffolding.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlines in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website www.ausgrid.com.au Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected to be entering and leaving the site.

Underground Cables

There are existing underground electricity network assets in Underwood Road and Pomeroy Street including transmission cables. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. Safework Australia – Excavation Code of Practice, and Ausgrid’s Network Standard NS156 outlines the minimum requirements for working around Ausgrid’s underground cables.

Substation

There are existing electricity substation assets in Pomeroy Street, directly adjacent the site. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS1668.2: The use of ventilation and air-conditioning in buildings – Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings and louvered panels to be separated from building ventilation system air intake and exhaust openings, including those buildings on adjacent allotments, by no less than 6 metres.

Exterior parts of buildings within 3m in any direction from substation ventilation openings,

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment. The development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz – 3 kHz (ARPANSA, 2006).

For further details on fire segregation requirements refer to Ausgrid’s Network Standard 141. Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hours access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid’s Network Standard 143.

(Reason: Ensure compliance with Ausgrid’s requirements)

GENERAL CONDITIONS (GC)

6. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

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

Plans affixed with Council’s ‘Development Consent’ stamp relating to Development Consent No. 2017/142:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA.02	Roof & Site Plan	Bechara Chan & Associates	C	6 November 2017
DA.03	Ground Floor & Basement Plan			
DA.04	Level 1-3 Floor Plan			
DA.05	Elevation & Section Plan			
DA.06	Driveway Section 1 & 2 Plan			
L-01	Landscape Plan	Sussan Zindo Landscape Architect	C	30 October 2017
A7202-Cover	Stormwater plans– General Notes	Alpha Engineering & Development	C	30 October 2017
A7202-SW01	Sediment and Erosion Control Plan	Alpha Engineering	C	30 October 2017
A7202 – SW02	Basement Drainage Plan	Alpha Engineering	C	30 October 2017
A7202 – SW03	Ground Floor Drainage Plan	Alpha Engineering	C	30 October 2017
A7202 – SW04	Stormwater sections & Details	Alpha Engineering	C	30 October 2017

Reference Documentation affixed with Council’s ‘Development Consent’ stamp relating to Development Consent No. 2017/142:

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Bechara Chan & Associates		21 September 2017
Waste Management Plan	Bechara Chan & Associates		30 October 2017
Schedule of Finishes	Bechara Chan & Associates		6 November 2017
Phase 1 Geotechnical Report	Geo-environmental		21 September 2017
Traffic Assessment Report	Motion Traffic Engineers		21 September 2016
Stage 1 Preliminary Environmental Site Investigation Report	Geo-environmental		21 September 2017
Carparking Report	Motion Traffic Engineers		21 September 2017
Arboricultural Impact Assessment Report	Horticultural Management Services		21 September 2017

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

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

7. BOARDING HOUSE - APPROVED USE (GC)

This approval is granted for the use of the land for the purposes of a Boarding House comprising a maximum of 13 Boarding Rooms. This includes five (5) double rooms (maximum 2 persons per room) and eight (8) single rooms (maximum 1 person per room).

All lodgers shall be required to reside on the premises for a minimum period of three (3) months in accordance with the definition of a Boarding House under the Strathfield Local Environmental Plan 2013.

The approved boarding house must operate within the definition of 'boarding house' under SLEP 2012. The approved boarding house cannot be strata or community title subdivided.

(Reason: To clarify the terms of the approval and to control the maximum number of lodgers living in the premises at any one time.)

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

The height of the building measured from Australian Height Datum (AHD) must not exceed Relative Level (RL) 21.55AHD to the roof ridge of the building.

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

9. CONSTRUCTION HOURS (GC)

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

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

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

10. CONSTRUCTION WITHIN BOUNDARIES (GC)

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

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

11. DEMOLITION – GENERALLY (GC)

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

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

12. DEMOLITION - SITE SAFETY FENCING (GC)

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

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

payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and

provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

13. FENCING - FRONT FENCE HEIGHT (GC)

Solid fencing forward of the building line (including the building line to a secondary street frontage on a corner site) shall not exceed a height of 1m above natural ground level. The fence may be topped by an additional maximum 0.8m high open timber picket, wrought iron, palisade or similar element.

Brick piers over 1m in height are permitted to support the decorative elements, provided they are equally spaced along the street, and do not exceed a height of 1.8m. Plans demonstrating compliance with this condition are to be submitted to the

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

(Reason: To ensure a positive contribution to the streetscape in accordance with the Strathfield Consolidated DCP 2005.)

14. LANDSCAPING - CANOPY TREES IN FRONT SETBACK (GC)

New development shall provide at least two (2) canopy trees within the front setback adjacent the front boundary (existing trees may be included). New canopy trees shall be at least three (3) metres high at the time of planting and capable of reaching a mature height of 10m.

Species shall be selected from Council’s Recommended Tree List (Available from Council’s website or from the Customer Service Centre). Compliance with this condition is to be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the landscape character of the locality is maintained.)

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

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

(Reason: To ensure appropriate landscape maintenance.)

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

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

Tree	Height/ Spread (m)	Location
1) Syzygium luehmannii (Lilly Pilly)	12m x 15m	Underwood Rd frontage

All trees permitted to be removed by this consent shall be replaced by species selected from Council’s Recommended Tree List.

Replacement trees shall be a minimum 50 litre container size. Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting; and shall be maintained until maturity.

All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.

Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.

Soil conditioner/fertilizer/moisture retention additive/s are to be applied in accordance with

29 Pomeroy Street, Homebush
 Lot 35 in DP 834 (Cont'd)

manufacturer's recommendations, and mixed into the backfilling soil after planting tree/s.

A minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the base of the tree.

Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure appropriate planting back onto the site.)

17. **LANDSCAPING - TREE PRESERVATION (GC)**

The trees listed below shall be retained at all times:

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>	<u>Protection Zone (m)</u>	<u>Structural Root Zone (m)</u>
1) Sapium sebiferum (Chinese Tallowood)	8m x 5m	Nature strip	6.6m	2.5m
2) Sapium sebiferum (Chinese Tallowood)	8m x 5m	Nature strip	6.6m	2.5m
3) Stenocarpus sinuatus (Qld Firewheel tree)	6m x 4m	Nature strip	2.6m	2.1m

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

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- (b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS4970-2009: *Protection of Trees on Development Sites*.
- (c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- (d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- (e) The tree protection zone shall be regularly watered.
- (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- (g) **No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- (h) Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.
- (i) All noxious weeds on the site shall be removed and destroyed as per their

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

classification under the *Noxious Weeds Act* 1993.

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

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

18. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

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

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

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

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

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

(Reason: Statutory requirement.)

20. PRIVACY - SCREEN PLANTING TO SIDE AND REAR BOUNDARIES (GC)

Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along the side and rear boundaries to provide suitable privacy screening. Screen planting shall be maintained at all times. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To maintain privacy amenity to neighbouring residences.)

21. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

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

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

22. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

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

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

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

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

(Reason: Compliance with Sydney Water requirements.)

24. UTILITIES AND SERVICES - PROTECTION OF (GC)

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

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

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

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

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

(Reason: To ensure protection of Council assets.)

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

25. ARBORIST REPORT – INITIAL (CC)

The applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works and determine best practices (e.g. minimise compaction, soil build up and or excavation within the Tree Protection Zone*) to ensure the longevity of the trees to be retained. The arborist is

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

to prepare and submit, to the satisfaction of the Principal Certifying Authority, a report prior to the issue of a Construction Certificate, documenting the measures to be employed and certifying that they have been implemented.

- i) *Tree Protection Zone = DBH x trunk diameter 1400mm from ground level (measured as a radius from the centre of the trunk).

(Reason: Qualified assessment of impact of proposed works on trees to be retained on the site.)

26. BICYCLE STORAGE PROVISION (CC)

On-site provision for bicycle storage facilities shall be in accordance with the Strathfield Consolidated Development Control Plan 2005. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance with SCDCP 2005 and to encourage sustainable transport options.)

27. BOARDING HOUSE - CONSTRUCTION OF (CC)

The construction of the boarding house shall comply with all applicable legislation/regulation and standards, including:

- i) Boarding Houses Act 2012;
- ii) Boarding Houses Regulation 2013;
- iii) Local Government Act 1993; and
- iv) Local Government Regulation 2005.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To ensure compliance with relevant legislation.)

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

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

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

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

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

29. CAR PARKING - BASEMENT CAR PARKING REQUIREMENTS (CC)

Details demonstrating compliance with the following is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate:

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

- i) Minimal internal clearance of the basement is 2.2m in accordance with BCA requirements.
- ii) Driveways shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and achieve a maximum gradient of 1:4.
- iii) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.
- iv) Provision of pump-out systems and stormwater prevention shall be in accordance with Council's Stormwater Management Guide.

(Reason: To ensure suitable development.)

30. CAR PARKING - DISABLED CAR PARKING SPACES (CC)

One (1) of the car parking spaces provided as part of the total requirement shall be reserved for disabled persons. These spaces shall be a minimum of 2.4m wide x 5.4m long and located near pedestrian access routes designed for disabled persons. Each space shall be clearly marked as such. A shared area 2.4 m wide x 5.4m long shared area should be provided. Bollard shall be placed in this shared area.

Car parking for people with disabilities shall be provided in accordance with the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Prior to the issue of a Construction Certificate, the plans shall be notated to demonstrate compliance.

The above details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure adequate parking for persons with a disability.)

31. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to be submitted shall contain the following details:

- i) Longitudinal section along the extreme wheel paths of each driveway/access ramp at a scale of 1:25 demonstrating compliance with the scraping provisions of AS/NZS 2890.1:2004. It shall include all levels and grades, including those levels stipulated as boundary levels, both existing and proposed. It shall extend from the centre-line of the roadway through to the parking area.
- ii) Sections showing the clearance to the underside of any overhead structure (minimum headroom requirements 2200mm minimum for standard headroom clearance or 2400mm where disabled access provisions are to be provided) demonstrating compliance with the provisions of AS/NZS 2890.1:2004.
- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

The certification referred to in (vi) above shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate (for the design) and to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the 'as-built works'.

(Reason: To ensure adequate vehicular access can be achieved.)

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

32. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

33. CAR PARKING - VEHICULAR CROSSING WIDTH AT PROPERTY BOUNDARY (CC)

Vehicular crossings are to have a maximum width of 3m at the property boundary. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance with SCDCP 2005.)

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

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

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

35. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

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

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
 - Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and

- appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

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

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

Works Permit

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

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding Permit

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

Work Zone Permit

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

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

Ground Anchoring Permit

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

(Reason: Council requirement)

37. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

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

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

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

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

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

38. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

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

- i) Compliance with the approved Soil and Water Management Plan.
- ii) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

- Australian Water Quality guidelines for Fresh and Marine Waters.
- ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

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

(Reason: Environmental protection.)

39. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

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

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

(Reason: Structural safety.)

40. FIRE SAFETY SCHEDULE (CC)

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

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

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

41. LANDSCAPING - LANDSCAPE PLAN REQUIRED (CC)

Prior to the issue of a construction certificate the applicant shall submit and have approved by the Principal Certifying Authority (PCA) a detailed landscape plan prepared generally in accordance with the landscape plan prepared by Sussan Zindo Landscape Architect (Drawing No. L-01) 9 April 2017 and the Landscape provisions contained within section 10.0 of Part A of the Strathfield Council Development Control Plan. The plans shall include the following:

- (a) A minimum 1.5m wide garden is to be established to the full width of the property frontage (except for vehicular crossings and pedestrian ways). The garden bed is to be planted with suitable shrubs and ground cover plants;
- (b) A detailed planting schedule for all garden areas indicating the species type, height, number and size;

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

- (c) Details of all hard and soft surfaces such as turf, gravel, paving, stepping stones and the like shall be shown;
- (d) Gardens should feature a mix of trees, shrubs, grasses and ground covers. A minimum of 25% of all plantings shall be locally indigenous species;
- (e) Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along side and rear boundaries to provide privacy screening; and
- (f) The plan shall demonstrate compliance with any other landscape condition of consent.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

(Reason: Landscape quality.)

42. LANDSCAPING - MAINTENANCE STRATEGY (CC)

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival.)

43. LANDSCAPING ON SLAB (CC)

To ensure the site landscaping thrives, the on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees; and 300mm for grass and ground covers. Adequate drainage provision and a permanent, automatic irrigation system conforming to Sydney Water requirements shall be included. Details demonstrating compliance shall be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: Ensure landscape survival.)

44. LANDSCAPING - TREE REPLACEMENT SPECIES (CC)

The landscape plan submitted with the Construction Certificate application shall incorporate the following replacement tree/s in lieu of the water gums (*Tristaniopsis laurina*) proposed upon the Underwood Road boundary. This is to ensure the preservation of the landscape character of the area.

Species	Pot Size	Location
E. eumundii (Quondong)	50L	Along Underwood Rd frontage

(Reason: Preservation of the landscape character of the area.)

45. PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

46. SECTION 94 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$16,243.54
Provision of Major Open Space	\$73,903.24
Provision of Local Open Space	\$16,262.99
Provision Roads and traffic Management	\$5,766.01
Administration	\$1,400.64
TOTAL	\$113,576.42

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

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

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

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

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

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

A security (damage deposit) of **\$15,000.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

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

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

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

(Reason: Protection of Council infrastructure.)

48. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

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

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

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

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

49. TREE BONDS (CC)

A tree bond of **\$13,200** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

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

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

50. VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

51. WASTE MANAGEMENT PLAN (CC)

A Waste Management Plan (WMP) is to be provided in accordance with Part H of Strathfield Consolidated Development Control Plan 2005. All requirements of the approved Waste Management Plan must be implemented during demolition, construction and on-going use of the premises.

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

NOTE: The property must be inspected by a Council Waste Officer prior to the issue of an Occupation Certificate so as to ensure that the correct number of general waste and recycling bins are ordered from Strathfield Council.

(Reason: To ensure appropriate management of waste.)

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

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

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

53. WATER SUSTAINABILITY – GENERALLY (CC)

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:

- i) toilet flushing;
- ii) clothes washing;
- iii) garden irrigation;
- iv) car washing and similar outdoor uses;
- v) filling swimming pools, spa pools and ornamental ponds; and
- vi) fire fighting.

(Reason: To promote sustainable water management practice.)

54. WATER HEATING SYSTEMS - LOCATION OF (CC)

Water heating systems shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To maintain streetscape character.)

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

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

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

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

(Reason: Council requirement.)

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

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

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

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

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

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

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

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

(Reason: Statutory requirement.)

57. NOTICE OF COMMENCEMENT (CW)

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

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

(Reason: Statutory requirement.)

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

58. CONTAMINATED LAND UNEXPECTED FINDS (DW)

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

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

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

59. FILL MATERIAL (DW)

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

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

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

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

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

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

(Reason: To maintain public access and safety.)

61. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

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

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

62. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

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

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

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

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

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete formwork, or the laying of roofing materials.
- iii) At the completion of the development.

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

29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)

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

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

64. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

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

(Reason: Maintenance of public infrastructure.)

65. ENGINEERING WORKS (CERTIFICATION OF)

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

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

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

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

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

(Reason: Asset management.)

66. FIRE SAFETY CERTIFICATION (OC)

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

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

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

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

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

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

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

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

(Reason: Fire safety and statutory requirement.)

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

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

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

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

68. OCCUPATION OF BUILDING (OC)

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

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

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

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

(Reason: Statutory requirement.)

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

The constructed stormwater system shall be certified by a suitably qualified person, in

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

(Reason: Adequate stormwater management.)

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

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

The wording on the 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

(Reason: To ensure the on-site detention is maintained to an appropriate operational standard.)

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

71. BOARDING HOUSES - OPERATIONAL PLAN OF MANAGEMENT (OU)

An Operational Plan of Management is to be formulated and submitted to Council for approval, prior to the issue of any Occupation Certificate.

The Plan of Management must include the minimum criteria as stipulated in Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation, 2005 under the Local Government Act 1993, the Public Health Act, 1991, Boarding Houses Act 2012 and Boarding Houses Regulation 2013.

The plan shall be dated and the name and signature of the author of the document shall be included. 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 of the boarding house.

This Operational Plan of Management must incorporate the following:

- i) All the measures to be implemented on the premises in terms of safety & security, amenity and health including but not limited to matters relating to curfews and after-hours access, bringing of visitors on to the site, drug and alcohol policy (including smoking), and use of communal areas etc.
- ii) All the responsibilities of the Caretaker/Manager.
- iii) An Incident Register to be maintained by the Caretaker. This Register must be produced upon demand by any Council officer or NSW Police Officer. The Register must contain a direction that all incidents of a criminal nature are to be reported to the Police immediately.
- iv) Prior to commencement of the boarding house use, a notification letter shall be forwarded to Council, the Police and neighbours providing contact details for the Caretaker/Manager so that any issues regarding the operation of the premises etc. can be addressed promptly. Evidence of this letter being forwarded as required in this condition shall be provided to the Principal Certifying Authority, prior to the issue of any Occupation Certificate and commencement of the use.

The Plan of Management referred to in this condition shall be reviewed by Council annually from the date of issue of an Occupation Certificate by the Principal Certifying Authority. The

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

operator of the boarding house shall contact Council annually to carry out this review and the review shall include the Incident Register referred to in point (iii) above. Should amendments be made to the Plan of Management an updated version of same shall be provided to Council and the residents of the boarding house within one (1) month of the annual review being completed.

(Reason: To minimise the impact of the use on surrounding residences.)

72. BOARDING HOUSE - ONGOING USE OF (OU)

Ongoing operation of the approved use for the purpose of a boarding house shall comply with the following:

- i) Use of the premises shall remain consistent with the definition of 'boarding house' as defined under Strathfield Local Environmental Plan 2012 as a building that:
 - is wholly or partly let in lodgings, and
 - provides lodgers with a principal place of residence for 3 months or more, and
 - may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers but does not include backpackers" accommodation, a group home, a serviced apartment, seniors housing or hotel or motel accommodation.
- ii) Subdivision of the approved boarding house under strata or community title is prohibited.
- iii) The use and operation of the boarding house shall comply with all applicable legislation/regulation and standards, including:
 - Boarding Houses Act 2012;
 - Boarding Houses Regulation 2013;
 - Local Government Act 1993; and
 - Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation 2005.
- iv) The maximum number of persons accommodated in a bedroom, or in a cubicle of a dormitory, must not exceed the number determined by allowing a minimum floor area within the bedroom or cubicle in accordance with the relevant provisions under the Public Health Act 1991 for each person.
- v) No speakers or music is permitted outdoors or in the communal areas

(Reason: To minimise the impact of the boarding house on surrounding residences.)

73. FIRE SAFETY ANNUAL STATEMENT (OU)

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

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

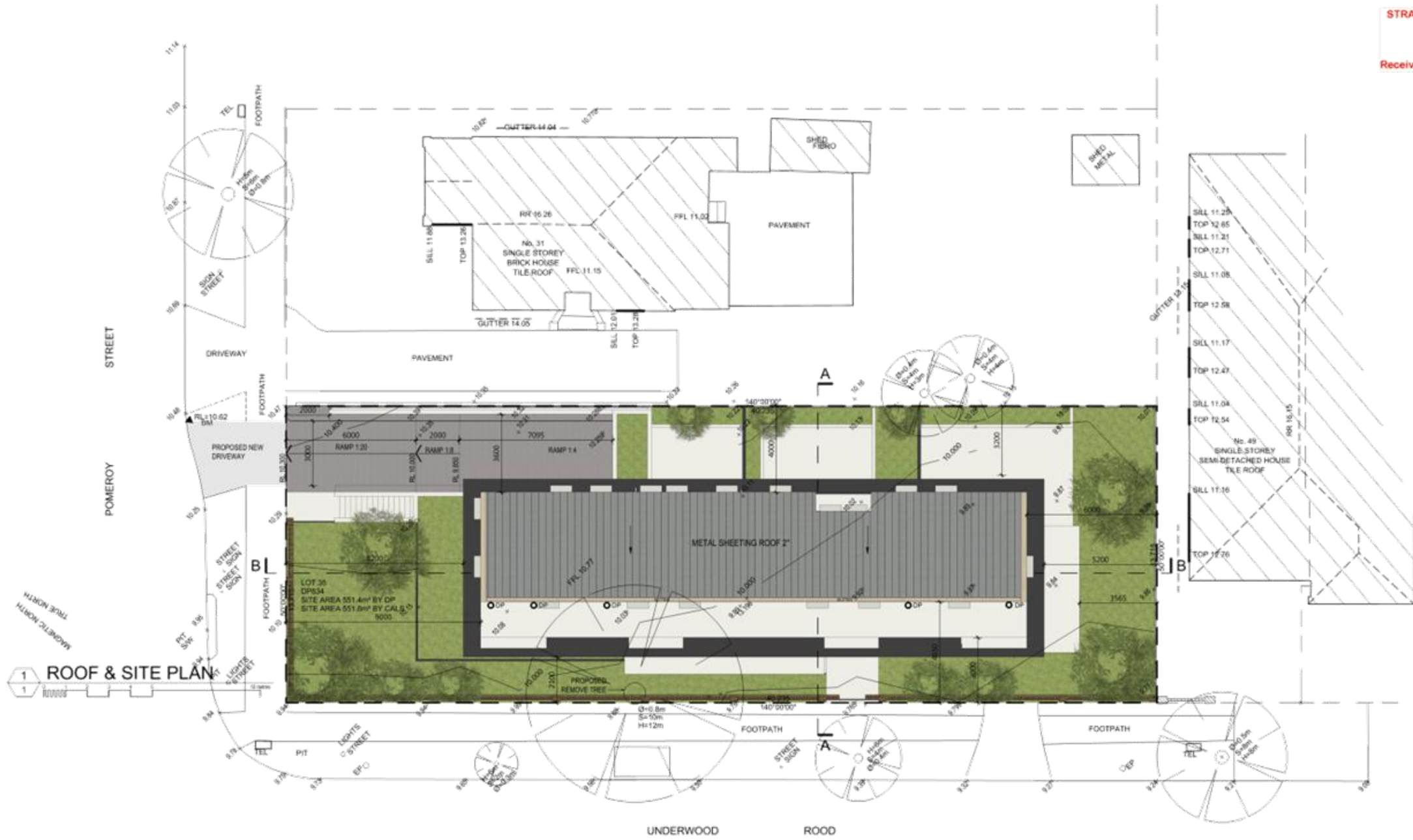
- i) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- ii) Prominently displayed in the building.

(Reason: Fire safety)

**29 Pomeroy Street, Homebush
Lot 35 in DP 834 (Cont'd)**

ATTACHMENTS

1. [↓](#) DA2017-142 - 29 Pomeroy Street, Homebush - Architecturals



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RECEIVED
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Received 6 November 2017

1 ROOF & SITE PLAN

Project
PROPOSED AFFORDABLE
BOARDING HOUSE
29 POMEROY STREET, HICKSBUSH
DA.02
C

Drawing
DRAWN BY
CHECKED BY
NO. 08
DATE
JUNE 2017
ROOF & SITE PLAN
Do not scale from drawing.
Only as indicated on drawings unless otherwise stated.

BC&A
Bechara Chan & Associates Pty Ltd
Architects, Engineers, Planners, Surveyors & Quantity Surveyors
11/12 STURGEON STREET, SYDNEY NSW 2000

Revision	Date
A	19.07.2017
B	24.10.2017
C	01.11.2017

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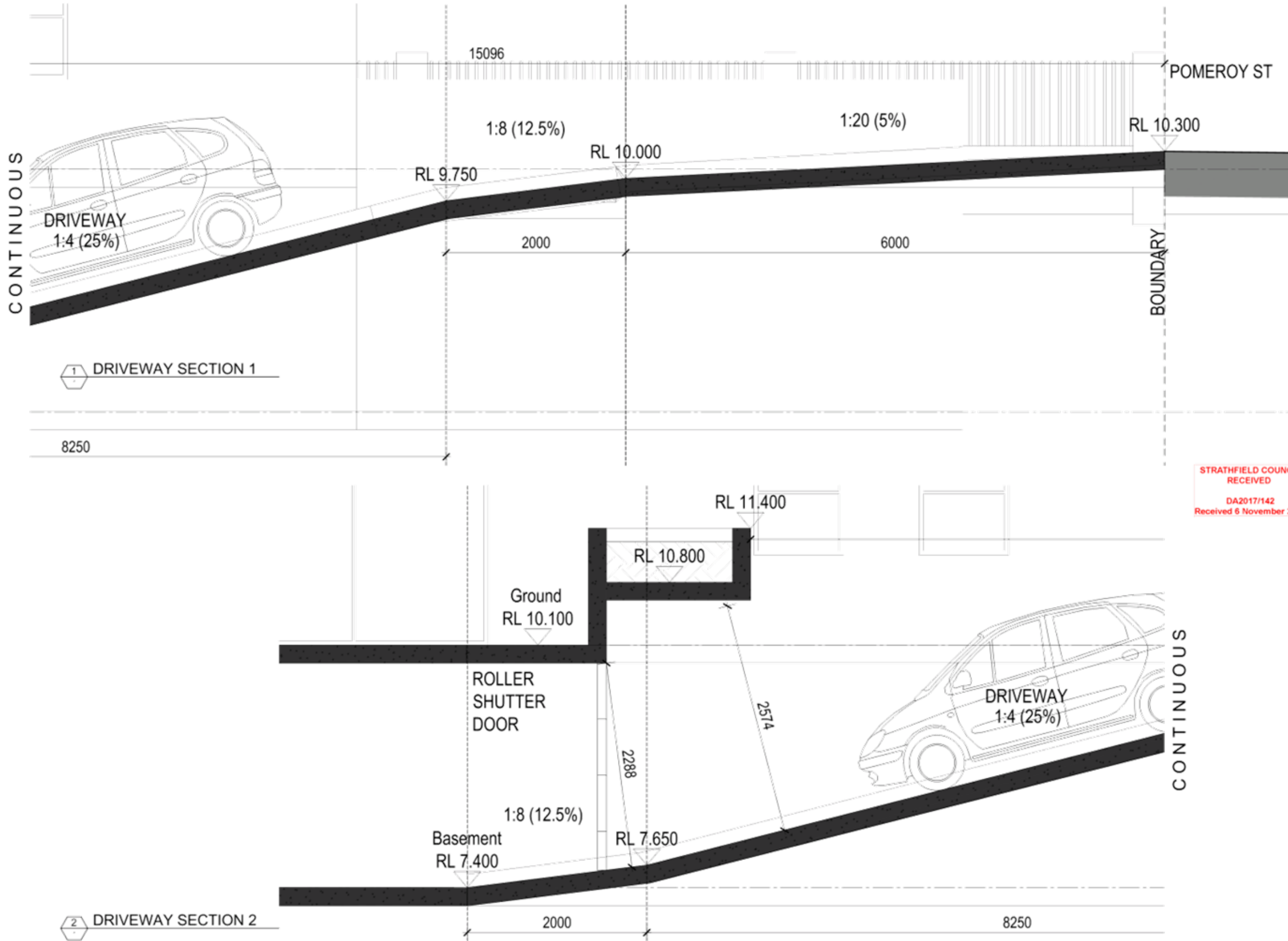
Project
PROPOSED AFFORDABLE BOARDING HOUSE
 29 POMEROY STREET - HOBBUSH
DA.05

Drawing
 DRAWN BY: NINON
 CHECKED BY: OS
 DATE: June 2017
SOUTH ELEVATION WEST ELEVATION
Do not scale from drawings. Only dimensions or call outs governing work.



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Revision
 19.07.2017
 24.10.2017
 01.11.2017
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Project
PROPOSED AFFORDABLE BOARDING HOUSE
29 POMEROY STREET, HOEBUSH
DA.06

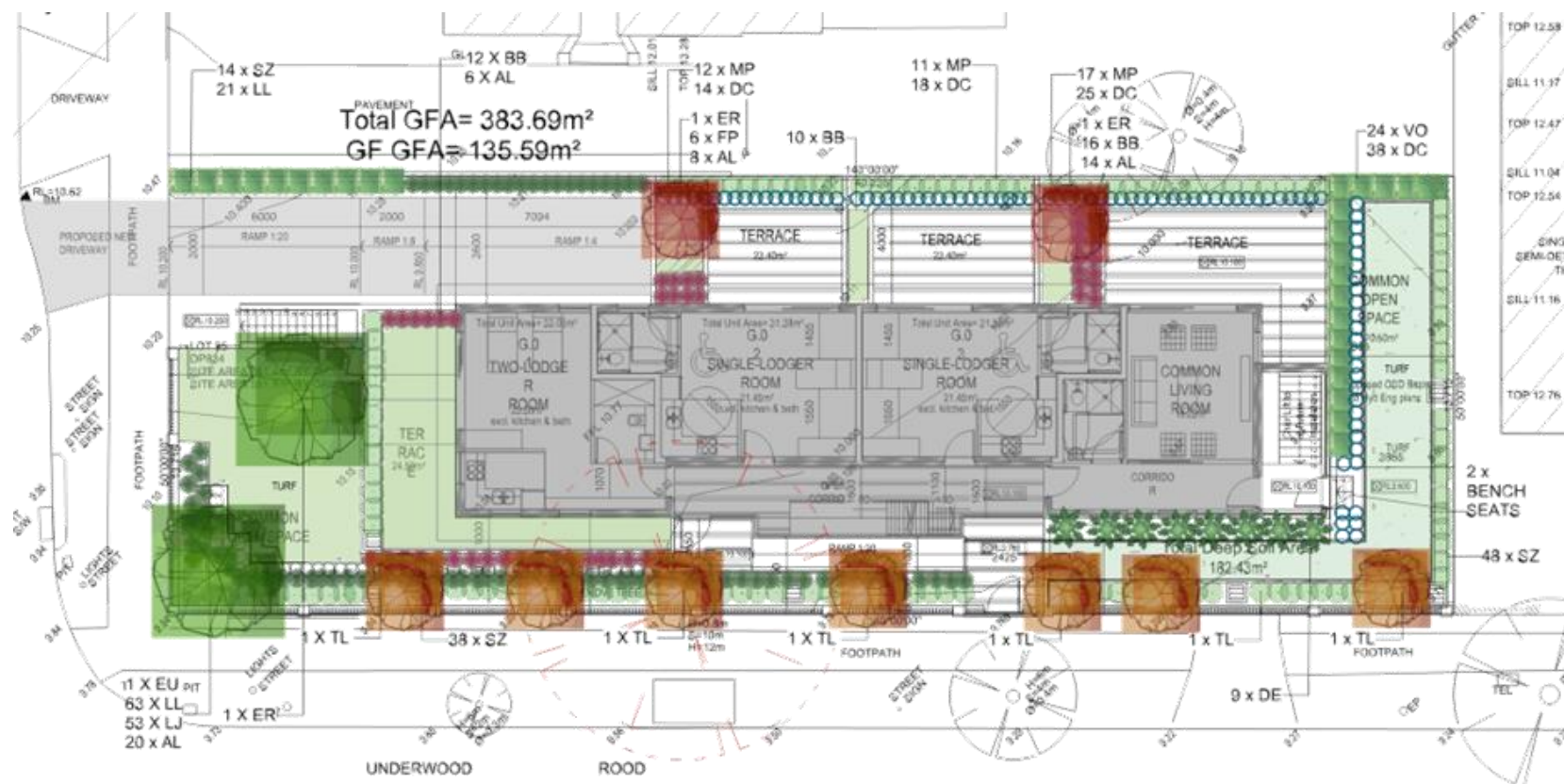
Drawing
DRAWN BY: NIKHIL
SCALE: 1:100 (H.A.) 1:20 (V.A.)
CHECKED BY: G.S.
DATE: JUNE 2017
DRIVEWAY SECTION

BC&A
Bechara Cron & Associates Pty Ltd
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P: +61 2 9716 8933

Revision

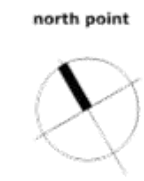
Revision	Date
A	19.07.2017
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Preparation and Cultivation:
 General: All builders rubble, spoil and excess materials to be removed from all areas prior to the commencement of planting. No substitute material is to be used without prior approval from the Superintendent.
 Weed Eradication: All noxious plants, weeds and grasses on the site and within the planting areas shall be eradicated before the commencement of landscape works.
 Cultivation of natural ground: All natural garden areas are to be excavated to a depth of 150mm. Existing top soil is to be stockpiled on site for reuse. Stockpiled topsoil is to be free of any foreign and/or deleterious material. The resultant subgrade is to be hand cultivated to a depth of 200mm. Where cultivation intrudes into clay soils, gypsum is to be added at a rate of 0.25kg/m². A depth of 150mm topsoil to AQ 4410 or site topsoil is to be added to the garden beds and thoroughly turned in and integrated into the cultivated subgrade prior to planting.
Planting:
 All plants used are to have been grown, selected and planted in accordance with Natapoc specifications. Plant sizes are to be in accordance with the included plant schedule.
Planting Style:
 The planting style for this property uses native plants including low maintenance indigenous trees. These are used to create a planting style which is hardy and interesting in a minimalist style. The use of plants with interesting textural foliage will greatly enhance the site. Plant selection has been made to keep with native plants but using the plants strengths to create the aesthetic look suited to the architecture of the development.
Mulch:
 Material: Australian Native Landscapes Hardwood Chips or similar. Mulch is to be free of deleterious and extraneous matter such as soil, weeds and sticks. Use organic mulches which are free of stones. To AQ 4454-2003. Application: Place organic mulch clear of plant base to a total depth of 75mm, dipping down around the base of the plant.
Gravel:
 ANL Nepean River Gravel 10-20mm set in between Natural stone pavers/files as shown on plan.
Irrigation:
 The client may choose to have an approved automated drip irrigation system installed to the garden beds prior to planting. The system must have a backflow prevention. Drip lines are to be placed less than 400mm apart for even water distribution. Irrigation to be selected and operated in line with current Sydney Water requirements. Backflows to be provided in common areas.
Stormwater:
 For further details please see provided detailed design in accompanying documents.
Turf:
 Soil Water Buffalo.
Landscape Management Statement:
 All landscape works are to be maintained for a period of 12 months from the date of practical completion. This includes all watering, weeding, spraying and re-mulching necessary to achieve vigorous growth. Any defects which arise during this period are to be rectified. Any plants or areas of turf which fail during this period are to be replaced at no additional cost. Mulch is to be kept at specified depths. All planting is to be watered on a regular basis to maintain moisture levels required for optimum growth. All beds and areas are to be maintained in order to achieve a weed free growth.

rev no.	details	signature	date
REV-A	FIRST ISSUE - DA	SZ	09APR17
REV-B	COUNCIL CHANGES	SZ	05AUG17
REV-C	COUNCIL CHANGES RFI - ADD TREE	SZ	30OCT17



notes
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SYMBOL	Botanical Name	Common Name	Container Size	Details	Total Quantity
TREES					
ER	EUCALYPTUS SIDEROXYLON	Mugga Ironbark	45LTR	Property tree	2
ER	MELELEUCA LINARIIFOLIA	Snow in Summer	45LTR	Property tree	2
TL	TRISTANIOPSIS LAURINA	Water Gum	45LTR	Property tree	6
SHRUBS					
SZ	ACMENA SMITHII 'GOODBYE NEIGHBOUR'	Lily Pilly	200MM	Hedge	100
VO	WESTRINGIA 'NARINGA'	Naringa Coastal R	200MM	Hedge	24
BB	Acmena 'Allyn Magic'	Acmena	200MM	Low Shrub	38
DE	DORYANTHES EXCELSA	Gynea Lily	200MM	Hedge	9
MP	WESTRINGEA FRUITICOSA	Native Rosemary	200MM	Hedge	40
GRASSES/GROUNDCOVERS					
AL	MYOPORUM		140MM	Groundcover	48
LL	LOMANDRA 'TANIKA'	Tanika Cultivar	140MM	Grass	88
LJ	DIANELLA LITTLE JESS	Little Jess	140MM	Grass	49
DC	DIANELLE CASSA BLUE	Cassa Blue	140MM	Grass	96



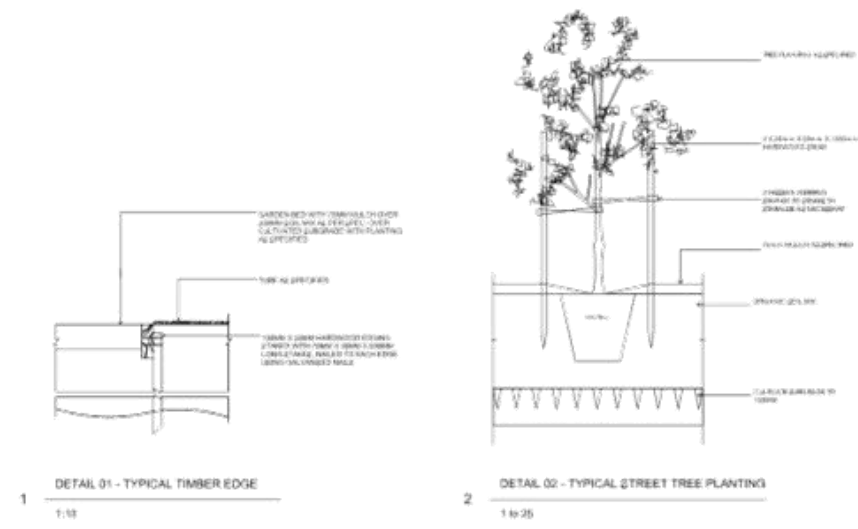
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client
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 title
**29 POMEROY STREET
 HOMEBUSH
 LANDSCAPE PLAN**

date	scale	original	designer
09APR17	1:100	A1	SZ
project no.	dwg no.	rev no.	
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PROPOSED DEVELOPMENT 29 POMEROY STREET, HOMEBUSH STORMWATER PLANS

GENERAL NOTES

- G1. THE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL DRAWINGS AND SPECIFICATIONS AND OTHER WRITTEN INSTRUCTIONS THAT MAY BE ISSUED.
- G2. DIMENSIONS SHALL NOT BE OBTAINED BY SCALING FROM THE DRAWINGS. REFER ARCHITECT'S DRAWINGS FOR ALL DIMENSIONS.
- G3. REFER ANY DISCREPANCY TO THE ENGINEER/ARCHITECT.
- G4. MATERIALS AND WORKMANSHIP SHALL COMPLY WITH THE APPROPRIATE SAA SPECIFICATIONS OR CODE AND WITH THE REQUIREMENTS OF THE RELEVANT LOCAL AUTHORITY.
- G5. THE ALIGNMENT AND LEVEL OF ALL SERVICES SHOWN ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL CONFIRM THE POSITION AND LEVEL OF ALL SERVICES PRIOR TO COMMENCEMENT OF CONSTRUCTION. ANY DAMAGE TO SERVICES SHALL BE RECTIFIED AT THE CONTRACTOR'S EXPENSE.
- G6. NO WORKS ARE TO COMMENCE UNTIL THE REQUIRED TREE REMOVAL PERMITS HAVE BEEN GRANTED BY RELEVANT LOCAL AUTHORITY, AND THE APPROPRIATE NOTICE OF INTENTION TO COMMENCE GIVEN.
- G7. ALL SERVICES, OR CONDUITS FOR SERVICES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF PAVEMENT CONSTRUCTION.
- G8. SUBSOIL DRAINAGE, COMPRISING 100 AGRICULTURE PIPE IN GEO-STOCKING TO BE PLACED AS SHOWN AND AS MAY BE DIRECTED BY THE SUPERINTENDENT. SUBSOIL DRAINAGE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE RELEVANT LOCAL AUTHORITY CONSTRUCTION SPECIFICATION.
- G9. NO WORK IS PERMITTED WITHIN ADJOINING PROPERTIES WITHOUT WRITTEN PERMISSION FROM THE OWNERS OR RESPONSIBLE AUTHORITY.

DRAINAGE NOTES

- D1. ALL DRAINAGE OUTLET LEVELS SHALL BE CONFIRMED ON SITE, PRIOR TO CONSTRUCTION COMMENCING.
- D2. ALL PIPES WITHIN THE PROPERTY TO BE MIN 100 DIA UPVC @ 1% MIN. GRADE, UNO.
- D3. ALL PITS WITHIN THE PROPERTY ARE TO BE FITTED WITH "WELDOLOK" OR APPROVED EQUIVALENT GRATES.
- LIGHT DUTY FOR LANDSCAPED AREAS
- HEAVY DUTY WHERE SUBJECT TO VEHICULAR TRAFFIC
- D4. PITS WITHIN THE PROPERTY MAY BE CONSTRUCTED AS:
1) PRECAST STORMWATER PITS
2) CAST IN-SITU MASS CONCRETE
3) CEMENT RENDERED 230mm BRICKWORK
SUBJECT TO THE RELEVANT LOCAL AUTHORITY CONSTRUCTION SPECIFICATION.
- D5. ENSURE ALL GRATES TO PITS ARE SET BELOW FINISHED SURFACE LEVEL WITHIN THE PROPERTY. TOP OF PIT RLS ARE APPROXIMATE ONLY AND MAY BE VARYED SUBJECT TO APPROVAL OF THE ENGINEER. ALL INVERT LEVELS ARE TO BE ACHIEVED.
- D6. ANY PIPES BENEATH RELEVANT LOCAL AUTHORITY ROAD TO BE RUBBER RING JOINTED RCP, UNO.
- D7. ALL PITS IN ROADWAYS ARE TO BE FITTED WITH HEAVY DUTY GRATES WITH LOCKING BOLTS AND CONTINUOUS HINGE.
- D8. PROVIDE STEP IRONS TO STORMWATER PITS GREATER THAN 1200 IN DEPTH.
- D9. TRENCH BACK FILL IN ROADWAYS SHALL COMPRISE SHARP, CLEAN GRANULAR BACK FILL IN ACCORDANCE WITH THE RELEVANT LOCAL AUTHORITY SPECIFICATION TO NON-TRAFFICABLE AREAS TO BE COMPACTED BY ROLLING AND TAMPING USING A FLAT PLATE VIBRATOR.
- D10. WHERE A HIGH EARLY DISCHARGE (HED) PIT IS PROVIDED ALL PIPES ARE TO BE CONNECTED TO THE HED PIT, UNO.
- D11. DOWN PIPES SHALL BE A MINIMUM OF DN100 SW GRADE UPVC OR 100x100 COLORBOND/ZINCALUME STEEL, UNO.
- D12. COLORBOND OR ZINCALUME STEEL BOX GUTTERS SHALL BE A MINIMUM OF 450 WIDE X 150 DEEP.
- D13. EAVES GUTTERS SHALL BE A MINIMUM OF 125 WIDE X 100 DEEP (OR OF EQUIVALENT AREA) COLORBOND OR ZINCALUME STEEL, UNO.
- D14. SUBSOIL DRAINAGE SHALL BE PROVIDED TO ALL RETAINING WALLS & EMBANKMENTS WITH THE LINES FEEDING INTO THE STORMWATER DRAINAGE SYSTEM, UNO.

EARTHWORKS NOTES

- E1. THE EARTHWORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PROJECT GEO TECHNICAL REPORT.
- E2. THE SITE OF THE WORKS SHALL BE PREPARED BY STRIPPING ALL EXISTING TOPSOIL, FILL AND VEGETATION.
- E3. SUBGRADE SHALL BE COMPACTED UNTIL A DRY DENSITY HAS BEEN ACHIEVED OF NOT LESS THAN 100% OF THE STANDARD MAXIMUM DRY DENSITY WHEN TESTED IN ACCORDANCE WITH AS 1289 TESTS E.1.1, OR E.1.2.
- E4. THE EXPOSED SUBGRADE SHOULD BE PROOF ROLLED TO DETECT ANY SOFT OR WET AREAS WHICH SHOULD BE LOCALLY EXCAVATED AND BACK FILLED WITH SELECTED MATERIAL.
- E5. THE BACK FILLING MATERIAL SHALL BE IMPORTED GRANULAR FILL OF LOW PLASTICITY, PREFERABLY CRUSHED SANDSTONE, AND TO BE PLACED IN LAYERS NOT EXCEEDING 150 LOOSE THICKNESS AND COMPACTED TO 98% OF STANDARD DRY DENSITY AT A MOISTURE CONTENT WITHIN 2% OF OPTIMUM.
- E6. SITE WORKS ARE TO BE BATTERED TO ADJACENT PROPERTY LEVELS.
- E7. STORMWATER MUST NOT BE CONCENTRATED ON TO AN ADJACENT PROPERTY.
- E8. AT NO TIME DURING OR AFTER CONSTRUCTION IS STORMWATER TO BE PONDED ON ADJOINING PROPERTIES.
- E9. THE SITE SHALL BE GRADED AND DRAINED SO THAT STORMWATER WILL BE DIRECTED AWAY FROM THE BUILDING PLATFORM.
- E10. STORMWATER DRAINAGE SHALL BE PROVIDED AND MAINTAINED THROUGHOUT THE COURSE OF CONSTRUCTION. ALL STORMWATER RUNOFF SHALL BE GRADED AWAY FROM THE SITE WORKS AND DISPOSED OF VIA SURFACE CATCHDRAINS AND STORMWATER COLLECTION PITS.
- E11. ALL SURFACE CATCH DRAINS SHALL BE GRADED AT 1% (1 IN 100) MINIMUM. THE GROUND SHALL GRADE AWAY FROM ANY DWELLING AT 0.5% (1 IN 200) FOR THE FIRST METRE, THEN AT 2.5% (1 IN 40).
- E12. WHERE A CUT FILL PLATFORM IS USED THERE SHALL BE A MINIMUM BERM 1000 WIDE TO THE PERIMETER OF THE SITE WORKS WHICH SHALL BE SUPPORTED BY BATTERS OF 3:1 IN FILL.
- E13. ANY VERTICAL OR NEAR VERTICAL PERMANENT EXCAVATION (CUT) DEEPER THAN 600 IN MATERIAL OTHER THAN ROCK SHALL BE ADEQUATELY RETAINED OR BATTERED AT A MINIMUM OF 3:1.
- E14. WHERE BATTERS CANNOT BE PROVIDED TO SUPPORT THE CUT OR FILL, THEY SHALL BE ADEQUATELY RETAINED.
- E15. RETAINING WALLS ARE TO BE CONSTRUCTED WITH ADEQUATE SUBSOIL DRAINAGE.

CONCRETE PAVEMENT

- C1. SUBGRADE SHALL BE PREPARED AS OUTLINED IN EARTHWORKS.
- C2. PROVIDE JOINTING AT MINIMUM 8000 MAX. INTERVALS OR AS OTHERWISE SPECIFIED IN THE DRAWINGS.
- C3. CONCRETE SHALL COMPRISE A MIN. COMPRESSIVE STRENGTH OF 32MPa AT 28 DAYS IN ACCORDANCE WITH THE RELEVANT LOCAL AUTHORITY SPECIFICATION, UNO.
- C4. ANY SUB-BASE MATERIAL SHALL BE COMPACTED AS OUTLINED IN EARTHWORKS.
- C5. CONCRETE KERB AND GUTTER SHALL COMPRISE A MINIMUM COMPRESSIVE STRENGTH OF 32MPa, UNO.
- C6. CONCRETE WORKS ARE TO BE CURED BY ONE OF THE FOLLOWING MEANS:
- WETTING TWICE DAILY FOR THE FIRST THREE DAYS.
- USING AN APPROVED CURING COMPOUND FOR A MINIMUM OF 7 DAYS COMMENCING IMMEDIATELY AFTER POURING.

FLEXIBLE PAVEMENT NOTES

- F1. SUBGRADE SHALL BE PREPARED AS OUTLINED IN EARTHWORKS.
- F2. PAVEMENT MATERIAL SHALL CONSIST OF APPROVED OR RIPPED SANDSTONE, NATURAL GRAVEL OR FINE CRUSH ROCK AS PER THE RELEVANT COUNCIL AUTHORITY SPECIFICATION.
- F3. PAVEMENT MATERIALS SHALL BE SPREAD IN LAYERS NOT EXCEEDING 150 AND NOT LESS THAN 75 COMPACTED THICKNESS.
- F4. PAVEMENT MATERIALS SHALL BE SIZED AND OF A STANDARD OUTLINED IN AS1141.
- F5. CRUSHED OR RIPPED SANDSTONES SHALL BE MINUS 75 NOMINAL SIZE DERIVED FROM SOUND, CLEAN SANDSTONE FREE FROM OVERBLADES, CLAY SEAMS, SHALE AND OTHER DELETERIOUS MATERIAL.
- F6. PAVEMENT MATERIALS SHALL BE COMPACTED BY SUITABLE MEANS TO SATISFY THE FOLLOWING MINIMUM SPECIFICATIONS (AS PER AS1289.2):

DESCRIPTION	MEDIUM DENSITY RATIO
SUB-BASE	96% MOD
BASE COURSE	96% MOD
ASPHALTIC CONCRETE	97% MOD

AND SUBJECT TO THE RELEVANT LOCAL AUTHORITY CONSTRUCTION SPECIFICATION.

- F7. TESTING FOR EACH LAYER SHALL BE UNDERTAKEN BY A N.A.T.A. REGISTERED LABORATORY IN ACCORDANCE WITH AS1289. AT NOT MORE THAN 50m INTERVALS AND A MINIMUM OF TWO PER LAYER. FURTHER FREQUENCY OF TESTING SHALL BE NO LESS THAN THAT REQUIRED BY AS3378.

PAVED AREAS NOTES

- A1. SUBGRADE SHALL BE PREPARED AS OUTLINED IN EARTHWORKS.
- A2. ALL PAVERS ARE TO BE PLACED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATION.
- A3. TRAFFICABLE AREAS:
- SUB-BASE TO BE 150 COMPACTED THICKNESS DGST5
- SUB-BASE TO BE SUITABLY COMPACTED TO MEDIUM DENSITY 96% MOD.
- SUB-BASE TO EXTEND AT LEAST 200 BEYOND PAVED SURFACE.
- PAVERS TO BE 80 THICK INTERLOCKING PAVERS ON 50 SAND BEDDING.
- A4. NON TRAFFICABLE AREAS:
- SUB-BASE AS PER TRAFFICABLE AREAS
- PAVERS TO BE 80 INTERLOCKING PAVERS ON 50 SAND BEDDING (UNO).

EROSION AND SEDIMENT NOTES

- E1. THIS PLAN IS TO BE READ IN CONJUNCTION WITH EROSION AND SEDIMENT CONTROL DETAILS AS ATTACHED.
- E2. THE CONTRACTOR SHALL IMPLEMENT ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES AS NECESSARY AND TO THE SATISFACTION OF THE RELEVANT LOCAL AUTHORITY PRIOR TO THE COMMENCEMENT OF AND DURING CONSTRUCTION. NO DISTURBANCE TO THE SITE SHALL BE PERMITTED OTHER THAN IN THE IMMEDIATE AREA OF THE WORKS AND NO MATERIAL SHALL BE REMOVED FROM THE SITE WITHOUT THE RELEVANT LOCAL AUTHORITY APPROVAL. ALL EROSION AND SEDIMENT CONTROL DEVICES TO BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH STANDARDS OUTLINED IN NSW DEPARTMENT OF HOUSING'S "MANAGING URBAN STORMWATER - SOILS AND CONSTRUCTIONS".
- E3. TOPSOIL SHALL BE STRIPPED AND STOCKPILED OUTSIDE HAZARDOUS AREAS SUCH AS DRAINAGE LINES. THIS TOPSOIL SHALL BE RESPREAD LATER ON AREAS TO BE REVEGETATED AND STABILISED ONLY. (I.E. ALL FOOTPATHS, BATTERS, SITE REGARDING AREAS, BASINS AND CATCHDRAINS). TOPSOIL SHALL NOT BE RESPREAD ON ANY OTHER AREAS UNLESS SPECIFICALLY INSTRUCTED BY THE SUPERINTENDENT. IF THEY ARE TO REMAIN FOR LONGER THAN ONE MONTH STOCKPILES SHALL BE PROTECTED FROM EROSION BY COVERING THEM WITH A MULCH AND HYDROSEEDING AND, IF NECESSARY, BY LOCATING BANKS OR DRAINS DOWNSTREAM OF A STOCKPILE TO RETARD SILT-LADEN RUNOFF.
- E4. THE CONTRACTOR SHALL REGULARLY MAINTAIN ALL EROSION AND SEDIMENT CONTROL DEVICES AND REMOVE ACCUMULATED SILT FROM SUCH DEVICES SUCH THAT MORE THAN 80% OF THEIR CAPACITY IS LOST. ALL THE SILT IS TO BE PLACED OUTSIDE THE LIMIT OF WORKS. THE PERIOD FOR MAINTAINING THESE DEVICES SHALL BE AT LEAST UNTIL ALL DISTURBED AREAS ARE REVEGETATED AND FURTHER AS MAY BE DIRECTED BY THE SUPERINTENDENT OR COUNCIL.
- E5. LAY TURF STRIP (MIN 300 WIDE) ON 100 TOPSOIL BEHIND ALL KERB WITH 1000 LONG RETURNS EVERY 6000 AND AROUND STRUCTURES IMMEDIATELY AFTER BACKFILLING AS PER THE RELEVANT LOCAL AUTHORITY SPECIFICATION.
- E6. THE CONTRACTOR SHALL GRASS SEED ALL DISTURBED AREAS WITH AN APPROVED MIX AS SOON AS PRACTICABLE AFTER COMPLETION OF EARTHWORKS AND REGRADED.
- E7. VEHICULAR TRAFFIC SHALL BE CONTROLLED DURING CONSTRUCTION CONFINING ACCESS WHERE POSSIBLE TO NOMINATED STABILISED ACCESS POINTS.
- E8. WHEN ANY DEVICES ARE TO BE HANDED OVER TO COUNCIL THEY SHALL BE IN CLEAN AND STABLE CONDITION.
- E9. THE CONTRACTOR SHALL IMPLEMENT DUST CONTROL BY REGULAR WETTING DOWN (BUT NOT SATURATING) DISTURBED AREA.
- E10. PROVIDE AND MAINTAIN SILT TRAPS AROUND ALL SURFACE INLET PITS UNTIL CATCHMENT IS REVEGETATED OR PAVED.
- E11. REVEGETATE ALL TRENCHES IMMEDIATELY UPON COMPLETION OF BACKFILLING.
- E12. ALL DRAINAGE PIPE INLETS TO BE CAPPED UNTIL DOWNPIPES CONNECTED.
- PITS CONSTRUCTED AND PROTECTED WITH SILT BARRIER

EROSION AND SEDIMENT NOTES

MINIMUM PIPE COVER SHALL BE AS FOLLOWS

LOCATION	MINIMUM COVER
NO SUBJECT TO VEHICLE LOADING	150mm SINGLE RESIDENTIAL
SUBJECT TO VEHICLE LOADING	300mm ALL OTHER DEVELOPMENTS
UNDER A SEALED ROAD	600mm
UNSEALED ROAD	750mm
PAVED DRIVEWAY	100mm PLUS DEPTH OF CONCRETE

SEE AS2032 INSTALLATION OF UPVC PIPES FOR FURTHER INFORMATION.
CONCRETE PIPE COVER SHALL BE IN ACCORDANCE WITH AS3725-1989 LOADS ON BURIED CONCRETE PIPES. HOWEVER A MINIMUM COVER OF 450mm WILL APPLY.

WHERE INSUFFICIENT COVER IS PROVIDED, THE PIPE SHALL BE COVERED AT LEAST 50mm THICK OVERLAY AND SHALL BE PAVED WITH AT LEAST:
 • 150mm REINFORCED CONCRETE WHERE SUBJECT TO HEAVY VEHICLE TRAFFIC
 • 75mm THICKNESS OF BRICK OR 150mm OF CONCRETE PAVING WHERE SUBJECT TO LIGHT VEHICLE TRAFFIC, OR
 • 50mm THICK BRICK OR CONCRETE PAVING WHERE NOT SUBJECT TO VEHICLE TRAFFIC.

PIT SIZES AND DESIGN

DEPTH (mm)	MINIMUM PIT SIZE (mm)
UP TO 450mm	450 x 450
450mm TO 600mm	600 x 600 U.N.O.
600mm TO 900mm	600 x 900 U.N.O.
FROM 900mm	900 x 900 (WITH STEP IRON)

SYMBOLS

DESCRIPTION	
DENOTE ON-SITE DETENTION TANK OR PUMP OUT TANK	
DENOTE ON-SITE DETENTION BASIN	
DENOTE ABSORPTION TRENCH	
DENOTES DOWNPIPE	
DENOTES 100mm DIA PVC (SEWER GRADE) AT 1% MIN. GRADE U.N.O.	
DENOTES 150mm DIA PVC (SEWER GRADE) AT 1% MIN. GRADE U.N.O.	
DENOTES 225mm DIA PVC (SEWER GRADE) AT 1% MIN. GRADE U.N.O.	
DENOTES AGG LINE	
DENOTES SEDIMENT FENCE	
DENOTES INSPECTION OPENING WITH SCREW DOWN LID AT FINISH SURFACE LEVEL	
DENOTES CLEANING EYE	
STORMWATER PIT - GRATED INLET	
STORMWATER PIT - SOLID COVER	
MAINTENANCE PIT	
NOR RETURN VALVE	
DENOTE ROUND FLOOR DRAINS	
DENOTE SQUARE FLOOR DRAINS	
DENOTE PLANTER BOX DRAINS	
DENOTE GRATED DRAIN	
PROPOSED FINISH FLOOR LEVEL	
DENOTE EXISTING OVERLAND FLOW PATH	
DENOTE RAINWATER TANK	
DENOTE WATER OUTLET	
REDUCED LEVEL/SURFACE LEVEL	
INVERT LEVEL	
TOP OF KERB	

SCHEDULE OF DRAWINGS

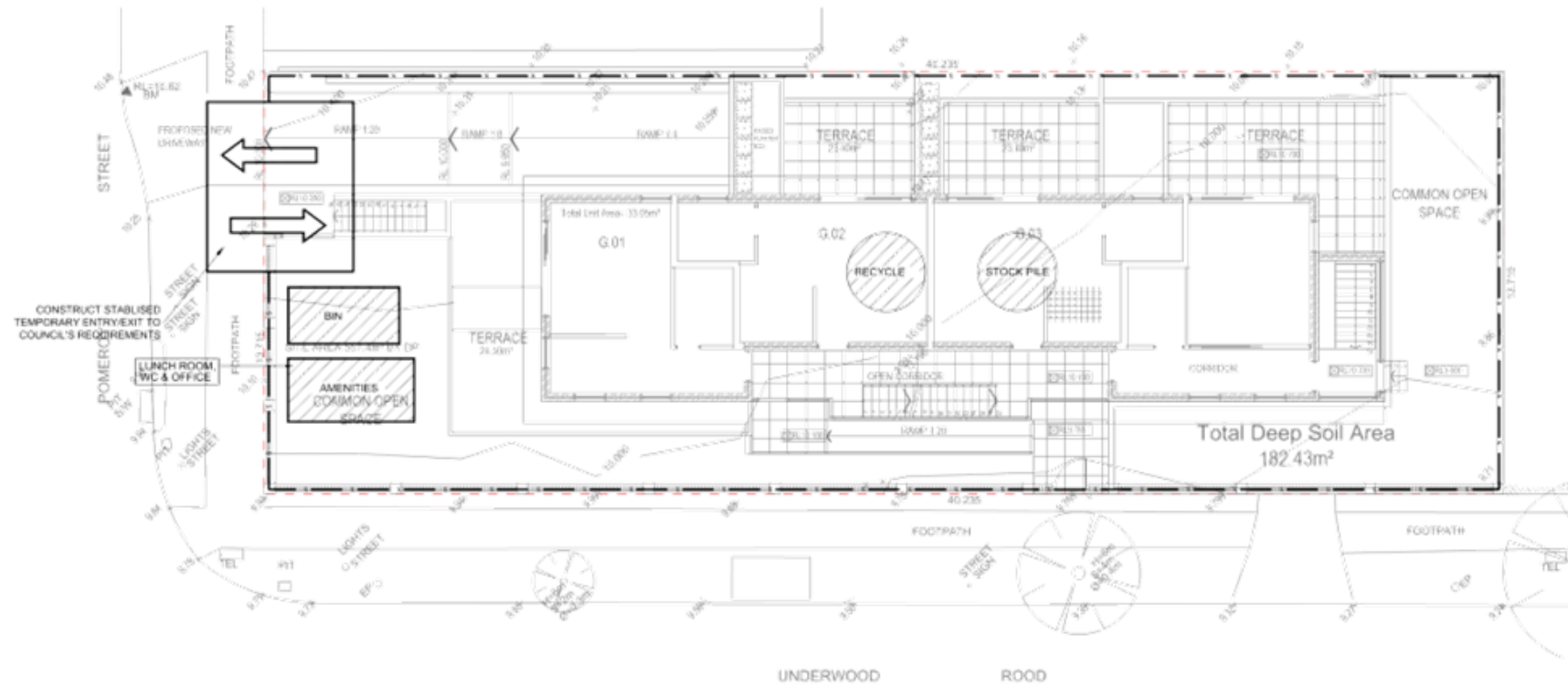
SHEET No	DESCRIPTION
COVER	GENERAL NOTES
SW01	SEDIMENT AND EROSION CONTROL PLAN
SW02	BASEMENT DRAINAGE PLAN
SW03	GROUND FLOOR AND ROOF DRAINAGE PLAN
SW04	STORMWATER SECTIONS AND DETAILS

**STRATHFIELD COUNCIL
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CONCEPT PLAN FOR DA APPROVAL

 Phone: (02) 9745 5202 Fax: (02) 8004 7461 Email: jean@alphaengineering.com.au Address: 24A Burleigh St, Burwood NSW 2134 Website: www.alohaengineering.com.au	ARCHITECT BECHARA CHAN & ASSOCIATES PTY LIMITED ACN: 150 630 872	PROJECT PROPOSED DEVELOPMENT 29 POMEROY STREET, HOMEBUSH	DRAWING TITLE GENERAL NOTES
AMENDED AS PER COUNCIL'S DA LETTER ISSUED FOR DA APPROVAL	26-10-2017 15-08-2017 07-08-2017	SCALES AS SHOWN	DESIGNED MD
		DRAFTER SY	



SEDIMENT & EROSION CONTROL PLAN
1:100 @ A1

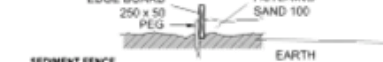
SEDIMENT AND EROSION CONTROL NOTES

SEDIMENT AND EROSION CONTROL SHALL BE EFFECTIVELY MAINTAINED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION AND SHALL NOT BE REMOVED UNTIL THE SITE HAS BEEN STABILISED OR LANDSCAPED TO THE SUPERINTENDENT'S SATISFACTION. A SINGLE ALL WEATHER ACCESS WAY WILL BE PROVIDED AT THE FRONT OF THE PROPERTY CONSISTING OF 50-75 AGGREGATE OR SIMILAR MATERIAL AT A MINIMUM THICKNESS OF 150 LAD OVER NEEDLE-PUNCHED GEOTEXTILE FABRIC AND CONSTRUCTED PRIOR TO COMMENCEMENT OF WORKS. THE CONTRACTOR SHALL ENSURE THAT NO SPOIL OR FILL ENCROACHES UPON ADJACENT AREAS FOR THE DURATION OF WORKS. THE CONTRACTOR SHALL ENSURE THAT KERB INLETS AND DRAINS RECEIVING STORMWATER SHALL BE PROTECTED AT ALL TIMES DURING DEVELOPMENT. KERB INLET SEDIMENT TRAPS SHALL BE INSTALLED ALONG THE IMMEDIATE VICINITY ALONG THE STREET FRONTAGE. SEDIMENT FENCING SHALL BE SECURED BY POST (WHERE METAL STAR PICKETS ARE USED PLASTIC SAFETY CAPS SHALL BE USED) AT 2000 INTERVALS WITH GEOTEXTILE FABRIC EMBEDDED 200 IN SOIL. ALL TOPSOIL STRIPPED FROM THE SITE AND STOCKPILED DOES NOT INTERFERE WITH DRAINAGE LINES AND STORMWATER INLETS AND WILL BE SUITABLY COVERED WITH AN IMPERVIOUS MEMBRANE MATERIAL AND SCREENED BY SEDIMENT FENCING. SOIL CONSERVATION NOTE: PRIOR TO COMMENCEMENT OF CONSTRUCTION PROVIDE 'SEDIMENT FENCE', 'SEDIMENT TRAP' AND WASHOUT AREA TO ENSURE THE CAPTURE OF WATER BORNE MATERIAL GENERATED FROM THE SITE, MAINTAIN THE ABOVE DURING THE COURSE OF CONSTRUCTION AND CLEAR THE 'SEDIMENT TRAP' AFTER EACH STORM. SEDIMENT TRAP 1000 x 1000 WIDE 500 DEEP PIT, LOCATED AT THE LOWEST POINT TO THE TRAP SEDIMENT. WASHOUT AREA TO BE 1800 x 1800 ALLOCATED FOR THE WASHING OF TOOL & EQUIPMENT. BOARD 250 x 50 PE. FILTERING SAND 100. SEDIMENT FENCE PROVIDE 'SEDIMENT FENCE' ON DOWN SLOPE BOUNDARY AS SHOWN ON PLAN. FABRIC TO BE BURIED BELOW GROUND AT LOWER EDGE.

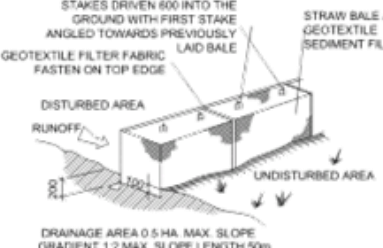
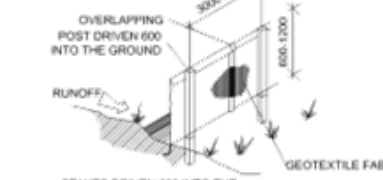
GENERAL NOTES

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS AND WITH OTHER BUI WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCY SHALL BE REFERRED TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK. ALL DIMENSIONS ARE IN MILLIMETRES & ALL LEVELS ARE IN METRES, UNO (UNLESS NOTED OTHERWISE). NO DIMENSION SHALL BE OBTAINED BY SCALING THE DRAWINGS. ALL LEVELS AND SETTING OUT DIMENSIONS SHOWN ON THE DRAWING SHALL BE CHECKED ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. DURING EXCAVATION WORK THE STRUCTURE SHALL BE MAINTAINED IN STABLE AND NO PART SHALL BE OVERSTRESSED. ALL WORK IS TO BE UNDERTAKEN IN ACCORDANCE WITH THE DETAILS SHOWN ON THE DRAWINGS & THE SPECIFICATION. EXISTING SERVICES WHERE SHOWN HAVE BEEN PLOTTED FROM SUPPLIED DATA AND SUCH THEIR ACCURACY CAN NOT BE GUARANTEED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH THE LEVEL OF ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF WORK. ALL SERVICE TRENCHES UNDER VEHICULAR PAVEMENTS SHALL BE 8M FILLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL COUNCIL. ALL TRENCH BACK FILL MATERIAL SHALL BE COMPACTED TO THE SAME DENSITY AS THE ADJACENT MATERIAL. ON COMPLETION OF STORMWATER INSTALLATION, ALL DISTURBED AREAS MUST BE RESTORED TO ORIGINAL CONDITION, INCLUDING KERB FOOTPATHS, CONCRETE AREAS, GRAVEL AND GRASSSED AREAS AND ROAD PAVEMENTS, UNLESS DIRECTED OTHERWISE. CONTRACTOR TO OBTAIN ALL AUTHORITY APPROVALS UNLESS DIRECTED OTHERWISE.

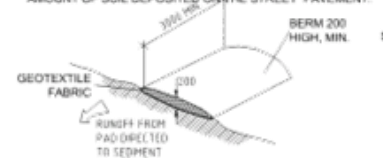
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SEDIMENT FENCE PROVIDE 'SEDIMENT FENCE' ON DOWN SLOPE BOUNDARY AS SHOWN ON PLAN. FABRIC TO BE BURIED BELOW GROUND AT LOWER EDGE.



VEHICLE ACCESS TO SITE VEHICLE ACCESS TO THE BUILDING SITE SHOULD BE RESTRICTED TO A SINGLE POINT SO AS TO REDUCE THE AMOUNT OF SOIL DEPOSITED ON THE STREET PAVEMENT.



STORMWATER DRAINAGE

THE STORMWATER DRAINAGE DESIGN HAS BEEN CARRIED OUT IN ACCORDANCE WITH AS/NZS 3500.3 - 1990 'STORMWATER DRAINAGE' & AS/NZS 3500.3.2-1998 'STORMWATER DRAINAGE - ACCEPTABLE SOLUTIONS'.

ANY VARIATIONS TO THE NOMINATED LEVELS SHALL BE REFERRED TO ENGINEER IMMEDIATELY.

ANY VARIATIONS TO SPECIFIED PRODUCTS OR DETAILS SHALL BE REFERRED TO THE ENGINEER FOR APPROVAL.

DOWN PIPES SHALL BE A MINIMUM OF DN100 50% GRADE UPVC OR 100/100 COLORBOND/ZINCALUME STEEL LINO.

BOX COLORBOND OR ZINCALUME STEEL GUTTERS SHALL BE A MINIMUM OF 450 WIDE X 150 DEEP.

EAVES GUTTERS SHALL BE A MINIMUM OF 125 WIDE X 100 DEEP (OR OF EQUIVALENT AREA) COLORBOND OR ZINCALUME STEEL.

SUBSOIL DRAINAGE SHALL BE PROVIDED TO ALL RETAINING WALLS & EMBANKMENTS, WITH THE LINES FEEDING INTO THE STORMWATER DRAINAGE SYSTEM.

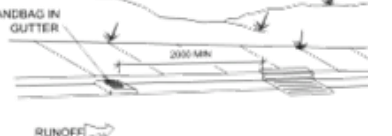
BUILDING MATERIAL STOCKPILES

ALL STOCKPILES OF BUILDING MATERIAL SUCH AS SAND OR SOIL MUST BE PROTECTED TO PREVENT SCOUR AND EROSION. STOCKPILES SHOULD NEVER BE PLACED IN THE STREET GUTTER WHERE THEY WILL WASH AWAY WITH THE FIRST RAINSTORM.



SANDBAG KERB SEDIMENT TRAP

IN CERTAIN CIRCUMSTANCES EXTRA SEDIMENT TRAPPING BE NEEDED IN THE STREET GUTTER.



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CONCEPT PLAN FOR DA APPROVAL

C	AMENDED AS PER COUNCIL'S DA LETTER	26-10-2017
B	ISSUED FOR DA APPROVAL	15-08-2017
A	ISSUED FOR COORDINATION	07-08-2017

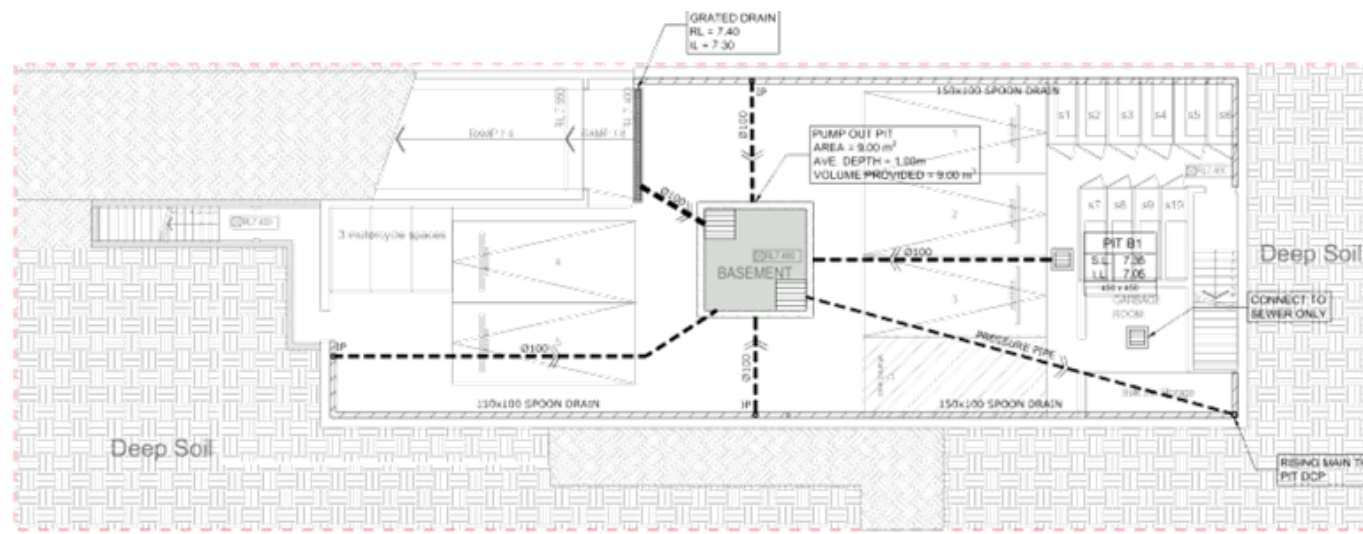
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PROJECT
 PROPOSED DEVELOPMENT
 29 POMEROY STREET,
 HOMEBUSH

DRAWING TITLE
 SEDIMENT AND EROSION CONTROL PLAN

SCALES AS SHOWN	DESIGNED MD	DRAFT SY
PREPARED BY ADD/REV	DATE	DESCRIPTION



BASEMENT DRAINAGE PLAN

1:100 @ A1

ALL DRAINAGE LINES SHALL BE UPVC (CLASS SH) STORMWATER DRAINAGE PIPE, UNO.

ALL DRAINAGE LINES SHALL BE LAID @ 1% FALL MIN. UNO. FIRST FLUSH RAINWATER DEVICES TO BE FITTED TO DRAINAGE LINES TO BUILDER'S DETAIL, TYPICAL MINIMUM EFFECTIVE EAVES GUTTER SIZE = 6700 mm². MINIMUM EFFECTIVE EAVES GUTTER SLOPE = 1:500

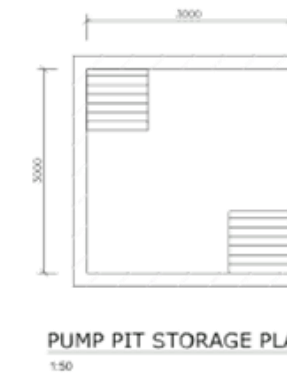
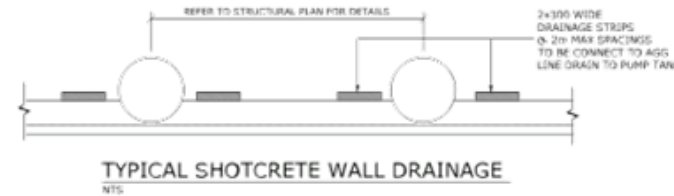
THE FOLLOWING SYMBOLS & ABBREVIATIONS HAVE BEEN USED:

- DP = Ø150 UNO
- FD = FLOOR OUTLET, REFER TO DETAIL
- SIP = SURFACE INLET PIT (NO LINTEL)
- 1000 = Ø100 CHARGED LINE
- IP = Ø150 INSPECTION POINT
- RAH = RAIN WATER HEAD
- RWO = RAIN WATER OUTLET (300 x 300)
- FG = FLOOR GULLY Ø150
- SM = RAINWATER SPREADER
- RL 6.20 = PROPOSED FINISHED SURFACE LEVEL



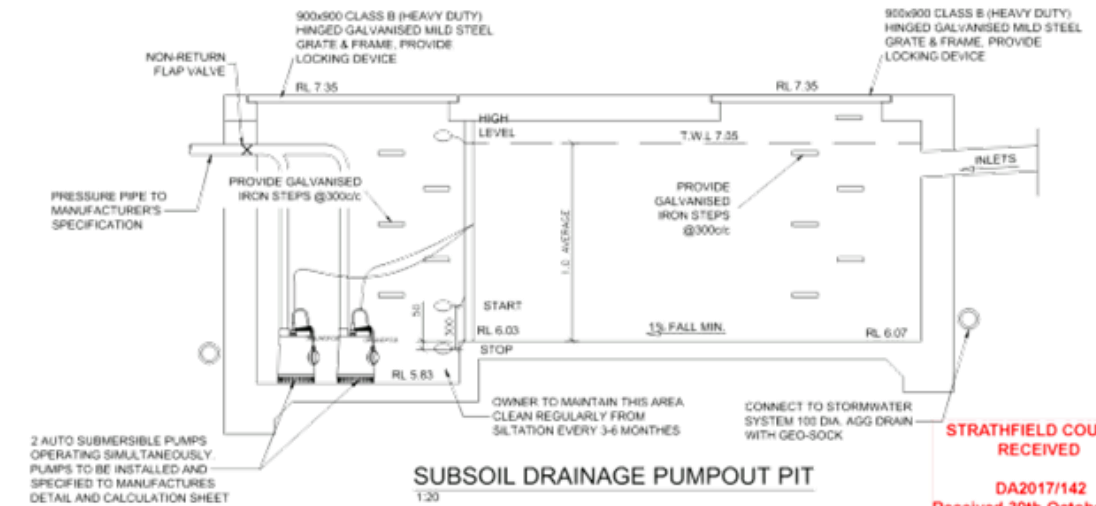
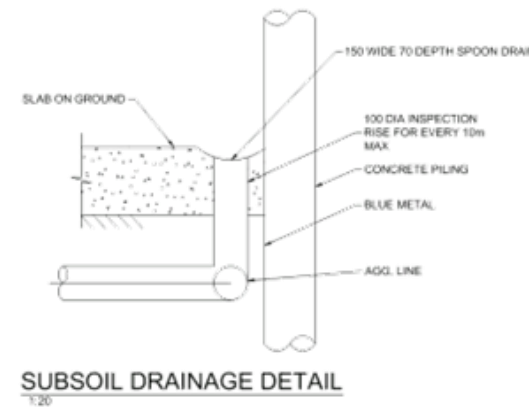
CONFINED SPACE WARNING SIGN TO BE PLACED INSIDE PUMPOUT PIT & OSD TANK
NOT TO SCALE

PUMP DESIGN SUMMARY
CATCHMENT AREA = 74.30 m² (DRIVEWAY RAMP)
1:100 ARI 4 HOUR STORM = 25.2 mm/hr
TOTAL WATER = 4 x 25.2 mm = 100.8 mm
TOTAL STORAGE VOLUME REQUIRED = 0.1008 x 74 = 7.46 m³
TOTAL VOLUME REQUIRED = 7.46 m³
PUMP OUT TANK STORAGE = 9.00 m³
PUMP HEAD = 7 m
RAINFALL INTENSITY FOR CALCULATIONS = 100 YEAR ARI
STORM DURATION 5 MINUTE = 210 mm/hr
PUMP RATE REQUIRED = 210 x 74.00 / 3600 = 4.32 l/s



STANDARD PUMP OUT DESIGN NOTES
THE PUMP OUT SYSTEM SHALL BE DESIGNED TO BE OPERATED IN THE FOLLOWING MANNER:-

- > THE PUMPS SHALL BE PROGRAMMED TO WORK ALTERNATIVELY SO AS TO ALLOW BOTH PUMPS TO HAVE AN EQUAL OPERATION LOAD AND PUMP LIFE.
- > A LOW LEVEL FLOAT SHALL BE PROVIDED TO ENSURE THAT THE MINIMUM REQUIRED WATER LEVEL IS MAINTAINED WITHIN THE SUMP AREA OF THE BELOW GROUND TANK. IN THIS REGARD THIS FLOAT WILL FUNCTION AS AN OFF SWITCH FOR THE PUMPS.
- > A SECOND FLOAT SHALL BE PROVIDED AT A HIGHER LEVEL, APPROXIMATELY 300mm ABOVE THE MINIMUM WATER LEVEL. WHEREBY ONE OF THE PUMPS WILL OPERATE AND DRAIN THE TANK TO THE LEVEL OF THE LOW-LEVEL FLOAT.
- > A THIRD FLOAT SHALL BE PROVIDED AT A HIGH LEVEL, WHICH IS APPROXIMATELY THE ROOF LEVEL OF THE BELOW GROUND TANK. THIS FLOAT SHOULD START THE OTHER PUMP THAT IS NOT OPERATING AND ACTIVATE THE ALARM.
- > AN ALARM SYSTEM SHALL BE PROVIDED WITH A FLASHING STROBE LIGHT AND A PUMP FAILURE WARNING SIGN WHICH ARE TO BE LOCATED AT THE DRIVEWAY ENTRANCE TO THE BASEMENT LEVEL. THE ALARM SYSTEM SHALL BE PROVIDED WITH A BATTERY BACK-UP IN CASE OF POWER FAILURE.



STRATHFIELD COUNCIL RECEIVED
DA2017/142
Received 30th October 2017

CONCEPT PLAN FOR DA APPROVAL

AMENDED AS PER COUNCIL'S DA LETTER	26-10-2017
ISSUED FOR DA APPROVAL	15-08-2017
ISSUED FOR CONSTRUCTION	07-08-2017

ALPHA
ENGINEERING & DEVELOPMENT

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Address: 24A Burleigh St, Burwood NSW 2134
Website: www.alphaengineering.com.au

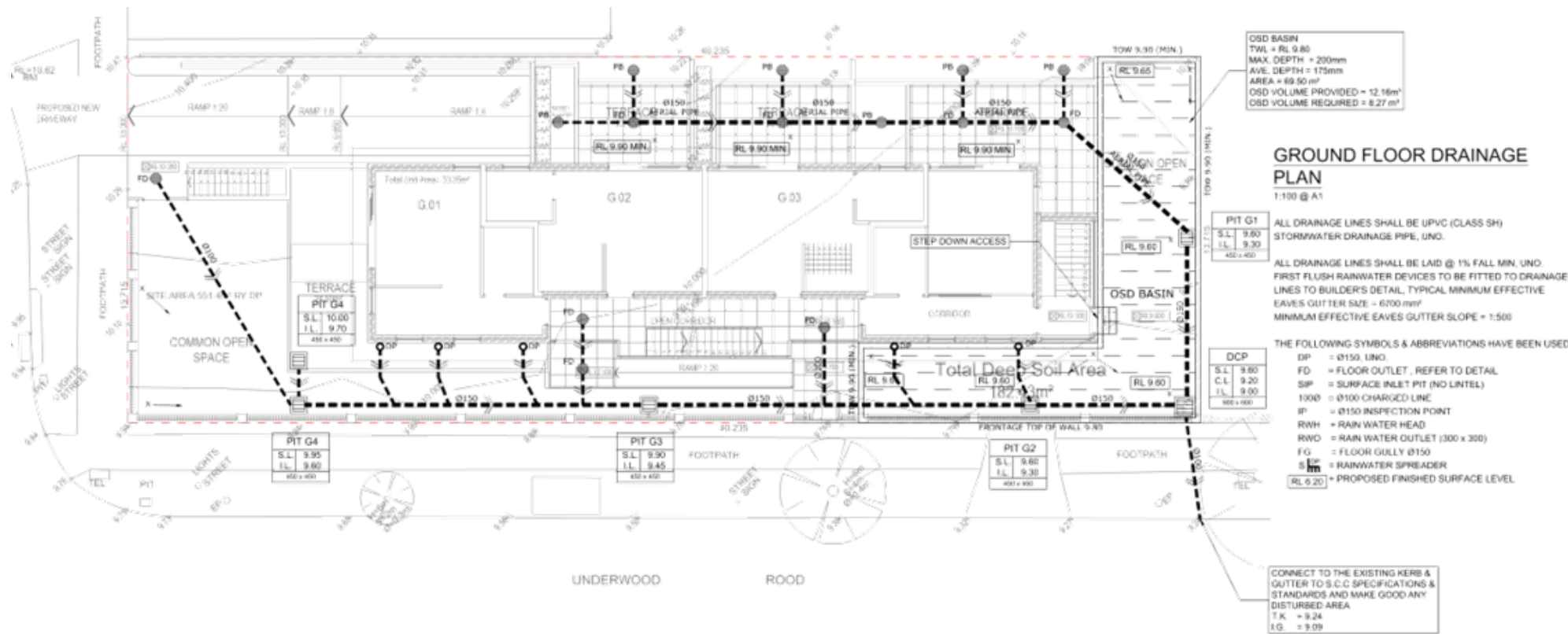
ARCHITECT

BCA
BECHARA CHAN & ASSOCIATES PTY LIMITED
ACN: 150 630 872

PROJECT
PROPOSED DEVELOPMENT
29 POMEROY STREET,
HOMEBUSH

DRAWING TITLE
BASEMENT DRAINAGE PLAN

SCALES AS SHOWN	DESIGNED MD	DRAF SY
--------------------	----------------	------------



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On-site Detention Check Sheet

Location: 29 Pomeroy St, Homebush Job No. A7202
Designer: Alpha Engineering & Development Phone: 02 9745 5202
Total Site Area 551.4 sq.m

2yr Allowable Discharge 100% of Site	Q2a = C.A. x 13	7.17 L/s
10yr Allowable Discharge 100% of Site	Q10a = C.A. x 17	9.37 L/s
100yr Allowable Discharge 100% of Site	Q100a = C.A. x 23	12.68 L/s
2yr Site Storage Volume	V2 = C.A. x 6	3.31 m ³
10yr Site Storage Volume	V10 = C.A. x 9	4.96 m ³
100yr Site Storage Volume	V100 = C.A. x 15	8.27 m ³

Head to Orifice Plate

2yr Site Storage Volume	H2 =	240 mm
10yr Site Storage Volume	H10 =	360 mm
100yr Site Storage Volume	H100 =	600 mm

ORIFICE PLATE SIZING A=Q/C(2gh)^{1/2}*1000 Use 'C' = 0.60 for Sharp edge orifice

	2yr	10yr	100yr
Q2	7.17	Q10	9.37
C	0.6	C	0.6
g	9.81	g	9.81
h	0.240	h	0.360
A	0.0055 sq.m	A	0.0059 sq.m
Required	84 mm	Required	87 mm
		Required	89 mm

Orifice Plate Diameter Required = 84mm

On-site Detention Check Sheet

OVERFLOW WEIR SIZING
OVERFLOW WEIR CALCULATIONS 1:10 YEAR ARI

Enter Variables to find Flow through Orifice in 1:10yr A.R.I. Storm
Enter Variables to find Q $Q=C^2A(2gh)^{3/2}$

C	0.6
A	0.0055
Calculated Diameter	84
g	9.81
h	0.360

Q = 8.78 l/s Permissible 1:10 yr Site Discharge 9.37 l/s

10 Yr $Q(10-2) = 0.59$
L = 0.9
D = 0.0054 m

Weir Dimensions 900 mm Wide 5 mm D

OVERFLOW WEIR CALCULATIONS 1:100Year ARI

Enter Variables to find Flow through Orifice in 1:100yr A.R.I. Storm
Enter Variables to find Q $Q=C^2A(2gh)^{3/2}$

C	0.6
A	0.0055
Calculated Diameter	84
g	9.81
h	0.600

Q = 11.33 l/s Permissible 1:100yr Site Discharge 12.68 l/s

100 Yr $Q(100-2) = 1.35$
L = 0.9
D = 0.0093 m

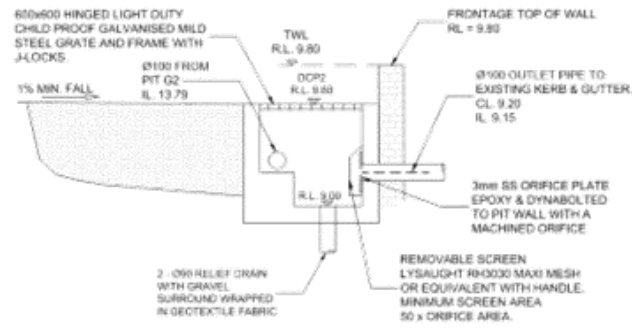
Weir Dimensions 900 mm Wide 9 mm D

CONCEPT PLAN FOR DA APPROVAL

AMENDED AS PER COUNCIL'S DA LETTER ISSUED FOR DA APPROVAL ISSUED FOR COORDINATION	26-10-2017 15-08-2017 07-08-2017	<p>Phone: (02) 9745 5202 Fax: (02) 8004 7461 Email: jean@alphaengineering.com.au Address: 24A Burleigh St, Burwood NSW 2134 Website: www.alphaengineering.com.au</p>	<p>ARCHITECT</p> <p>BECHARA CHAN & ASSOCIATES PTY LIMITED ACN: 130 630 872</p>	<p>PROJECT</p> <p>PROPOSED DEVELOPMENT 29 POMEROY STREET, HOMEBUSH</p>	<p>DRAWING TITLE</p> <p>GROUND FLOOR DRAINAGE PLAN</p> <table border="1"> <tr> <td>SCALES</td> <td>DESIGNED</td> <td>DRAWN</td> </tr> <tr> <td>AS SHOWN</td> <td>MD</td> <td>SY</td> </tr> </table>	SCALES	DESIGNED	DRAWN	AS SHOWN	MD	SY
SCALES	DESIGNED	DRAWN									
AS SHOWN	MD	SY									



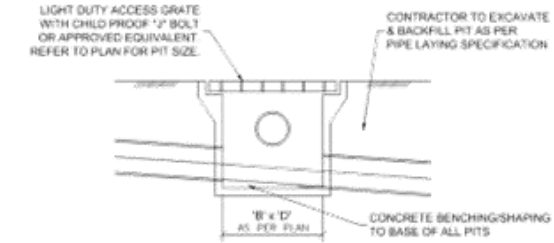
OSD BASIN PLAN
1:100



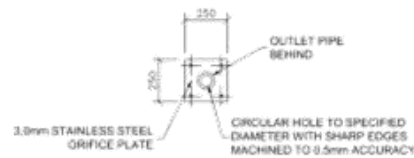
OSD SECTION A AT OUTLET 1:20



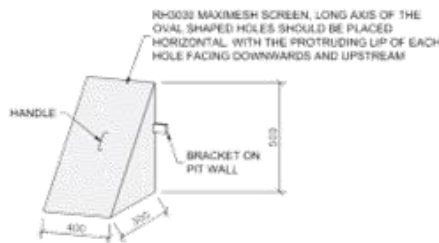
OSD SIGN
N.T.S.



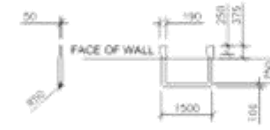
TYPICAL SURFACE INLET PIT
DETAIL 1:100
TYPICAL FOR ALL PITS IN NON TRAFFIC AREAS.



ORIFICE PLATE
DETAIL 1:20

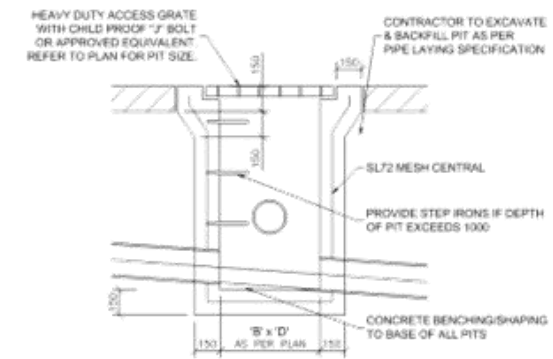


STANDARD TRASH
SCREEN N.T.S.



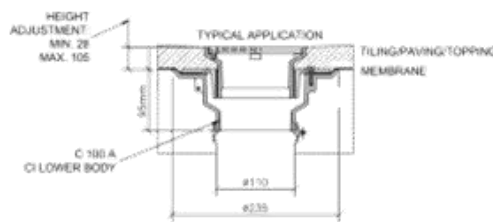
STEP IRONS FOR
DRAINAGE PITS
NOTE:
1. FIRST RUNG 150mm DOWN FROM TOP,
THEN SPACED AT 300 CENTRES.
2. STEP IRON MATERIAL, 25th DIAMETER
MILD STEEL, HEAVY GALVANISED.

STEP IRONS FOR
DRAINAGE PITS 1:100

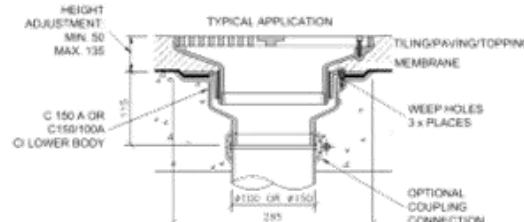
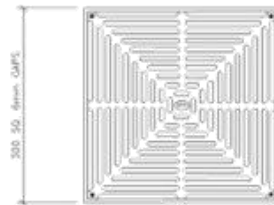


TYPICAL SURFACE INLET PIT
DETAIL 1:100
TYPICAL FOR ALL PITS IN DRIVEWAY/CARPARK AREAS.

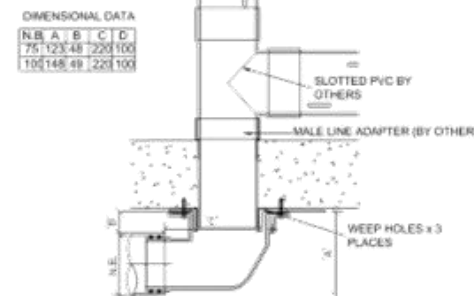
STRATHFIELD COUNCIL
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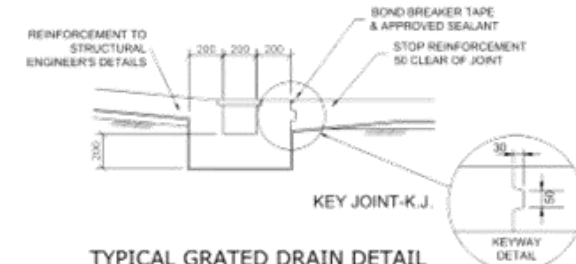
TYPICAL Ø150 FLOOR DRAIN (FD) INLET IN SUSPENDED SLAB
1:5
SPECIFICATION CODE:
50 G-C (BRONZE GRATE, C LOWER BODY)
50N-C NICKEL - BRONZE GRATE, C LOWER BODY
50 S-C (316 STAINLESS STEEL GRATE, C LOWER BODY)



TYPICAL 300 SQ. FLOOR DRAIN (FD) INLET IN SUSPENDED SLAB
1:5
SPECIFICATION CODE:
Q300N2 x C (NICKEL-BRONZE GRATE, C LOWER BODY)
Q300S2 x C (316 STAINLESS STEEL GRATE, C LOWER BODY)



TYPICAL 100 SQ. PLANTER BOX DRAIN
1:5
SPECIFICATION CODE:
C100/90 A 100mm SIDE OUTLET



TYPICAL GRATED DRAIN DETAIL
1:20

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ARCHITECT

BCA
BECHARA CHAN & ASSOCIATES PTY LIMITED
ACH: 150 630 872

PROJECT
PROPOSED DEVELOPMENT
29 POMEROY STREET,
HOMEBUSH

DRAWING TITLE STORMWATER SECTIONS & DETAILS		
SCALES AS SHOWN	DESIGNED MD	DRAWN SY

Schedule of Colours and Finishes

29 Pomeroy St, Homebush 2140

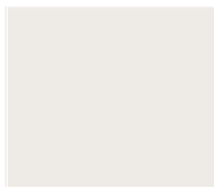
REV C
ISSUED 06.11.2017



ASSOCIATES

BECHARA CHAN

- **A** Exterior walls rendered & painted with Dulux Natural White



- **B** Face brick Walls - Bowral Gertrudis Brown



- **C** Aluminium Door, Window Frames & Louvres with Dulux Colorbond Woodland Grey



- **D** Exterior walls & Fence Wall rendered & painted with Dulux Domino



- **E** Wall Cladding painted with Dulux Timeless Grey



- **F** Face brick Walls - Bowral Chillingham White



- **G** Timber Look Metal Cladding - Innowood American Oak



- **H** Aluminium Window Frames on top level with Dulux Colorbond 'Suffmist'



Note: *All painted finishes to be embedded into 1.5mm "Rockcote" Acrylic based polymer" render for improved longevity & product durability.

** All finishes can be changed to similar look

TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017
REPORT: SIHAP – Report No. 6
SUBJECT: 166 HOMEBUSH ROAD, STRATHFIELD LOT 9 DP5984
DA NO. 2017/151

SUMMARY

Proposal: Construction and use of a secondary dwelling
Applicant: Envirospace T/A Nigel Parsons & Associate Architects
Owner: Eric & Lily Shen
Date of lodgement: 17 October 2017
Notification period: 14 days
Submissions received: Three (3) written submissions were received
Assessment officer: BC
Estimated cost of works: \$180,000
Zoning: R2- Low Density Residential - SLEP 2012
Heritage: N/A
Flood affected: Yes
RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 Approval is sought for the construction and use of a secondary dwelling.
- 2.0 The application and plans were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005 with three (3) written submissions received. The submissions raised concerns for the impacts of overlooking and associated privacy concerns.
- 3.0 The proposed development comprises of the construction and use of a secondary dwelling. Principal issues including the preservation of the tree, setbacks and visual privacy are key in terms of the construction of the secondary dwelling. The subject site is also flood affected, flooding impacts are to be considered as part of the proposed development.
- 4.0 The Development Application is recommended for approval subject to conditions of consent.

The subject application was referred to Council's Internal Development Assessment Panel (IDAP) for consideration on 22 November 2017. The Panel supported the Assessing Officer's recommendation and associated conditions and recommended that the application be referred to SIHAP for determination.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 9 DP5984 and is commonly known as 166 Homebush Road, Strathfield. The site is located on the eastern side of Homebush Road and has an area of 1011m².

The site is rectangular in shape and has a frontage of 20.15m to the west, rear boundary of 20.15m to the east, side boundary length of 50.29m to the north, and side boundary length of 50.29m to the south.

The site has a natural fall to the front and slopes in a south-western direction with a cross-fall of 2.36m.

Existing development on the site comprises of a two (2) storey dwelling house. Vehicular access is provided to the site via an existing driveway from the southern portion of the site to an existing garage.

The current streetscape is characterised with a mixture of two (2) storey and single storey dwelling houses. There is also a mixture of both rendered and face brick front fences to compliment the street. There a couple of heritage items located within the vicinity of the subject site. I162 'Kiameran-Californian Bungalow' is located directly across Homebush Road at 151 Homebush Road and I163 'Swanwick'-Federation House located north of the subject site at 160 Homebush Road, Strathfield.

The surrounding area is characterised by low lying residential development throughout the existing landscape with Strathfield Park located directly south of the subject site.

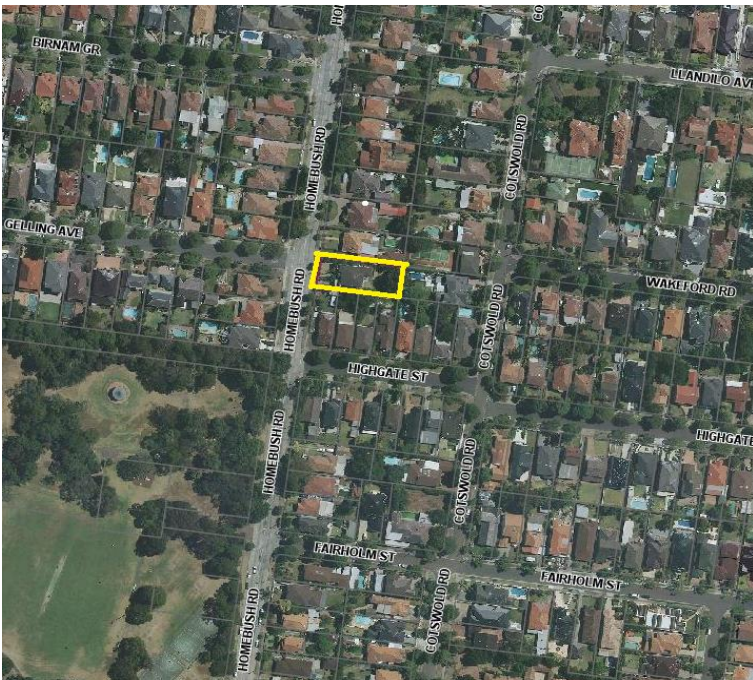


Figure 1: Aerial view of subject site and surrounding residential and recreational development

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)



Figure 2: Streetscape view of subject site

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for construction and use of a secondary dwelling.

The specific elements of the proposal are:

- Construction of a single-storey secondary dwelling.
- Demolition of existing retaining wall.
- Construction of retaining wall to same specifications as existing retaining wall.
- Construction of terrace east of the secondary dwelling under the same roof line as secondary dwelling.
- Construction of terrace forming part of the main entrance north of the secondary dwelling.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)



Figure 3: View of existing landscape where secondary dwelling is proposed, showing 59 & 61 Highgate Street beyond boundary fencing



Figure 4: View of rear yard looking north towards existing Liquidambar

REFERRALS

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

INTERNAL REFERRALS

Engineering Comments

Council's Engineer has commented on the proposal as follows:

"I have referred to the development application referenced above and reviewed the stormwater drainage concept plan prepared by United Consulting Engineers issue B sheet 1 of 2 drawing no. 17MB7504/D01 dated 07.09.2017. The subject site has a natural fall to the front, disposal by means of gravity is attainable and connection to existing outlet pipe has enabled the applicant to submit a compliant design. The provision of water sensitive urban design is not required as the site is less than 2000m2. OSD provision is not required as the cumulative imperviousness is less than 65% of total site area. The site discharges to the street kerb and gutter by means of gravity via the existing boundary pit. The roof runoff of the proposed secondary dwelling drains into an above ground rainwater in accordance with BASIX requirements via downpipes by charged means. The overflow from the tank drains into the existing boundary pit by gravity means via the overflow pipe. From an engineering perspective, the concept plan is feasible and there are no objections to its approval subject to the following conditions attached."

Council's Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Landscaping Comments

Council's Tree Coordinator has commented on the proposal as follows:

"The proposal appears generally acceptable subject to the conditions below"

Council's Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – (AFFORDABLE RENTAL HOUSING) 2009

Pursuant to Division 2 Clause 19 of State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009 "development for the purpose of a **secondary dwelling** includes the following...

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

- (a) The erection of, or alterations or additions to, a secondary dwelling,
- (b) alterations or additions to a principal dwelling for the purpose of a secondary dwelling.

Note: The standard instrument defines secondary dwelling as follows:

Secondary dwelling means a self-contained dwelling that:

- a) is established in conjunction with another dwelling (the principal dwelling), and
- b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
- c) is located within, or is attached to, or is separate from, the principal dwelling.”

The proposed development meets the definition of secondary dwelling as defined under the SEPP (Affordable Rental Housing) 2009 and the standard instrument.

Division 2 of the SEPP (Affordable Rental Housing) 2009 sets out the requirements for secondary dwellings as follows:

Clause	Requirement	Complies
20 – <i>Land to Which Division Applies.</i>	Division applies to land within the R2 General Residential Zone.	Yes.
21 – <i>Development to which Division Applies</i>	Division 2 applies to development, on land to which this Division applies, for the purposes of a secondary dwelling.	Yes
22 - <i>Development May be Carried out with Consent</i>	(1) <i>Development to which this Division applies may be carried out without consent.</i>	Yes. The Division applies to the proposed development on the subject site.
	(2) <i>A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land, any dwelling other than the principal dwelling and the secondary dwelling.</i>	Yes. The proposal results in a principal dwelling and a secondary dwelling only.
	(3) A consent authority must not consent to development to which this Division applies unless: <ul style="list-style-type: none"> (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under another environmental planning instrument, and (b) the total floor area of the secondary dwelling is no 	(a) Yes. The proposed FSR of 0.37:1 (386.83m ²) complies with the maximum allowable FSR of 0.50:1 (506m ²) under the SLEP 2012. (b) Yes. The total area of the secondary dwelling is 60m ² .

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

	more than 60 square metres or, if greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument	
	(4) A consent authority must not refuse consent to development to which this Division applies on either of the following grounds: (b) parking if no additional parking is to be provided on the site.	Noted. No additional car parking is proposed.

For the consideration of merit assessment, an assessment against the complying developments standards in Schedule 1 of the SEPP (Affordable Rental Housing) 2009 for secondary dwelling has been undertaken in the table below.

Clause	Development Control	Required	Proposed	Compliance
2(1)	Primary frontage	15m	20.15m	Yes
3(1)	Site Cover	Max 40%	<40%	Yes
4(1)	Secondary Dwelling: Maximum Floor Area	60m ²	The proposal seeks to provide a total floor area of 60m ² .	Yes
6(1)	Building Height	Maximum height 8.5m above existing ground level.	The proposal seeks to provide a maximum building height of 4.96m.	Yes.
9(1)	Setbacks from Side Boundaries	900m ² – 1500m ² : 1.5m	The proposal provides a 900mm setback to the site's southern side boundary and 12.5m to the northern side boundary	No, refer to discussion
10(1)	Setbacks from Rear boundaries	900m ² – 1500m ² : 5m	The proposal seeks to provide a total 1.18m rear setback from terrace and 4.18m to the wall of the dwelling	No, refer to discussion
4(16)	Landscaping	25%	>25%	Yes
4(17)	Principle private open space	24m ²	24m ²	Yes

The assessment undertaken above indicates that the proposed secondary dwelling does not satisfy complying development under the SEPP (Affordable Rental Housing) 2009 with respect to side and rear setbacks, due to the requirement for the retention of a liquidamber tree. Therefore the proposed secondary dwelling has been lodged as a development application for a merit based assessment.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

Cl. 1.2(2) Aims	Complies
(a) <i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b) <i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c) <i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	Yes
(d) <i>To provide opportunities for economic growth that will enhance the local community</i>	Yes
(e) <i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	Yes
(f) <i>To identify and protect environmental and cultural heritage</i>	Yes
(g) <i>To promote opportunities for social, cultural and community activities</i>	Yes
(h) <i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: The proposed development is generally consistent with the aims of the *Strathfield Local Environmental Plan 2012* which seeks the construction and use of a secondary dwelling.

Permissibility

The subject site is Zoned R2- Low Density Residential under Strathfield Local Environmental Plan (SLEP) 2012.

Secondary dwellings are permissible within the R2- Low Density Residential Zone with consent and is defined under SLEP 2012 as follows:

“secondary dwelling means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.”

The proposed development for the purpose of construction of a secondary dwelling is consistent with the definition above and is permissible within the R2- Low Density Residential Zone with consent.

Zone Objectives

An assessment of the proposal against the objectives of the R2- Low Density Residential Zone is included below:

Objectives	Complies
➤ <i>To provide for the housing needs of the community within a low density residential environment.</i>	Yes
➤ <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i>	Yes
➤ <i>To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.</i>	Yes

Comments: The proposal has considered the zone objectives by providing for the housing needs of the community within a low density residential setting. The proposed development will not

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

adversely impact upon the heritage significance of the heritage items within the vicinity of the subject site.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	4.96m	Yes

	Objectives	Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	0.50:1 (505.5m ²)	0.37:1 (376.83m ²)	Yes

	Objectives	Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area	Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas	Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties	Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes
(e)	In relation to Strathfield Town Centre: i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development	Yes
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor	Yes

Comments: The proposed development achieves compliance with the relevant FSR provisions for the site under the SLEP 2012. The secondary dwelling will result in a bulk and scale which is compatible with the existing principal dwelling and maintain the amenity of the adjoining properties through appropriate window treatments.

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the SLEP 2012 are addressed below as part of this assessment:

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

5.4 Controls relating to miscellaneous permissible uses

Clause 5.4 (9) requires the total floor area of secondary dwellings to not exceed 60m² or 20% (77.35m²) of the total floor area of the principal dwelling. As the proposal seeks to provide a total floor area of 60m², the proposed secondary dwelling complies with this provision.

5.10 Heritage Conservation

Clause 5.10 of the *SLEP 2012* requires consideration be given to the impacts of the development upon the significance of heritage items. As the proposed development is in the rear of the property, the proposal is considered to not adversely impact upon the heritage significance of 1162 'Kiameran-Californian Bungalow, and and 1163 'Swanwick'-Federation House, along Homebush Road.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the *SLEP 2012* are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the *SLEP 2012*.

6.2 Earthworks

The proposed development requires minimal soil disturbance. Appropriate conditions of consent are to be imposed.

6.3 Flood planning

The subject site is located within the 1 in 100 year flood level. Council's Engineer has recommended a number of special conditions to ensure the proposed development does not adversely impact flood planning.

6.4 Essential services

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

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within *SCDCP 2005*.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

An assessment of the proposal against the objectives contained within Clause 1.3 of Part A of SCDCP 2005 is included below:

No.	Objectives	Complies
A	<i>To preserve and enhance the residential amenity and heritage value of buildings in the Strathfield Municipality</i>	Yes
B	<i>To encourage construction of environmentally sustainable dwelling houses and ancillary structures</i>	Yes
C	<i>To preserve the appearance of dwellings in tree-lined streets and park-like settings</i>	Yes
D	<i>To maintain compatible architectural styles of dwelling houses within the streetscape</i>	Yes
E	<i>To encourage innovation in housing design and detail</i>	Yes
F	<i>To maintain continuity of streetscape by requiring new and altered dwellings to be constructed to a similar size and scale to adjoining developments</i>	Yes
G	<i>To provide a high standard of dwelling house design, construction and finish</i>	Yes
H	<i>To maximise solar access to existing and proposed developments</i>	Yes
I	<i>To provide adequate and convenient on-site car parking</i>	Yes

Comments:

- The proposed secondary dwelling incorporates a pitched roof form with building materials compatible with the principal dwelling and surrounding streetscape.

Streetscape

Cl. 3.2	Objectives	Complies
A.	<i>Ensure that development respects the height, scale, character, materials and architectural qualities of the surrounding neighbourhood, including any adjoining or nearby heritage item or heritage conservation area</i>	Yes
B.	<i>Protect and retain the amenity of adjoining properties</i>	Yes
C.	<i>Discourage the use of non-responsive streetscape elements</i>	Yes
D.	<i>Ensure that each new dwelling, addition or alteration respects the predominant height, bulk and scale of existing residential development in the immediate vicinity</i>	Yes
E.	<i>Ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements</i>	Yes
F.	<i>Retain a feeling of openness and space between built elements by maintaining landscaped setbacks</i>	Yes
G.	<i>Ensure that new dwellings have facades, which define, address, and enhance the public domain</i>	Yes
H.	<i>Preserve the appearance of dwellings set in the tree lined streets and park-like environment</i>	Yes
I.	<i>Achieve quality architecture in new development through the appropriate composition and articulation of building elements</i>	Yes
J.	<i>Encourage building materials, colours and finishes that are sympathetic to the materials and finishes of surrounding buildings and can be integrated into the overall building form</i>	Yes
K.	<i>To ensure fencing is sympathetic to the design of the dwelling and enhances the character of both the individual house and street</i>	Yes

Cl.	Element	Controls	Complies
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166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

3.3.1	<i>Neighbourhood character and amenity</i>	(1) <i>New dwellings positioned and oriented to address the street frontage and complement the existing pattern of development in the street</i> (2) <i>Consistently occurring positive building façade features within existing streetscape incorporated into the dwelling design</i>	Yes
3.3.2	<i>Scale, massing and rhythm</i>	(1) <i>Overall scale, massing, bulk and layout to complement existing streetscape</i> (2) <i>New buildings, alterations and additions shall reflect dominant building rhythm in the street</i>	Yes
3.3.4	<i>Materials, colours, roof forms and architectural detailing</i>	(1) <i>Roof design to be similar in pitch, materials and colour to roofs in the immediate streetscape</i> (2) <i>Colours of garages, window frames, ventilation and downpipes and balustrading on main facades and elevation to complement external design of the building</i> (3) <i>Building form to be articulated to avoid large expanses of unbroken wall.</i> (4) <i>In relation to heritage items or buildings within a conservation area, cement render of previously unrendered masonry is not permitted</i> (5) <i>Materials used for additions and ancillary structures to be compatible with the existing dwelling house</i> (6) <i>Monotone face brick walls and tiled roofs used where they are existing in the immediate streetscape</i> (7) <i>Highly reflective materials are not acceptable for roof or wall cladding</i>	Yes

Comments:

- The proposed schedule of colours and finishes includes colourbond surfmist render, black cement roof tiles, colourbond 'surfmist' gutters, and black aluminium commercial framed windows to match the existing principal dwelling. A condition of consent is to be recommended for the external colours and finishes to be consistent with the schedule approved as part of the development consent.

Architectural Design and Details

Cl. 5.2 Objectives	Complies
A. <i>Encourage architecture that is innovative and that uses high quality detailing, blending elements characteristic of Strathfield with contemporary materials and features</i>	Yes
B. <i>Encourage building materials and finishes which are sympathetic to the materials and finishes within the surrounding context</i>	Yes
C. <i>Require the use of colours that are sympathetic to the surrounding dwelling and streetscape that is within proximity of the new development.</i>	Yes
D. <i>Reduce the use of highly reflective colours and materials that create visual prominence</i>	Yes
E. <i>Building forms should be compatible with the existing dwelling house (in the case of alteration and additions) or with adjoining dwelling houses and the streetscape in terms of type, form and colour</i>	Yes

Comments: The proposed pitched roof forms of the secondary dwelling is compatible with the pitched roof of the existing principal dwelling and the prevailing roof form within the surrounding streetscape.

Ecologically Sustainable Development

Cl. 6.2 Objectives	Complies
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166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

A.	<i>Encourage passive and active strategies in the design of dwellings and promote the achievement of ecologically sustainable practices</i>	Yes
B.	<i>Ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating</i>	Yes
C.	<i>Minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies</i>	Yes
D.	<i>Utilise low greenhouse impact water systems technology in all new dwellings</i>	Yes
E.	<i>Achieve greater efficiency in domestic energy consumption, thereby helping to alleviate the effects of greenhouse emissions</i>	Yes

Cl.	Element	Controls	Complies
6.3.1	<i>Solar access and natural lighting</i>	<p>(1) <i>The design of new dwellings should ensure that living areas face north, sleeping areas face to the east or south, and utility areas to the west or south to maximise winter solar access.</i></p> <p>(2) <i>In new dwellings, solar access to the windows of habitable rooms and to at least 50% of private open space must be provided or achieved for a minimum period of 4 hours between 9.00am and 3.00pm at the winter solstice (June 22).</i></p> <p>(3) <i>In the case of alterations or additions to existing dwellings, solar access to the windows of habitable rooms and to the majority of private open space of adjoining properties must be substantially maintained or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 22).</i></p>	Yes
6.3.2	<i>Natural heating</i>	<p>(1) <i>Living areas should be oriented to the north to maximise direct solar access</i></p> <p>(2) <i>Where it is proposed to plant trees to the north of the dwelling they must be deciduous to allow solar access during the winter</i></p> <p>(3) <i>Materials with a high thermal mass are encouraged</i></p>	Yes
6.3.3	<i>Natural cooling</i>	<p>(1) <i>Windows and walls should be shaded by the use of shading devices, eaves, louvres and trees. Shading devices should be sympathetic to dwelling design and not detract from the appearance of the dwelling</i></p> <p>(2) <i>Windows should be positioned to capture breezes and allow for cross-ventilation</i></p>	Yes
6.3.5	<i>Water tanks</i>	<p>(1) <i>Above ground water tanks shall be located behind the dwelling. Where it is not possible to locate a water tank wholly behind the dwelling, it should be located behind the front building line and screened from view from the public domain with appropriate landscaping</i></p> <p>(2) <i>Above ground water tanks must be located at least 450mm from any property boundary</i></p>	Yes
6.3.6	<i>Hot water heater units</i>	<p>(1) <i>Hot water units shall be located behind the dwelling. Where it is not possible to locate the unit either internally or wholly behind the dwelling, it must be located behind the front building line and screened from view from the public domain with appropriate landscaping</i></p> <p>(2) <i>Hot water systems are not to be located on balconies unless they are screened from public view</i></p>	Yes

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

Comments:

- A BASIX Certificate was submitted as part of the development application meeting designated target for energy and water reduction. In accordance with the BASIX Certificate a 900L rainwater tank is to be installed 450mm from the southern side boundary. Conditions of consent are recommended to ensure compliance with the submitted BASIX Certificate.
- The secondary dwelling is appropriately positioned to receive adequate solar access without impacting the solar access of the existing principal dwelling.
- A condition of consent is to be recommended to ensure the 900L rainwater tank is to be located above the 1 in 100 year flood level.

Building Height

Cl. 8.2	Objectives	Complies
A.	<i>Dwelling houses and ancillary structures, including garages are to be no more than two (2) storey's high</i>	Yes
B.	<i>Ensure that the overall size and height of dwellings relative to NGL responds to the adjoining dwellings, site topography and the desired future scale of buildings in the street.</i>	Yes
C.	<i>Provide suitable anchor points on the external load bearing walls for where additions are proposed</i>	Yes
D.	<i>Promote the continuation of pyramidal roof forms within Strathfield where they are already prevalent</i>	Yes
E.	<i>Achieve development that does not reduce or restrict reasonable solar access to living and outdoor areas</i>	Yes

Cl.	Element	Controls	Complies
8.3.1	<i>Building height</i>	(1) <i>3.5m maximum height for outbuildings, detached garages and carports</i> (2) <i>The building height shall follow the gradient for any given site</i>	Yes
8.3.2	<i>Roof pitches and shape</i>	(1) <i>Pitched roofs should be designed with a pitch between 23.5 and 45 degrees.</i> (2) <i>An attic may be built in the roof space of either a two (2) storey dwelling or a single storey dwelling or garage provided access to the attic is via internal stairs.</i> (3) <i>Flat roofs will be considered where they are already present in the street or where a street has no discernible architecture style.</i> (4) <i>Balconies are not permitted in the attic of a garage, unless:</i> a) <i>less than 1.8m² in area;</i> b) <i>they are located in the centre of the wall or roof facing into the site; and</i> c) <i>do not allow any significant overlooking of adjoining properties.</i>	Yes

Comments: The proposed structure provides a 24 degree roof pitch, which is compatible with the existing principal dwelling.

Landscaped Areas

Cl. 9.2	Objectives	Complies
A.	<i>Encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development</i>	Yes
B.	<i>Encourage new dwellings to preserve existing landscape elements on site and encourage the integration of existing landscape elements in the design of the proposal</i>	Yes

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

C.	<i>Ensure adequate deep soil planting is retained on each allotment</i>	Yes
D.	<i>Ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer</i>	Yes
E.	<i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
F.	<i>Encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna</i>	Yes
G.	<i>Provide functional private open and outdoor spaces for active or passive use by residents</i>	Yes
H.	<i>Provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place</i>	Yes
I.	<i>Encourage the greater provision of more effective shade within the community</i>	Yes
J.	<i>Encourage the integration of existing trees into the design of the new or altered dwelling</i>	Yes
K.	<i>Require owners assess the feasibility of retaining existing site trees prior to the design of a development</i>	Yes
L.	<i>Ensure protection of trees during construction is adequate</i>	Yes

Cl.	Element	Controls	Complies
9.3.1	<i>Minimum landscaped area</i>	<i>45% (455.4m²) as per Table 2 of Part A SCDCP 2005</i>	Yes
9.3.2	<i>Planting of landscaped areas</i>	<ul style="list-style-type: none"> <i>(1) Minimum 25% of canopy trees to comprise locally sourced indigenous species</i> <i>(2) Planting areas shall include a mix of low-lying shrubs, medium-high shrubs and canopy trees in location where they will soften the built form.</i> <i>(3) Where no existing canopy trees are present on a site at least two (2) canopy trees must be provided in the front yard and one (1) canopy tree in the rear yard.</i> <i>(4) New structures shall be positioned to provide for the retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.</i> 	Yes
9.3.3	<i>Private outdoor living space</i>	<i>Private open space is to be provided in a single parcel rather than a fragmented space and shall be directly accessible from internal living areas of the dwelling</i>	Yes
9.3.4	<i>Tree removal and preservation</i>	<ul style="list-style-type: none"> <i>(1) Development shall provide for the retention and protection of existing significant trees, especially near property boundaries</i> <i>(2) The trunk of a proposed canopy tree must be planted a minimum of 4m from built structures, or a minimum of 3m from pier beam footings</i> <i>(3) New dwellings must be setback a minimum of 5m from any significant tree listed in Council's significant tree register</i> <i>(4) Building works should be located outside of the canopy spread of existing trees, with suitable setbacks depending upon species and size</i> <i>(5) Trees planted on side boundaries adjacent to neighbouring dwellings and structures must have a minimum 0.6m deep root deflection barrier provided for a minimum of 1.5m either side of the tree centre</i> 	Yes

Comments:

- The proposed development provides 45.2% (457.46m²) of deep soil landscaping with a verandah directly accessible from living area.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

- The proposed development will not result in any tree removal and will retain the existing Liquidambar within the rear setback of the principal dwelling.

Altering Natural Ground Level (cut and fill)

Cl. 13.2	Objectives	Complies
A.	<i>Encourage minimal use of cut and fill to reduce site disturbance</i>	Yes
B.	<i>Ensure existing trees and shrubs are undisturbed and maintain ground water tables</i>	Yes
C.	<i>Minimise impacts on overland flow/drainage and encourage the maintenance of existing ground levels</i>	Yes

Cl.	Element	Controls	Complies
13.3.1	<i>Cut and fill</i>	(1) <i>Fill is limited to a maximum of 1m above natural ground level (NGL)</i> (2) <i>For all excavation works that require the use of fill, only clean fill is to be used</i> (3) <i>Cut and fill batters must be stabilised consistent with the soil properties.</i> (4) <i>Vegetation or structural measures are to be implemented as soon as the site is disturbed</i> (5) <i>All areas of excavation shall be setback from property boundaries in accordance with the building setback controls. No excavations shall be made to the ground within the minimum required setbacks</i> (6) <i>Where excavation work is proposed, the work must not affect or undermine the soil stability or structural stability of any buildings on adjoining properties</i> (7) <i>A dilapidation report may be required for all buildings which adjoin proposed excavation areas</i> (8) <i>Avoid excessive fill or floor levels to ensure convenient access between internal spaces and external recreation areas and to minimise potential impacts from overlooking</i>	Yes

Comments: The proposed development will result in minimal soil disturbance and appropriate conditions of consent are recommended.

Privacy

Cl. 14.2	Objectives	Complies
A.	<i>Maintain reasonable sharing of views from public places and living areas</i>	Yes
B.	<i>Ensure that public views and vistas are protected, maintained and where possible, enhanced</i>	Yes
C.	<i>Ensure that canopy trees take priority over views</i>	Yes
D.	<i>Ensure that the placement of balconies does not adversely impact on the visual privacy of adjoining properties</i>	Yes

Cl.	Element	Controls	Complies
14.3.1	<i>Views and view sharing</i>	(1) <i>Buildings shall maintain views where possible from surrounding and nearby properties and those available to the public from nearby public domain areas</i> (2) <i>Established building lines are to be maintained to preserve view sharing</i>	Yes
14.3.2	<i>Visual privacy</i>	<i>Private open space, recreation areas and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9m by:</i>	Yes

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

		<ul style="list-style-type: none"> (1) <i>arranging the layout of a building so as to reduce opportunities for overlooking;</i> (2) <i>the use of fixed screening devices;</i> (3) <i>the separation of buildings;</i> (4) <i>the considered placement of windows and openings;</i> (5) <i>appropriate evergreen screen plants and trees; and</i> (6) <i>ensuring finished floor levels are not excessively elevated above NGL</i> 	
14.3.3	<i>Windows</i>	<p><i>Windows shall be designed to avoid overlooking of adjacent dwellings and where a transparent window is to be located within 9m of windows of an adjoining dwelling, the window must:</i></p> <ul style="list-style-type: none"> (a) <i>be offset from the edge of any windows in the adjoining dwelling by a distance of at least 0.5m; or</i> (b) <i>have a sill height of at least 1.7m about the floor; or have fixed, obscure glazing in any part of the window less than 1.7m above the floor</i> 	No
14.3.4	<i>Balconies and screening</i>	<ul style="list-style-type: none"> (1) <i>Upper storey balconies are not permitted on side boundaries, except where facing the secondary frontage of a corner lot, and provided other setback controls can be achieved</i> (2) <i>Elevated decks, verandahs and balconies shall incorporate privacy screens where necessary and shall be located at the front or rear of the building only</i> (3) <i>Small upper floor rear balconies measuring no more than 1m in depth by 2m in length may be permitted where an applicant can demonstrate that the balcony would not unreasonably impact upon the privacy of adjoining premises (including buildings and outdoor spaces)</i> (4) <i>Second storey balconies extending for the full width of the front façade are not permitted</i> 	Yes
14.3.5	<i>Acoustic privacy</i>	<ul style="list-style-type: none"> (1) <i>Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and recreation areas and the like</i> (2) <i>Double glazing, laminated glass, vibration-reducing footings or other materials, should be considered to minimise the effects of noise and/or vibrations</i> (3) <i>Suitable acoustic screen barriers or other noise mitigation measures may be required where physical separation is not able to be achieved</i> 	Yes

Comments:

- The windows of Bedrooms 1 and Bathroom on the southern elevation of the secondary dwelling provide direct overlooking opportunities to the private open space of the adjoining properties. Accordingly both windows shall be conditioned as highlight windows attaining a minimum height of 1.7m above the finished floor level or be installed with obscured glazing.
- Privacy screens have been proposed on the northern and southern part of the east terrace. These privacy screens will reduce overlooking into the adjoining properties.

Water and Soil Management

Cl. 16.2	Objectives	Complies
A.	<i>Encourage the incorporation of Sydney Water's Water Management Strategies in the development</i>	Yes
B.	<i>Ensure compliance with Council's Stormwater Management Code</i>	Yes
C.	<i>Ensure compliance with the NSW State Governments Flood Prone Lands Policy</i>	Yes

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

D.	<i>Ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction</i>	Yes
E.	<i>Ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality</i>	Yes
F.	<i>Ensure that new development in areas that may be affected by acid – sulfate soils do not adversely impact the underlying ground conditions and soil acidity</i>	Yes
G.	<i>Ensure that economic and social costs, which may arise from damage to property from flooding, are not greater than that which can reasonably be managed by the property owner and general community</i>	Yes

Cl.	Element	Controls	Complies
16.3.1	<i>Onsite water management and stormwater control</i>	<ol style="list-style-type: none"> 1) <i>Developments shall comply with Council's Stormwater Management Code</i> 2) <i>On site detention devices may be required to assist in the management of stormwater on site.</i> 	Yes
16.3.2	<i>Acid sulfate soils</i>	<i>Development is to ensure that sites with potential to contain acid sulfate soils are managed in a manner consistent with the provisions contained in Strathfield Draft LEP 2008 and the relevant standards and guidelines</i>	Yes
16.3.3	<i>• Flood prone areas and through site drainage</i>	<ol style="list-style-type: none"> (1) <i>Flood affected properties must comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas and Through Site Drainage)</i> (2) <i>Where a site is subject to flooding applicants should seek written advice from Councils Planning & Environment section in relation to minimum habitable floor height for the site</i> (3) <i>In areas subject to major overland flow from adjoining properties, applicants are required to engage a suitably qualified hydraulics engineer and lodge a drainage/flood report prepared by a hydraulics engineer</i> (4) <i>Applicants must comply with Council's Stormwater Management Code with regard to drainage and stormwater detention matters. Full details and plans of the stormwater system are to be submitted for approval as part of the development application</i> 	Yes
16.3.4	<i>Soil erosion and sediment control</i>	<ol style="list-style-type: none"> (1) <i>Appropriate soil erosion and sediment control measures must be detailed in the development application and implemented prior to the commencement of work.</i> (2) <i>The following sediment control measures are recommended:</i> <ol style="list-style-type: none"> a) <i>perimeter bank and channels;</i> b) <i>turf filter strips;</i> c) <i>sediment fences;</i> d) <i>sediment traps; and</i> e) <i>roof guttering.</i> (3) <i>Applicants may be required to provide plans showing stormwater quality treatment techniques to prevent sediments and polluted waters from discharging from the site during the construction phase. Such plans will show temporary measures designed in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual.</i> 	Yes

Comments:

- The proposed development is located on a flood affected site. Accordingly, conditions of consent are to be recommended to ensure there will no adverse flooding impacts on the proposed development.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

- Council’s Engineer has recommended conditions to ensure the development is not adversely impacted by the 1 in 100 year flood event.
- An erosion and sediment control plan has been recommended by Council’s Engineer prior to the issue of a construction certificate to be submitted to the principal certifying authority to ensure sediment measures are consistent with those from the approved soil and water management plan.

Ancillary Structures

Cl. 20.1	Objectives	Complies
A.	<i>Ensure that the design and location of ancillary structures takes into account the streetscape and overall environmental impact</i>	Yes
B.	<i>Ensure that the provision of ancillary structures, such as air conditioning units, are considered at the design stage of a proposed development</i>	Yes

Cl.	Element	Controls	Complies
20.2.1	<i>Waste bin storage and management</i>	1) <i>Developments shall comply with Part H of SCDCP 2005</i> 2) <i>On site detention devices may be required to assist in the management of stormwater on site.</i>	Yes
20.2.2	<i>Retaining walls</i>	(1) <i>Retaining walls are to be no more than a maximum of 1.2m in height</i> (2) <i>Council requires retaining walls in excess</i>	Yes
20.2.4	<i>Air conditioning</i>	1) <i>Air-conditioning units are to be located within a proposed dwelling or within a suitable building and appropriately soundproofed from any habitable room of an adjoining property</i> 2) <i>Where an air-conditioning unit cannot be located in a building or concealed in a structure (as indicated above), it is to be located in the central third of the rear wall of the dwelling and be a minimum of 3m from any boundary</i> 3) <i>Any building work associated with the installation of an air-conditioning unit must not reduce the structural integrity of any existing buildings</i> 4) <i>Only residential grade air conditioners are to be installed and not commercial grade air conditioners</i> 5) <i>Air-conditioning units must be installed to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2000</i>	Yes

Comments:

- The existing retaining wall will be demolished and rebuilt to the same specifications at a height of 600mm.
- The air-conditioning unit is proposed to have a setback of 700mm from the rear wall of the secondary dwelling to the southern side setback boundary.

PART H - WASTE MANAGEMENT (SCDCP 2005)

Part H of the Strathfield Consolidated Control Plan (DCP) 2005 establishes a number of development controls relating to minimisation and management of waste throughout development processes.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

Section 2.1 of Part H requires that all development applications be accompanied by a Waste Management Plan. The subject application was accompanied by a Waste Management Plan outlining the proposed measures of minimising waste generation throughout construction works. This is considered to be suitable for the purposes of the proposed development.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**Visual Privacy and Setbacks**

Schedule 1 of the *SEPP Affordable Rental Housing 2009* establishes a number of development standards specific to development involving the erection of secondary dwellings including side and rear setbacks.

The side setback controls states that for lots between 900m² and 1500m², 1.5m is to be the minimum side setback. The proposal seeks a side setback of 900mm to the southern boundary.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

The windows (W3 & W4) on the southern elevation of the proposed secondary dwelling could provide overlooking opportunities into the private open space of the adjoining properties at No.59 & No.61 Highgate Street. This is contrary to Sections 14.3.2 and 14.3.3 of the SCDCP 2005 and Privacy element within the SEPP (Affordable Rental Housing) 2009 which requires the private open space and windows of adjoining properties to be protected from direct overlooking. Conditions of consent are recommended for the southern facing windows (W3) in Bedroom 1 to have a sill height of 1.7m above the finished floor level or have fixed, obscure glazing in any part of the windows less than 1.7m above finished floor level, and the window (W4) to the bathroom to have obscure glazing installed. Subject to these privacy conditions, the proposed development would not have adverse impacts to the adjoining property. The proposed side setback is considered acceptable.

An air conditioning unit is proposed to have a setback of 700mm from the southern side boundary. Section 20.2.4 of the SCDCP 2005 states that Air Conditioning Units are to be a minimum of 3 metres from any boundary. Notwithstanding a condition of consent has been recommended to ensure the AC Unit is a residential system and enclosed within a soundproof box. Subject to this condition, the proposal is considered acceptable.

The rear setback controls stated in Schedule 1 of the SEPP for lots between 900m² and 1500m² is to have a minimum 5m setback. The rear setback for the secondary dwelling is proposed to be 1.18m to the edge of the eastern terrace which is extended from the secondary dwelling roof line and 4.18m to the wall of the dwelling. The window (W2) on the eastern elevation which will also be used as a sliding door into the family and dining area would have a setback of 4.18m from the rear boundary. Privacy screens are proposed on the northern and southern portion of the terrace to minimise direct overlooking opportunities and visual privacy impacts to the private open space. The Privacy element within SEPP (Affordable Rental Housing) 2009 states, "*a proposed window in a new secondary dwelling should have a privacy screen if; it is a window to a habitable room that has a floor level of more than 1 metre above ground level (existing), the window has a sill height of less than 1.5 metres, and the window is setback less than 3 metres from a side or rear boundary*". The proposed eastern elevation window would comply with this prescriptive requirement. Accordingly, the proposal is considered acceptable and would not have adverse impact to the adjoining property at No. 43 Cotswold Road.

Tree Preservation

The existing *Liquidambar styraciflua* is unlikely to be adversely impacted upon by the proposed development if the recommendations within the Arboricultural Impact Assessment prepared by Matthew Reed on 10th October 2017 are implemented. Recommendations for the preservation of the Liquidambar during construction comprise of crown lifting, ground protection of the entire rear yard laid with geotextile and 100mm of mulch, building footprint and concrete landing is to be above grade and beam footing with no excavation within Tree Protection Zone, and excavation for isolated pier and beams requires supervision by AQF Level 5 project arborist (no roots greater than 50mm are to be cut). Council's Tree Coordinator has endorsed the recommendations of the Arboricultural Impact Statement and has therefore recommended these steps be followed.

Flooding and Stormwater

The subject site is located within the 1 in 100 year flood event attributed to the Cooks River and Cox Creek. Council's Engineer has recommended a number of special conditions to ensure the proposed development is not adversely impacted by the flooding events. Council's Engineer has recommended that habitable rooms be a minimum of 500mm above the 1 in 100 year flood level and that non-habitable rooms are to be no lower than the 1 in 100 year flood level. As well as this, it has been recommended that all ancillary development including the rainwater tank, hot water system and Air Conditioning Unit, along the rear wall of the secondary dwelling (southern side boundary) be located above the 1 in 100 year flood level. A special condition has also been recommended to allow for surface run off of adjacent properties and to make certain that the existing surface flow path systems through the site are not altered.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

79C(1)(c) the suitability of the site for the development

The proposed development is considered to be suitable to the site in that it provides housing needs within a low density residential environment and that it would not adversely impact upon the amenity of adjoining residents given that special conditions are to be recommended to restrict direct overlooking opportunities and privacy issues.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDCP 2005 for 14 days, with **Three (3)** written submissions received, raising the following concerns:

1. *Privacy*

Assessing officer's comments: The windows (W3 & W4) on the southern elevation of the proposed secondary dwelling provide direct overlooking opportunities into the private open space of the adjoining properties. A condition of consent is to be recommended for these southern facing windows in Bedroom 1 and the Bathroom to have a sill height of at least 1.7m above the finished floor level or have obscure glazing in any part of the windows less than 1.7m above the floor. Furthermore, a condition will be recommended to ensure the Bathroom window (W4) is obscurely glazed as a wet area to restrict direct overlooking of the adjoining properties. A privacy screen in the south-west corner of the proposed east terrace will restrict direct overlooking into No. 63 Highgate Street.

2. *Rear Setback*

Assessing officer's comments: The proposed rear setback is 1.18m to the edge of the east terrace and 4.18m to the wall of the secondary dwelling. The window (W2) on the eastern elevation which will also be used as a sliding door into the family and dining area is setback back 4.18m from the rear boundary. Privacy screens are proposed on the northern and southern portion of the terrace to minimise direct overlooking opportunities and visual privacy impacts to the private open space. The Privacy element within SEPP (Affordable Rental Housing) 2009 states, "a proposed window in a new secondary dwelling should have a privacy screen if; it is a window to a habitable room that has a floor level of more than 1 metre above ground level (existing), the window has a sill height of less than 1.5 metres, and the window is setback less than 3 metres from a side or rear boundary". The proposed eastern elevation window would comply with this prescriptive requirement. Accordingly, the proposal is considered acceptable and would not have adverse impact to the adjoining property at No. 43 Cotswold Road.

3. *Overshadowing*

Assessing officer's comments: The height of the secondary dwelling would be single storey and be no higher than 5m above natural ground level and thus would unlikely have adverse impacts on the overshadowing of the adjoining properties.

4. *Subdivision*

Assessing officer's comments: The proposed development is for a secondary dwelling, which is permissible in the zone under both SLEP and SEPP (Affordable Rental Housing) 2009. Furthermore, the under Clause 24 of the SEPP (Affordable Rental Housing) 2009, the secondary dwelling cannot result in the subdivision of the land. The application does not propose any form of subdivision and this determination does not grant consent for any subdivision.

79C(1)(e) the public interest

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:

 - (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution, or both.**
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as follows:

Provision of Community Facilities	\$1,461.06
Provision of Major Open Space	\$6,647.38
Provision of Local Open Space	\$1,462.81
Provision of Roads and Traffic Management	\$360.25
Administration	\$125.98
TOTAL	\$10,057.48

CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. 2017/151 for construction and use of a secondary dwelling at 166 Homebush Road be **APPROVED** subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. STORMWATER MATTERS

- a) The proposed development must be designed so that habitable floors are at a minimum of 500mm above the 1 in 100 year flood level and non-habitable floors are no lower than the 1 in 100 year flood level.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

(Reason: To ensure the proposed development is not adversely impacted by a 1 in 100 year flood event.)

- b) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Alteration of the existing surface ground surface levels within the overland flow path is not permitted.

(Reason: To ensure existing stormwater systems on and adjacent to the subject site are not adversely impacted by the proposed development.)

- c) The rainwater tank, hot water system, air conditioning units and other flood sensitive equipment must be located above the 1 in 100 year flood level.

(Reason: To ensure the proposed development is not adversely impacted by a 1 in 100 year flood event.)

2. PRIVACY (SC)

The following privacy measures shall be installed and maintained at all times:

- a) Window (W03) depicted on Proposed south elevation, DA-04 must have a sill height of at least 1.7m above the finished floor level or have fixed, obscure glazing in any part of the windows less than 1.7m above finished floor level.
- b) Amended plans must be prepared and submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.

(Reason: To ensure direct overlooking is restricted and the amenity of adjoining residents is not adversely impacted.)

3. AIR-CONDITIONING

The air-conditioning unit which is required to be provided in accordance with the BASIX Certificate shall be a residential system and shall be enclosed within an appropriate soundproof box. To protect the amenity of adjacent properties, the condenser unit for the air conditioner must have a certificate prepared by a suitably qualified person confirming that the unit has been tested for heating and cooling on the highest settings and that the noise levels generated do not exceed 5 dB(A) above background noise levels when tested at the property boundary between 8 pm and 10 pm. Details demonstrating compliance shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure the Air-Conditioning Unit is designed and constructed according to the approved BASIX Certificate and to minimise the impact of the noise and amenity of adjoining properties.)

GENERAL CONDITIONS (GC)

4. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/151:

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
0	ES-Detail- 166 Homebush Rd, Strathfield- DRG-001	Elite Survey	0 12 December 2016	17 October 2017
17MB7504	Site and Roof Drainage Plan	United Consulting Engineers Pty Ltd	B D01 7 September 2017	17 October 2017
DA-00	Site Analysis	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-01	Proposed site plan & Roof plan	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-02	Proposed floor plan	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-03	Proposed north & east elevation	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-04	Proposed south & street elevation	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-05	Proposed west elevation & schedule	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-06	Section A-A & B-B	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-07	Proposed site plan L.O.S	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-08	Material Finishes	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-09	Erosion & sediment control plan	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-10	Demolition Plan	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-11	Ground floor to remain unchanged	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017
DA-12	First floor to remain unchanged	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/151:

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
BASIX Certificate No.868353S	Brian Teplicanec Consultancy	6 October 2017	17 October 2017
Statement of Environmental Effects	Nigel Parsons & Associates Architects	A 11 October 2017	17 October 2017
Arboricultural Impact Assessment	Matthew Reed	10 October 2017	17 October 2017
Waste Management Plan	Nigel Parsons & Associates Architects	16 October 2017	17 October 2017

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

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

5. CONSTRUCTION HOURS (GC)

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

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

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

6. CONSTRUCTION WITHIN BOUNDARIES (GC)

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

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

7. DEMOLITION – GENERALLY (GC)

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

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

8. DEMOLITION - SITE SAFETY FENCING (GC)

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

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

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

payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and

provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

9. LANDSCAPING - TREE PRESERVATION (GC)

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

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

a) The trees listed below shall be retained at all times:

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>	<u>Protection Zone (m)</u>	<u>Structural Root Zone (m)</u>
1)Liquidambar styraciflua	16 x 16	Rear Yard	9.5	3.17

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

- i) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- ii) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS4970-2009: *Protection of Trees on Development Sites*.
- iii) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- iv) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

- v) The tree protection zone shall be regularly watered.
- vi) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- vii) **No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- viii) Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

- b) All noxious weeds on the site shall be removed and destroyed as per their classification under the *Noxious Weeds Act 1993*.
- c) The following post construction measures are to be carried out on the listed trees in above.
 - i) 12 Months following the completion of works the retained trees are to be re-assessed the results of this assessment are to be provided to Council's Tree Co-ordinator by the assessing arborist.

Such measures shall be certified by a minimum level 5 (AQF 5) Consultant Arborist who is currently a member or eligible for membership to the *Institute of Australian Consulting Arboriculturists (IACA)* or *Arboriculture Australia (AA)*.

- d) General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).
- e) Manual excavation is required within canopy spread of the Tree 1 referred to in Condition No. 1.

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

10. LANDSCAPING - TREE PRUNING PERMITTED (GC)

Pruning of the following tree/s is permitted:

Species	Location/Approved Works
1) Liquidambar styraciflua	Rear yard Crown raising to provide building clearance in accordance with AS4373

No more than 10% of the entire crown is to be removed as part of this approval. The pruning shall not give the crown an unbalanced appearance.

The following branch or root pruning works are permitted to accommodate the proposed development:

- a. All pruning work must be undertaken by a minimum level 2 (AQF 2) qualified Arborist who is currently a member or eligible for membership to Arboriculture Australia (AA) or the Tree Contractors Association Australia (TCAA) and in accordance with AS4373—Pruning of amenity trees.
- b. No climbing spikes/spurs are to be worn.
- c. Root pruning/root barrier installation must be undertaken by a minimum level 4 (AQF 4) qualified Arborist who is currently a member or eligible for membership to the

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

Arboriculture Australia (AA) or Tree Contractors Association Australia (TCAA) and in accordance with AS4373—Pruning of amenity trees.

(Reason: To ensure tree preservation and pruning is undertaken in accordance with AS4373:2007 – Pruning of amenity trees.)

11. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

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

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

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

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

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

(Reason: Statutory requirement.)

13. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

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

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

14. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

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

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

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

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

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

16. BASIX COMMITMENTS (CC)

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

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

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

(Reason: Statutory compliance.)

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

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

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

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

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

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

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

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 81A(2) of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

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

Works Permit

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

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement)

20. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

An Erosion and Sediment Control Plan is to be prepared where construction or excavation activity requires the disturbance of the soil surface and existing vegetation. Details including

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

drawings and specifications must provide adequate measures for erosion and sediment control to ensure:

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

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

(Reason: Environmental protection.)

21. PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

22. SECTION 94 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$1,461.06
Provision of Major Open Space	\$6,647.38
Provision of Local Open Space	\$1,462.81
Provision Roads and Traffic Management	\$360.25
Administration	\$125.98
TOTAL	\$10,057.48

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

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

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

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

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

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

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

A security (damage deposit) of **\$4,127.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

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

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

Refundable works bond	\$4,000.00
Non-refundable administration fee (\$127/bond)	\$127.00
TOTAL	\$4,127.00

The security payment covers the following matters and will be released upon satisfactory completion of these items:

- (a) Installation and maintenance of sediment control measures for the duration of construction activities;
- (b) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.

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

(Reason: Protection of Council infrastructure.)

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

24. STORMWATER - RAINWATER RE-USE (CC)

A rainwater re-use system shall be provided in accordance with either the BASIX minimum requirements, any relevant Council Rainwater Policy and/or specification of the management of stormwater, whichever is applicable. A detailed stormwater plan showing the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

25. STORMWATER DRAINAGE (CC)

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

(Reason: To ensure the site is drained appropriately and does not interfere with the natural flow of flood waters.)

26. TREE BONDS (CC)

A tree bond of **\$6,600** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to existing trees to be retained on Council's road reserve, during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development.

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

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

27. WATER SUSTAINABILITY – GENERALLY (CC)

Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:

- i) toilet flushing;
- ii) clothes washing;
- iii) garden irrigation;
- iv) car washing and similar outdoor uses;
- v) filling swimming pools, spa pools and ornamental ponds; and
- vi) fire fighting.

(Reason: To promote sustainable water management practice.)

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

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

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

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

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.
- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.

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

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

(Reason: Statutory requirement.)

29. NOTICE OF COMMENCEMENT (CW)

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

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

(Reason: Statutory requirement.)

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

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

30. FILL MATERIAL (DW)

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

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

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

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

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

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

(Reason: To maintain public access and safety.)

32. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

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

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

33. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

- i) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

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

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

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

34. DRAINAGE SYSTEM - MAINTENANCE OF EXISTING SYSTEM (OC)

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

(Reason: Maintenance and environment.)

35. ENGINEERING WORKS (CERTIFICATION OF)

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

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

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

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

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

(Reason: Asset management.)

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

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

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

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

37. OCCUPATION OF BUILDING (OC)

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

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

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

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

166 Homebush Road, Strathfield Lot 9 DP5984 (Cont'd)

(Reason: Statutory requirement.)

38. RAINWATER TANKS (OC)

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- i) Australian/New Zealand Standard AS/NZS 3500:2003;
- ii) NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR); and
- iii) Council's rainwater tank policy.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To protect public health and amenity.)

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

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

(Reason: Adequate stormwater management.)

ATTACHMENTS

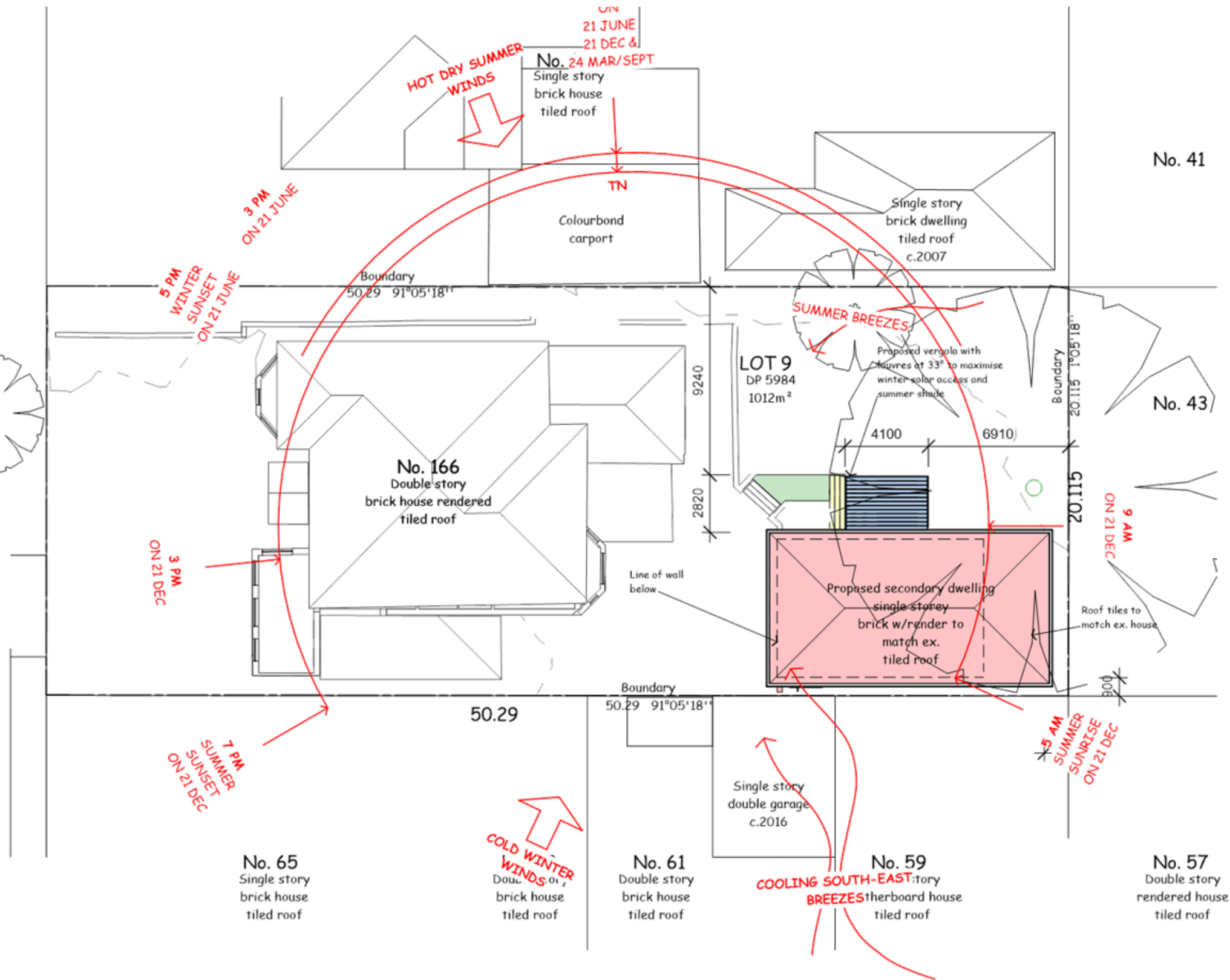
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17 October 2017

HOME BUSH ROAD

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Site analysis

1 : 200

Original

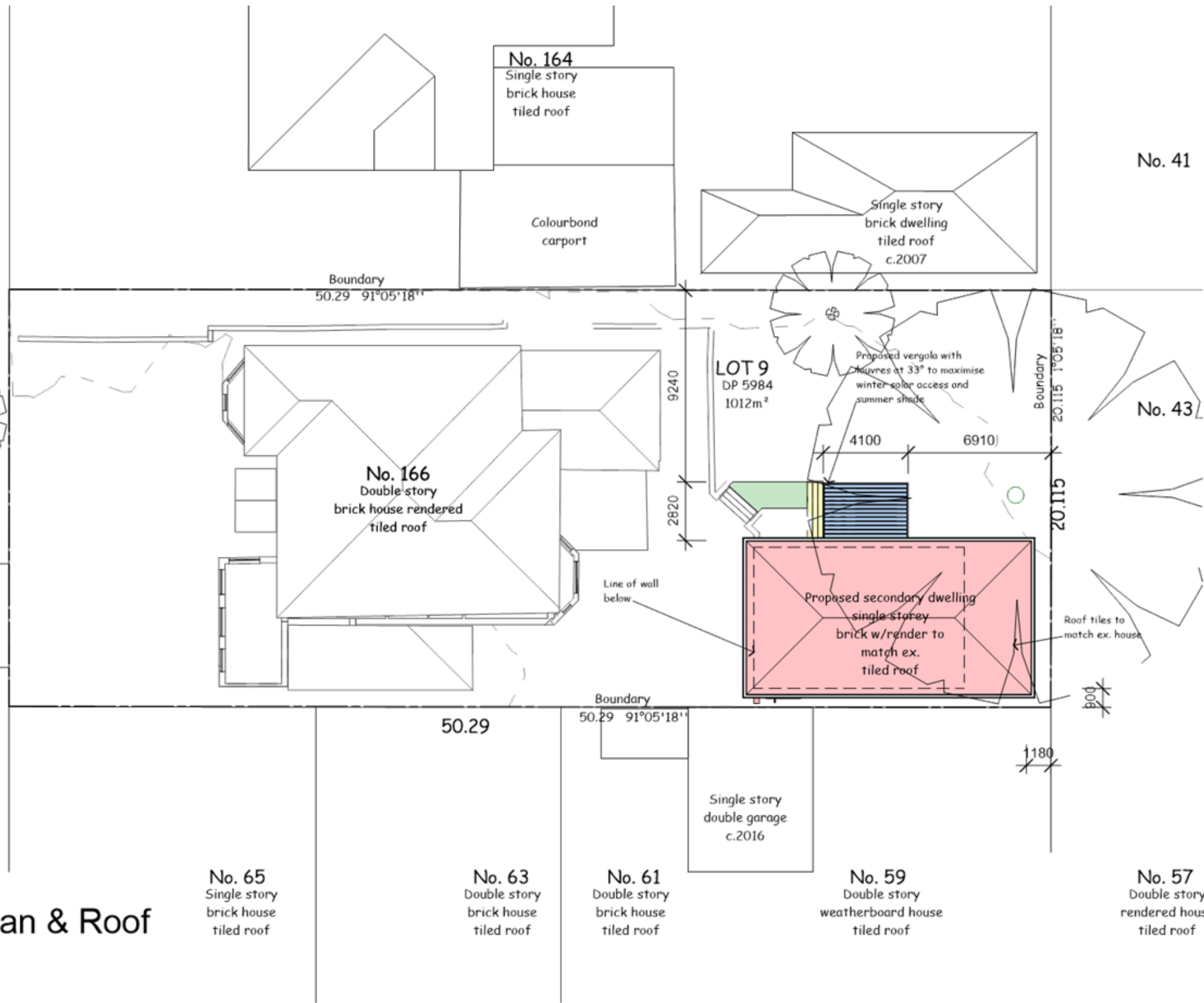
Proposed Granny Flat 166 Homebush Road Strathfield Mr and Mrs Shen	Notes: 1. (c) Copyright reserved. This drawing may not be copied, modified or used without written consent from the architect. 2. Do not scale dimensions from the drawing. Check ALL dimensions on site prior to start of construction. 3. This document may not be used with any other drawings for services has been made in FULL compliance.	NIGEL PARSONS & ASSOCIATES ARCHITECTS 36/330 wattle st ultimo new australia 2007 p +61 2 9282 9626 e info@npaa.net.au www.npaa.net.au m +61 412 370 344 abn 75 840 752 773 Reg. Architect: 7294	Drawing Title: Site Analysis			Issued For: Information	Drawing No: DA-00	
			Drawn by: J.M	Checked: N.P	Approved: N.P	Issue Date: 16/10/2017	Scale: 1 : 200	

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17 October 2017**

HOME BUSH ROAD

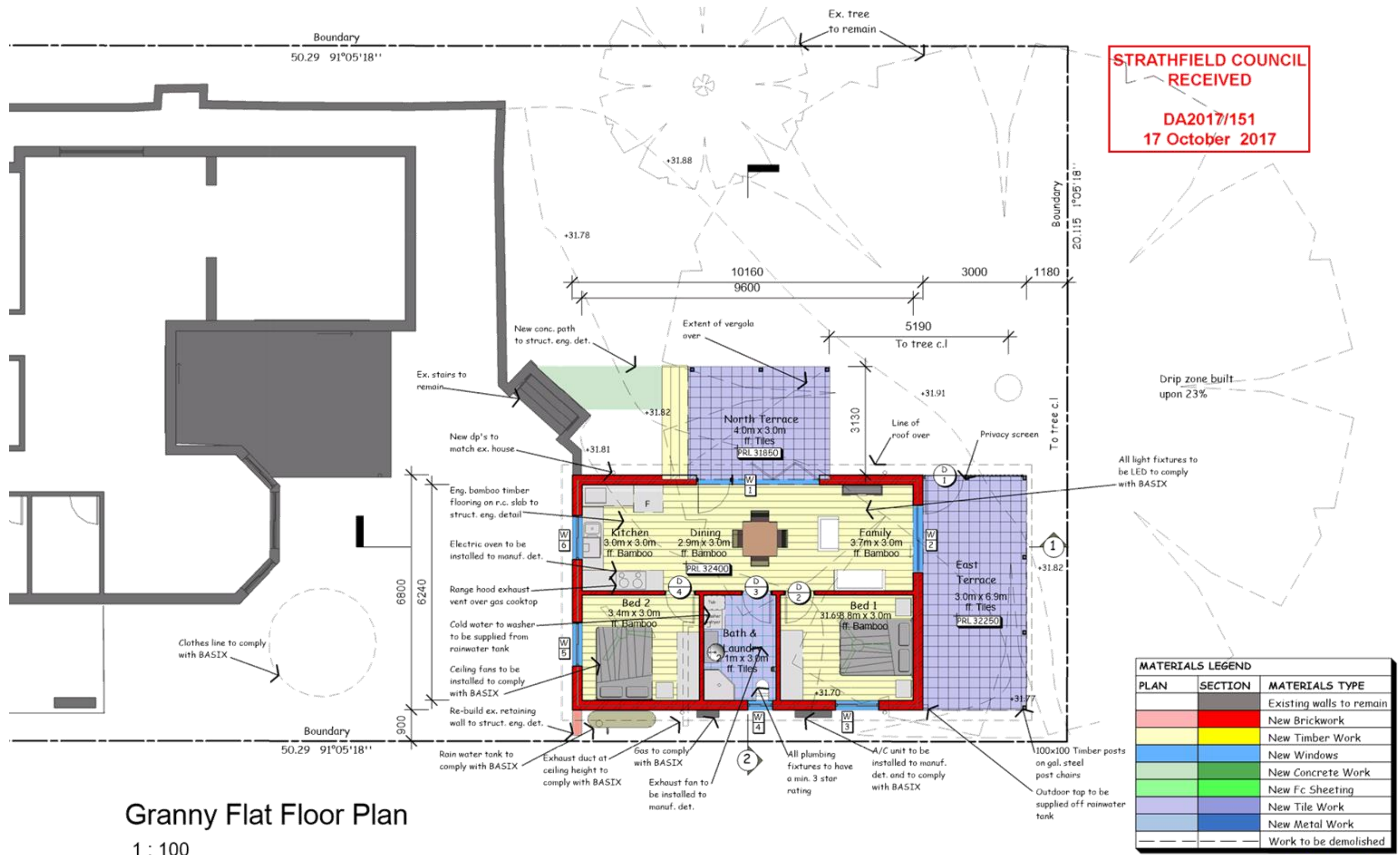
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**Proposed Site Plan & Roof
Plan**
1 : 200

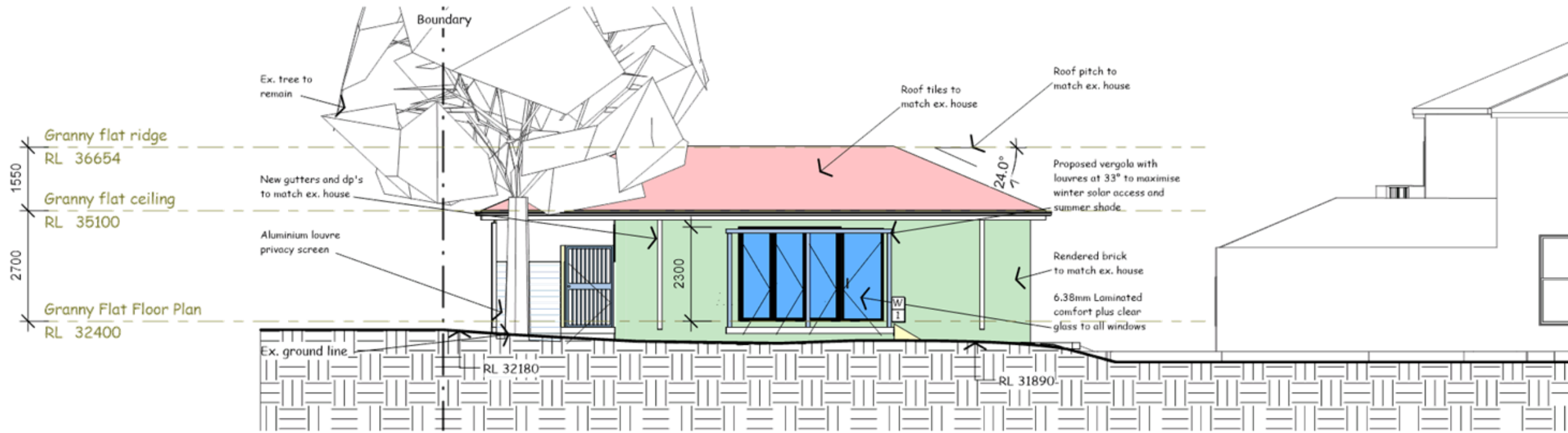
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			Drawn by: J.M.	Checked: N.P.	Approved: N.P.	Issue Date: 16/10/2017	



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			Drawn by: J.M Checked: N.P Approved: N.P	Scale: 1 : 100	Cod File Name: Owner	

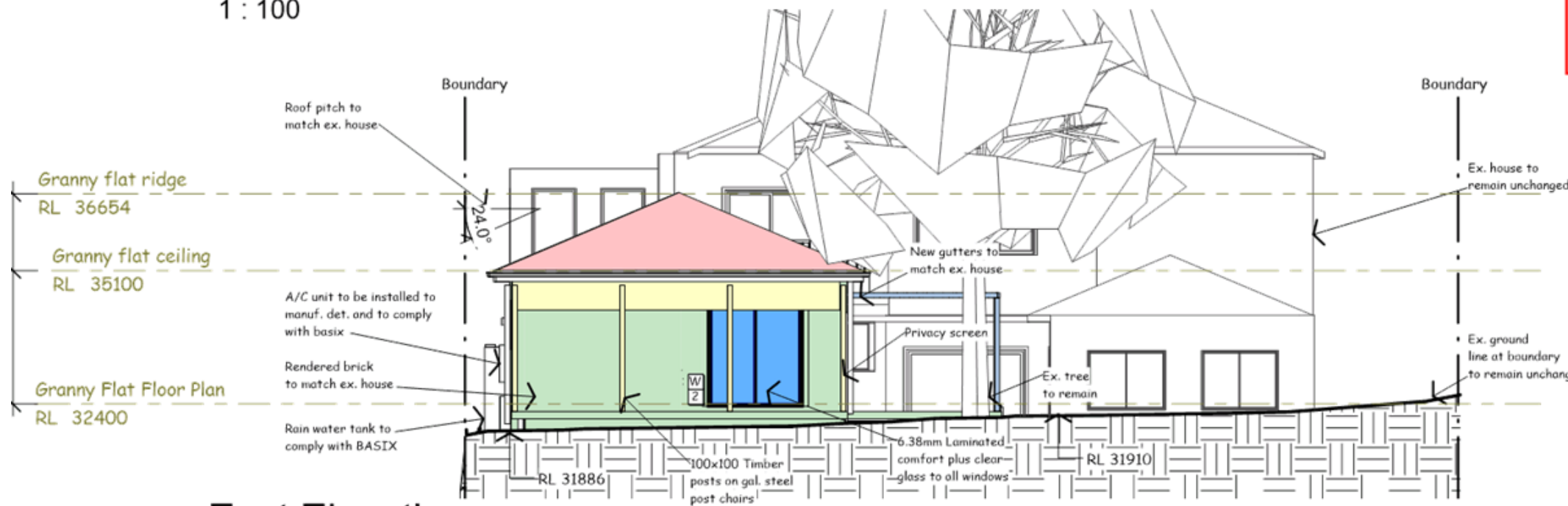


North Elevation

1 : 100

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East Elevation

1 : 100

MATERIALS LEGEND		
PLAN	SECTION	MATERIALS TYPE
		Existing walls to remain
		New Brickwork
		New Timber Work
		New Windows
		New Concrete Work
		New Fc Sheeting
		New Tile Work
		New Metal Work
		Work to be demolished

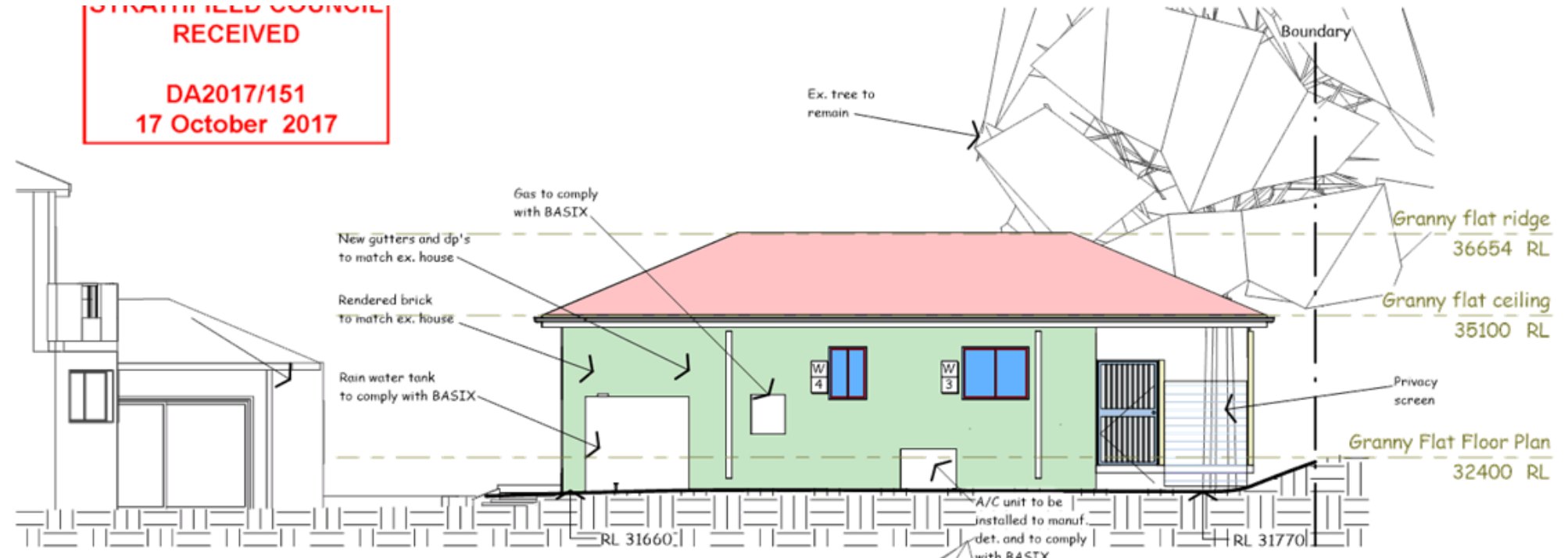
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			Drawn by: J.M Checked: N.P Approved: N.P	Issue Date: 16/10/2017	Scale: 1 : 100	Cad File Name: Owner

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17 October 2017

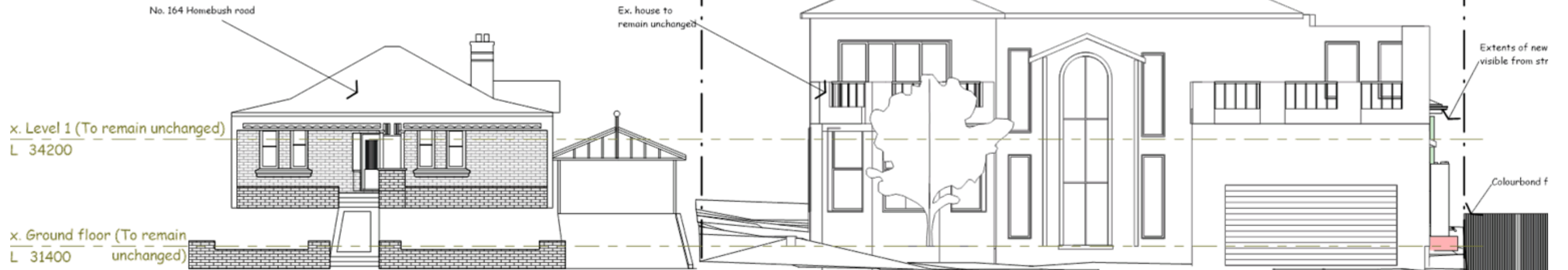
MATERIALS LEGEND		
PLAN	SECTION	MATERIALS TYPE
		Existing walls to remain
		New Brickwork
		New Timber Work
		New Windows
		New Concrete Work
		New Fc Sheeting
		New Tile Work
		New Metal Work
		Work to be demolished



South Elevation

1 : 100

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L 39990



Street Elevation

1 : 100

Original

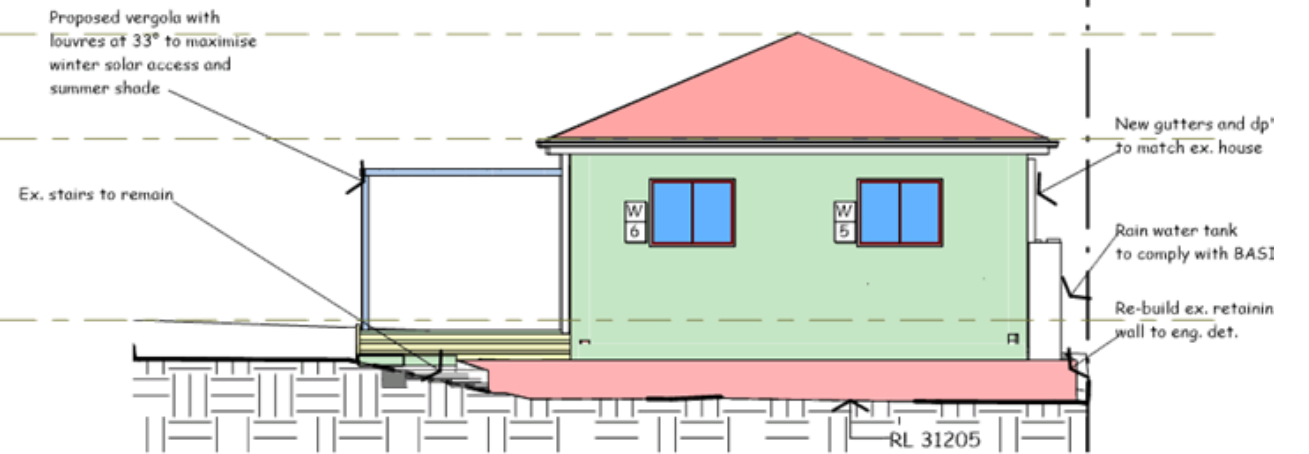
Proposed Granny FLat 166 Homebush Road Strathfield Mr and Mrs Shen	Notes: 1. (c) Copyright reserved. This drawing may not be copied, used or used without written consent from the architect. 2. Do not make alterations from the drawing. Check ALL dimensions on site prior to start construction. 3. This document may not be used with any other services has been made in FULL to the architect.	NIGEL PARSONS & ASSOCIATES ARCHITECTS 36/330 wattle st ultimo new australia 2007 p +61 2 9282 9626 e info@npaa.net.au w www.npaa.net.au m +61 412 370 344 abn 75 840 752 773 Reg. Architect: 7294	Drawing Title: Proposed south & street elevation		Issued For: Information Issue Date: 16/10/2017	Drawing No: DA-04
			Drawn by: J.M Checked: N.P Approved: N.P	Scale: 1 : 100	Cad File Name: Owner	

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17 October 2017

Granny flat ridge
RL 36654

Granny flat ceiling
RL 35100

Granny Flat Floor Plan
RL 32400



West Elevation

1 : 100

BASIX COMMITMENTS	
Water Commitments	
Shower heads with a minimum 3 star rating	
Toilet flushing with a minimum 3 star rating	
Taps with a minimum 3 star rating	
Basin taps with a minimum 3 star rating in each bathroom	
Alternative water	
900L Rain water tank	
Rain water tank to collect at least 40sqm of roof area	
RWT to connect to cold water tap of each clothes washer	
RWT to connect to at least one outdoor tap	
Thermal comfort commitments	
Class 1 dwelling, and not more than 2 storeys	
Conditioned floor area to not exceed 300 sqm	
Open mezzanine to not exceed 25sqm	
Not contain third level habitable attic room	
Construct walls, floor and ceiling/roof according to BASIX report	
Windows according to BASIX report	
Dwelling may have 1 skylight	
Overshadowing according to BASIX report	
Energy commitments	
Gas instantaneous hot water with 3.5 stars	
Cooling- 1- Phase airconditioning with 3 stars to at least 1 living area	
1 ceiling fan in at least 1 bedroom	
Heating- 1- Phase airconditioning with 3 stars to at least 1 living area	
No heating systems in bedrooms	
Exhaust system- At least 1 individual fan in bathroom and kitchen ducted to facade or roof with manual on/off switch.	
Laundry to have natural ventilation, or no laundry.	
Lighting to be fluorescent or LED in at least 2 bedrooms/study, at least 1 kitchen/ dining room, kitchen, all bathrooms, laundry and all hallways	
Window/skylight to be installed in kitchen for natural lighting	
Window/skylight to be installed in 1 bathroom for natural lighting	
Gas cooktop or electric oven to be installed in kitchen	
Refrigerator space to be well ventilated according to BASIX	
Fixed outdoor clothes drying line	

WINDOW SCHEDULE								
MARK	LEVEL	LOCATION	WINDOW STYLE	HEAD HEIGHT	HEIGHT	WIDTH	FRAME	COMMENTS
1	Granny Flat	Dining	Bi-fold	2300	2300	3550	Aluminium	New Construction
2	Granny Flat	Family	Sliding	2300	2300	1950	Aluminium	New Construction
3	Granny Flat	Bed 1	Sliding	2100	1000	1270	Aluminium	New Construction
4	Granny Flat	Bathroom	Sliding	2100	1000	770	Aluminium	New Construction
5	Granny Flat	Bed 2	Sliding	2100	1000	1270	Aluminium	New Construction
6	Granny Flat	Kitchen	Sliding	2100	1000	1270	Aluminium	New Construction

EXAMPLE	

DOOR SCHEDULE							
MARK	LEVEL	LOCATION	HEIGHT	WIDTH	THICKNESS	FRAME	COMMENTS
1	Granny flat	East terrace	1850	1100	35	Steel	New Construction
2	Granny flat	Bed 1	2100	820	35	Timber	New Construction
3	Granny flat	Bathroom	2100	820	35	Timber	New Construction
4	Granny flat	Bed 2	2100	820	35	Timber	New Construction

EXAMPLE	

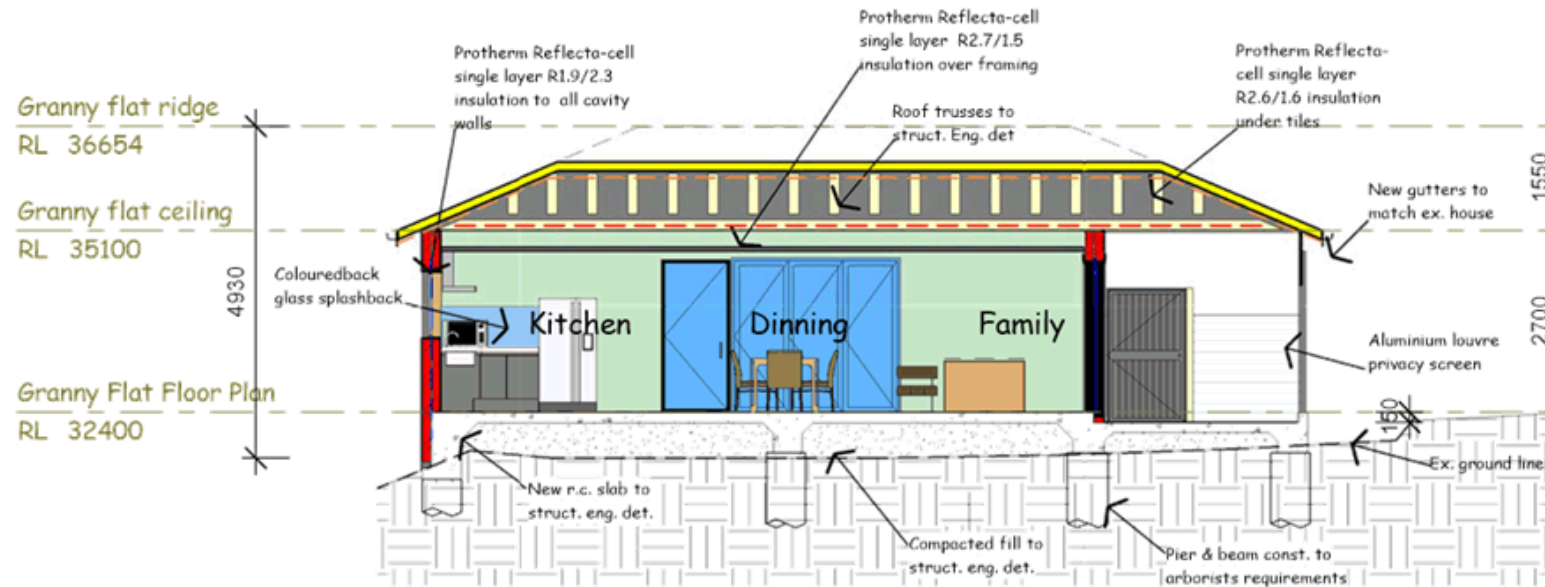
MATERIALS LEGEND		
PLAN	SECTION	MATERIALS TYPE
		Existing walls to remain
		New Brickwork
		New Timber Work
		New Windows
		New Concrete Work
		New Fc Sheeting
		New Tile Work
		New Metal Work
		Work to be demolished

Original

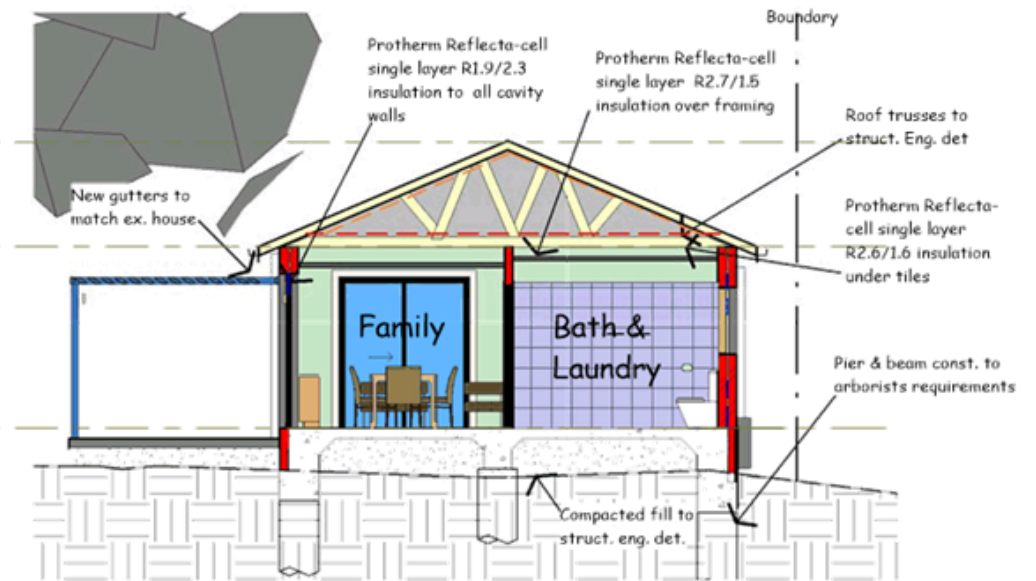
Proposed Granny FLat 166 Homebush Road Strathfield Mr and Mrs Shen	Notes: 1. (c) Copyright reserved. This drawing may not be copied, modified or used without written consent from the architect. 2. Do not scale dimensions from the drawing. Check ALL dimensions on site prior to actual construction. 3. This document may not be used with any other services has been made in FULL to the architect.		Drawing Title: Proposed west elevation & schedule	Issued For: Information Issue Date: 16/10/2017	Drawing No: DA-05
			Drawn by: J.M Checked: N.P Approved: N.P	Scale: 1 : 100	Cad File Name: Owner

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**DA2017/151
17 October 2017**



Section A-A
1 : 100



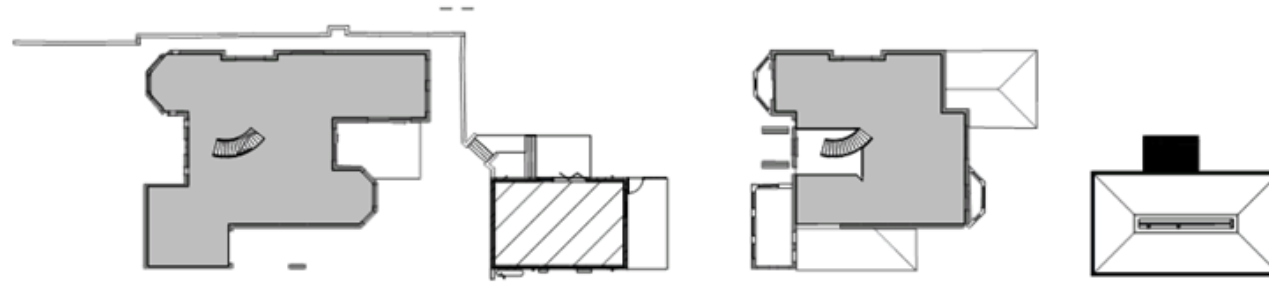
Section B-B
1 : 100

MATERIALS LEGEND		
PLAN	SECTION	MATERIALS TYPE
		Existing walls to remain
		New Brickwork
		New Timber Work
		New Windows
		New Concrete Work
		New Fc Sheeting
		New Tile Work
		New Metal Work
		Work to be demolished

Original

Proposed Granny Flat 166 Homebush Road Strathfield Mr and Mrs Shen	Notes: 1. (c) Copyright reserved. This drawing may not be copied, modified or used without written consent from the architect. 2. Do not scale dimensions from the drawing. Check ALL dimensions on site prior to start of construction. 3. This document may not be used with any other drawings unless it has been made in FULL to the architect.	<p> 36/330 wattle st ultimo new australia 2007 </p> <p> p +61 2 9282 9626 e info@npas.net.au www.npas.net.au </p> <p> m +61 412 370 344 abn 75 840 752 773 Reg. Architect: 7294 </p>	Drawing Title: Section A-A & B-B	Issued For: Information Issue Date: 16/10/2017	Drawing No: DA-06
			Drawn by: J.M Checked: N.P Approved: N.P	Scale: 1 : 100	Cad File Name: Owner

FLOOR SPACE RATIO LEGEND	
COLOUR	TYPE
	Existing FSR
	Proposed FSR



GROUND FSR

1 : 500

LEVEL 1 FSR

1 : 500

FLOOR SPACE RATIO LEGEND			
LEVEL	EXISTING	PROPOSED	CONTROL
Ground Floor	211.0 m ²	211.0 m ²	
First Floor	138.2 m ²	138.2 m ²	
Outbuilding	0.0 m ²	59.9 m ²	
Total	349.2 m²	409.1 m²	516 m²
Site Area	1012 m²	1012 m²	1012 m²
FSR	0.34:1	0.40:1	0.51:1

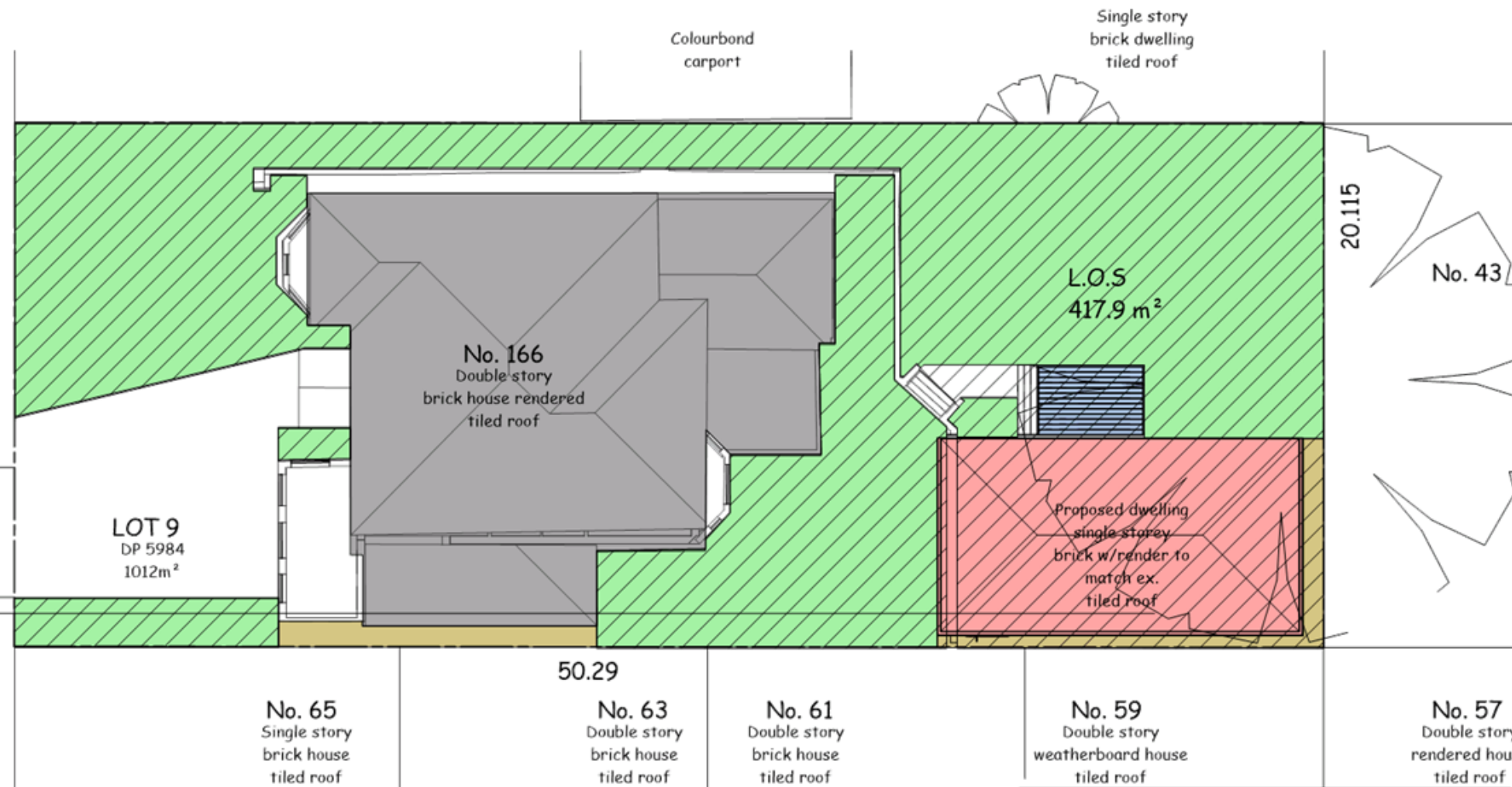
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HOMEBUSH ROAD

BM CUT IN
KERB
RL30.52



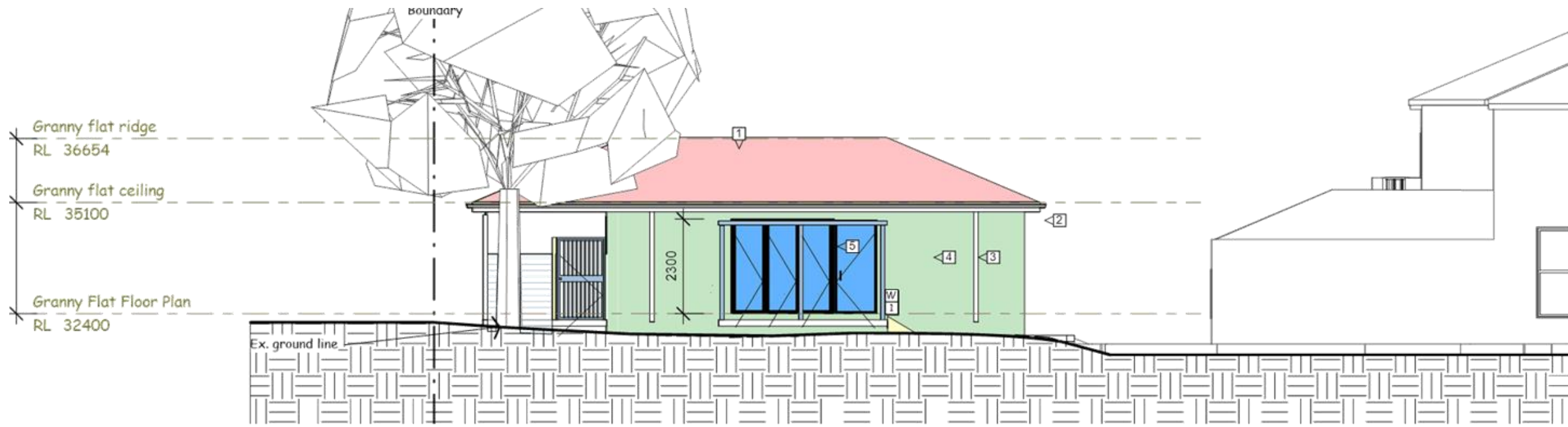
Site L.O.S

1 : 200

LANDSCAPE OPEN SPACE LEGEND			
COLOUR	L.O.S TYPE	AREA m ² , %	CONTROL
	Existing	589.1 m ² , 58.2%	
	Included	455.5 m ² , 45%	
	Excluded	23.4 m ² , 2.3%	
			455.4 m ² , 45%

Original

Proposed Granny Flat 166 Homebush Road Strathfield Mr and Mrs Shen	Notes: 1. (c) Copyright reserved. This drawing may not be copied, modified or used without written consent from the architect. 2. Do not make alterations from the drawing. Check ALL dimensions on site prior to actual construction. 3. This document may not be used with any other drawings for which it has been made in FULL compliance.	 36/330 wattle st ultimo new australia 2007 p +61 2 9282 9626 e info@npas.net.au www.npas.net.au m +61 412 370 344 abn 75 840 752 773 Reg. Architect: 7294	Drawing Title: Proposed site plan L.O.S	Issued For: Information Issue Date: 16/10/2017	Drawing No: DA-07	
			Drawn by: J.M Checked: N.P Approved: N.P	Scale: As indicated	Cod File Name: Owner	



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17 October 2017**

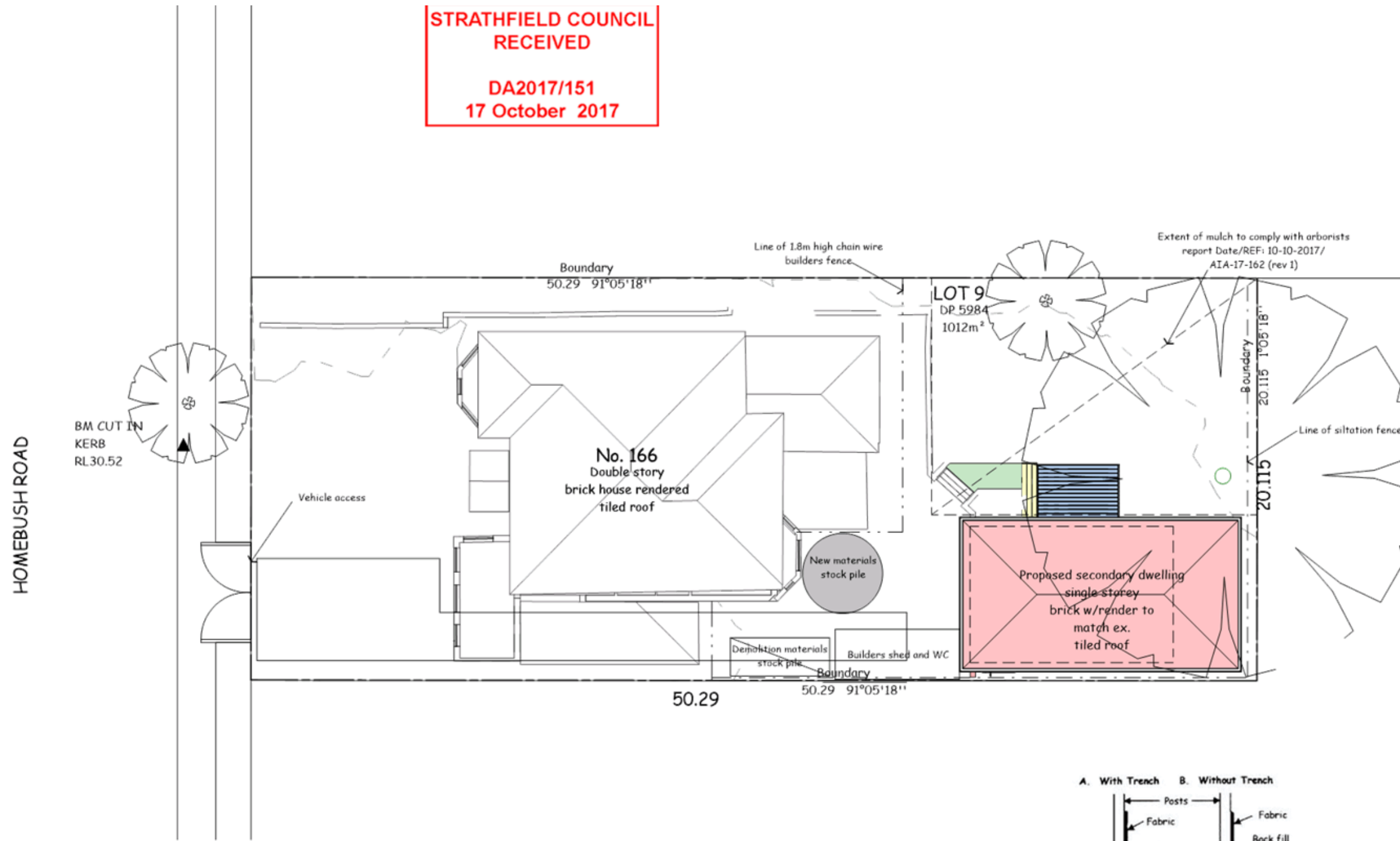
**MATERIALS AND FINISHES SCHEDULE
FOR NEW WORK**

1. Black cement roof tiles
2. Colorbond surfmist
Gutters
3. Colorbond surfmist
Down pipes
4. Colorbond surfmist cement render
5. New black aluminium commercial
framed window to match ex. house

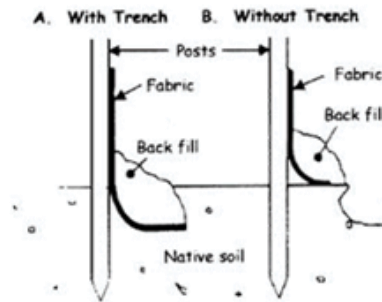
North Elevation-materials
and finishes
1 : 100

Original

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			Issue Date: 16/10/2017	Cod File Name: Owner		
		Drawn by: J.M	Checked: N.P	Approved: N.P	Scale: 1 : 100	

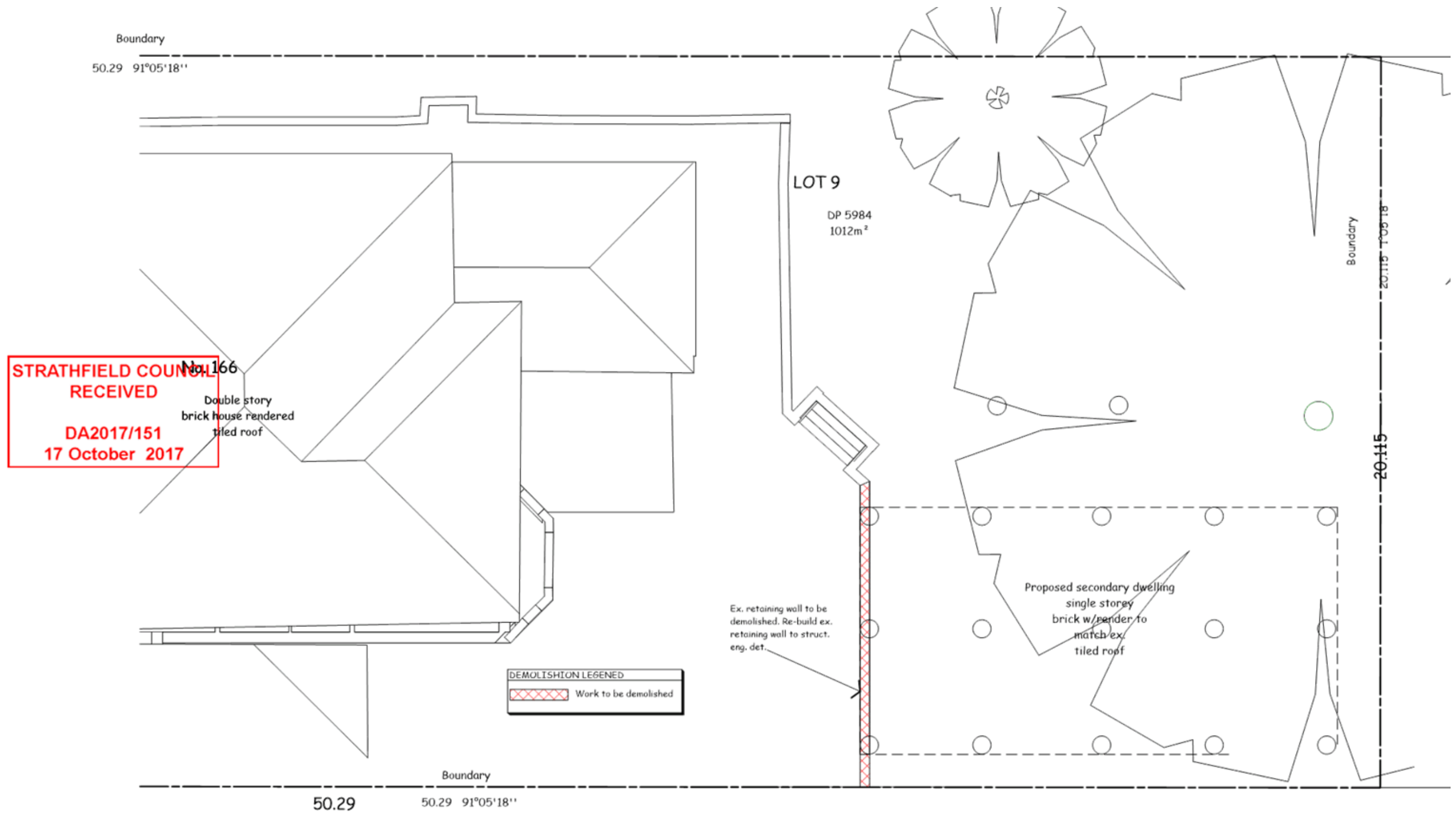


Erosion & Sediment control plan
1 : 200



Original

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			Drawn by: J.M	Checked: N.P	Approved: N.P	Issue Date: 16/10/2017	Scale: 1 : 200	

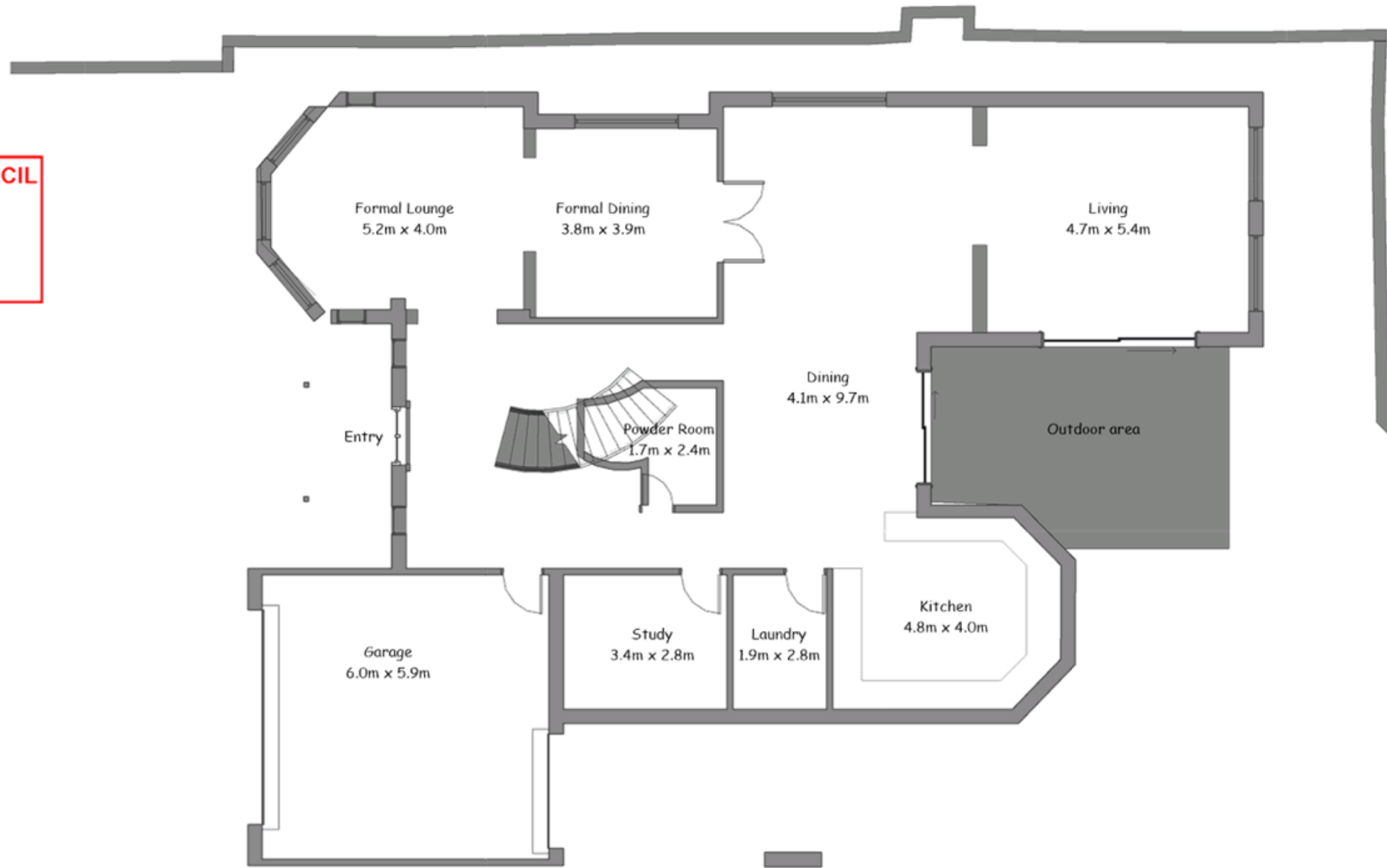


Original

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			Drawn by: J.M	Checked: N.P	Approved: N.P	Issue Date: 16/10/2017	

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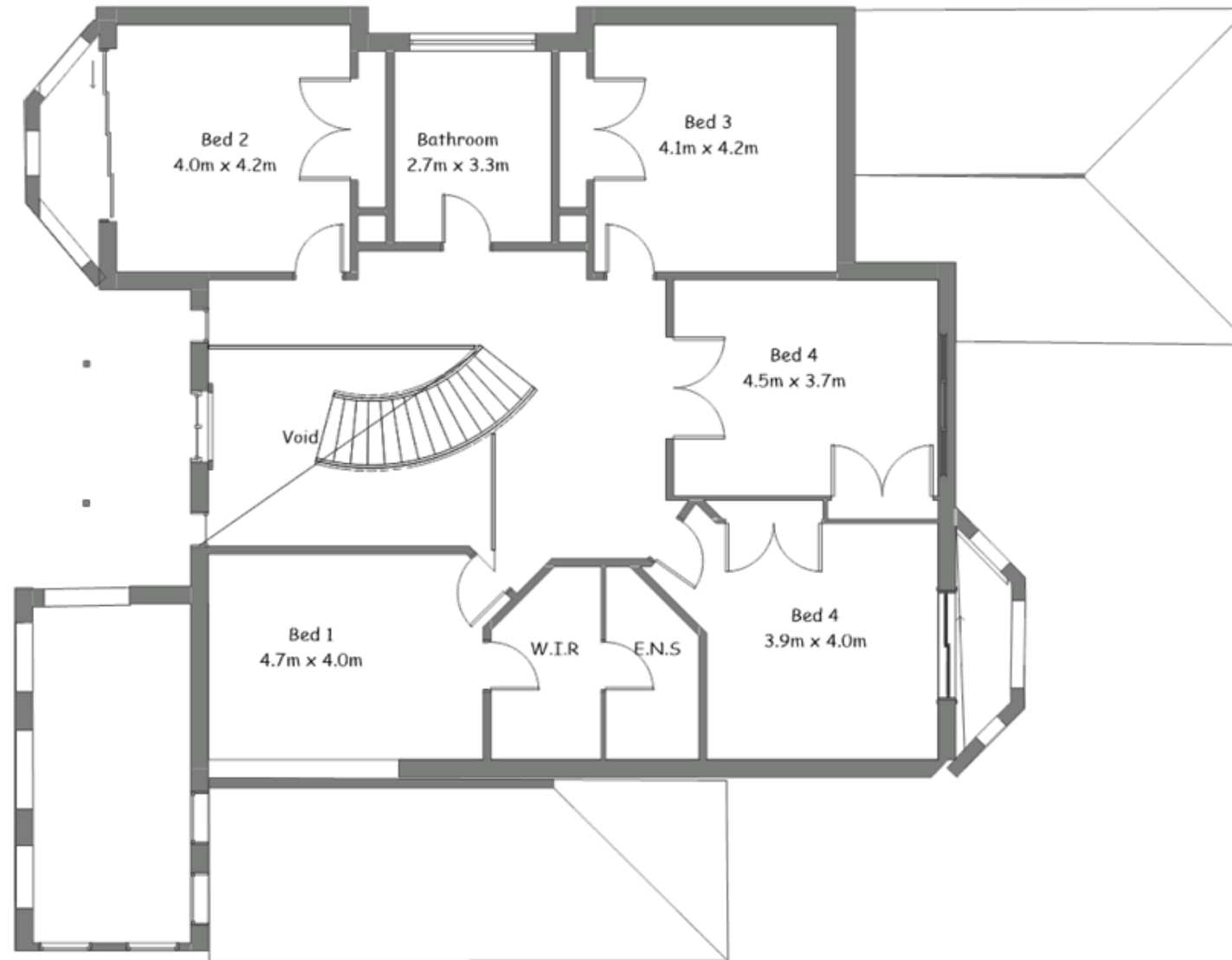
**DA2017/151
17 October 2017**



Ex. Ground floor (To remain unchanged)
1 : 100

Original

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			Issue Date: 16/10/2017	Scale: 1 : 100	Cad File Name: Owner	
			Drawn by: J.M	Checked: N.P	Approved: N.P	



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17 October 2017**

Ex. Level 1 (To remain unchanged)
1 : 100

Original

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			Drawn by: J.M Checked: N.P Approved: N.P			

TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017

REPORT: SIHAP – Report No. 7

SUBJECT: 1 WEEROONA ROAD, STRATHFIELD
LOT 70 IN DP 1140766

DA NO. 2017/148

SUMMARY

Proposal: Construction of a demountable shed for use as a flower shop

Applicant: Kevin Gosper

Owner: Strathfield Municipal Council

Date of lodgement: 12 October 2017

Notification period: 14 days

Submissions received: Five (5) written submissions received

Assessment officer: LM

Estimated cost of works: \$40,000.00

Zoning: IN1 – General Industrial SLEP 2012

Heritage: N/A

Flood affected: No

RECOMMENDATION OF OFFICER: REFUSAL

EXECUTIVE SUMMARY

Approval is sought for the construction of a demountable shed for use as a flower shop.

The application was notified under Part L of the Strathfield Development Control Plan with a total of five (5) written submissions received. Concerns were raised regarding off-street parking, quality of construction, heritage impacts, public safety, access and impact upon the operational demands of adjoining premises.

As discussed throughout this report, the proposed development is unable to be supported by Council Officers given that the site is for the purposes of a retail premises which is prohibited in the subject IN1 – General Industrial zoning under the SLEP 2012. Further, Council is yet to receive any additional information which was requested during the assessment process. As such, Council is unable to adequately assess the proposed development and determine associated impacts as a result of the proposed development.

In light of above, the proposed development is unable to be supported by Council Officers and the application is therefore recommended for refusal.

The subject application was referred to Council's Internal Development Assessment Panel (IDAP) for consideration on 22 November 2017. The Panel supported the Assessing Officer's recommendation and recommended that the application be referred to SIHAP for determination.

BACKGROUND

**1 Weeroona Road, Strathfield
Lot 70 in DP 1140766 (Cont'd)**

- 12 October 2017: The subject application was lodged with Council seeking to utilise Council land for the purposes of a flower shop.
- 30 October 2017: A deferral letter was issued to the applicant requesting additional information to be submitted for further consideration. This included details regarding staff numbers, hours of operation, external colours and finishes, additional detail in submitted plans, a stormwater plan and a waste management plan.

The applicant failed to submit any of the additional information requested by Council.

- 11 November 2017: A permit to operate a flower selling van on the subject site was issued by Council under Section 68 Part F of the Local Government Act 1993. The approval lapses 11 February 2018 or until further notice by Council.
- NOTE: Council has received numerous complaints regarding the operation of the flower shop. This has been investigated by Council's compliance section under separate cover.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located north-east of the intersection of Barker Road, Memorial Avenue and Weeroona Road. The subject site is located immediately south of the Strathfield Council depot complex upon the Council verge. Immediately west of the site is the NSW SES which currently utilises the demountable building and adjoining Weeroona Road driveway access. Immediately west of the site is the Rookwood Cemetery which forms part of Cumberland Council. Immediately south of the site is the Australia Post (as shown in Figure 1).



Figure 1: Aerial view of subject site and surrounding development

1 Weeroona Road, Strathfield
Lot 70 in DP 1140766 (Cont'd)



Figure 2: View of subject site



Figure 3: View of subject site and adjoining footpath

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

1 Weeroona Road, Strathfield
Lot 70 in DP 1140766 (Cont'd)

The application seeks Council approval for construction of a demountable shed for use of a flower shop.

The specific elements of the proposal are:

- Construction of a demountable shed with colourbond roofing and wall cladding for use as a flower shop; and
- Associated drainage works.

As discussed, a deferral letter was sent to the applicant 30 October 2017 requesting additional information to be submitted regarding a revision of plans to provide further detail, site operation, staff numbers and waste management. This additional information was not submitted to Council.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer has commented on the proposal as follows:

- "In accordance with section 4.7 of Council's stormwater management code, all developments that require a development application (DA) needs to submit a stormwater drainage concept plan with the application demonstrating the feasibility of the proposed drainage system within the site and connection to Council's system. The application will not be accepted without such a plan."

Council's Engineer therefore offered objection to the proposal.

Natural Resource Comments

Council's Natural Resource Coordinator has commented on the proposal as follows:

- *"The site where the flower shop is proposed was planted up with a variety of native grasses only a few months ago which we would anticipate harvesting for seed in the new year. Without this resource the Council nursery's productive capacity will be compromised;*
- *The adjoining cycleway path is used by cyclists coming from and going into Rookwood Cemetery and the presence of the Flower Shop will create additional hazards from potential collisions with pedestrians;*
- *The development in Strathfield Golf Course at the end of Weeroona Road will result in additional traffic in an area that is already busy with Rookwood Cemetery traffic, Council vehicles and Australia Post vehicles;*
- *It should be noted that people who want to purchase flowers entering Rookwood will have to cross Weeroona Road twice to purchase flowers creating additional hazards*
- *The cemetery already has florists present within its grounds which the cemetery is able to regulate"*

Council's Natural Resource Coordinator offered objection to the proposal.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

79C(1)(a) the provisions of:

1 Weeroona Road, Strathfield
 Lot 70 in DP 1140766 (Cont'd)

(i) any environmental planning instrument

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 has not been included as the proposed development has not provided enough information to make certain that the development will result in a positive development.

Permissibility

The subject site is Zoned IN1 – General Industrial under Strathfield Local Environmental Plan (SLEP) 2012.

The proposed development for the purposes of a *retail premises* which is prohibited within the IN1 – General Industrial Zone. A retail premises is defined under SLEP 2012 as follows:

“retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:

- (a) bulky goods premises,*
 - (b) cellar door premises,*
 - (c) food and drink premises,*
 - (d) garden centres,*
 - (e) hardware and building supplies,*
 - (f) kiosks,*
 - (g) landscaping material supplies,*
 - (h) markets,*
 - (i) plant nurseries,*
 - (j) roadside stalls,*
 - (k) rural supplies,*
 - (l) shops,*
 - (m) timber yards,*
 - (n) vehicle sales or hire premises,*
- but does not include highway service centres, service stations, industrial retail outlets or restricted premises.”*

As such, the proposed development is prohibited on the subject site and is therefore unable to be supported by Council Officers.

Zone Objectives

An assessment of the proposal against the objectives of the IN1 – General Industrial Zone is included below:

Objectives	Complies
• To provide a wide range of industrial and warehouse land uses.	No
• To encourage employment opportunities.	Yes
• To minimise any adverse effect of industry on other land uses.	No
• To support and protect industrial land for industrial uses.	No
• To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.	No

Comments: The proposed development is defined as a *retail premises* which evidently does not support industrial land uses surrounding the site. Despite the lack of information provided to

1 Weeroona Road, Strathfield
Lot 70 in DP 1140766 (Cont'd)

Council, it is apparent that the proposed use may adversely impact upon the functioning of neighbouring industrial land uses. Specifically, the development demands the use of off-street parking on nearby, unrelated land to operate; it also results in additional traffic and pedestrian movements which will impact upon the flow of traffic through the street.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

A calculation regarding height and FSR has not been undertaken given the lack of information submitted with the application.

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the SLEP 2012 are addressed below as part of this assessment:

5.4 Controls relating to miscellaneous permissible uses

Clause 5.4(8) of the SLEP, 2012 prohibits roadside stalls from exceeding 8m² gross floor area. Based on the plans submitted to Council, it appears that the proposed development will result in a minimum floor space of approximately 54m² which far exceeds the minimum 8m² requirements.

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A waste management plan was submitted as part of the application yet insufficient information regarding ongoing waste management of the site was not provided. This fails to meet the minimum requirements of Part H of the SCDCP 2005.

PART I – PROVISION OF OFF-STREET PARKING FACILITIES (SCDCP 2005)

Section 3.4.5 of Part I of the SCDCP 2005 requires a minimum of four (4) off-street parking spaces to be provided for the site. Based on the information submitted to Council, it appears that no off-street parking will be provided for the development. To date, no justification has been provided regarding the staff and visitor parking requirements for the site.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian

1 Weeroona Road, Strathfield
Lot 70 in DP 1140766 (Cont'd)

Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Zoning Permissibility

As previously discussed, the proposed development involves construction of a demountable shed for use as a flower shop. The proposed development is best defined as a retail premise and is therefore prohibited in the subject IN1 – General Industrial zoning. For this reason, the application cannot be supported.

Insufficient Information

The application has not been accompanied with sufficient information in order for Council to be satisfied that the proposal is appropriate and to be certain of what the implications of the proposal would be. Whilst a deferral letter was issued to the applicant 30th October 2017 requesting additional information to be submitted, Council is still yet to receive any such information. In this regard, the application is not supported.

79C(1)(c) the suitability of the site for the development

The proposed development is considered to be unsuitable to the site in that the proposed development seeks to construct a retail premise in an industrial zone. The proposal is therefore not suitable to the immediate locality and therefore cannot be supported.

79C(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with Part L of the SCDCP 2005 for 14 days, with **Five (5)** submissions received, raising the following concerns:

**1 Weeroona Road, Strathfield
Lot 70 in DP 1140766 (Cont'd)**

1. *Safety – Concern is raised for the safety of pedestrians who need to cross Weeroona Road with no pedestrian crossing or safe way to cross the road. The large volume of traffic entering and existing the cemetery along with large truck movements would post a high risk of a pedestrian being struck by a vehicle.*

Assessing officer's comments: The application has not considered pedestrian movements to the shop. The closest safe access point for pedestrians to cross the street is at the set of traffic lights between Weeroona Road and Centenary Drive which is approximately 150m from the flower stall.

2. *Off-street parking – concern is raised for opportunities for off-street parking for the site and that parking for the site is only accessible when exiting the cemetery.*

Assessing officer's comments: Based on the limited information provided, the proposed flower shop would rely on on-street parking for both staff and customers to visit the site. This is considered inappropriate as this will limit on street parking for adjoining neighbours. Alternatively, the use would require the occupation of adjoining off-street parking for other uses.

3. *Quality of Construction – concern is raised for the quality of the construction whereby a demountable shed is not considered appropriate quality of construction, immediately adjacent to such a significant heritage site.*

Assessing officer's comments: Based on the limited information submitted to Council, it appears that the proposed development would be of a poor quality construction and is unlikely to positively contribute to the streetscape. Further, the proposed development fails to note the heritage significant of the adjoining cemetery and its impact upon the site.

4. *Operational capability of adjoining premises- concern is raised for the proposed development as it would adversely impact upon the operational capability and rescue response of adjoining development. Namely the NSW SES Strathfield unit and Australia Post*

Assessing officer's comments: The proposed application has not provided consideration for how the site will function in such close proximity to the SES and Australia Post. This is particularly noting that the access driveway utilised by SES is located immediately adjacent the proposed location of the flower shop. Council can therefore not be certain that the proposed development will not adversely impact upon the functioning of both SES and Australia Post

5. *Traffic Congestion – concern is raised that the proposed development will cause traffic congestion from customers parking outside its premises on Weeroona Road and crossing the road to the florist.*

Assessing officer's comments: The proposed application fails to provide adequate information regarding staff numbers, hours of operation and waste management to provide Council in order to determine how the site will function and whether the proposed development is adequate.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is considered to be contrary to the public interest as the development has not considered the safety implications for the public for motorists, pedestrians and cyclists of the immediate vicinity.

CONCLUSION

**1 Weeroona Road, Strathfield
Lot 70 in DP 1140766 (Cont'd)**

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be unsatisfactory for approval.

RECOMMENDATION

That Development Application No. 2017/148 for construction of a demountable shed for use as a flower shop at 1 Weeroona Road, Strathfield be **REFUSED**, for the following reasons:

1. In accordance with Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development is prohibited within IN1 – General Industrial for the purpose of retail premises.
2. In accordance with Section 79C(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposal does not comply with the parking requirement under Section 3.4.5 of Part I of the Strathfield Consolidated Development Control Plan 2005.
3. In accordance with Section 79C(1)(a)(iv) of the *Environmental Planning and Assessment Act 1979*, the proposal does not comply with the requirements under Clause 54 of the *Environmental Planning and Assessment Regulation 2000*, as insufficient information has been submitted to satisfactorily assess the proposed development and its environmental impact, with respect to operation of the premise, stormwater drainage, waste management and builtform.
4. In accordance with Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, the proposed development would have adverse impacts on the adjoining properties.
5. In accordance with Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, the proposed development is unsuitable for the site.
6. Pursuant to the provisions of Section 79C(1)(d)(e) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development would not be in the public interest.

ATTACHMENTS

1. [↓](#) 1 Weeroona Rd - Architecturals

SITE ANALYSIS PLAN No 115-17A

Lidcombe
Satellite Map

Map Route Planner Satellite

Enter a location: postcode, town or city, or a place of interest (sports venue, hospital, train station, airport, tourist attraction, etc).

Search address, city or country

PROPOSED RELOCATION

EXISTING

FLORIST



Tenpin City

STRATHFIELD COUNCIL
RECEIVED

DA2017/148
12 October 2017



Map data ©2017 Google Imagery ©2017, CNES / , Report a map error

05/10/2017

Google Maps

RECEIVED

DA2017/148
12 October 2017

Google Maps



Imagery ©2017 Google, Map data ©2017 Google Australia 20 m

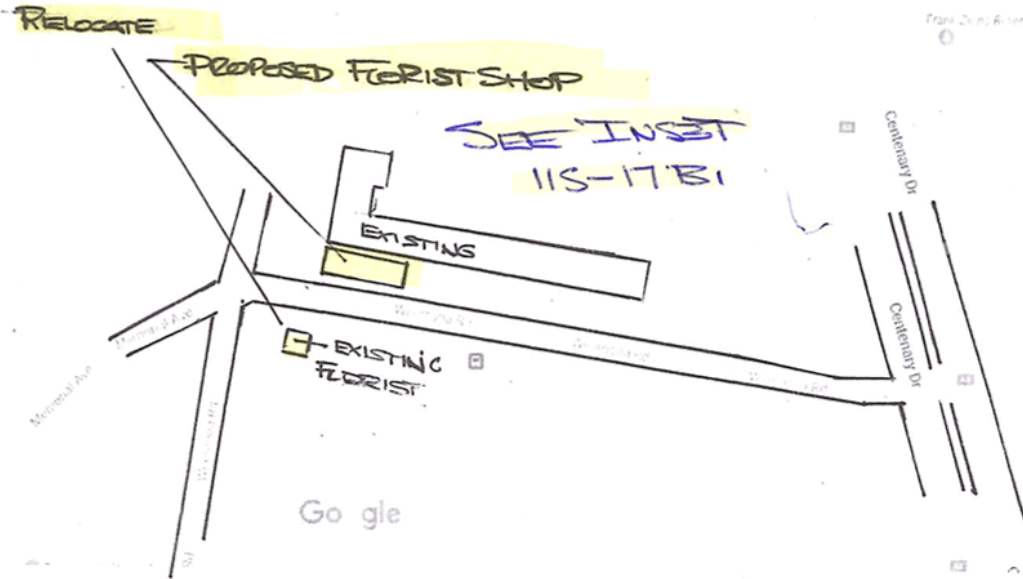
STREET 15-17E
SCAPE

Go gle Maps Weeroona Rd

**STRATHFIELD COUNCIL
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**DA2017/148
12 October 2017**

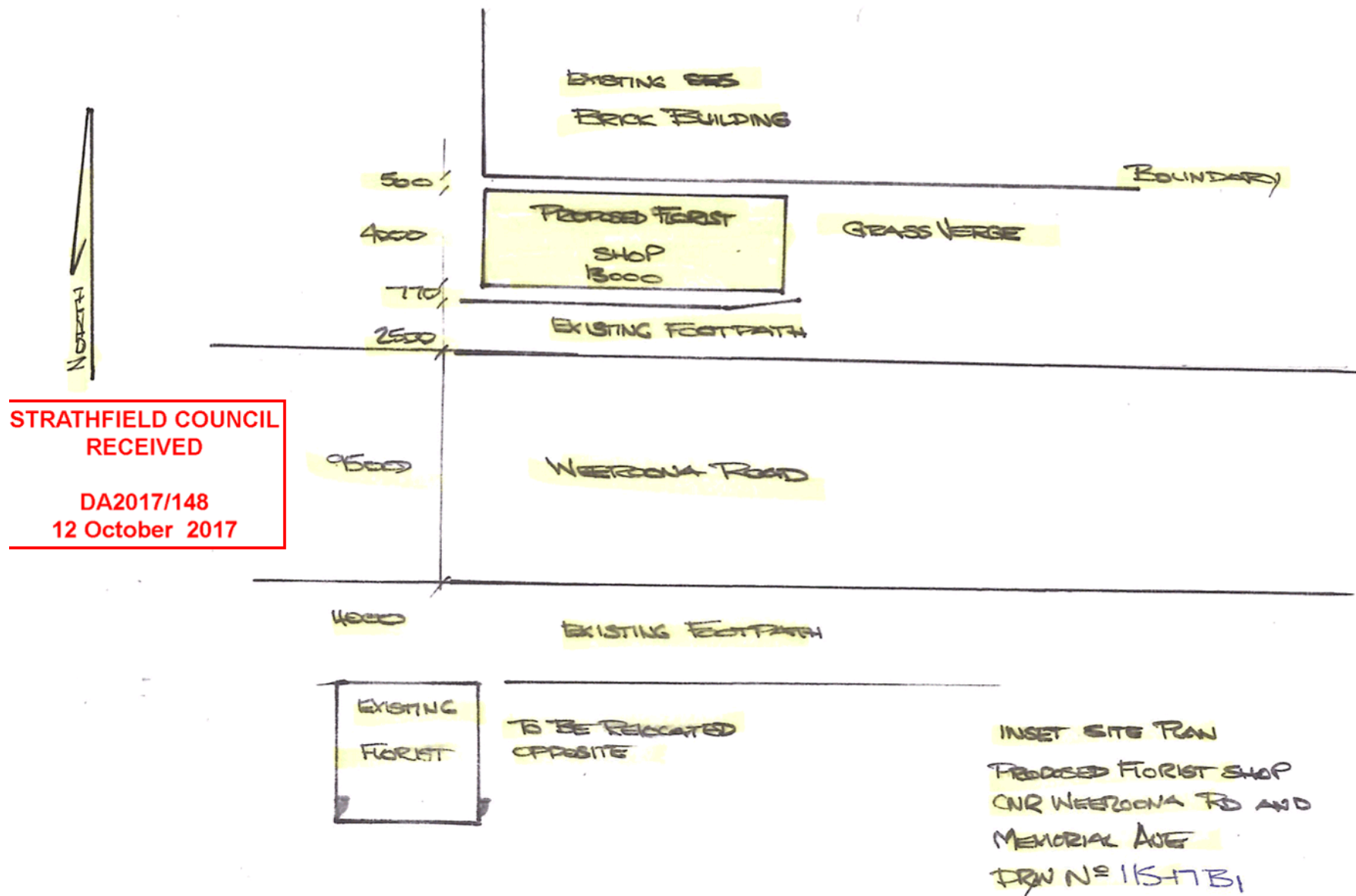
DWG NO 115-17 B



Map data ©2017 Google

SCALE 1:100

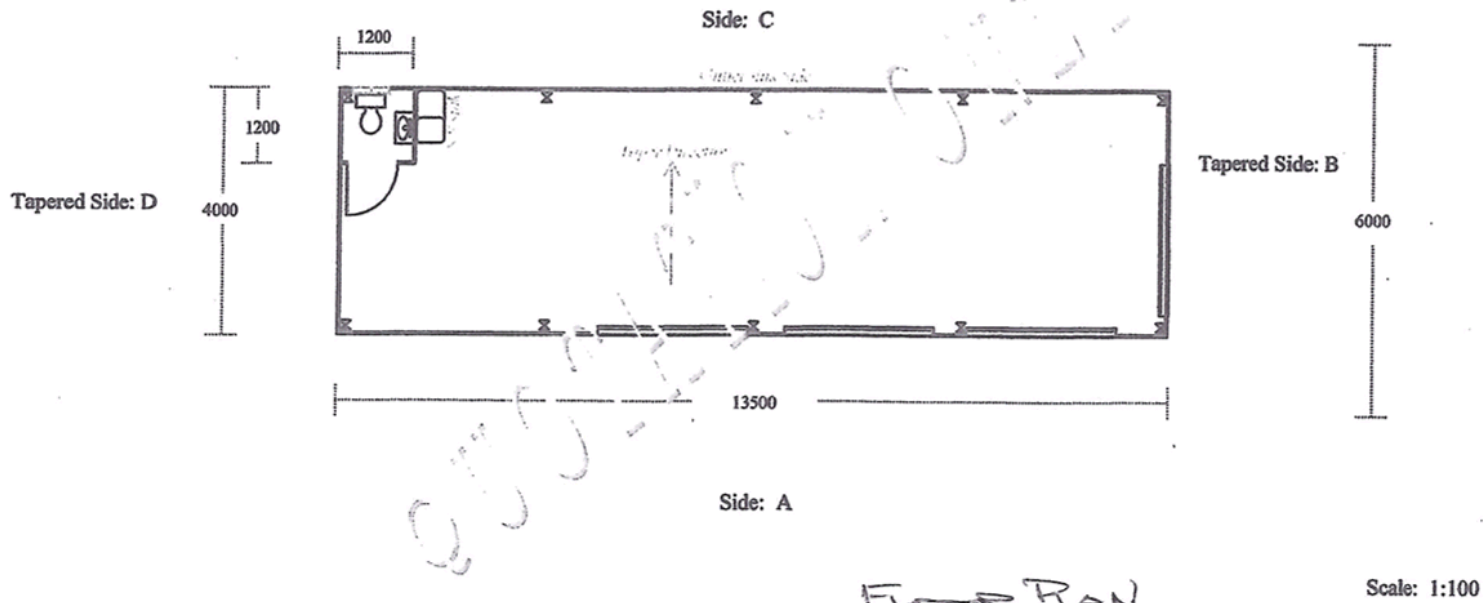
SHEET PLAN:
**PROPOSED FLORIST SHOP
ONR WEEROONA ROAD AND
MEMORIAL AVE**



FLAT ROOF GARAGE
STEEL "C" SECTION FRAME

STRATHFIELD COUNCIL
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DA2017/148
12 October 2017

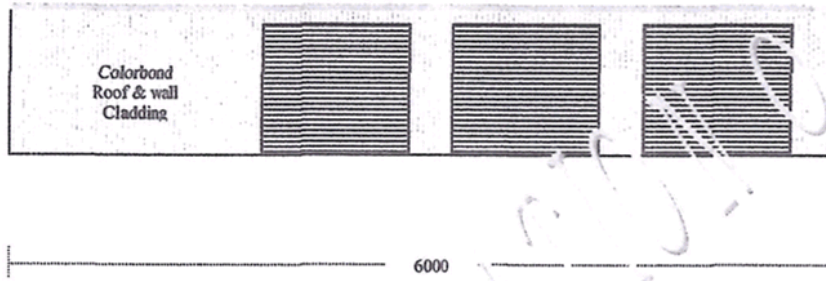


<p>GOSPERS GARAGES & ROOFING</p> <p>144 Blacktown Rd, FREEMANS REACH NSW 2756</p> <p>Ph: 02 4579-6833 Fx: 02 4579-6277 E-mail: admin@gospers.com.au www.gospers.com.au</p>	<p>Designed & Drawn : J. Gosper 28/09/17</p> <p>OWNER : STRATHFIELD COUNCIL</p>	<p>REF. No. 15-17c</p> <p>Owner's Signature</p>
	<p>DP 114 0766</p> <p>Site address: LOT 70 WEERDOONA RD ROCKWOOD.</p>	<p>Date : 04-10-2017</p>

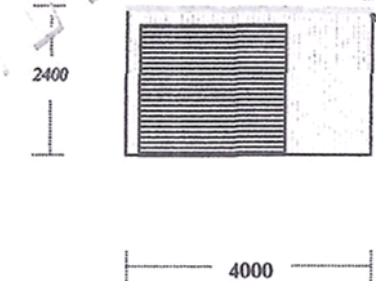
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12 October 2017

FLAT ROOF GARAGE
 STEEL "C" SECTION FRAME

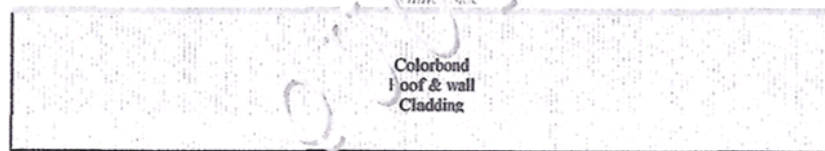
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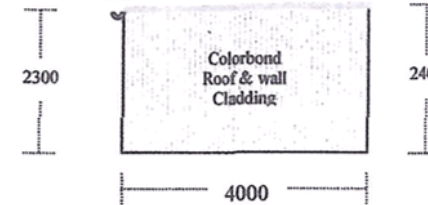
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Side: C



Tapered Side: D



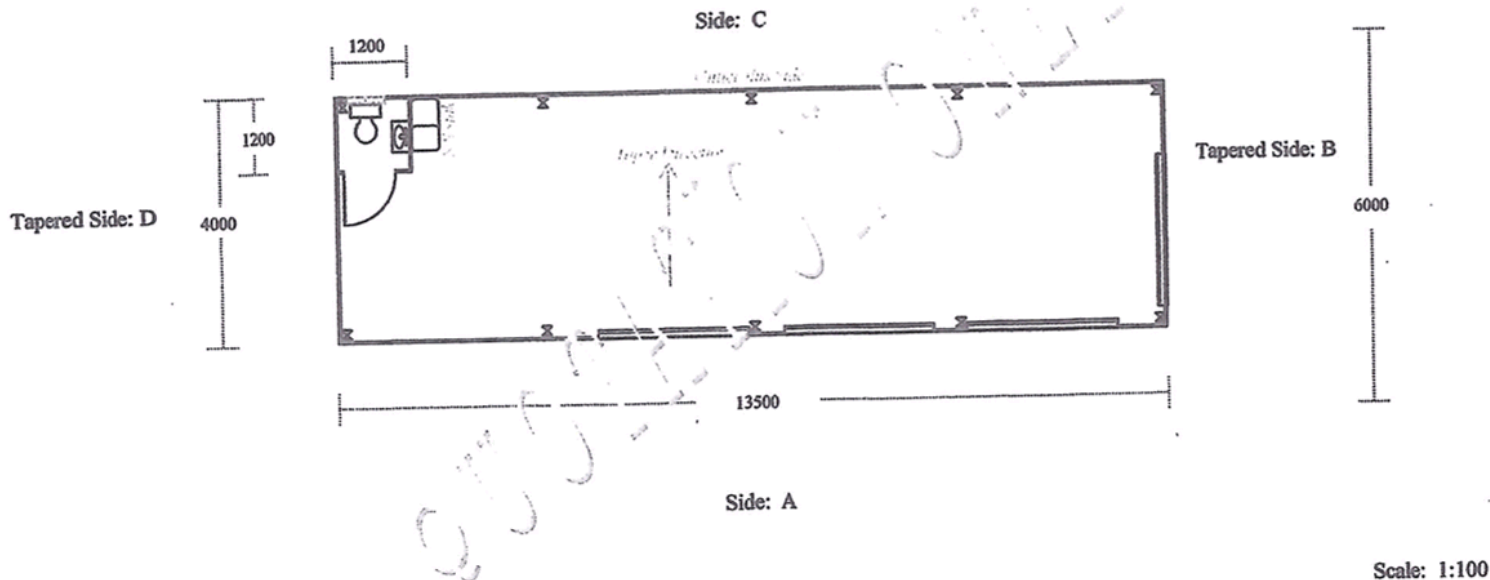
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GOSPERS GARAGES & ROOFING 144 Blacktown Rd, FREEMANS REACH NSW 2756 Ph: 02 4579-6833 Fx: 02 4579-6277 E-mail: admin@gospers.com.au www.gospers.com.au	Designed & Drawn : J. Gosper 28/09/17	REF. No. 115-17D
	OWNER : STRATHFIELD COUNCIL	Owner's Signature
Site address:	DP 114 0766 LOT NO 70 WEERODONA ROAD ROCKWOOD.	Date : 04-10-2017

IMPORTANT!

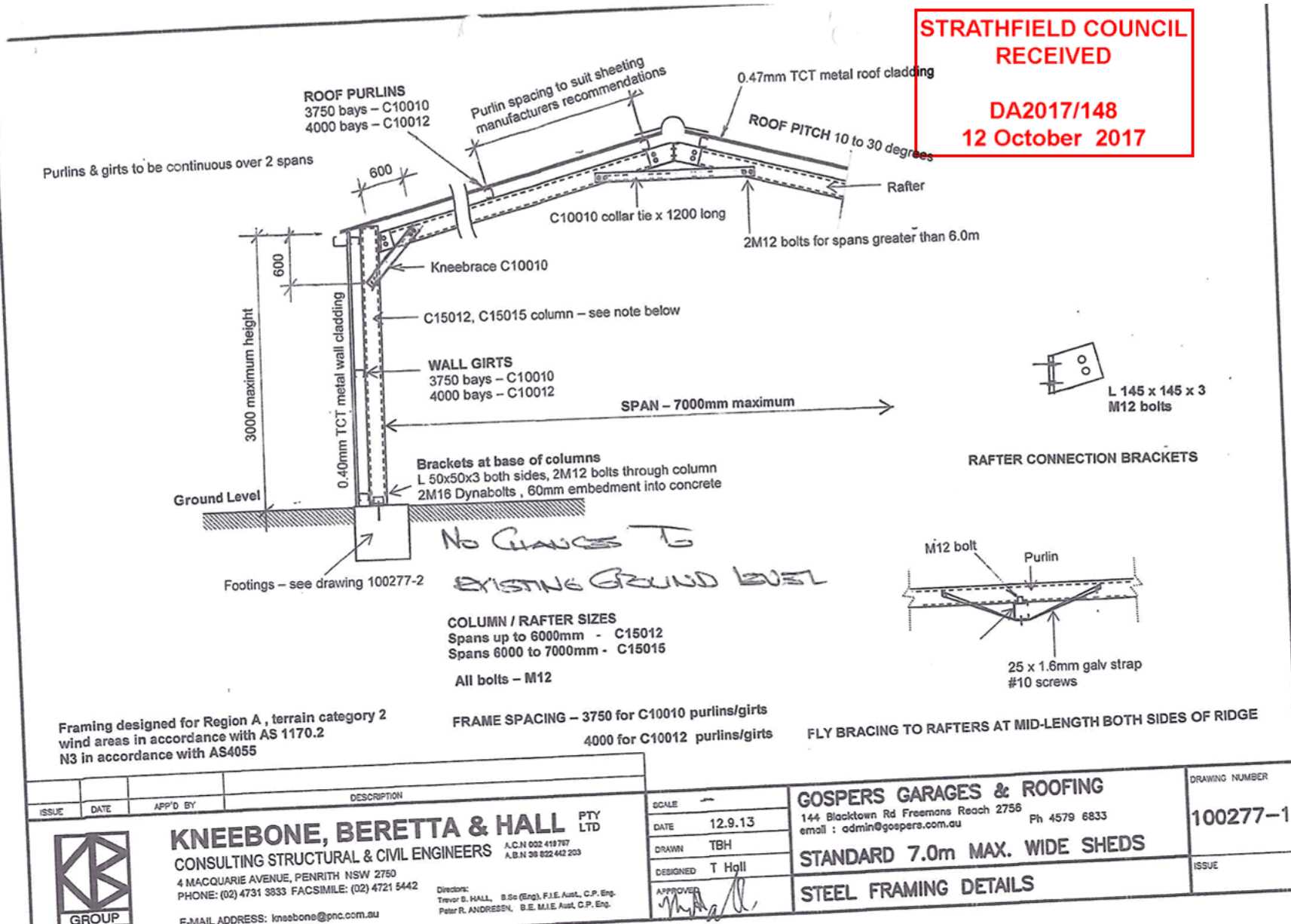
FLAT ROOF GARAGE
STEEL "C" SECTION FRAME

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12 October 2017



GOSPERS GARAGES & ROOFING 144 Blacktown Rd, FREEMANS REACH NSW 2756 Ph: 02 4579-6833 Fx: 02 4579-6277 E-mail: admin@gospers.com.au www.gospers.com.au	Designed & Drawn: J. Gosper 28/09/17	REF. No. 115-17D
	OWNER: STRATHFIELD COUNCIL	Owner's Signature
	DP 114 0766 Site address: LOT 70 WEERODNA RD ROCKWOOD.	Date: 04-10-2017

IMPORTANT!



**STRATHFIELD COUNCIL
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DA2017/148
12 October 2017

No Changes To
 EXISTING GROUND LEVEL

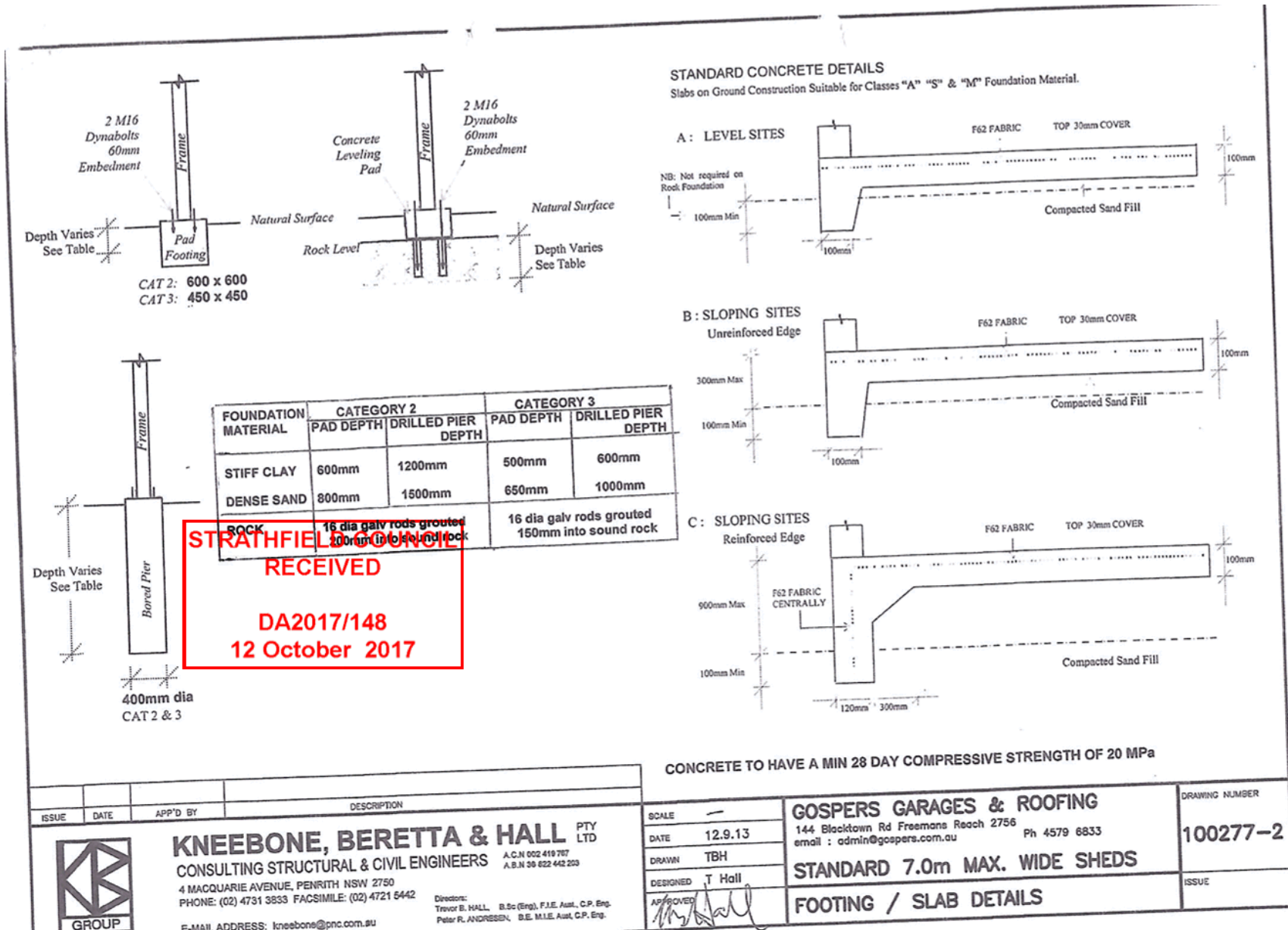
ISSUE	DATE	APP'D BY	DESCRIPTION

KNEEBONE, BERETTA & HALL PTY LTD
 CONSULTING STRUCTURAL & CIVIL ENGINEERS
 4 MACQUARIE AVENUE, PENRITH NSW 2750
 PHONE: (02) 4731 3833 FACSIMILE: (02) 4721 5442
 E-MAIL ADDRESS: kneebone@pnc.com.au

A.C.N 602 419 757
 A.B.N 39 622 442 203

 Directors:
 Trevor B. HALL, B.Sc (Eng), F.I.E. Aust., C.P. Eng.
 Peter R. ANDRESEN, B.E. M.I.E. Aust., C.P. Eng.

SCALE	DATE	GOSPERS GARAGES & ROOFING 144 Blacktown Rd Freemans Reach 2756 Ph 4579 6833 email: admin@gospers.com.au	DRAWING NUMBER
	12.9.13		100277-1
DRAWN	TBH	STANDARD 7.0m MAX. WIDE SHEDS	ISSUE
DESIGNED	T Hall		
APPROVED		STEEL FRAMING DETAILS	



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 7 December 2017

REPORT: SIHAP – Report No. 8

SUBJECT: 14 DUNLOP ST, STRATHFIELD SOUTH
LOT 10 DP 29223

DA NO. DA2017/136

SUMMARY

Proposal: Use of the site as a vehicle hire premise.

Applicant: Merlino Property Investments Pty Ltd

Owner: Merlino Property Investments Pty Ltd

Date of lodgement: 11 September 2017

Notification period: 14 days

Submissions received: One written submission and one petition with (19) signatures.

Assessment officer: ND

Estimated cost of works: \$NIL

Zoning: IN1 General Industry - SLEP 2012

Heritage: NA

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **REFUSAL**

EXECUTIVE SUMMARY

- 1.0 Approval is sought for the use of the existing premises as a vehicle hire premise.
- 2.0 The application was notified in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005 with one (1) written submission and one (1) petition containing (19) signatures received. Concerns were raised in relation to noise emissions from the vehicles, current operational hours of the premises and the speeding of vehicles along Dean Street.
- 3.0 Specifically, the application seeks retrospective consent for the proposed use of the premises as a vehicle hire premises as it is currently operating without any consent.
- 4.0 The proposed use as a vehicle hire premise is unable to be supported given that the site is defined as a vehicle hire premises which is prohibited in the subject IN1 – General Industrial zoning under *SLEP 2012*.
- 5.0 Overall, the development application is not supported by Council's Officers and is therefore recommended for refusal.

The subject application was referred to Council's Internal Development Assessment Panel (IDAP) for consideration on 22 November 2017. The Panel supported the Assessing Officer's recommendation and recommended that the application be referred to SIHAP for determination.

14 Dunlop St, Strathfield South
Lot 10 DP 29223 (Cont'd)

BACKGROUND

- 18 July 2017 An audit of all the premises within the Strathfield Local Government Area's industrial zoned lands identified that the current use of the site is operating without consent. Accordingly pertaining to this effect and advising that consent for the use of the site is required was sent by Council's Environmental Health and Compliance Coordinator.
- 21 November 2017 Correspondence was sent to the architect (at the request of the applicant) requesting further information in relation to the operations of the premises.
- 24 November 2017 Additional information was received regarding the operations of the site.

DESCRIPTION OF THE SITE AND LOCALITY

The site is located on the south-eastern side of Dunlop Street, Strathfield South and comprises two (2) tenancies (Lot 10 and Lot 11 in DP 29223) both two (2) storey buildings in a L-shape orientation with direct vehicular access to Dunlop Street with a total site area of 2,164.7m². The subject tenancy (Lot 10) is outlined in yellow in Figure 1. The subject site is located approximately 160m from residential dwellings located to the north-east.

Development along Dunlop Street is characterised by single and two (2) storey buildings used for a variety of industrial uses including warehouse and distribution, landscaping, and building supplies. The subject site is surrounded by low density residential dwellings to the north and east.

It is important to note that the proposed used of the site as a vehicle hire premises is currently operational without any consent.



Figure 1: Aerial view of the subject site and surrounding industrial and residential properties. 14 Dunlop St comprises of both Lot 10 and Lot 11 in DP 29223.

14 Dunlop St, Strathfield South
 Lot 10 DP 29223 (Cont'd)



Figure 2: View of the existing premises from Dunlop Street (building on the left).

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the use of the site as a vehicle hire premises.

The specific elements of the proposal are:

External:

- Three (3) car parking spaces;

Ground Level:

- Reception Area;
- Workshop;
- Five (5) office rooms;
- One (1) IT room;
- Two (2) kitchens;
- Chill-out room;
- Electrical room; and
- Three (3) bathrooms.

Mezzanine:

- Four (4) office rooms.

Proposed Operations:

- Hours of operation - Monday to Sunday 7am to 7pm
- Maximum of three (3) fulltime employees at the site at any one time.

Activities conducted at the premises:

14 Dunlop St, Strathfield South
Lot 10 DP 29223 (Cont'd)

- No car washing or servicing of any cars will take place on-site as the cars are under warranty and servicing plans.
- Additional information requested and received by the applicant during the assessment process stated that customers visit the premises to view the fleet of wedding cars which are stored within the building and other cars for hire.

REFERRALS

INTERNAL REFERRALS

Environmental Health

Council's Environmental Officer provided the following comments in relation to the proposed Development Application:

The Statement of Environmental Effects states that no washing down of vehicles and/ or servicing will be conducted on site as they are brand new and under warranty serving plans. However I suggest the below special condition to ensure that all environmental requirements are met, also considering the use and maintenance of vehicles once they are no longer in new condition.

Wastewater Control

The cleaning and/or preparation of surfaces in a manner whereby liquids are permitted or likely to enter any storm water drain is prohibited and an offence under the Protection of the Environment Operations Act 1997.

Waste Comments

Council's Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

It is noted that Councils' internal referral officers raised no objections to the proposal, however the development is not permissible.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the *Environmental Planning and Assessment Act, 1979* as relevant to the development application:

79C(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires that Council gives consideration as to whether the land is contaminated prior to granting consent for the carrying out of any development.

The site has historically been used as a warehouse and factory. The proposed use of the site as a vehicle hire facility does not involve any excavation or change to the existing ground levels. No further assessment under SEPP 55 is required.

14 Dunlop St, Strathfield South
 Lot 10 DP 29223 (Cont'd)

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

Cl. 1.2(2)	Aims	Complies
(a)	To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield	N/A
(b)	To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development	No
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	No
(d)	To provide opportunities for economic growth that will enhance the local community	Yes
(e)	To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use	No
(f)	To identify and protect environmental and cultural heritage	Yes
(g)	To promote opportunities for social, cultural and community activities	N/A
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	No

Comments: The proposed use of the site does is not appropriate for the industrial zoning of the land.

Permissibility

The subject site is Zoned IN1 – General Industrial under *Strathfield Local Environmental Plan (SLEP) 2012*.

The submitted Statement of Environmental Effects provided minimal details of the daily activities conducted at the premises and with discussion as to the definition of the use of the site from a permissibility perspective. Consequently further information was requested and received during the assessment process in regards to the activities and interactions undertaken at the premises on a daily basis. The viewing of motor vehicles available for hire at the premises by customers complies with the definition of a vehicle sales or hire premises, as the premises is used as a “place used for the display”. Under *SLEP 2012*, the definition of hire premises is as follows:

“vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.”

Thus, the primary use of the premises is the display and hire of motor vehicles, being a vehicle hire premises with an ancillary use as a storage premises. Accordingly, the proposed use of the site is defined as a vehicle hire premises which is prohibited in IN1 General Industrial zoned under the *SLEP 2012*. Accordingly the development application is unable to be supported.

Zone Objectives

An assessment of the proposal against the objectives of the IN1 – General Industrial Zone is included below:

Objectives	Complies
➤ To provide a wide range of industrial and warehouse land uses.	No

14 Dunlop St, Strathfield South
 Lot 10 DP 29223 (Cont'd)

➤ To encourage employment opportunities.	Yes
➤ To minimize any adverse effect of industry on other land uses.	No
➤ To support and protect industrial land for industrial uses.	No
➤ To minimize fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.	Yes

Comments: As previously discussed, the proposed use of the site is defined as a vehicle hire premises which does not align with the industrial and warehouse land uses of the zone. The nature of the premises (vehicle hire) will result in additional traffic movements along Dunlop Street and increase in the use of off-street parking which may adversely impact adjoining industrial land uses.

Part 4: Principal development standards

The proposal seeks consent for the use of the site as a vehicle hire premises will not result in any changes to the existing the building height or Floor Space Ratio.

Part 5: Miscellaneous Provisions

There are no provisions contained within Part 5 of the *SLEP 2012* that are applicable to the proposed development.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the *SLEP 2012* are addressed below as part of this assessment:

6.1 Acid sulfate soils

The subject site is identified as having Class 4 soils. However, no works are proposed more than 2m below the natural ground surface. Therefore the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the *SLEP, 2012*.

6.2 Earthworks

No cut or fill works are proposed with the development application.

6.3 Flood planning

The subject site is identified as being affected in the 1 in 100 year flood event. The proposal and accompanying plans demonstrate that no building works are proposed, the proposal is strictly to seek consent for the use of the site as a vehicle hire premises. Given that no building works are proposed and the flooding is confined to the hard paved area within the front setback of the site the proposal is considered to be consistent with the Flood Planning Objectives under Clause 6.3 of the *SLEP 2012* with no flood measures required.

79C(1)(a)(ii) any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

79C(1)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

14 Dunlop St, Strathfield South
 Lot 10 DP 29223 (Cont'd)

PART D – INDUSTRIAL DEVELOPMENT

An assessment of the proposal against the objectives contained within Clause 1.2 of Part d of SDCDP 2005 is included below:

No.	Objectives	Complies
A	To improve the quality of industrial development within the Strathfield Municipality	Yes
B	To ensure the orderly development of industrial sites to minimise their environmental impact while maximising their functional potential	Yes
C	To ensure development is consistent with the principles of Ecologically Sustainable Development	Yes
D	To encourage high quality building design and industrial streetscape aesthetics	Yes
E	To ensure that new industrial development is of a type, scale, height, bulk and character that is compatible with the streetscape characteristics of the surrounding area	Yes
F	To promote high quality landscape areas which complement the overall development of the site and which assist in enhancing streetscape quality	No
G	To ensure that development will not unreasonably impact upon the amenity of any residential area in the vicinity	Yes
H	To ensure that traffic generated by industrial development does not adversely impact upon local or regional traffic movements	No
I	To ensure that each development has adequate on-site parking and manoeuvring areas for vehicles	No
J	To encourage employee amenity within industrial developments	Yes

Comments:

- Proposal seeks Council consent for the use of the site as a vehicle hire premises with no building works to the site proposed.
- The entirety of the subject site is concreted with no provisions for deep soil landscaping.

2.9 Parking, Access and Manoeuvring

Cl.	Controls	Complies
2.9.1 Parking		
1	The design of off-street parking areas is to be guided by and meet the requirements of Australian Standard (AS) 2890.1-1993 – Off-street car parking, AS2890.2-1989 – Commercial vehicles and Strathfield Part I - Provision of Off-Street Parking Facilities	Yes
2	Provision of spaces: • Industry: 1 space per 50m ² GFA where any office component is under 20%. If the office component is greater than 20% that additional area will be assessed at a rate of 1 space per 40m ² GFA. • Warehouses: 1 space per 300m ² GFA. • Delivery and service vehicles associated with a development: 1 space per 800m ² GFA up to 8,000m ² GFA plus 1 space per 1,000m ² GFA thereafter. Note: Car parking calculations are to be rounded up.	No
3	Car parking areas should ideally be located in the front setback for easy access.	Yes
4	Loading/unloading and parking areas are to be separated so as not to cause conflict. A variation to this may be considered if, for example all deliveries are made outside of business hours	Yes
5	Car parking areas are to be suitably landscaped which should include trees for shading. Refer to Section 2.10.13 and 2.10.14 for landscaping requirements	No
6	No parking shall be located within any proposed buildings (this does not include underground car parking)	No
7	Pedestrian thoroughfares shall be provided to separate vehicular from pedestrian traffic in large parking areas	Yes

14 Dunlop St, Strathfield South
Lot 10 DP 29223 (Cont'd)

2.9.4 Site Design

1	All vehicles are to enter and leave the site in a forward direction.	No
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Comments:

- Contrary to 2.9.1 (2) the premises provides three (3) car parking spaces, a shortfall of four (4) spaces to the minimum requirement of seven (7) spaces.
- Contrary to 2.9.1 (6) the proposed use involves the parking of vehicle hire within the existing building.
- Contrary to 2.9.4 (1) no swept path analysis accompanied the Development Application demonstrating that the vehicles for hire and display are capable of entering and leaving the site in a forward direction.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A Waste Management Plan accompanied the development application stating that one (1) x 240 litre recycling bin and one (1) x 240 litre waste bin is to be provided and collected by appointed contractors.

79C(1)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 93F of the *Environmental Planning and Assessment Act 1979*.

(i) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

(ii) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

14 Dunlop St, Strathfield South
 Lot 10 DP 29223 (Cont'd)

According to Council's Flood Studies the subject site is identified as being flood affected in the 1 in 100 year flood event. The proposal and accompanying plans demonstrate that no building works are proposed, the proposal is strictly to seek consent for the use of the site as a vehicle hire premises. Given that no building works are proposed and the flooding is confined to the hard paved area within the front setback of the site the proposal is considered to be consistent with the Flood Planning Objectives under Clause 6.3 of the *SLEP 2012* with no flood measures required.

79C(1)(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Zoning Permissibility

The development application seeks consent for the use of the existing premises as a vehicle hire premises. As previously discussed, the proposed use is best defined as a vehicle hire premises involving customers visiting the site to view cars available for hire, specifically wedding cars and is therefore prohibited in the subject IN1 – General Industrial zoning. For this reason, the application cannot be supported.

Insufficient Information

As discussed in the Description of the Site and Locality section of this report, the subject site being 14 Dunlop Street comprises of two (2) allotments (Lot 10 and Lot 11 in DP 29223) with the Statement of Environmental Effects and accompanying plans referring only to Lot 10 with no information pertaining to the use of the second allotment (Lot 11).

79C(1)(c) *the suitability of the site for the development*

The proposed use of the site as a vehicle hire premises is prohibited and is not consistent with the objectives of the IN1 General Industrial zoning. Additionally, the proposed hours of operation 7am to 7pm seven (7) days with the only vehicle access through residential streets will impact on the acoustic amenity of surrounding residents due to the engine noise of the vehicles. Therefore the use of the site is not suitable for the site and is recommended for refusal.

79C(1)(d) *any submissions made in accordance with this Act or the regulations*

The application was notified in accordance with Part L of the SCDCP 2005 for 14 days. One (1) written submission was received and one (1) petition containing (19) signatures, raising the following concerns:

1. Noise and Speeding of Vehicles

Concern is raised in relation to the noise and speed of vehicles associated with the proposed use of the site whilst driving along Dean Street and Dunlop Street.

Assessing officer's comments: The proposal of the premises as a vehicle hire premises is prohibited in the IN1 General Industrial zone. As such, the Development Application is recommended for refusal and no further consideration is required.

2. Hours of Operation

Concern is raised regarding the proposed hours of operation, specifically from a Council compliance context as premises along Dunlop Street are already operating outside of approved hours.

14 Dunlop St, Strathfield South
Lot 10 DP 29223 (Cont'd)

Assessing officer's comments: Previously discussed in the background section of this report, the premise has been operating without consent. In regards to other sites in Dunlop Street operating without consent, it will be dealt with by Council's compliance team and cannot be addressed under this application.

3. *Suitability of the premises as a vehicle hire premises with the IN2 Light Industrial zoning of the subject site.*

Assessing officer's comments: Under the *Strathfield LEP 2012* land use mapping, the subject site is located within the IN1 General Industrial zone. The proposed use of the site as a vehicle hire premises is prohibited under IN1 General Industrial zone. Accordingly the Development Application is recommended for refusal.

79C(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is considered to be contrary to the public interest.

CONCLUSION

The application has been assessed having regard to Section 79C of the *Environmental Planning and Assessment Act 1979*, the *Strathfield Local Environmental Plan 2012* and the *Strathfield Development Control Plan 2005* and is considered to be unsatisfactory for approval.

RECOMMENDATION

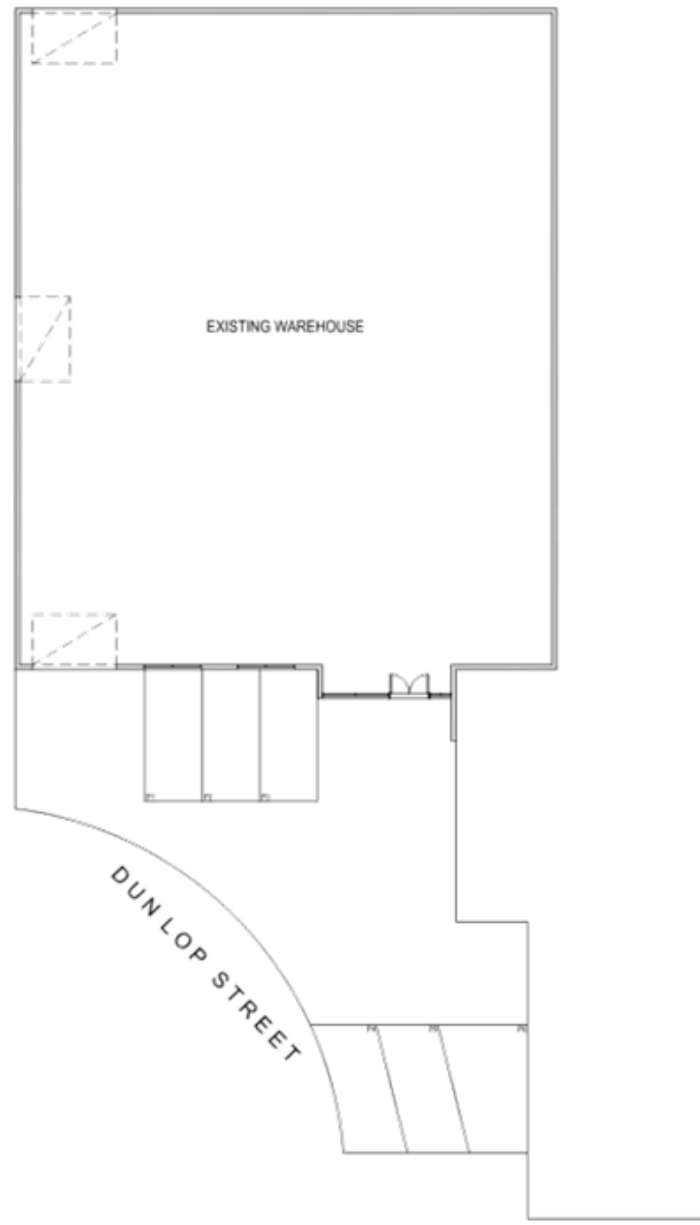
That Development Application No. DA2017/136 for the use of the site as a vehicle hire premise at 14 Dunlop Street, Strathfield South be **REFUSED**, subject to the following reasons:

1. In accordance with *Section 79C(a)(i) of the Environmental Planning and Assessment Act 1979*, the proposed development is prohibited within IN1 – General Industrial for the purpose of a vehicle hire premises.
2. In accordance with *Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*, the proposal fails to satisfy the objectives of Clause 2.9 Parking, Access and Manoeuvring of the Part D of *Strathfield Consolidated Development Control Plan 2005* with respect to vehicle parking, access and manoeuvring.
3. In accordance with *Section 79C(1)(b)&(c) of the Environmental Planning and Assessment Act 1979*, the proposed development would have impacts to the locality with respect to the proposed operating hours.
4. Pursuant to the provisions of *Section 79C(1)(d)(e) of the Environmental Planning and Assessment Act 1979*, it is considered that the proposed development would not be in the public interest.

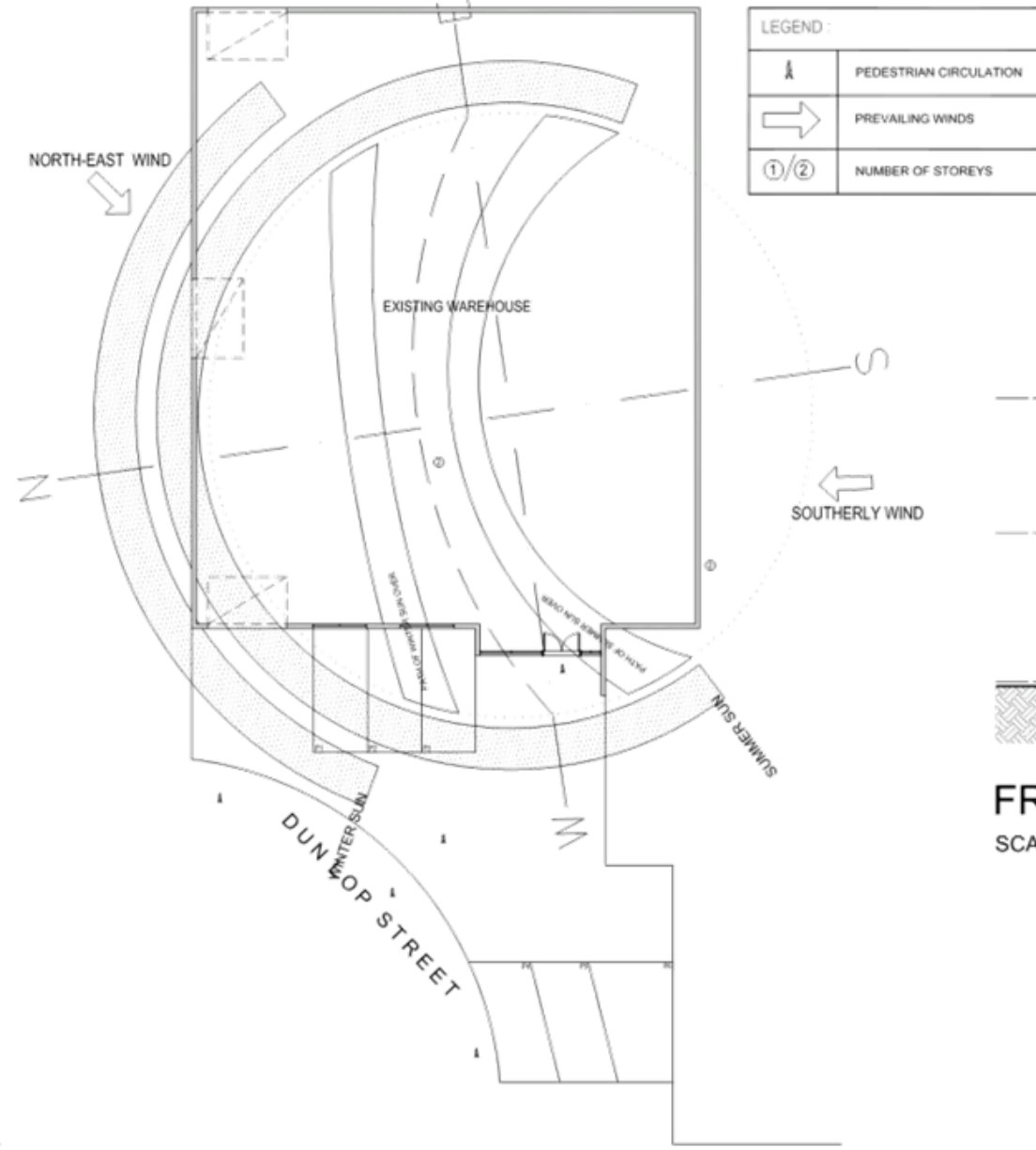
ATTACHMENTS

1. [↓](#) 14 Dunlop St - Plans

14 DUNLOP STREET, STRATHFIELD SOUTH, NSW 2136 **ISSUE FOR DA**



SITE PLAN
SCALE 1 : 200



SITE ANALYSIS PLAN
SCALE 1 : 200

LEGEND:

	PEDESTRIAN CIRCULATION
	PREVAILING WINDS
	NUMBER OF STOREYS

**STRATHFIELD COUNCIL
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DA2017/136
11 September 2017



FRONT ELEVATION
SCALE 1 : 100



- Residential
- Industrial
- Commercial

PO BOX 2033,
North Parramatta, NSW 2151
t. 0405 256 993
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○ Only figured dimensions to be used.
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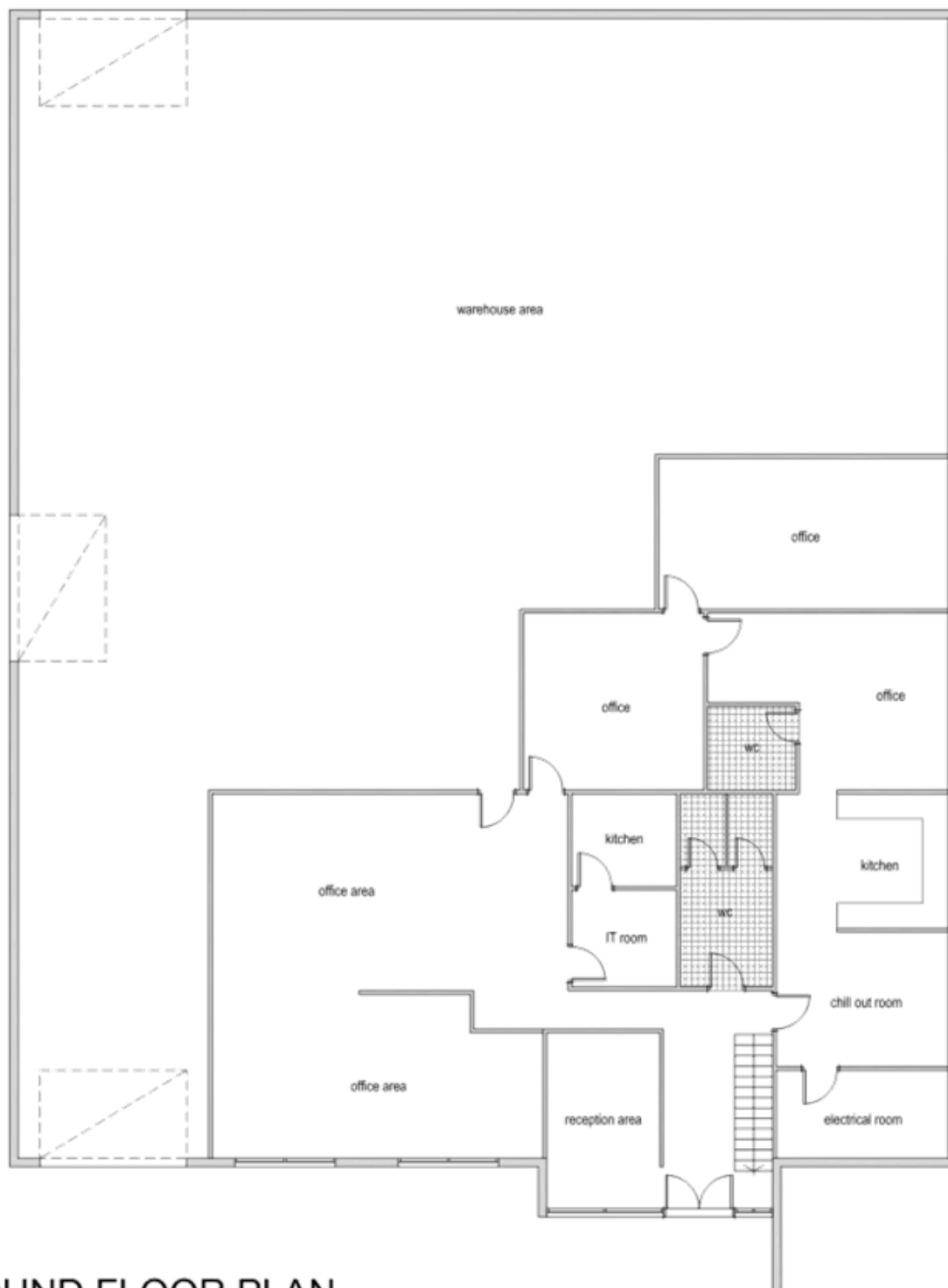
Issue	Amendment	Initials	Date
A	Issue to council for DA approval	A.B.	31.08.17



Client:
ASTRA Limousines
Address:
14 Dunlop Street,
Strathfield South, N.S.W
Project:

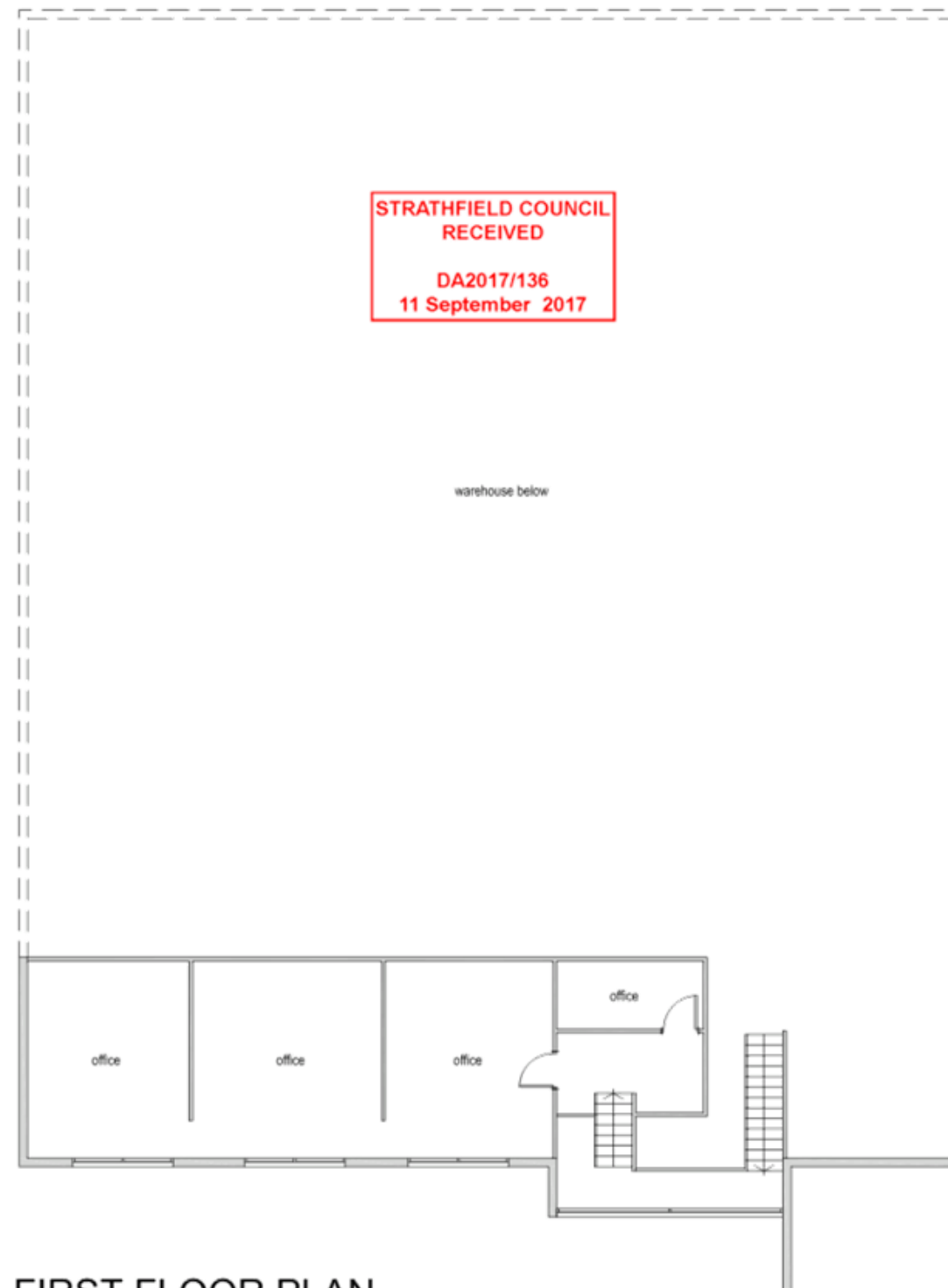
Title:
SITE PLAN / SITE ANALYSIS PLAN/ FRONT ELEVATION

Drawn: A.B.	Date: 31-08-17	Project No. 17-051
Checked: D.B.	Scale: 1:100/200	Draw No.
Sheet of	Issue	DA.01



GROUND FLOOR PLAN

SCALE 1 : 100



FIRST FLOOR PLAN

SCALE 1 : 100

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- Residential
- Industrial
- Commercial

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Issue	Amendment	Initials	Date
A	Issue to council for DA approval	A.B.	31.08.17



Client:
ASTRA Limousines
Address:
14 Dunlop Street,
Strathfield South, N.S.W
Project:

Title:		Project No.	
GROUND & FIRST FLOOR PLA		17-051	
Drawn:	Date:	Checked:	Scale:
A.B.	31-08-17	D.B.	1:100
Sheet of		Issue	
		DA.02	