

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 Town Hall (Supper Room), 65 Homebush Road, Strathfield on:

Thursday, 1 June 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.

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TO: Strathfield Independent Hearing and Assessment Panel Meeting - 1 June 2017

REPORT: SIHAP – Report No. 1

SUBJECT: 2016/132 - 127 COSGROVE ROAD, STRATHFIELD SOUTH - PART LOT 19 DP 1183316

DA NO. 2016/132

SUMMARY

Proposal: Garden Centre

Applicant: LJB Urban Planning Pty Ltd

Owner: Port Botany Lessor Pty Ltd

Date of lodgement: 16 August 2016

Notification period: 13 September 2016 to 22 September 2016

Submissions received: Thirteen (13) including nine (9) in support

Assessment officer: LP

Estimated cost of works: \$10,263,000

Zoning: Part IN1 General Industrial, Part RE2 Private Recreation – SLEP 2012

Heritage: Tarpaulin Shed listed on NSW Ports Section 170 Register

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: REFUSAL

EXECUTIVE SUMMARY

Approval is sought for the fit-out and use of the former tarpaulin shed as a garden centre with ancillary café, fruit and vegetable shop, pool shop, pet store and at-grade parking area.

The subject application was previously considered by the Strathfield Independent Hearing and Assessment Panel at its meeting of 6 April 2017. The application was deferred subject to the provision of additional information relating to contamination, RMS comments and geotechnics. The applicant has subsequently provided additional information to address each of these matters.

The application and plans were originally notified in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005 from 13 September 2017 to 22 September 2016. (13) written submissions were received including nine (9) in support of the application.

More recently, Council has also received additional legal advice supporting its position that the proposed fruit and vegetable shop, pet shop and pool shop component of the development fall beyond what can be considered as ancillary to the proposed garden centre and these uses are therefore prohibited in the IN1 General Industrial zone under the Strathfield Local Environmental Plan, 2012.

In recognition of the above, it is recommended that the Development Application be REFUSED.

2016/132 - 127 Cosgrove Road, Strathfield South - Part Lot 19 DP 1183316 (Cont'd)

BACKGROUND

Major Project Application 05_0147

Major Project Application 05_0147 was approved by the Minister for Planning on 5 September 2007 under Part 3a of the Environmental Planning and Assessment Act 1979 for the construction of the Enfield Intermodal Logistics Centre. This approval required separate development approval be obtained for the future use of the Tarpaulin shed. Major Project Application 05_0147 has since been modified numerous times. The Enfield Intermodal Logistic Centre has commenced operation, however the site is yet to reach full operational capacity.

Of particular relevance to the subject application, Major Project Application 05_0147 included significant remediation works in the area of the site known as Mount Enfield. This area would be disturbed as a result of the at grade car park proposed under the subject DA and as such the applicant has provided a detailed Remedial Action Plan for Council's consideration.

DA2016-132

2 December 2015 Pre-lodgement meeting held between Council staff and the Applicant.
Council staff advised that the proposed development extending beyond the footprint of the Tarpaulin Shed structure appears to conflict with the intended use of the surrounding area for public/private recreation purposes as proposed under Major Project Application 05_0147.

16 August 2016 Subject application lodged.

October 2016 – February 2017 Numerous requests for additional information requested relating to permissibility of proposed development, contamination, flora and fauna, waste management, tree protection, stormwater and traffic. While additional information was received matters relating to permissibility and contamination remain unresolved.

6 April 2017 The subject application considered the Strathfield Independent Hearing and Assessment Panel. The panel resolved as follows:

"The panel defers this item until the next meeting to allow the applicant to lodge amended plans relating to the development within the RE2 Private Recreation zone and to provide the following:

- 1. Contamination report to be submitted to council prepared by a suitably qualified practitioner.*
- 2. Address the RMS advice dated 6th October 2016.*
- 3. Geotechnical report to be submitted to council prepared by a suitably qualified practitioner, in particular the report should address the proposed cut and construction of retaining walls in relation to the mound."*

The applicant has subsequently submitted additional information in the form of amended plans, a Geotechnical Report prepared by Douglas Partners, legal advice prepared by Mills Oakley addressing the RMS advice dated 6th October 2016 and a Remedial Action Plan prepared by Zoic Environmental.

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DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the south-western corner of the intersection of Cosgrove Road and Punchbowl Road. The subject site forms the residual portion of a large allotment predominantly occupied by the Enfield Intermodal Logistics Centre. The subject site has a total area of 6.211Ha with the area relating to the subject application having an area of 2.16 Ha (Refer Figure 1).

The subject application relates to the adaptive reuse of a derelict tarpaulin shed. Information accompanying the subject application indicates that the tarpaulin shed structure was constructed in 1924 at the Sydney yard (now Central Station) and subsequently relocated to its current location on the subject site. The use of the structure as a tarpaulin factory ceased in 1991. Since this time the structure has remained vacant.



Figure 1: Aerial photograph of subject site and surrounding development (Lot boundaries shown in red and area of subject works shown in yellow).

Development to the east and south of the subject site consists primarily of single dwellings. To the north and west of the subject site is the Port Enfield Intermodal Logistics Centre.

PROPOSAL

The application seeks Council approval for the fit-out and use of the former tarpaulin shed for use as a garden centre with ancillary café, fruit and vegetable shop, pool shop, pet store and at-grade parking area.

The elements of the proposal are:

- Demolition of existing outbuildings;

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- Fit out and use of the tarpaulin shed as garden centre including the following:
 - 3321m² Garden Centre and plant nursery area;
 - (208) seat café;
 - 396m² Hardware area;
 - 1164m² Fruit and Vegetable shop;
 - 505m² Pet shop;
 - 185m² Pool shop; and
 - Kids play area;
- Minor addition to the north-western end of the tarpaulin shed;
- 1833m² Outdoor plant nursery including a (56) tea pavilion;
- Landscape supplies area;
- Provision of 216 at grade car parking spaces and two (2) loading bays; and
- Associated business identification signage, landscaping and stormwater drainage works;
- A maximum of (75) staff are proposed to be present upon the site at any time; and
- The garden centre is proposed to operate during the following hours:
 - Nursery, café, pet shop, pool shop: 7am to 6pm, 7 days
 - Fruit and veg shop: 7am to 9pm, 7 days.

SECTION 79C CONSIDERATION

The application has been assessed under the heads of consideration set out in section 79C of the EP&A Act and the following are relevant:

(a) (i) **Environmental Planning Instruments:**

SEPP 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 or following the completion of remediation works for the purpose for which development consent is being sought. While, the subject site is not located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield Local Government Area, The subject site is known to be contaminated as a result of the historical use of the site as a transport depot. It is noted that significant remediation works were undertaken upon the subject site throughout the construction of the Enfield Intermodal Logistics Centre.

The proposed development involves the disturbance of a capped area of contaminated fill material known as Mount Enfield located on the western side of the proposed car park and the disturbance of fill material within the tarpaulin shed identified as containing lead and asbestos material. In recognition of the known contaminated nature of the subject site, the subject application was accompanied by a Remedial Action Plan prepared by Zoic Environmental recommending the implementation of certain remediation measures to make the subject site suitable for the purposes of the proposed development. This plan was reviewed by Council's Environmental Health and Compliance Coordinator who identified the report as satisfying the requirements of SEPP 55.

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SEPP 64 – Advertising and Signage

Clause 8 of SEPP 64 establishes a number of matters requiring consideration for development involving the erection or installation of signage. The proposed development involves the installation of six (6) business identification signs and as such requires consideration of Clause 8 of SEPP 64. The proposed business identification signage is well integrated throughout the proposed development, and is generally consistent with the character of existing development and the signage within the locality. Further, the proposed business identification signage in no way detracts from any sensitive areas, vistas or view corridors. As such, the proposed development is considered to be generally consistent with the requirements of SEPP 64.

SEPP (Infrastructure)

The subject site features a frontage to Punchbowl Road, a classified road. Clause 101 of SEPP (Infrastructure) requires for development fronting a classified road where practicable, obtain vehicular access from a non-classified road and not adversely impact upon the safety, efficiency and ongoing operation of the classified road. The proposed development obtains vehicular access from Cosgrove Road and involves no actions considered likely to adversely impact upon the safety, efficiency or ongoing operation of Punchbowl Road.

Schedule 1 of SEPP (Infrastructure) establishes certain development as traffic generating development. The proposed development containing more than (200) parking spaces is identified as traffic generating development. Clause 104 of SEPP (Infrastructure) requires that traffic generating development be referred to the NSW Roads and Maritime Service (RMS) for comment. The subject application was referred to the RMS, who raised concern over potential compulsory acquisition of a portion of the site fronting Punchbowl Road. In response to this matter the applicant has provided a written response prepared by Mill Oakley giving consideration to the matters raised by the RMS. It is posed that the RMS is seeking to sterilise a part of the site and that the matter of road acquisition is beyond the scope of both Clause 101 and 104 of SEPP (Infrastructure). Council officers are generally in agreement with this position.

Strathfield Local Environmental Plan 2012

The site is zoned part IN1 General Industrial and part RE2 Private Recreation under the Strathfield Local Environmental Plan (SLEP), 2012 with the majority of the proposed development being located within the IN1 zone and the proposed vehicular access point, landscape supplies area and a portion of the at grade car park located in the RE2 Private Recreation zone.

While the proposed development providing for a large floor plate activity generating additional employment opportunities is generally consistent with the objectives of the IN1 General Industrial zone, it is inconsistent with the objectives of the RE2 Private Recreation zone which seek to enable land to be used for private open space or recreational purposes and to protect and enhance the natural environment for recreational purposes.

The proposed development consists of numerous components defined under the SLEP 2012 as garden centre, hardware and building supplies, bulky goods retail, and food and drink premise. Development for the purposes of a garden centre and hardware and building supplies are permissible with Council consent in the IN1 Industrial zone. It should be noted that a garden centre is defined under the SLEP 2012 as follows:

***garden centre** means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal*

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purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,*
- (b) pets and pet supplies,*
- (c) fresh produce.*

As development for the purposes of retail premises is prohibited within the IN1 General Industrial zone the proposed fruit and vegetable shop, pet shop and pool shop rely upon being ancillary components of the proposed garden centre for permissibility upon the subject site and as such, the principal purpose of the site must be for the purposes of a garden centre. In determining the ancillary nature of development, the ancillary use must be subservient to the dominant/ primary use of the site as a garden centre.

The proposed development separates the structure into four (4) tenancies consisting of a 3,890.5m² sized main tenancy containing a garden centre, hardware area and café. Tenancy 2 is proposed as a 1,164m² fruit and vegetable shop, Tenancy 3 is proposed as a 505m² pet shop and Tenancy 4 is proposed as a 185m² pool shop. The subject tenancies are separated by partition walls and each featuring direct access to the at-grade parking area and share only a common service corridor to the rear of the tenancies. As such, each of the uses will operate in isolation of each other. This is further exacerbated by the fact that the fruit and vegetable shop operating from 7:00am to 9:00pm, 7 days a week is proposed to operate for an additional three (3) hours beyond core trading hours of 7:00am to 6:00pm, 7 days a weeks.

As the proposed fruit and vegetable shop can operate in complete isolation from the use of the site as a garden centre they are not considered to be subservient for the use of the site as a garden centre and form land uses in their own right. As such, the proposed fruit and vegetable shop, pet shop and pool shop being defined as retail are prohibited within the IN1 General Industrial zone.

In accordance with the direction of the Strathfield Independent Hearing and Assessment Panel at its meeting of 6 April 2017 Council has sought independent legal advice from Michael Staunton Barrister-At-Law. Mr Staunton has advised that upon review of the subject application the proposed café with 208 seats, fruit and vegetable shop, pet shop and pool shop are not ancillary to the principal purpose of retail sale of plants and landscaping and gardening supplies.

Further, the portion of the proposed development within the RE2 Private Recreation zone relies upon the provisions of Clause 5.3 of the SLEP 2012 for development upon a zone boundary. Clause 5.3 of the SLEP allows for development prohibited within the zone to be undertaken within 10m of a zone boundary if the development is permissible within the adjoining zone, the development is consistent with the objectives for development in both zones and the carrying out of the development is desirable due to compatible land use planning and infrastructure capacity. While the subject application has been amended to remove the portion of the development that encroaches further than 10m from the zone boundary, as previously discussed the proposed development is inconsistent with the objectives of the RE2 Private Recreation zone and the carrying out of the development within the RE2 Private recreation zone as insufficient justification has been provided to establish the desirable planning purpose served by the portion of the development within the RE2 Private Recreation zone. As such, the proposed development fails to satisfy the requirements of Clause 5.3 of the SLEP 2012 and therefore is prohibited within the RE2 Private Recreation zoned portion of the site.

While the subject site is located within 500m of Class 1, 2, 3 or 4 soils, the proposed development involves no works below 5m AHD. Therefore, the proposed development was

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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.

Overall, the proposed development having been considered with respect to the relevant Clauses of the SLEP, 2012 and is prohibited upon the subject site and fails to achieve the objectives of the RE2 Private Recreation zone. Accordingly the subject application is recommended for refusal.

Section 94 Contributions

While Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Development Contributions Plan 2010-2030 as the subject application is recommended for refusal a calculation has not been undertaken.

(iii) Development Control Plans:

Part I – ‘Provision of Off-street Parking Facilities’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

Off-street parking

Part I of the Strathfield Consolidated Development Control Plan 2005 establishes a number of minimum rates for the provision of off-street parking for certain types of development. It is noted that Part I does not establish a rate specific to garden centres. In recognition of the unique and complex nature of the proposed development, the applicant has submitted a Traffic Report prepared by Transport & Urban Planning Pty Ltd giving consideration to the likely demand off-street parking generated by the proposed development. This report identifies that based upon the parking rates established within the NSW Roads and Maritime Services Guide to Traffic Generating Development and giving consideration to parking demand of similar existing facilities within the locality the proposed (216) off-street parking spaces are adequate for the purposes of the proposed development.

Loading and unloading

The Traffic Report prepared by Transport & Urban Planning Pty Ltd also gives consideration to the adequacy of the proposed on-site loading and unloading facilities consisting of two (2) loading bays located at the eastern end of the tarpaulin shed. While initial concerns were raised by Council Officers over potential conflict with proposed vehicular access to the site, an addendum traffic report was provided including a number of recommended measures to ensure that existing traffic flows upon Cosgrove Road were maintained at all times throughout the ongoing operation of the site.

Part H – ‘Waste Management’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

Part H of the Strathfield Consolidated Development Control Plan (DCP) 2005 establishes a number of development controls relating to the minimisation and management of waste throughout development processes. An assessment of the proposed development against the provisions of this part follows.

The subject application was not accompanied by a Waste Management Plan outlining the proposed measures of minimising waste generation throughout the proposed demolition works, construction works and for the ongoing operation of the site. As such, the adequacy proposed waste management measures and their compliance with the requirements of Part H of the SCDCP 2005 cannot be established.

(iii) Planning Agreements (or draft agreements):

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The proposed development is not subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979.

(iv) Matters Prescribed by the Regulations

Clause 92 of the Environmental Planning and Assessment Regulation requires Council to take into consideration the provisions of the Government Coastal Policy and the relevant Australian Standard for the demolition of buildings 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) (i) however does involve the demolition of a building for the purposes of Australian Standard (AS) 2601 – 1991: The Demolition of Structures.

(v) 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*.

(b) Likely Impacts:

Traffic

The subject application was accompanied by a Traffic Report prepared by Transport & Urban Planning Pty Ltd giving consideration to the likely impacts of the development upon traffic movements within the locality. This report identifies that while the proposed development will result in a maximum of (383) vehicle and six (6) truck movements per hour, the proposed development will retain a similar (Sidra Class B) and appropriate level of service to all intersections surrounding the development. As such, the proposed development is considered unlikely to result in any significant impacts upon traffic movements within the locality.

Heritage

The existing tarpaulin shed is listed upon the NSW Ports Section 170 Heritage Register. While such a listing has no statutory weighting, it is considered appropriate that consideration be given to the heritage nature of the structure as a matter of public interest. In recognition of the heritage values of the structure the subject application was accompanied by a Heritage Impact Statement prepared by Conybeare Morrison International Pty Ltd. This report identifies the proposed development as a suitable adaptive

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reuse of the structure which is progressively dilapidating as a result of disuse. Further, the proposed development is identified as resulting in no significant impacts upon the heritage significance of the structure subject to the implementation of a number of recommendations.

Threatened Species

An area to the north-west of the subject site contains ponds established under the previous Part 3A approval as habitat for a local population of Green and Golden Bell Frogs (*Litoria aurea*). In recognition of the development to this area consideration must be given to the potential impacts of the development upon the species and its habitat. This matter was raised with the Applicant who subsequently provided a Conservation Plan prepared by Biosphere Environmental Consultants Pty Ltd including a seven part test giving consideration to the potential impacts of the development upon the species and its habitat within the locality. This report identifies that subject to the implementation of monitoring measures prior to and during the proposed construction works, the proposed development is unlikely to adversely impact upon Green and Golden Bell Frogs within the locality. This report was referred to Council's Natural Areas Coordinator who raised no objection to the measures outlined within the report.

Earthworks

At the request of the panel the Applicant has submitted a Geotechnical report prepared by Douglas Partners giving consideration to the impact of the proposed earthworks and retaining works upon the existing capped mound known as Mount Enfield. This report identifies that subject to the implementation of certain construction measures and extensive retaining measures the proposed earthworks are of low risk.

(c) Suitability of the Site:

The subject site is considered to be suitable for the purposes of a garden centre subject to implementation of certain remediation works in accordance recommendations of the Remedial Action Plan prepared by Zoic Environmental.

(d) Submissions:

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 30 August 2016 to 22 September 2016. (13) written submissions were received including nine (9) in support of the proposal.

The concerns raised in the submissions are outlined and discussed below.

1. Traffic

Concern was raised over the potential impacts of the development upon the surrounding road network.

As previously discussed, the subject application was accompanied by a Traffic Report prepared by Transport & Urban Planning Pty Ltd giving consideration to the likely impacts of the development upon traffic movements within the locality. This report identifies that while the proposed development will result in a maximum of (383) vehicle and six (6) truck movements per hour, the proposed development will retain a similar (Sidra Class B) and appropriate level of service to all intersections surrounding the development. As such, the proposed development is considered unlikely to result in any significant impacts upon traffic movements within the locality.

2. Part 3A

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Concern was raised over the compatibility of the proposed development with the Part 3A major project approval for the site.

The subject application is a standalone development application and is required to be considered on its own merit. Nonetheless, the applicant has identified within the information accompanying the subject application that a modification application is being sought to the Part 3A approval for the site subject to capture the works outlined within the subject application. In the event of the approval of the subject application, a condition of consent could be imposed requiring the approval of such a modification prior to the issue of a Construction Certificate.

3. Real Property Act

Concern is raised over the proposed lease arrangements and their legality under the Real Property Act.

The lease arrangements of the subject site are not a relevant matter for consideration under Section 79C of the Environmental Planning and Assessment Act 1979.

4. Heritage

Concern was raised over the impacts of the development upon the heritage significance of the Tarpaulin shed structure.

As previously discussed within the likely impacts section of this report, the proposed development involves no actions affecting the heritage significance of the structure.

5. Contamination

Concern was raised over the compatibility of the development with the contaminated nature of the site.

The compatibility of the subject site for the purposes of the proposed development has been discussed in detail throughout this report.

(e) Public Interest:

The proposed development involves no actions considered to be contrary to the public interest.

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INTERNAL REFERRALS

The application was forwarded to Council's Development Engineer, Tree Coordinator, Traffic Engineer, Environmental Health and Compliance Coordinator, Waste Education Officer and Natural Resources Coordinator for comment.

Development Engineer:

"No objection subject to connection Council's street drainage system within Cosgrove Road"

Tree Coordinator:

"No objection subject to retention existing street trees"

Traffic Engineer:

"No objection subject to compliance with recommendations of Traffic report"

Environmental Health and Compliance Coordinator:

"No objection subject to conditions of consent."

Waste Education Officer:

"Insufficient information provided regarding proposed ongoing waste management measures including the submission of a detailed Waste Management Plan"

Natural Resources Coordinator:

"No objection subject to compliance with the recommendations of the Conservation Plan and the presence of a Council Officer during site audit work."

CONCLUSION

The proposed development is prohibited in the subject zoning and is inconsistent with the relevant objectives of RE2 Private Recreation zone under the Strathfield Local Environmental Plan, 2012.

The proposal was accompanied by insufficient information to satisfy the requirements of Part H "Waste Management and Minimisation" of the Strathfield Consolidated DCP 2005.

In recognition of the above matters the subject application is unable to be supported in its current form and is recommended for refusal.

RECOMMENDATION

That DA2016/132 for the fit-out and use of the former tarpaulin shed for use as a garden centre with ancillary café, fruit and vegetable shop, pool shop, pet store and at-grade parking area at 127 Cosgrove Road, Strathfield South be REFUSED subject to the following reasons:

REASONS

1. The proposed fruit and vegetable shop, pet shop and pool shop are not ancillary to the garden centre and are therefore prohibited within the IN1 General Industrial zone under the Strathfield Local Environmental Plan 2012 (*Section 79 C (1) (a)(i) of the Environmental Planning and Assessment Act 1979*).

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2. The proposed development fails to satisfy the objectives of the RE2 Private Recreation zone under the Strathfield Local Environmental Plan 2012 in that the proposal is not for recreational purposes and does not seek to protect or enhance the natural environment for recreational purposes (*Section 79 C (1)(a)(i) of the Environmental Planning and Assessment Act 1979*).
3. The subject application was not accompanied by a Waste Management Plan outlining the proposed measures for minimising waste generation throughout the proposed demolition works, construction works and for the ongoing operation of the site in accordance with the requirements of Section 2.1 of Part H "Waste Management and Minimisation" of Strathfield Consolidated Development Control Plan (*Section 79 C (1) (a)(iii) of the Environmental Planning and Assessment Act 1979*).

ATTACHMENTS

1. [↓](#) Architectural Plans
2. [↓](#) Map

GARDEN CENTRE, ENFIELD

DA SUBMISSION

127 COSGROVE ROAD SOUTH STRATHFIELD NSW



LOCATION OF PROPOSED DEVELOPMENT

Sheet Number	Sheet Name
A00.01	TITLE SHEET, LOCATION PLAN & DRAWING LIST
A00.02	SITE ANALYSIS
A00.04	SOLAR STUDY
A02.01	SITE PLAN - EXISTING GROUND LEVEL
A02.03	DEMOLITION PLAN
A06.01	PROPOSED FLOOR PLAN
A06.03	PROPOSED ROOF PLAN
A10.02	PROPOSED ELEVATION - WEST
A10.03	PROPOSED ELEVATION - EAST
A10.04	PROPOSED ELEVATIONS - NORTH & SOUTH
A11.01	SECTIONS
A100.01	MATERIALS AND FINISHES

ISSUE	DATE	DESCRIPTION

As shown in the context of the other drawings, the design of the building, materials, finishes and services is shown in accordance with the requirements of the Building Code of Australia (BCA) and the Building Regulations 2012. The design is intended to be used in conjunction with the other drawings and is not to be used in isolation. The design is intended to be used in conjunction with the other drawings and is not to be used in isolation. The design is intended to be used in conjunction with the other drawings and is not to be used in isolation.

Project Manager

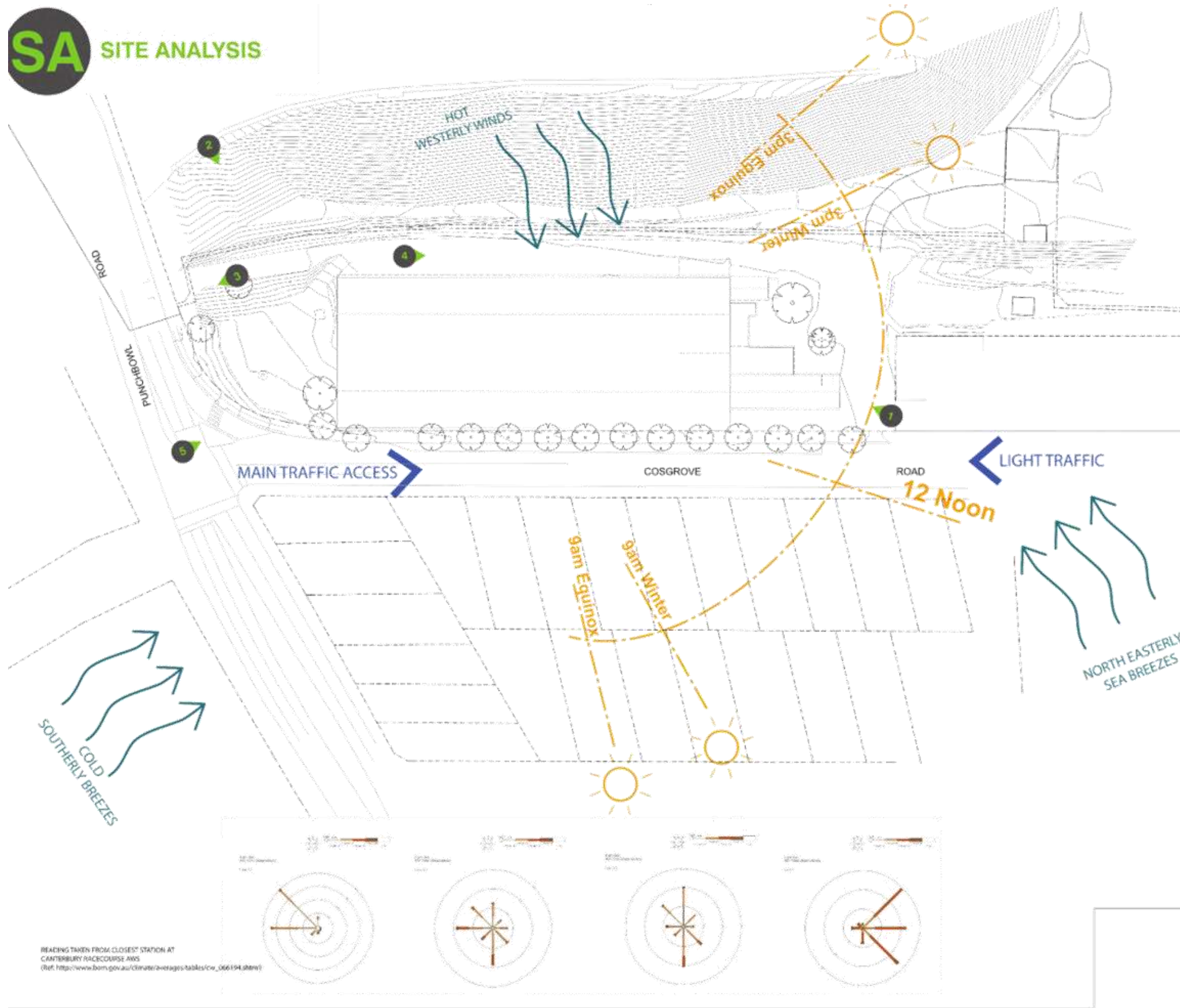


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GARDEN CENTRE, ENFIELD
 127 COSGROVE ROAD SOUTH
 STRATHFIELD NSW

Scale @ A1: 1:1
 Project No.: S1523
 Designer: p
 Checker: By: SB
 Drawing No: A00.01
 Stage: DA-1

SA SITE ANALYSIS



1. VIEW FROM COSGROVE ROAD ENTRY



2. VIEW FROM MOUNT ENFIELD



3. VIEW FROM SITE UNDER PUNCHBOWL ROAD



4. VIEW ACROSS SITE TOWARDS NORTH



5. VIEW FROM JUNCTION OF COSGROVE-PUNCHBOWL ROAD

ISSUE DATE	DESCRIPTION

WORK IN PROGRESS:

All drawings to be checked for compliance with the relevant standards and codes of practice before submission. It is the responsibility of the client to ensure that the drawings are used in accordance with the relevant standards and codes of practice. The client is responsible for ensuring that the drawings are used in accordance with the relevant standards and codes of practice. The client is responsible for ensuring that the drawings are used in accordance with the relevant standards and codes of practice.

Discipline	Discipline

Client

Project Manager

Architect

BN Architecture
Urban Design
Interior Design
Graphic Design
Interiors

88/89 George St
10/10 Alexander St
10/10 Cross St
Apt 10/10 10/10 10/10

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Project

GARDEN CENTRE, ENFIELD
127 COSGROVE ROAD SOUTH
STRATHFIELD NSW

Sheet name

SITE ANALYSIS

Scale @ A1: NTS
Project No.: S1523
Drawn By: JB
Checked By: JB

Drawing No: A00 02
Stage: DA-P

FOR INFORMATION

READING TAKEN FROM CLOSEST STATION AT
CANTERBURY RACECOURSE AWS
(Ref: http://www.bom.gov.au/climate/averages/tables/cw_066194.shtml)

1 SITE ANALYSIS
NTS



1 PROPOSED SHADOW ANALYSIS 9AM



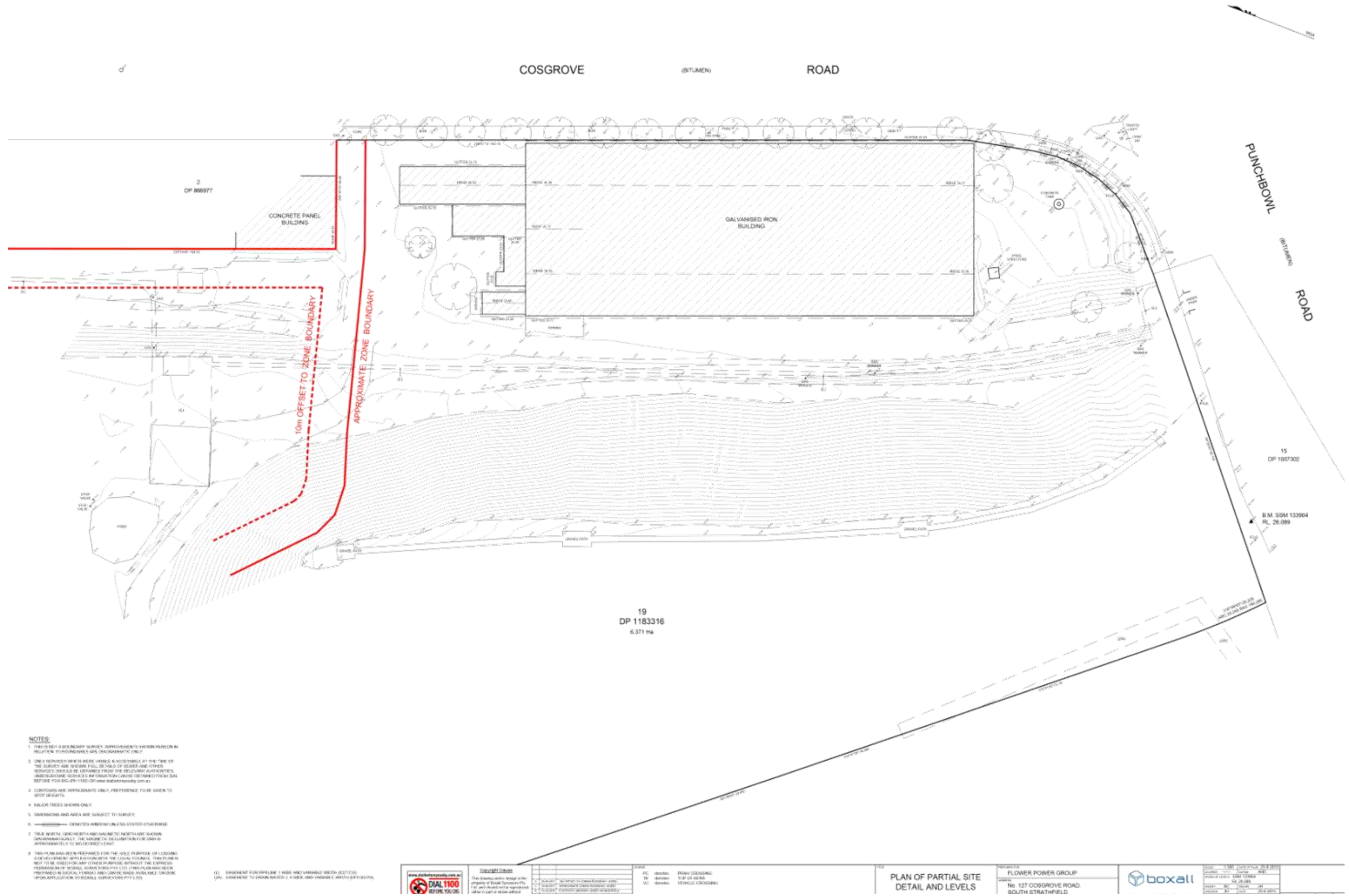
2 PROPOSED SHADOW ANALYSIS 12PM

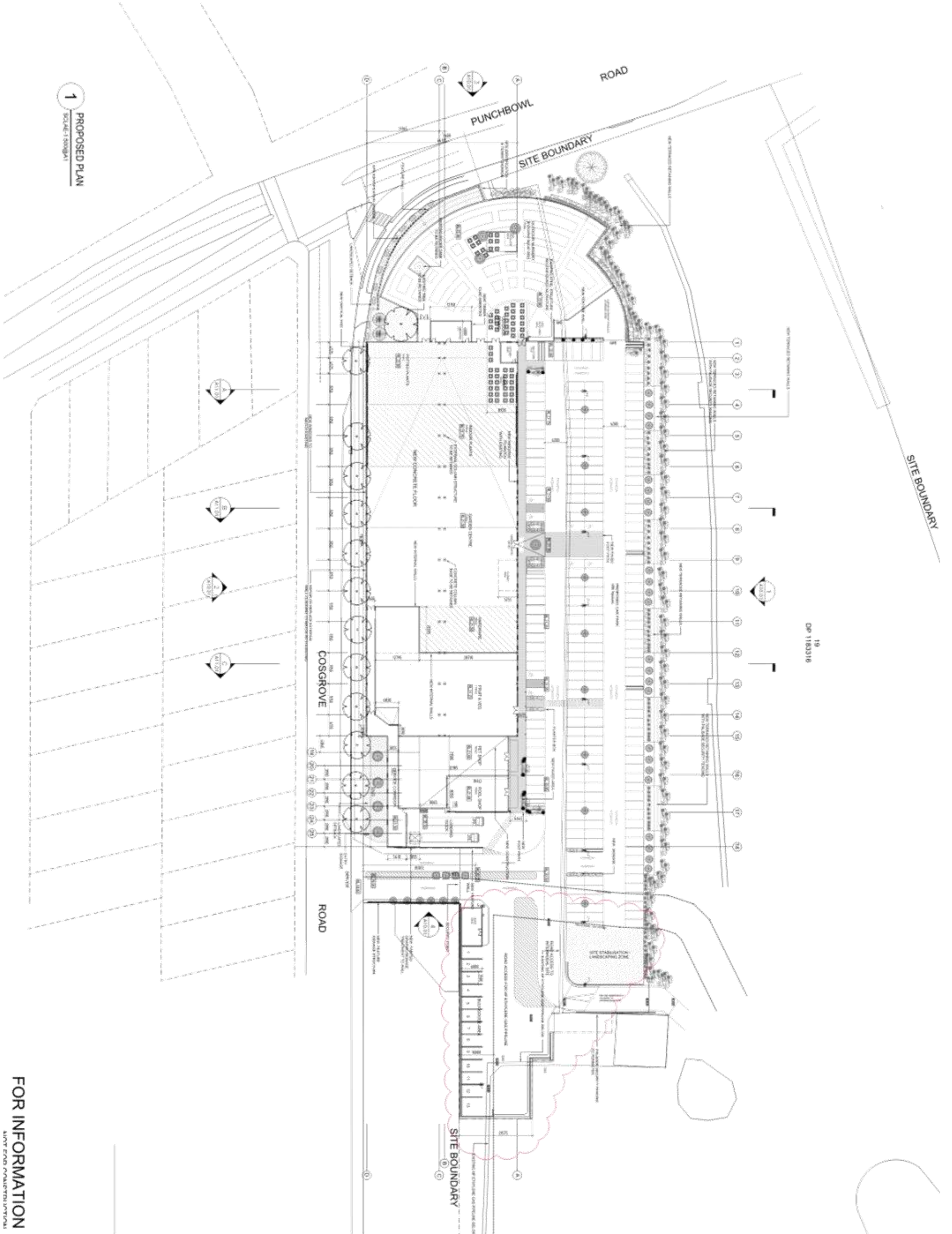


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ISSUE	DATE
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Coordinated Reference Drawings	
Discipline	Company
ARCHITECTURE	
CIVIL	
MEDICAL	
Mechanical	
ELECTRICAL	
LANDSCAPE	
FIRE	
Client	
Project Manager	
Architect	
BN Architecture Urban Design Masterplanning Graphics Interiors	
BN Group Pty Ltd T +61 2 9437 9511 42 Macquarie Street F +61 2 9437 9522 Sydney NSW 2000 www.bnarchitecture.com ABN 43 002 981 458 sydney@bngroup.com.au	
Project	
GARDEN CENTRE, ENFIELD 127 COSGROVE ROAD SOUTH STRATHFIELD NSW	
Sheet name	
SOLAR STUDY	
Scale @ A1: 1:1 Project No.: S1523 Drawn By: IP Checked By: MF	
ADD SERIES - INFORMATION & ANALYSIS	
Drawing No.	Stage - Rev
A00.04	DA-P1

DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION





1
PROPOSED PLAN
SCALE: 1:500

19
DP 1183318

FOR INFORMATION
ALTY ENVIRONMENTAL

Architect:
BN Architecture
177 COSGROVE ROAD SOUTH
STRATHFIELD NSW
Tel: 02 9370 1000
Fax: 02 9370 1001
www.bn.com.au

Project:
GARDEN CENTRE, ENFIELD
177 COSGROVE ROAD SOUTH
STRATHFIELD NSW

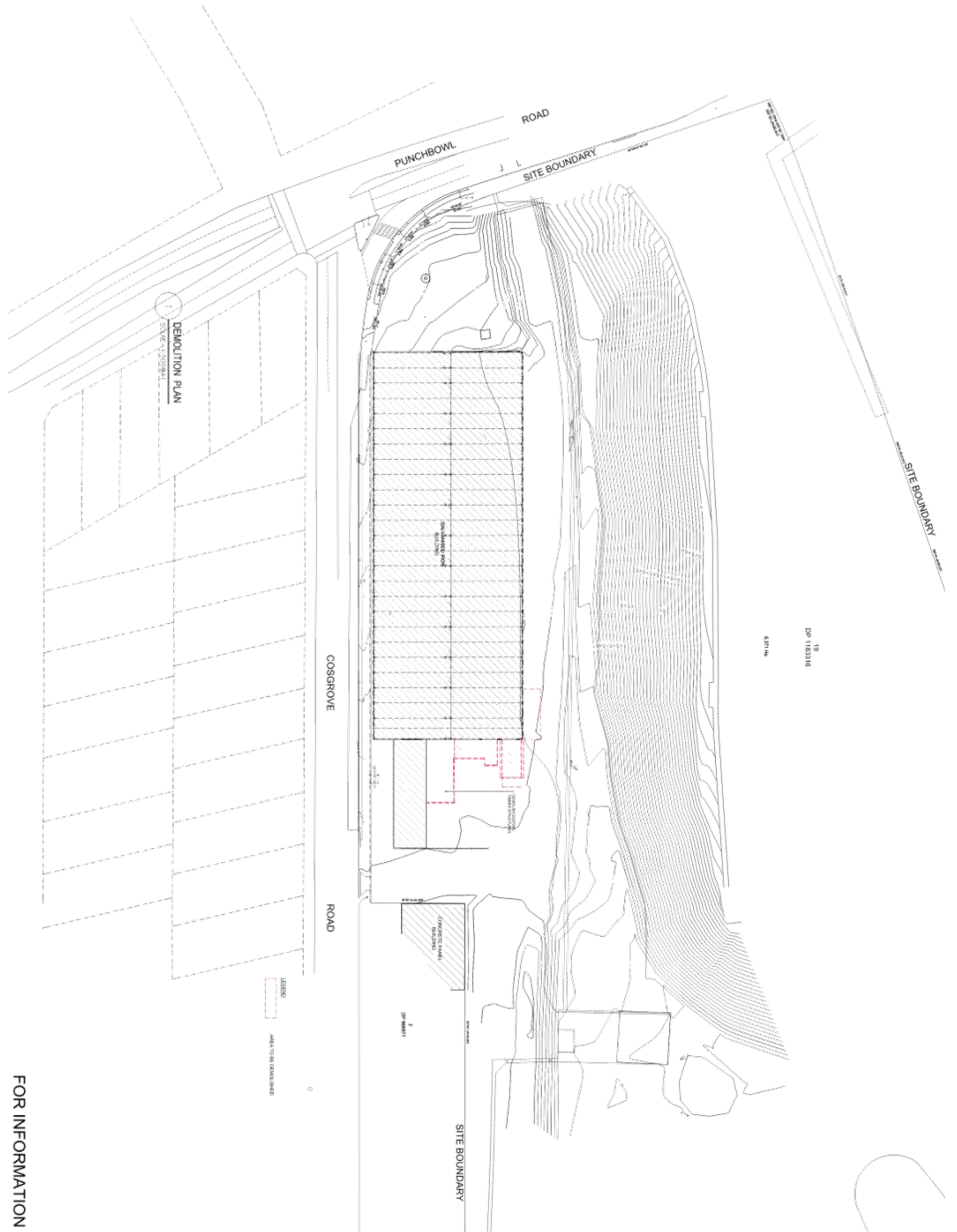
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Checked By: MR

Drawing No.: A06.01
Stage: 1

Project Manager:

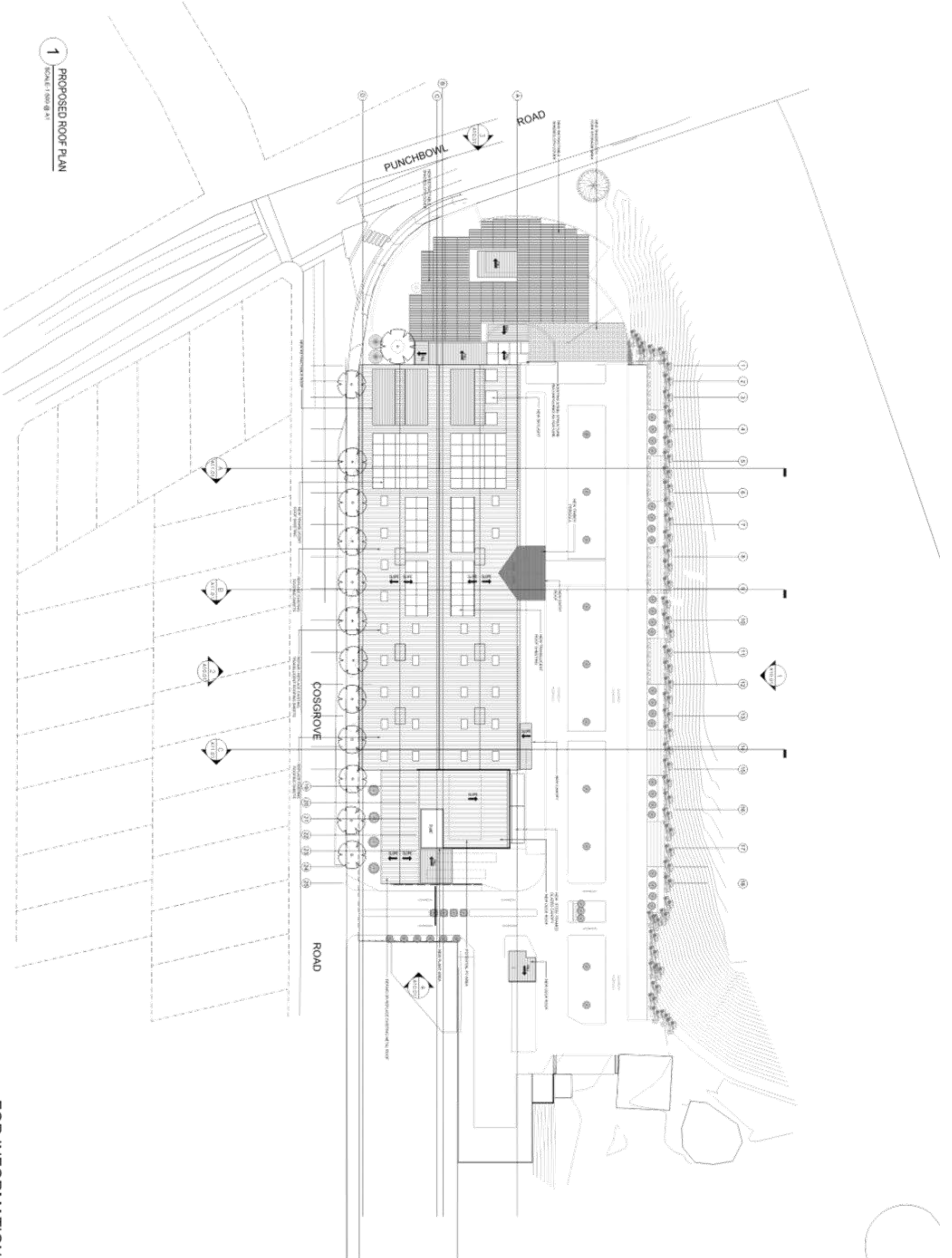
Client:

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3. THIS DRAWING IS THE PROPERTY OF BN ARCHITECTURE AND SHOULD NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BN ARCHITECTURE.



FOR INFORMATION

<p>Scale @ A1: 1:500 Project No.: S1523 Drawn By: [Name] Checked By: MF</p>		<p>Project: GARDEN CENTRE, ENFIELD 127 COSGROVE ROAD SOUTH STRATHFIELD NSW</p>		<p>BN Architects Urban Design Planning 7-11-2 West Hill 6-11-2 West Hill 4-11-2 West Hill 3-11-2 West Hill 2-11-2 West Hill 1-11-2 West Hill</p>		<p>Project Manager: [Name]</p>		<p>Architect: [Name]</p>		<p>Demolition Plan</p>	
<p>Drawing No: AN2 02</p>		<p>Stage: N</p>		<p>Author: N.A.D.</p>		<p>Checked: [Name]</p>		<p>Scale: 1:500</p>		<p>Project: S1523</p>	



1 PROPOSED ROOF PLAN
SCALE: 1:500 @ A1

FOR INFORMATION
NOT FOR CONSTRUCTION

A06.03 DA-F

Scale @ A1: 1:500
Project No.: S1523
Drawn By: JP Checked By: SB

Roof Plan

GARDEN CENTRE, ENFIELD
127 COSGROVE ROAD SOUTH
STRATHFIELD NSW

Architect: BN
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141 2 9427 8112
141 2 9427 8113
141 2 9427 8114
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141 2 9427 8117
141 2 9427 8118
141 2 9427 8119
141 2 9427 8120

Project: GARDEN CENTRE, ENFIELD
127 COSGROVE ROAD SOUTH
STRATHFIELD NSW

Client: GARDEN CENTRE, ENFIELD

Contract: GARDEN CENTRE, ENFIELD

Discipline: ARCHITECTURE

Project Manager: [Name]

Architect: BN

141 2 9427 8111

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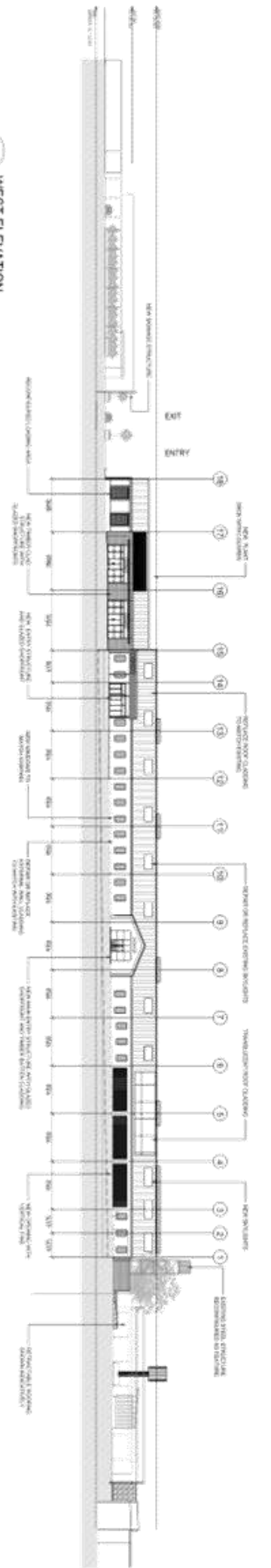
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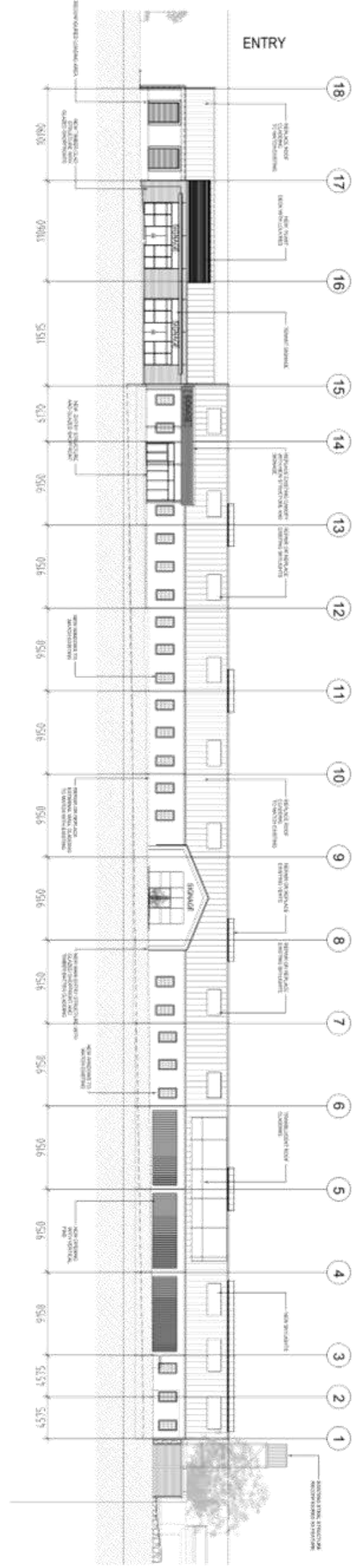
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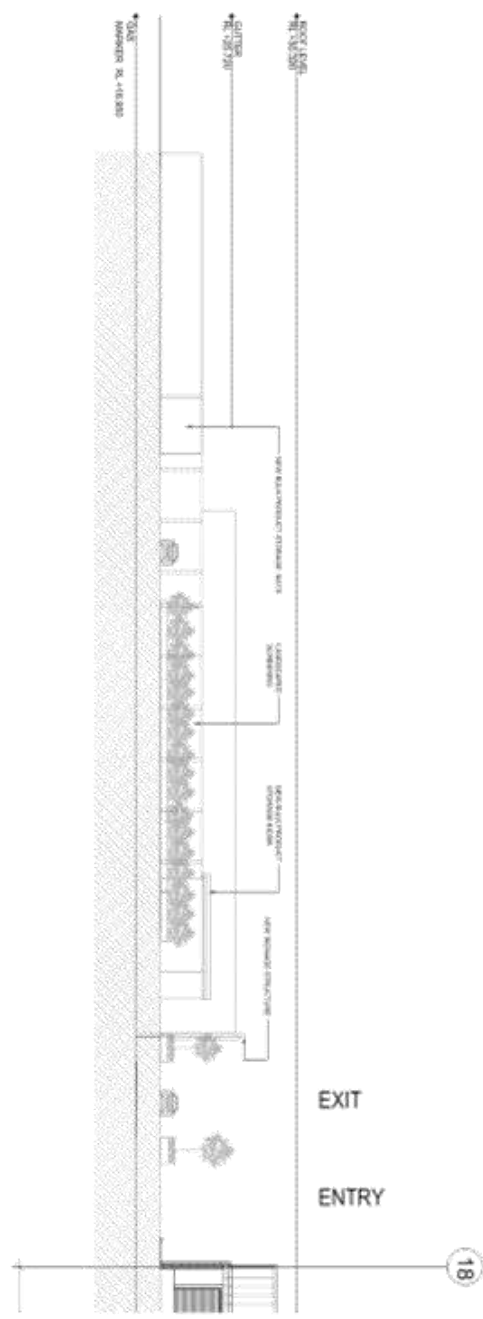
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SCALE: 1:500 @ A1



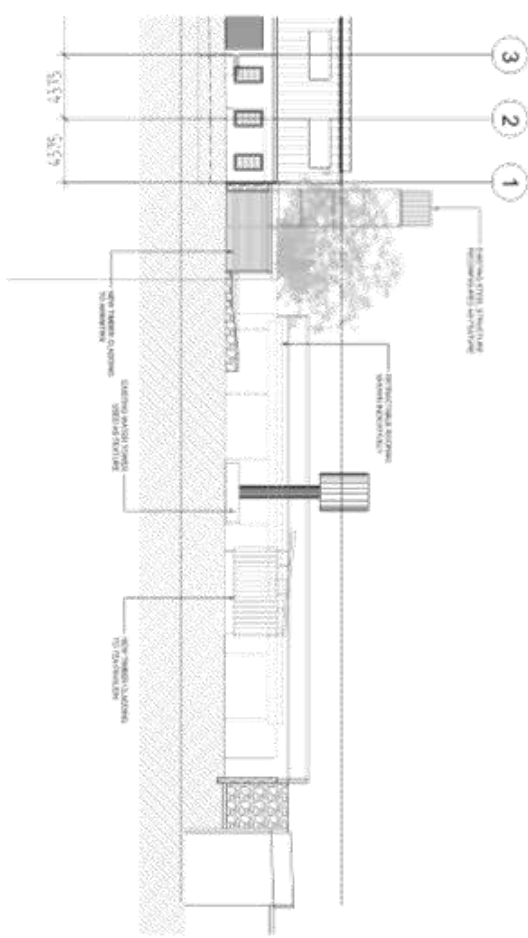
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SCALE: 1:250 @ A1



3 WEST ELEVATION-P2
SCALE: 1:250 @ A1



4 WEST ELEVATION-P3
SCALE: 1:250 @ A1



DEVELOPMENT APPLICATION
MINT FEND CONSTRUCTION

Scale @ A1: 1:500/1:250
Project No: S1523
Client: STRATHFIELD INDEPENDENT HEARING AND ASSESSMENT PANEL
Drawing No: A10.02
Stage: - B
DA-P

WEST ELEVATION

BN BUILDERS
127 COSSGROVE ROAD SOUTH
STRATHFIELD NSW

Project: GARDEN CENTRE ENFIELD

Project Manager: [Name]

Client: [Name]

Architect: [Name]

Structural Engineer: [Name]

Electrical Engineer: [Name]

Landscaper: [Name]

Other: [Name]

Scale: 1:500/1:250

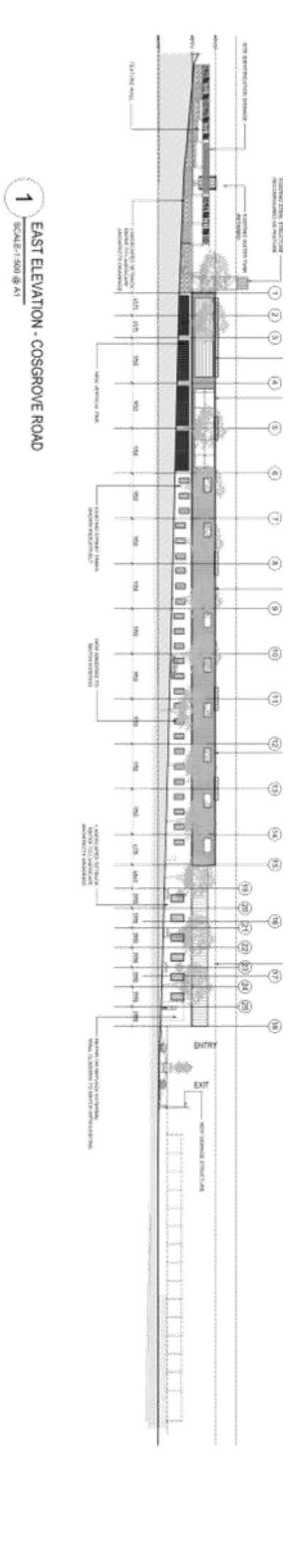
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Client: STRATHFIELD INDEPENDENT HEARING AND ASSESSMENT PANEL

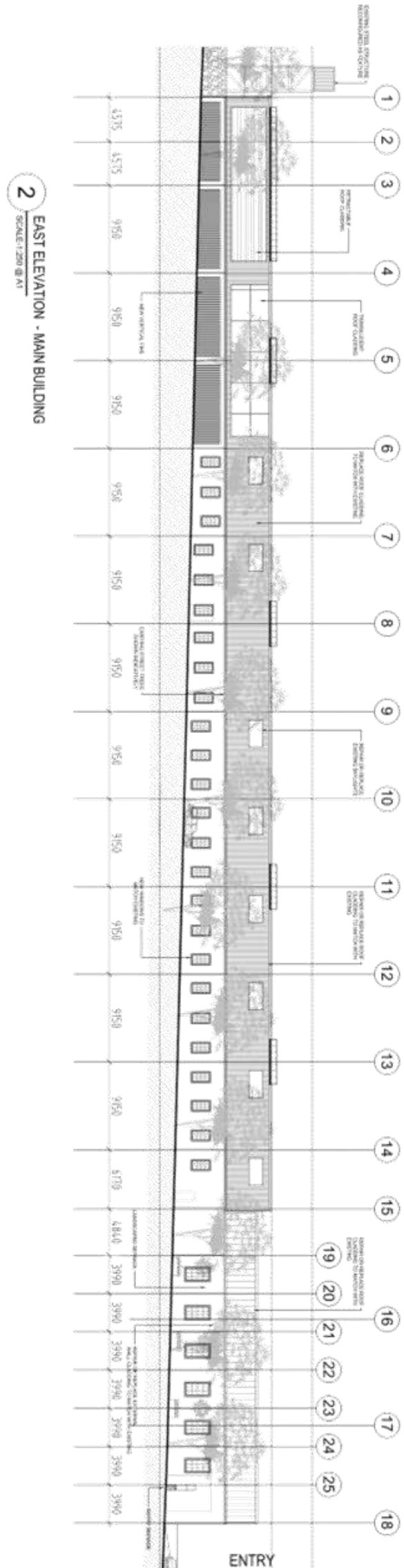
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Stage: - B

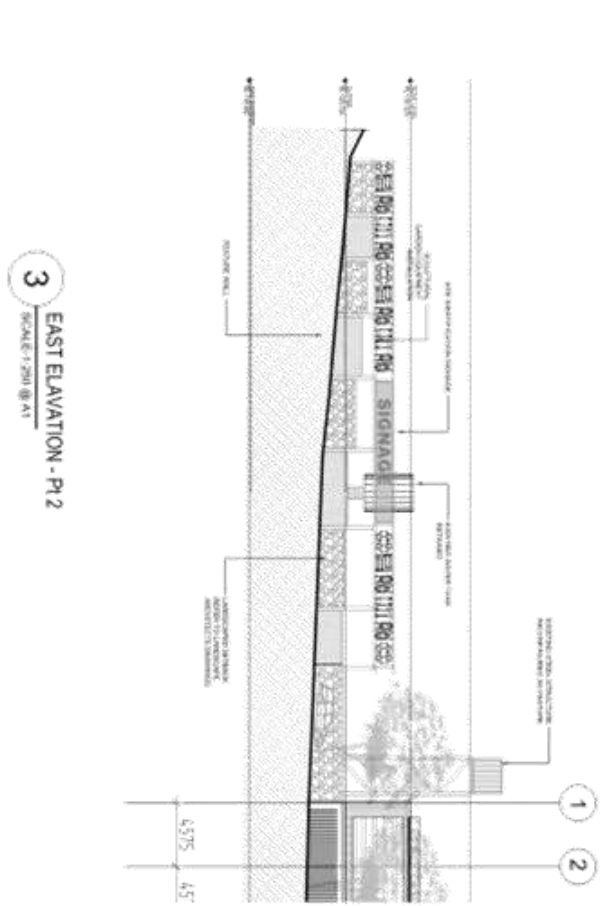
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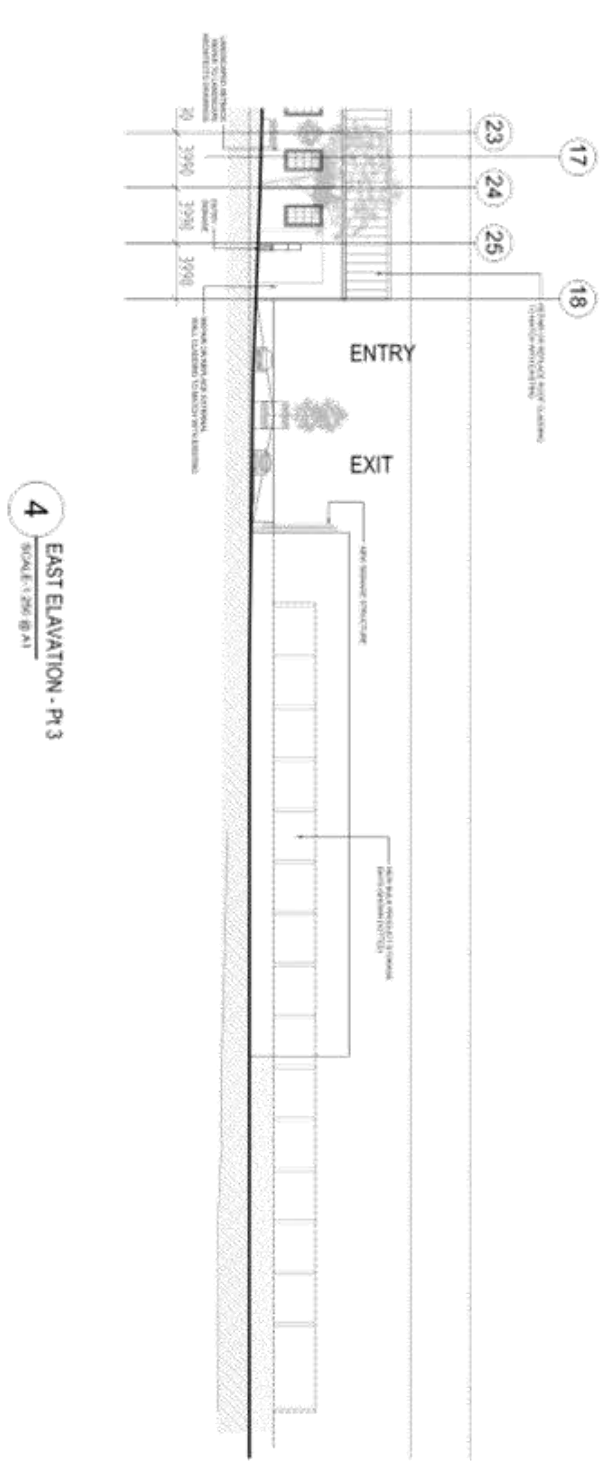
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SCALE: 1:500 @ A1



2 EAST ELEVATION - MAIN BUILDING
SCALE: 1:200 @ A1



3 EAST ELEVATION - P12
SCALE: 1:200 @ A1



4 EAST ELEVATION - P13
SCALE: 1:200 @ A1

DEVELOPMENT APPLICATION

MULTI-STOREY COMMERCIAL

A10.03 DA-P

Scale @ A1: 1:500/1:200
Project No: S1523
Drawn By: [Name]
Checked By: [Name]

EAST ELEVATION - COSGROVE ROAD

GARDEN CENTRE ENFIELD
127 COSGROVE ROAD SOUTH
STRATHFIELD NSW

BN Building
Urban Design
Management
Services

BN Group Pty Ltd
2nd Floor, 127-131
Garden Centre Road
Strathfield NSW 1513
Phone: (02) 9515 1111
www.bn.com.au

Project:
GARDEN CENTRE ENFIELD
127 COSGROVE ROAD SOUTH
STRATHFIELD NSW

Project Manager:
[Name]

Client:
[Name]

Consultant Reference Drawings:
[List of drawings]

Scale @ A1:
1:500/1:200

Project No:
S1523

Drawn By:
[Name]

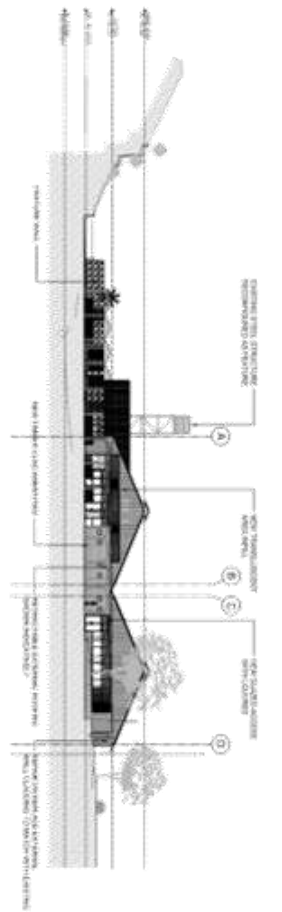
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[Name]

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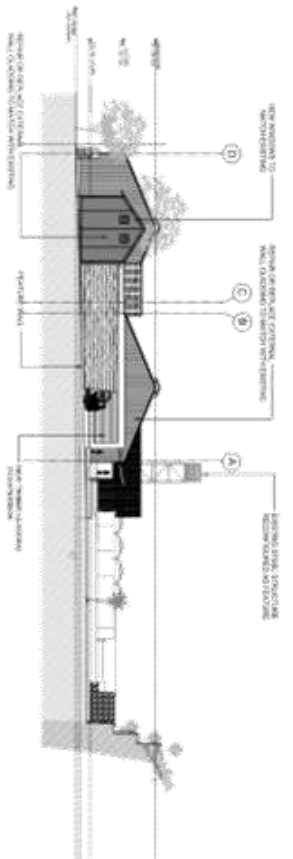
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S1523

Drawn By:
[Name]

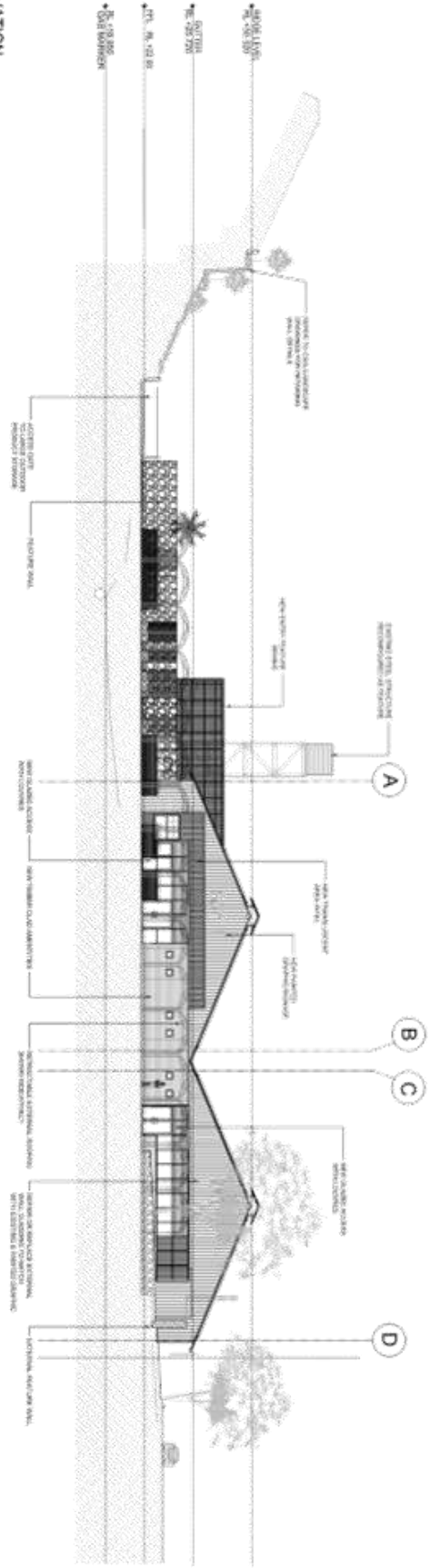
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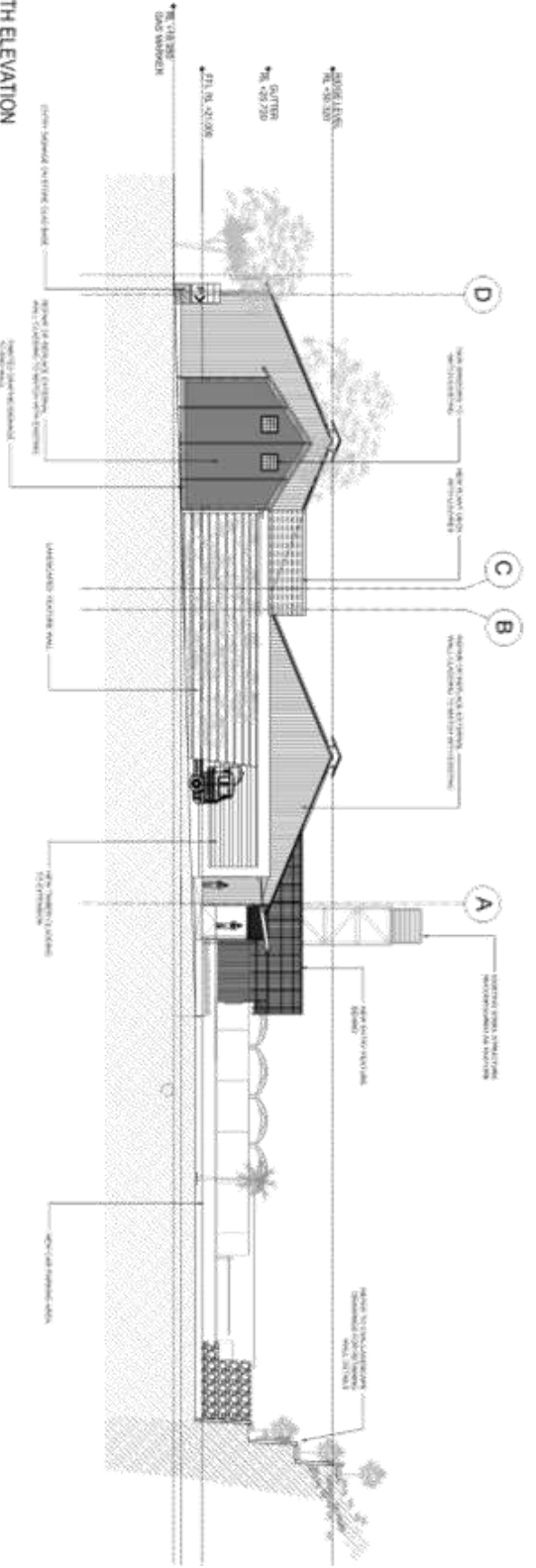
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2 NORTH ELEVATION
SCALE: 1:500 @ A1



3 SOUTH ELEVATION
SCALE: 1:250 @ A1

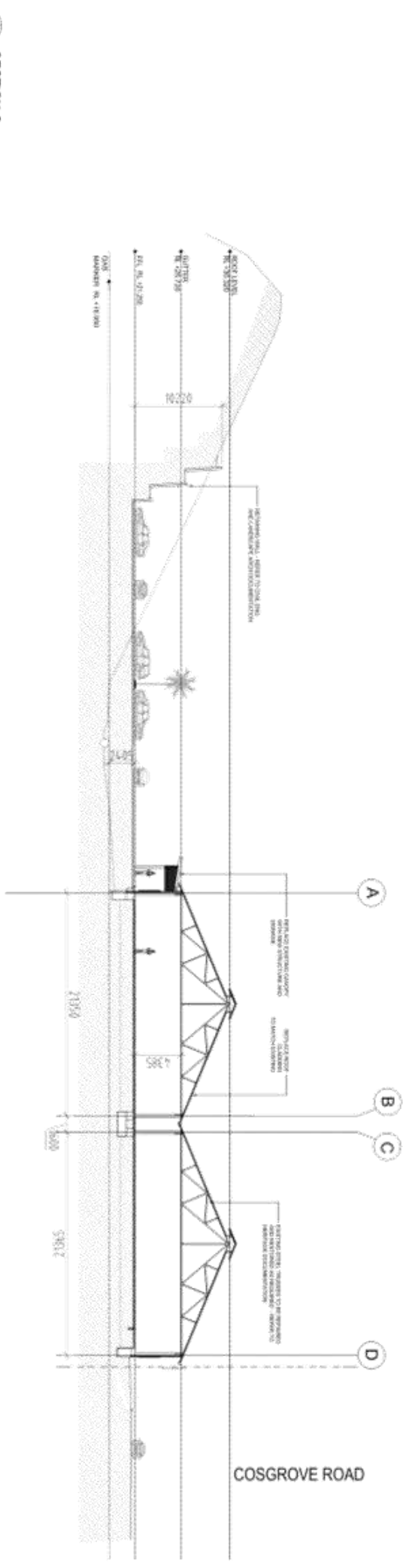
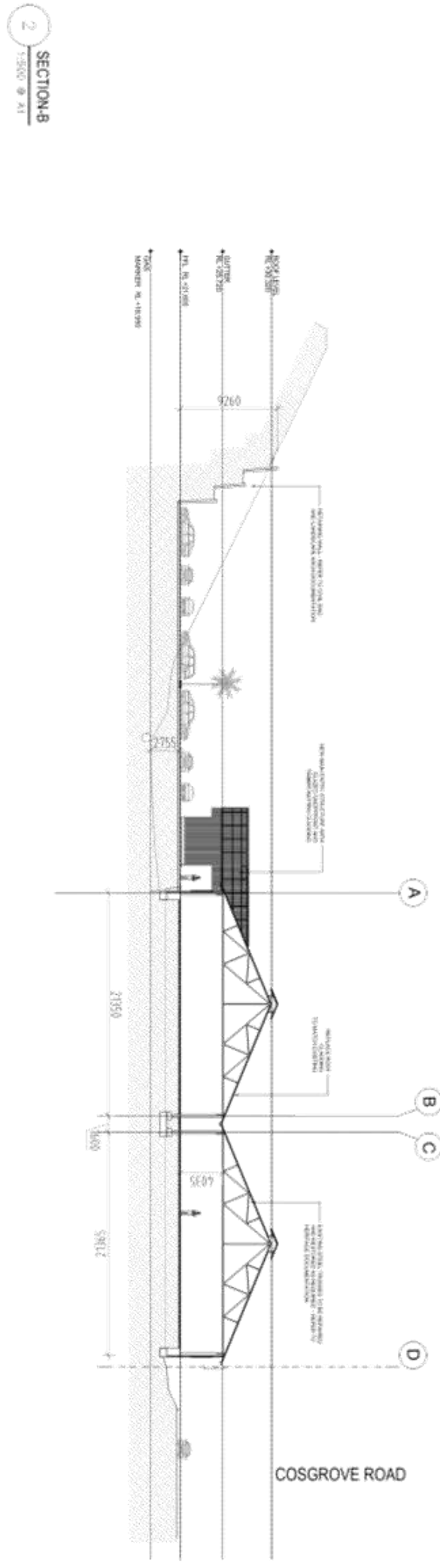
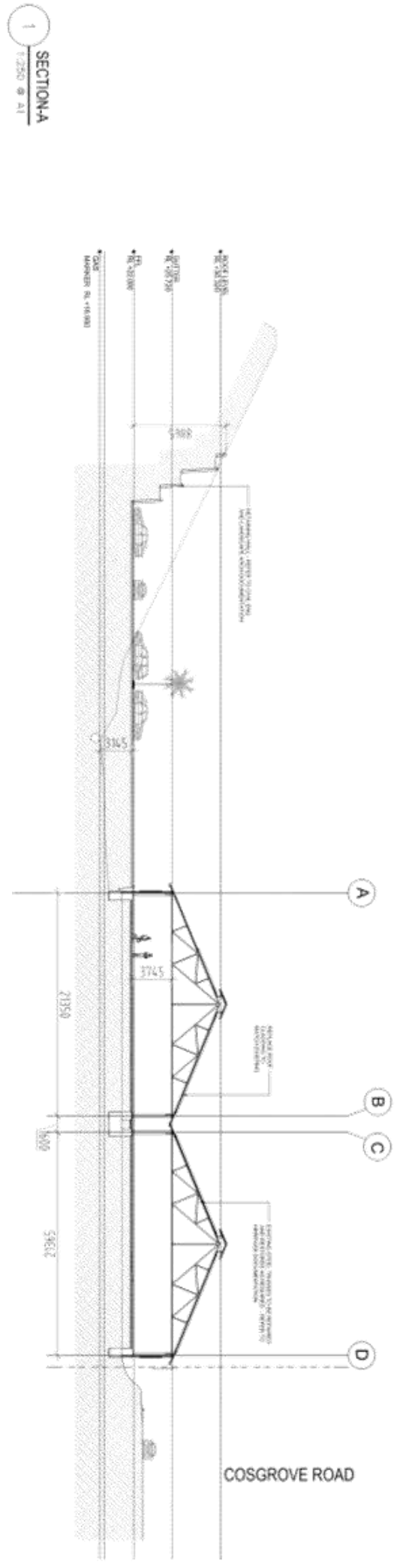


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DEVELOPMENT APPLICATION

MULTI-UNIT CONSTRUCTION

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<p>Project: GARDEN CENTRE ENFIELD 127 COSSGROVE ROAD SOUTH STRATHFIELD NSW</p>	
<p>Client: DA-P</p>	
<p>Project Manager: [Name]</p>	
<p>Architect: BN Building & Construction 147-151 Macquarie Street Sydney NSW 2000 Phone: (02) 9550 1234 Email: info@bn.com.au</p>	
<p>Sheet Name: NORTH & SOUTH ELEVATIONS</p>	
<p>Drawing No: A10.04</p>	



FOR INFORMATION

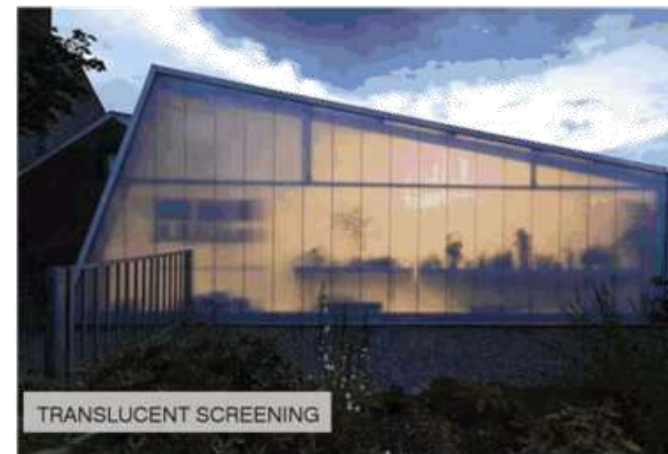
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<p>Project Manager</p>													
<p>Architect</p>													
<p>BN Architecture Urban Design Planning Services</p>													
<p>Project</p>													
<p>GARDEN CENTRE, ENFIELD 127 COSGROVE ROAD SOUTH STRATHFIELD NSW</p>													
<p>Scale @ A1: 1:500 Project No.: S1523 Drawn By: [Name] Checked By: [Name]</p>													
<p>Site Sections</p>													
<p>Scale @ A1: 1:500 Project No.: S1523 Drawn By: [Name] Checked By: [Name]</p>													
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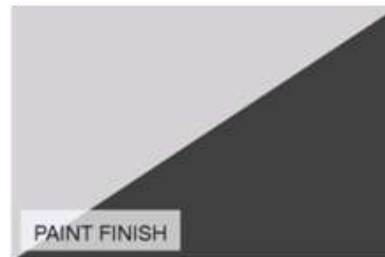
POWDERCOAT



TRANSLUCENT SCREENING



STAINED/PAINTED TIMBER CLADDING



PAINT FINISH



GLAZED AWNING



PAINTED GRAPHIC/SIGNAGE



GLAVANIZED CORRUGATED CLADDING



GABION WALL



TIMBER BATTEN ENTRY CLADDING



FEATURE WALL SCULPTURE



BLADE SCREENING

DATE	20/06/2017 FOR REVIEW
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All dimensions to be checked on site, unless dimensions are to be as per to an approved drawing, or as per to a technical and approved detail. All dimensions to be checked on site, unless dimensions are to be as per to an approved drawing, or as per to a technical and approved detail. All dimensions to be checked on site, unless dimensions are to be as per to an approved drawing, or as per to a technical and approved detail.

Coordinated Reference Drawings	
Discipline	Company
STRUCTURE	
MECHANICAL	
ELECTRICAL	
LANDSCAPE	
FIRE	

Client

Project Manager

Architect
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 Urban Design
 Masterplanning
 Graphics
 Interiors
 BN Group Pty Ltd
 8/2 Alexander Street
 Crown Point, NSW 2065
 Adv: 43 030 900 499
 T: +61 2 9437 0511
 F: +61 2 9437 0522
 www.bnarchitecture.com
 sydney@bnarchitecture.com

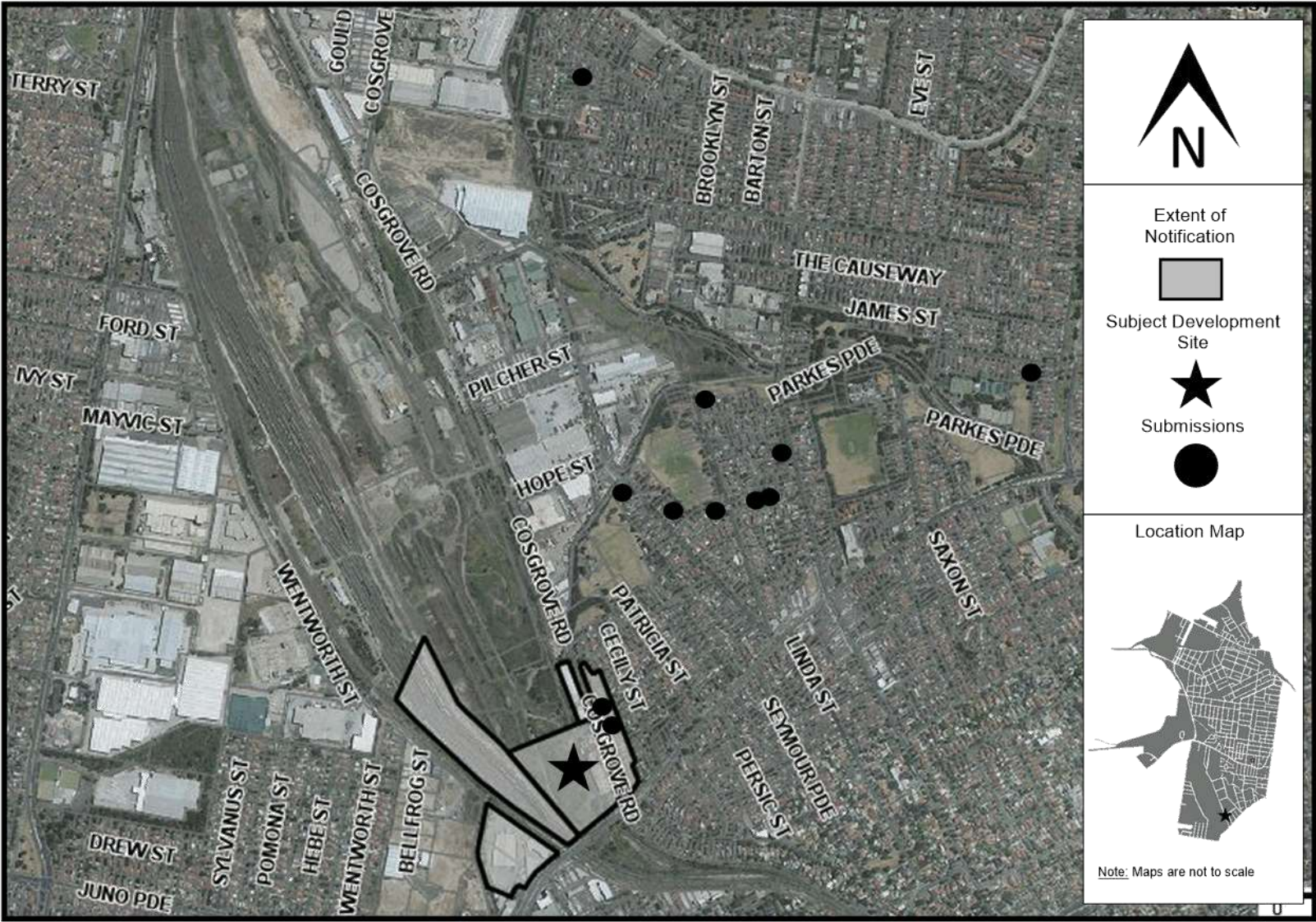
Project
GARDEN CENTRE ENFIELD
 127 COSGROVE ROAD SOUTH
 STRATHFIELD NSW

Sheet name
PROPOSED MATERIALS AND FINISHES

Scale @ A1: NTS
 Project No.: S1523
 Drawn By: MF
 Checked By: SB

Drawing No.	Stage - R1
A100.01	DA-P

DEVELOPMENT APPLICATION
 NOT FOR CONSTRUCTION



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 1 June 2017
REPORT: SIHAP – Report No. 2
SUBJECT: 2016/0186 - 36A WATER STREET, BELFIELD - LOT 1, DP 1079450
DA NO. 2016/186

SUMMARY

Proposal: Alterations and additions to an existing heritage listed dwelling to provide a boarding house (Affordable Rental Housing SEPP 2009).

Applicant: B Spatial Design

Owner: Messers CC & JP Boustani

Date of lodgement: 8 December 2016

Notification period: 20 December 2016 to 16 January 2017

Submissions received: One (1) petition containing (38) signatures was received

Assessment officer: LM

Estimated cost of works: \$850,000.00

Zoning: R2 – Low Density Residential - SLEP 2012

Heritage: Heritage Item No.1

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: APPROVAL

Proposal: Alterations and additions to an existing heritage listed dwelling to provide a boarding house (Affordable Rental Housing SEPP 2009).

Applicant: B Spatial Design

Approval is sought for alterations and additions to an existing heritage listed dwelling to provide a boarding house accommodating a maximum of (19) lodgers under the Affordable Rental Housing SEPP 2009.

The subject application was previously considered by the Strathfield Independent Hearing and Assessment Panel at its meeting of 4 May 2017. The application was deferred subject to the:

- Redesign of the roof structure of the new building;
- Amended on-site parking layout;
- Provision of additional sanitary facilities; and
- Provision of an amended landscape plan.

The applicant has subsequently provided additional information to address each of these matters.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

The original application and plans were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005 from 20 December 2016 to 16 January 2017. One (1) written submission was received raising concerns with traffic congestion, parking, overshadowing, visual privacy, drainage, sewage, acoustic amenity and streetscape. The most recent amended plans did not require notification in keeping with Part L of the Strathfield Consolidated Development Control Plan 2005.

As discussed in this report, the application has been modified to address streetscape, acoustic amenity and visual privacy issues with all objectors' concerns addressed within the submissions section of the report.

The proposal has been assessed under the provisions of State Environmental Planning Policy (Affordable Rental Housing – ARH SEPP) 2009 which seeks to provide an acceptable level of amenity for future residents. The proposal is satisfactory with respect to the relevant legislative provisions of the ARH SEPP, the Strathfield Local Environmental Plan (SLEP) 2012 and relevant DCP 2005 controls.

Council Officers have sought comment from Council's Heritage Advisor to ensure the integrity of the existing heritage item is retained and restored and that the new addition is compatible with the character, bulk and scale of the original dwelling. Subsequent to the deferral of the subject application, the applicant has submitted amended plans seeking to incorporate a roof structure upon the proposed building that is sympathetic to the existing heritage item upon the site. The amended plans have been reviewed by Council's Heritage Advisor who raised no objection to the proposal.

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

BACKGROUND

15 December 2015 A Pre-Lodgement Meeting was held at Council Offices to discuss proposing alterations and additions to the existing heritage listed dwelling, a two (2) lot subdivision and a new two (2) storey dwelling at the subject site. The following issues were raised:

- Subdivision: minimum lot sizes,
- Flood Affectation,
- Dual Occupancy,
- Heritage restrictions & compatibility,
- Bulk of proposed additions,
- Side setbacks,
- Other permissible land uses, and
- Further consultation

The proposal did not proceed to a formal Development Application.

4 May 2017 The subject application considered the Strathfield Independent Hearing and Assessment Panel. The panel resolved as follows:

"The application is deferred subject to the applicant lodging amended plans with the Council that address the following matters:

(1) The roof form at the western end of the new building is to be redesigned to incorporate a transverse gable form. The ridge line of the transverse gable is to be no higher than RL17.940 and the pitch of the roof should be similar to that of the heritage item in order to reduce the impact of the addition on the significance of the heritage listed dwelling and the streetscape.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

(2) The swept paths of the on-site car parking spaces do not allow for vehicles to exit the site in a forward direction in accordance with the applicable Australian Standard (AS/NZS 2890.1 – 2004). Accordingly, the car parking area needs to be redesigned to comply.

(3) The ground floor adaptable boarding room and the front boarding room in the heritage listed building with frontage to Water Street shall provide for appropriate bathing facilities for occupants. (4) The submitted plans and the Landscape Plan shall be consistent.”

In response to the Panel's resolution the Applicant has submitted amended architectural plans altering the roof structure of the proposed building to reduce the impact of the addition on the significance of the heritage listed dwelling, reconfiguration of the ground floor to allow for additional vehicle manoeuvring space, the provision of additional sanitary facilities and an updated Landscape Plan.”

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the eastern side of Water Street immediately east of the intersection with Water Street and Excelsior Avenue. The site is a regular-shaped residential allotment providing a frontage of 16.76m, a depth of 53.34m and a total site area of 894.2m².



Figure 1: View of subject site and surrounding residential and open space areas.

The site is presently comprised of a detached single storey cottage which is identified as *Item 1* – weatherboard cottage under Schedule 5 Environmental Heritage of the SLEP, 2012. The cottage's symmetrical façade with weatherboard exterior walls and corrugated iron bull nose verandah roof is representative of early residential development near the Cooks River where market gardens and dairy farms were a major land use in the area.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)



Figure 2: View of existing heritage dwelling.

The current streetscape is typified by detached dwellings located immediately south and west of the subject site with the Cooks River and surrounding public recreation areas adjoining the site to the rear. Further north of the subject site is an IN1 – General Industrial area which predominantly features warehouse buildings.



Figure 3: View of subject site to the rear

PROPERTY BURDENS AND CONSTRAINTS

As discussed throughout this report, the subject site is flood affected. The proposed development has been designed to accommodate for the flood affectation of the site.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

The application seeks Council approval for alterations and additions to an existing heritage listed dwelling to provide a boarding house accommodating a maximum of (19) lodgers under the Affordable Rental Housing SEPP 2009.

Specifically, the elements of the proposal involve:

Alterations and additions to heritage listed dwelling

- Restoration works to the chimney, floorboard, front decking area and roof;
- Removal of fibro cement sheeting and installation of timber weatherboard cladding;
- Partial removal of rear skillion roof to accommodate for first floor addition to the dwelling; and
- Retention of existing original dwelling and removal of rear altered structure adjoining dwelling.

Boarding House

- Original portion of the heritage listed dwelling is to be comprised of a:
 - Reception/administration room;
 - Adaptable bedroom;
 - Bedroom to accommodate for one (1) lodger; and
 - Dining room.
- Rear additions to the heritage listed dwelling are to be comprised of:
 - Ground Floor: Open plan kitchen and communal lounge area; laundry/linen room and accessible bathroom; and
 - First Floor: study area with patio and bedroom for one (1) lodger.
- New boarding house structure comprised of:
 - Linking ground floor and first floor corridor between the heritage dwelling and the new structure;
 - The new boarding house structure is to be comprised of eight (8) separate bedrooms each with ensuite and kitchen area;
 - Ground floor terrace toward the rear; and
 - First floor patios toward the rear.
- Associated landscaped areas including private open space located within the central portion of the building upon the southern side setback of the site.

Subsequent to the deferral of the subject application the applicant has amended the proposal to incorporate a transverse gable roof form on the western portion of the proposed structure, amended the at-grade, parking area to achieve compliance with AS/NZS2890.1 and amended the proposed internal configuration of the heritage dwelling to ensure that facilities are readily available to each proposed boarding room.

REFERRALS

The application was forwarded to Council's Health & Building Surveyor, Heritage Consultant, Development Engineer and Tree Coordinator for comment. The following comments were made:

Health & Building Surveyor

- Bin storage and bulk store area not provided; and
- Assessment of potentially hazardous materials prior to any demolition should be conducted.

Amended plans were submitted during the assessment process and provided for an internal laundry, bin storage and bulk storage area. A condition of consent is recommended to ensure a Hazardous Materials Survey is conducted and that any hazardous material is removed from the structures prior to the commencement of works.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

Heritage Consultant

- The proposed conservation and re-use of the historic house is a welcome outcome of the project and should be encouraged by Council. The proposed development including the amended roof structure is considered to be suitably sympathetic to the heritage significance of the dwelling.

Development Engineer

An assessment was undertaken regarding the proposed concept stormwater plan in accordance with Section 4.5 of the Stormwater Management Code 1994, alternatives for sites that do not drain to the street are:

- Minor regrading of the site to elevate the building platform to enable gravity drainage to the street frontage (subject to planning/building constraints on floor/roof height and impact on overland flow paths).
- Roof or paved areas of less than 40m² being connected to a suitably designed rubble/absorption pit.
- Installation of an on-site detention system connecting to a pit and pump system which incorporates twin pumps, and an emergency overflow system connection into a rubble/absorption pit system. The overall system is to be covered by a Restriction As User on the property title covering maintenance.

Based on the alternatives highlighted, the concept plan was not supported in its current format as the proposed stormwater disposal system did not reflect any of the alternatives highlighted.

Additional documentation was submitted to Council during the assessment process in which no further concerns were raised subject to the imposition of conditions.

Tree Coordinator

An Arborist Report was requested to be submitted to address the retention of the existing trees located upon the southern side boundary of the site.

An arborist report was submitted during the assessment process demonstrating that three (3) of the five (5) trees located upon the southern boundary of the site will be retained with appropriate tree protection measures provided to ensure trees are not damaged during construction.

No further objections raised subject to conditions.

Traffic Engineer

Council's Traffic Engineer has reviewed the most recently amended onsite parking configuration and has identified that the proposal as amended provides adequate manoeuvring room so as to allow for forward entry and exit from the site and achieve compliance with the requirements of AS2890.1.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

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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 (Affordable Rental Housing) 2009

An assessment of the development against the development standards for boarding houses under the ARH SEPP is provided in the table below.

It is relevant to note that the ARH SEPP stipulates 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 • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use 	The subject site is located within the R2 – Low Density Residential zone under the SLEP, 2012.	Yes
27(2)	Location and access to facilities	If it is located in R2 – must be within an ‘accessible area’ accessible area means land that is within: 800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates, or 400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and between 08.00 and 18.00 on each Saturday and Sunday	The subject site is located within 400m walking distance of a bus stop used by frequent bus services.	Yes.
29 Note: Unable to refuse based on compliance these	FSR Height Landscaping	Max as per SLEP 2012: 0.55:1 (491.84m ²) Max as per SLEP: 9.5m Front setback is compatible with streetscape	0.44:1 (395.33m ²) 9.4m The proposal seeks to retain the existing	Yes. Yes. Yes.

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Clause	Development Control	Required	Proposal	Compliance
standards			5.6m front setback provided for the site.	
	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 communal lounge, kitchen and dining room will receive minimum 3 hours sunlight access.	Yes.
	Private Open Space	Lodgers: Min 20m ² with min. dimension of 3m	165.56m ² private open space area with a minimum dimension of 3m.	Yes.
	Parking	In an 'accessible area': 0.2 spaces per room =3 (2.6) spaces required	Three (3) spaces are proposed and are easily accessible via the driveway and adjoining ramps.	Yes.
	Dwelling size	Single: min 12m ² Other: min 16m ²	Single: min. 12m ² , max. 16m ² Double: min. 19m ²	Yes.
		May have a kitchen/bathroom however is not required to.	Most with private bathrooms and kitchens. Rooms without bathrooms have access to communal facilities.	Yes.
30	Standards for Boarding Houses	One (1) communal living room required where there is five (5) or more rooms	Communal living area located upon the ground floor.	Yes.
		No boarding room > 25m ²	Maximum room size is 19m ²	Yes.
		No boarding room occupied by > two (2) adult lodgers	Maximum two (2) adult lodgers per room. Condition of consent to be imposed.	Yes, subject to conditions.
		Adequate bathroom and kitchen facilities available	Adequate bathroom, kitchen and laundry facilities available for lodgers.	Yes.
		Boarding House Manager where capacity of > 20 lodgers	Max. (19) lodgers, therefore manager not required.	Yes.
		One (1) bicycle space and one (1) motorcycle space per five (5) boarding rooms. Therefore, 2.6 (3) spaces	Five (5) bike spaces provided and three (3) motorcycle spaces provided.	Yes.

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Clause	Development Control	Required	Proposal	Compliance
		required.		
30A	Character	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.	The proposal has sought to restore the original heritage dwelling and provide a detached two (2) storey addition to respect the heritage dwelling and curtilage and provide a new addition which is sympathetic to the existing dwelling. Both the front and side setbacks are proposed to be retained to ensure view corridors are maintained and to further enhance the prominence of the existing heritage dwelling in the streetscape.	Yes.

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

Comments: The proposed boarding house development is considered to be of a high quality built form which would result in a noticeable improvement to the dilapidated heritage dwelling. The proposed development has addressed the flood affectation of the site and has been designed accordingly including raising the finished floor levels of the new rear addition.

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Permissibility

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

Boarding Houses are permissible within the R2 Zone with consent and is 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.”

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 R2 Zone is included below:

Objectives	Complies
➤ To provide for the housing needs of the community within a low density residential environment	Yes
➤ To enable other land uses that provide facilities or services to meet the day to day needs of residents	Yes
➤ To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas	Yes

Comments: The proposed development will provide a boarding house use which will provide for the needs of the community within a low density residential setting. Furthermore, the proposed development has been designed with respect to the heritage listed dwelling on the site and will not adversely impact upon the presentation of the dwelling from 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.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	8.75m	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

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Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	<i>Floor space ratio</i>	0.55:1 (491.83m ²)	0.44:1 (395.33m 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
(e)	<i>In relation to Strathfield Town Centre:</i>			Yes
	<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>			
(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: Whilst it is acknowledged that bonus FSR provisions are provided under the ARH SEPP for the site, the proposed development still achieves compliance with the relevant FSR provisions applying to the site under the SLEP 2012. The proposed development therefore results in a bulk and scale which is compatible with existing dwellings in the streetscape which are also zoned as low-density residential development. It is further noted that the bulk of the development will be confined to the two (2) storey addition located behind the heritage dwelling. This will ensure the single storey heritage cottage is the dominant structure on the site and is compatible with other prevailing single storey dwellings in the streetscape.

Part 5: Miscellaneous Provisions

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

5.9 Preservation of trees or vegetation

An Arborist Report regarding the preservation and removal of trees on site was requested during the assessment process and later submitted to Council for further consideration. As discussed, Council's Tree Coordinator has raised no objection to the development with regard to tree removal/preservation subject to conditions.

5.10 Heritage Conservation

The subject site is identified as a Heritage Item under Schedule 5 of the SLEP, 2012 as it is a representation of residential development in the early 19th century. The proposal is generally consistent with the Heritage Conservation objectives under Clause 5.10 of the SLEP which 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.

The existing dwelling upon the subject site is in a state of disrepair with the proposed application seeking to restore the existing dwelling whilst undertaking a substantial addition to the rear. The

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proposal has sought to provide sufficient visual separation between the heritage dwelling and new rear addition by providing a physical separation between the two (2) structures and through the use of material finishes that provide a clearly discernible finish from the original heritage fabric.

A Heritage Impact Statement was submitted as part of the subject application along with a Dilapidation & Restoration Report. The Dilapidation Report includes an assessment of restoration works as well as an assessment of the proposed new additions which are to be constructed to the rear of the dwelling. Restorations works include restoring the dilapidated bullnose corrugated iron roof, replacement of feather edged weatherboards to side elevation walls and construction of a new chimney. These works will be sympathetic to the prevailing heritage dwelling which will improve the understanding of the cottage as being of the early twentieth century period.

Amended plans were submitted during the assessment process seeking to increase the physical separation provided between the heritage dwelling and new rear addition. The improved separation will ensure that the curtilage of the item is maintained and the dwelling is celebrated as the prominent feature on the site.

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 sulphate soils

The subject site is identified as having Class 4 soils and is located within 500m of Class 5 soils. As the proposed development relates to works that will not occur below five (5) metres Australian Height Datum, the proposal was not required to be accompanied by an Acid Sulfate Soils Management Plan and therefore satisfies the requirements of Clause 6.1 of the SLEP, 2012.

6.2 Earthworks

Appropriate conditions of consent to be imposed to ensure compliance with the sediment, erosion control plan. Further conditions of consent are imposed requiring the preparation of a dilapidation report which is to be provided to adjoining property owners.

6.3 Flood planning

Council's Cook's River flood study identifies the site as being affected by both overland flow and mainstream flooding to a level of RL10.96m AHD in the 1 in 100 year flood event. Accordingly, a Flood Risk Management Report was prepared and submitted as part of the subject application. The proposed development has been designed having regard to the flood affectation for the site. This has included providing a minimum finished floor level of RL11.39m AHD in accordance with the recommendations of the Flood Report. These matters have been adequately addressed in the architectural plans and are reflected in the conditions of consent. The proposal has therefore satisfied the flood planning requirements pursuant to Clause 6.3 of the SLEP, 2012.

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.

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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> <i>a) affecting a heritage item;</i> <i>b) within a heritage conservation area; or</i> <i>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 proposed development has sought to undertake works to restore the dilapidated heritage dwelling with amendments made to the design of the boarding house to ensure that the heritage dwelling remain as a standalone feature on the site. A Heritage Impact Statement was submitted with the application along with a restoration dilapidation report to clearly identify how the heritage cottage was to be repaired.

Overall, the proposed development will enhance the visual presentation of the heritage cottage from the street and will ensure an appropriate curtilage is provided around the cottage to ensure it remains as the prominent feature on the site.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposed development has not been accompanied by a waste management plan detailing the on-site management and intended disposal of waste during construction.

Given the heritage character of the existing dwelling and the nature of the works proposed, much of the original material is to be salvaged for use in the restoration of the dwelling. Notwithstanding, it is likely that waste will be generated as a result of the construction activities for the new rear addition.

A suitable condition of consent is recommended requiring compliance with the 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

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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 recommended to ensure the prescribed conditions of consent including compliance with the *Building Code of Australia* and insurance requirements under the *Home Building Act 1989* are met.

(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*.

Council's Cooks River Flood Study identifies the site as being affected by overland flow of stormwater runoff from adjoining properties and mainstream flooding from the Cooks River to a level of RL10.96mAHD in the 1 in 100 year flood event. As previously discussed, a Flood Risk Management Report was submitted as part of the application. This has included providing a minimum finished floor level of RL11.39mAHD in accordance with the recommendations of the Flood Report. This is considered acceptable by Council's Development Engineer.

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

Amended plans were submitted to Council including a transverse gable roof to the western end of the proposed structure. The amended plans were reviewed by Council's Heritage Advisor who identified the proposal as amended as being compatible with the original heritage dwelling upon the site.

Further, the proposed restoration works are considered appropriate to the dilapidated heritage dwelling and will improve the amenity of the dwelling to ensure the development positively contributes to the streetscape.

The proposal retains the prevailing front and side setbacks of the heritage dwelling and whilst the proposed new rear addition is two (2) storey in height and will be marginally visible from the street, the proposed new addition is of an acceptable bulk, scale and design which will allow the heritage

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dwelling to remain as the prominent feature on the site without detracting from the presentation of the dwelling from the street.

Furthermore, the proposal has sought to incorporate material colours and finishes which are compatible to the heritage cottage however provides a clear separation between the original dwelling and the new two (2) storey addition. The proposed finishes are understated including a corrugated colorbond roof with external walls providing a mixture of stained timber, grey coloured fibre cement cladding and portions of cream coloured rough coloured textured render. These finishes are in keeping with the heritage character of the dwelling and will be compatible with the prevailing neutral coloured tones and more traditional-style building materials applied to dwellings in the streetscape.

Roof Design

The proposed development is compliant with the maximum permitted 9.5m building height prescribed by Clause 4.3 of the SLEP 2012. However, the height of the new addition was reduced throughout the assessment of the subject application from 9.4m to 8.75m (or RL18.8550) so as to reduce the overall bulk of the development.

Visual Privacy

The proposed development results in potential overlooking concerns to both the southern adjoining property owners. Conditions of consent have therefore been imposed to ensure that the privacy louvers provided to the southern stairwell of the new addition be lengthened to extend the full length of the stairwell from ground floor to the first floor ceiling. It is noted that amended plans were submitted to Council during the assessment process demonstrating that fixed privacy louvers and glazing has been provided to the upper level windows provided to the boarding rooms so as to minimise opportunities for overlooking into the northern adjoining property.

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

The proposed development is considered suitable for the subject site and generally complies with the requirements of the Affordable Rental Housing SEPP 2009 as well as Council's LEP and DCP controls. As discussed above, the proposal will ensure that the heritage item is restored and will improve the overall presentation of the site without compromising the amenity of adjoining residents or the heritage significance of the dwelling.

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

The original application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 20 December 2016 to 16 January 2017. One (1) petition containing (38) signatures was received.

The concerns raised in the submissions are outlined and discussed below.

1. Traffic Congestion & Parking

Concern is raised for the lack of off-street parking provided for the site for both residents and visitors.

Comment: The proposed development seeks to provide three (3) off-street parking spaces in accordance with Clause 29 of the ARH SEPP 2009 which requires 0.2 spaces per room (2.6) to be provided for the site. Furthermore, both bicycle and motorcycle parking have been provided in accordance with the Clause 29 requirements of the SEPP.

2. Overshadowing

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Concern is raised for the proposed development in that it overshadows neighbouring windows, backyards and northern sunlight.

Comment: A series of elevational shadow diagrams were submitted as part of the subject application demonstrating that whilst a shadow will be cast over the entire northern elevation of the southern adjoining dwelling, the shadow moves east and will permit uninterrupted direct solar access to the southern adjoining dwelling from 10am onwards.

3. Visual Privacy

Concern is raised for the various windows located upon the proposed development which overlook neighbouring properties.

Comment: Amended plans were submitted during the assessment process to address privacy concerns. Fixed privacy louvers and obscure glazing has been provided to the upper level window openings pertaining to the north-facing boarding house rooms. Furthermore, a condition of consent is recommended to ensure that the dining room and communal lounge room windows are provided with obscure glazing or fixed privacy screening. This will minimise opportunities for overlooking into the private open space area of the northern adjoining property.

4. Drainage & Sewage

Concern is raised for the affect the proposed development would have on the drainage and sewage run out in the area

Comment: The proposed development was referred to Council's Development Engineer for assessment in which the proposed stormwater plan is considered acceptable for the subject site.

5. Acoustic Amenity

Concern is raised for the management and control of additional noise from the residents who reside in the proposed development.

Comment: Amended plans were submitted during the assessment process to ensure that the communal areas provided throughout the site are suitably enclosed to minimise acoustic concerns.

6. Streetscape

Concern was raised for the lack of compatibility the proposed development has with the streetscape in terms of its site layout, building location; visual amenity and spatial separation from the neighbouring properties.

Comment: Following Council's Heritage Consultant's advice, the new rear addition is appropriately separated from the heritage dwelling. Additionally, the built form is suitable to the prevailing bulk, scale and character of the heritage dwelling so as not to detract from the presentation of the heritage dwelling in the streetscape.

79C(1)(e) the public interest

The proposed development involves restoration works to the existing heritage listed dwelling and conversion of the dwelling house to a boarding house which will allow for the existing dwelling to be renovated whilst retaining its original heritage features.

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Whilst the proposal also involves the construction of a two (2) storey addition, the structure will be contained to the rear of the site which will provide a generous curtilage for the heritage item and allow the heritage item to remain as the prominent feature on site.

Furthermore, the proposed boarding house component of the application is considered appropriate for the site and will provide adequate communal facilities for use of lodgers without adversely impacting upon surrounding residents.

As such, the approval of the proposal 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	\$22,790.31
Provision of Major Open Space	\$103,689.06
Provision of Local Open Space	\$22,817.60
Administration	\$1,965.15
TOTAL	\$151,262.12

CONCLUSION

As detailed throughout this report, the proposed development seeks to appropriately restore the heritage features of the original dwelling and provide for lodgers to reside within both the existing heritage dwelling and new two (2) storey addition to the rear of the site. The proposed boarding house development is considered to be an appropriate use of the site and will assist in ensuring the heritage dwelling is maintained.

The proposed development is permissible in the subject zoning and is generally consistent with the relevant provisions and objectives of the Affordable Rental Housing SEPP 2009, the Strathfield Local Environmental Plan, 2012 as well as the Strathfield Consolidated Development Control Plan 2005. The proposal will provide a high level of amenity for future lodgers without significantly compromising the amenity of adjoining owners.

RECOMMENDATION

That DA2016/186 for alterations and additions to an existing heritage listed dwelling to provide a boarding house accommodating for a maximum of (19) lodgers under the Affordable Rental

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Housing SEPP 2009 at 36A Water Street, Belfield be APPROVED subject to the following conditions:

Special Conditions (DASC)**DASP001 HAZARDOUS MATERIALS SURVEY**

Prior to demolition of the existing structures, a Hazardous Materials Survey should be conducted and any hazardous material should be removed from the structures and an Asbestos Clearance Certificate provided by a suitably qualified Asbestos Assessor.

(To manage potential contamination of the site)

DASP002 VISUAL PRIVACY

The following privacy measures shall be installed and maintained at all times:

- (a) The ground floor south facing lodger room windows (W05, W04, W03 and W02) shall consist of obscured glass below a height of 1.6m above finished floor level, or attached with suitable fixed external privacy screening capable of precluding direct overlooking to the adjoining property to the south.
- (a) The first floor south facing window adjoining the stairwell walkway (W03) shall be redesigned as a highlight window attaining a minimum sill height of 1.7m above the finished floor level.

Details of the above measures shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate**.

(To respect the visual privacy of adjoining residents.)

DASP003 ROOF LINE

The height of the new addition shall be reduced to attain a maximum height of RL18.850 so that the highlight windows which form the roof ridge protrude only 550mm above the roof line. Details demonstrating compliance with this requirement shall be prepared and submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate**.

(Simplify roof form and minimise bulk of the development)

DASP004 TREE PRUNING

A minimum level 5 (AQF5) Consultant Arborist who is currently a member or is eligible for membership to the *Institute of Australian Consulting Arboriculturists* (IACA) or *Arboriculture Australia* (AA) is to be contracted by the applicant to undertake/monitor pruning of the required branches of the *Allocasuarina littoralis* (Black she-oak) located on the southern side boundary of the site.

(Tree preservation and environmental amenity)

DASP005 LANDSCAPE PLAN

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 by Michael Siu Landscape Architects, DWG No. LO1/1-K21511, Dated 11 Nov 2016, and in accordance with the landscape plan (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:

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- (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;
- (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.

(Tree preservation and environmental amenity)

DASP006 TREE RETENTION

Tree retention conditions must be in accordance with all measures outlined within the submitted Arborist report, prepared by T.J. Hawkeswood. Alterations may need to be made to building plans to accommodate for spread of crown and roots from trees to be retained.

(Tree preservation and environmental amenity)

DASP007 FLOOD RISK MANAGEMENT

The applicant shall comply with the flood recommendations provided in the Flood Risk Management Report for No. 36A Water Street, Belfield prepared by Kozarovski and Partners dated 20 January 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 the Occupation Certificate.**

(Flood Management)

General Conditions (DAGC)**DAGC001 APPROVED PLANS AND REFERENCE DOCUMENTATION**

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. 2016/186:

Drawing No.	Title/Description	Prepared By	Issue/ Revision & Date	Date Received by Council
DA-04	Restoration Ground Floor Plan	B Spatial Design	C	31 January 2017
DA-06	Site Plan	B Spatial Design	H	19 May 2017.
DA-07	2 Buildings with a Link to Ground Level Plan	B Spatial Design	H	19 May 2017.
DA-08	2 Buildings with a Link to Level 1 Plan	B Spatial Design	H	19 May 2017.
DA-09	North & South Elevations	B Spatial Design	H	19 May 2017.
DA-10	East & West Elevations	B Spatial Design	H	19 May 2017.

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DA-12	Sections Sheet 02	B Spatial Design	H	19 May 2017.
	Concept Stormwater Drainage Plan	B Spatial Design	3	31 January 2017
	Sediment and Erosion Control Plan	B Spatial Design	2	8 December 2016
	Landscape Planting Plan	Michael Siu Landscape Architects	2	25 May 24, 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2016/186:

Title / Description	Prepared By	Issue/ Revision & Date	Date Received by Council
Statement of Environmental Effects	Planik	Revision E	8 December 2016
Dilapidation & Restoration Report	DR. Edward L Harkness	26 November 2016	8 December 2016
Heritage Impact Statement	Weir Phillips Heritage	September 2016	8 December 2016
Waste Management Plan	B. Spatial Design	01	8 December 2016
Flood Risk Management Report	Kozarovski and partners	24 October 2016	8 December 2016
Plan of Management	B. Spatial Design	V1.4	30 March 2017
Material Finishes Board	B Spatial Design		13 March 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 is undertaken is in accordance with the determination of Council)

DAGC004 BOARDING HOUSE (APPROVED USE)

This approval is granted for the use of the land for the purposes of a Boarding House comprising a maximum of 19 Boarding Rooms (plus one Manager's Room). This includes six (6) double rooms (maximum 2 persons per room) and seven (7) 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 2012.

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)

DAGC005 BUILDING HEIGHT (MAXIMUM RL TO BE COMPLIED WITH)

The height of the building measured to Australian Height Datum (AHD) must not exceed Relative

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Level (RL) RL18.85 to the ridge of the building.

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

DAGC007 CONSTRUCTION HOURS

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)

DAGC008 CONSTRUCTION WITHIN BOUNDARIES

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).

DAGC010 DEMOLITION (HERITAGE ITEMS)

Alterations to, and demolition of, the existing building shall be limited to that documented on the approved plans (by way of notation) or conditioned in this consent. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

Should any portion of the existing building which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of this damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.

(Reason: Heritage conservation)

DAGC011 DEMOLITION (SITE SAFETY FENCING)

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)

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DAGC016 LANDSCAPING (CANOPY TREES IN FRONT SETBACK)

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)

DAGC018A LANDSCAPING (TREES REQUIRED TO BE RETAINED)

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) Allocasuarina littoralis (Black she-oak)	15m x 6m	Southern Side boundary	6m	2.67m
2) Allocasuarina littoralis (Black she-oak)	15m x 5m	Southern Side boundary	4.2m	2.37m
3) Allocasuarina littoralis (Black she-oak)	16m x 15m	Southern Side boundary	6.6m	2.76m

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.

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DAGC018B LANDSCAPING (TREES PERMITTED TO BE REMOVED)

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

Tree No. in Arborist Report	Tree	Location
1) Melaleuca styphelioides (Prickly leaved paperbark)	10m x 4m	Southern Side boundary
2) Citris sp (Orange tree)	6m x 5m	Southern Side boundary

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

- (a) 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.
- (b) 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.
- (c) Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.
- (d) 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.
- (e) 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)

DAGC019 LANDSCAPING (TREE PRESERVATION)

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 noxious weeds on the site shall be removed and destroyed as per their classification under the *Noxious Weeds Act 1993*.

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).

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)

DAGC022 MATERIALS (EXTERNAL MATERIALS AND REFLECTIVITY)

All external materials and finishes including windows and doors and roofing materials must be of

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low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority.

(To minimise excessive glare and reflectivity)

DAGC023 MATERIALS (SCHEDULE OF EXTERNAL MATERIALS, FINISHES AND COLOURS)

The 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)

DAGC025 PRIVACY (SCREEN PLANTING TO SIDE AND REAR BOUNDARIES)

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)

DAGC027 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:

- (a) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- (b) Demolition must be carried out by a registered demolition contractor.
- (c) 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.
- (d) No blasting is to be carried out at any time during construction of the building.
- (e) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- (f) 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.
- (g) Any demolition and excess construction materials are to be recycled wherever practicable.
- (h) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- (i) 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.
- (j) All waste must be contained entirely within the site.
- (k) 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.
- (l) 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.
- (m) 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.
- (n) Any materials stored on site must be stored out of view or in such a manner so as not to

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- cause unsightliness when viewed from nearby lands or roadways.
- (o) 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.
 - (p) 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.
 - (q) 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.
 - (r) Any work must not prohibit or divert any natural overland flow of water.
 - (s) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
 - (t) 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)

DAGC028 STORMWATER MANAGEMENT PLAN (CERTIFICATION REQUIREMENT)

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)

DAGC031 WASTE (TRACKABLE)

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 (DACC)**DACC001 ACCESS (ACCESS FOR PEOPLE WITH DISABILITIES)**

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*. Prior to the issue of a Construction Certificate, plans shall be notated demonstrating compliance, and approved by the Principal Certifying Authority

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.

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

DACC002 ACCESS (DISABLED TOILETS)

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*. Prior to the issue of a Construction Certificate, plans shall be notated demonstrating compliance, and approved by the Principal Certifying Authority.

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)

DACC007 BASIX COMMITMENTS

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)

DACC009 BOARDING HOUSE (CONSTRUCTION OF)

The construction 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
- 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)

DACC010 BUILDING CODE OF AUSTRALIA (COMPLIANCE WITH)

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.

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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)

DACC012 CAR PARKING (DISABLED CAR PARKING SPACES)

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 3.2m wide x 5.5m long and 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 inform of relevant access requirements for persons with a disability)

DACC013 CAR PARKING (REQUIREMENTS FOR MULTIPLE USE BUILDINGS)

The following car parking and service vehicle requirements apply:-

- (a) (6) car spaces shall be provided on the development site. This shall consist of:
 - (i) 2 residential spaces;
 - (ii) 3 Motorcycle spaces;
 - (iii) 1 car parking spaces for people with mobility impairment, in accordance with AS 2890.1.
- (b) All car spaces shall be allocated and marked according to this requirement.

DACC016 CAR PARKING (COMPLIANCE WITH AS/NZS 2890.1:2004)

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)

DACC017 CAR PARKING (VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS)

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)

DACC019 COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

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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)

DACC020 CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

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

- 1) Detailed information on any approvals required from other authorities prior to or during construction.
- 2) Traffic management, including details of:
 - (a) ingress and egress of vehicles to the site;
 - (b) management of loading and unloading of materials;
 - (c) the location of heavy vehicle parking off-site; and
 - (d) designated routes for vehicles to the site.
- 3) 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.
- 4) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - (a) the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - (b) procedures to prevent run-off of solid material and waste from the site.
- 5) Waste management, including:
 - (a) details of the types and estimated volumes of waste materials that will be generated;
 - (b) procedures for maximising reuse and recycling of construction materials; and
 - (c) details of the off-site disposal or recycling facilities for construction waste.
- 6) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- 7) A soil and water management plan, which includes:
 - (a) measures to minimise the area of soils exposed at any one time and conserve top soil;
 - (b) identification and protection of proposed stockpile locations;
 - (c) preservation of existing vegetation and revegetation;
 - (d) measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - (e) 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;
 - (f) details of sediment and erosion control measures in place before work commences;
 - (g) measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - (h) details of drainage to protect and drain the site during works.
- 8) Asbestos management procedures:
 - (a) 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

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- (b) 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.
- (c) 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:
 - (i) The Work Health and Safety Act 2011;
 - (ii) The Work Health and Safety Regulation 2011;
 - (iii) How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - (iv) Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
- (d) 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.
- (e) 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:
 - (i) the date and time when asbestos removal works will commence;
 - (ii) the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - (iii) the full name and license number of the asbestos removalist/s; and
 - (iv) the telephone number of WorkCover's Hotline 13 10 50
 - (v) 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
 - (vi) 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)

DACC029 FIRE SAFETY UPGRADE (CHANGE OF BUILDING USE)

Council considers pursuant to clause 93 of the *Environmental Planning and Assessment Regulation 2000* that it is appropriate to require the existing building to be upgraded to total or partial conformity with the BCA.

The Construction Certificate plans and specification required to be submitted to the Certifying Authority pursuant to clause 139 of the Regulation must detail building upgrade works required by for the approved use.

The Certifying Authority must be satisfied that such work, to be implemented as part of the development, will upgrade the building to bring it into compliance with the provisions of the BCA in force at the date of issue of the Construction Certificate.

Note: The Certifying Authority issuing the Construction Certificate has no power to remove the

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requirement to upgrade the existing building as required by this condition. Where this condition specifies compliance with performance requirements of the BCA, the Certifying Authority (subject to their level of accreditation) may be satisfied as to such matters. Where this condition specifies compliance with prescriptive (deemed to satisfy) provisions of the BCA, these prescriptive requirements must be satisfied and cannot be varied unless this condition is reviewed under section 82A or amended under section 96 of the Act.

(Reason: Fire safety)

DACC030 FIRE SAFETY SCHEDULE

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)

DACC033 HAZARDOUS GOODS AND WASTE

- (a) 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.
- (b) 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.
- (c) 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)

DACC036 HOARDINGS

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.

(Reason: Public safety)

DACC050 SECTION 94 CONTRIBUTIONS (DIRECT CONTRIBUTIONS PLAN)

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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	\$22,790.31
Provision of Major Open Space	\$103,689.06
Provision of Local Open Space	\$22,817.60
Administration	\$1,965.15
TOTAL	\$151,262.12

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 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)

DACC052 SECURITY PAYMENT (DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE)

A security payment of **\$4,127.00** in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council prior to the issue of a Construction Certificate. The security payment is GST inclusive and comprises the following:

Refundable works bond	\$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:

- road and stormwater drainage works in roadways and public areas;
- installation and maintenance of sediment control measures for the duration of construction activities; and
- 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.

(Reason: Protection of Council infrastructure)

DACC059 WORKS PERMIT

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.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

(Reason: Council requirement)

DACC061 TRAFFIC (CONSTRUCTION TRAFFIC MANAGEMENT PLAN)

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):

- 1) A description of the demolition, excavation and construction works
- 2) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
- 3) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- 4) 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
- 5) 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.
- 6) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.)
- 7) Proposed hours of construction related activities and vehicular movements to and from the site
- 8) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)
- 9) Any activities proposed to be located or impact upon Council's road, footways or any public place
- 10) Measures to maintain public safety and convenience
- 11) Any proposed road and/or footpath closures
- 12) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
- 13) The 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.
- 14) 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).
- 15) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
- 16) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- 17) An on-site parking area for employees, tradespersons and construction vehicles as far as possible.
- 18) The 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.
- 19) 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)

DACC067 WASTE MANAGEMENT PLAN

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,

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

prior to issue of the Construction Certificate.

(Reason: To ensure appropriate management of waste)

DACC071 WATER SUSTAINABILITY (GENERALLY)

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:

- (a) toilet flushing;
- (b) clothes washing;
- (c) garden irrigation;
- (d) car washing and similar outdoor uses;
- (e) filling swimming pools, spa pools and ornamental ponds; and
- (f) fire fighting.

(Reason: To promote sustainable water management practices)

DACC073 WORKS ZONE (APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE)

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 (DAPC)

DAPC001 APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY

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

- 1) A construction certificate for the building work has been issued by:
 - (a) the consent authority; or
 - (b) a Principal Certifying Authority; and
- 2) the person having the benefit of the development consent has:
 - (a) appointed a principal certifying authority for the building work, and
 - (b) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- 3) the principal certifying authority has, no later than 2 days before the building work commences:
 - (a) notified the Council of his or her appointment, and
 - (b) 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, and
- 4) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

- (a) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (b) notified the principal certifying authority of such appointment, and
 - (c) 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, and
- 5) 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)

DAPC003 NOTICE OF COMMENCEMENT

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

- 1) 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;
- 2) Details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- 3) Details of the name, address and licence details of the Builder.

(Reason: Statutory requirement)

Conditions to be satisfied during demolition and building works (DADW)**DADW010 SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION**

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

- 1) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- 2) Demolition must be carried out by a registered demolition contractor.
- 3) 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.
- 4) No blasting is to be carried out at any time during construction of the building.
- 5) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 6) 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.
- 7) Any demolition and excess construction materials are to be recycled wherever practicable.
- 8) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

- 9) 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.
- 10) 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.
- 11) 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.
- 12) 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.
- 13) 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.
- 14) 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.
- 15) 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.
- 16) 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.
- 17) 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.

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)

DADW011 SURVEY REPORT OF APPROVED LEVELS (DURING AND POST CONSTRUCTION)

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

- 1) 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.
- 2) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- 3) 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 (DAOC)**DAOC005 DRAINAGE SYSTEM (MAINTENANCE OF EXISTING SYSTEM)**

Where elements of the existing drainage system are to be utilised, the existing drainage system

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

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)

DAOC006 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:

- 1) the stormwater drainage system; and/or
- 2) the car parking arrangement and area; and/or
- 3) any related footpath crossing works; and/or
- 4) the proposed basement pump and well system; and/or
- 5) the proposed driveway and layback; and/or
- 6) 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)

DAOC007 FIRE SAFETY (CERTIFICATION)

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:

- a) has been assessed by a properly qualified person, and
- b) 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*.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

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

- 1) submitted to Strathfield Council;
- 2) submitted to the Commissioner of the New South Wales Fire Brigade; and
- 3) prominently displayed in the building.

(Reason: Fire safety and statutory requirement)

DAOC012 LANDSCAPING (STREET TREE REMOVAL AND REPLACEMENT TREE COST)

No existing street trees can be removed without Council approval. Where such approval is granted, the applicant shall meet the full cost to remove the tree and plant a replacement tree of 25 litre container size at the time of planning and selected from Council's Recommended Tree List. Specimens must be in accordance with NATSPEC specifications and guidelines and maintained for a twelve (12) month establishment phase. If the specimen fails to thrive or is otherwise damaged it shall be replaced at full cost to the applicant and maintained for a further twelve (12) months.

The replacement tree is to be planted within one (1) week of Council's street tree being removed and undertaken prior to the issue of any Occupation Certificate.

(Reason: Tree preservation and environmental amenity)

DAOC013 OCCUPATION OF BUILDING

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:

- 1) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- 2) 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)

DAOC014 RAINWATER TANKS

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- (a) Australian/New Zealand Standard AS/NZS 3500:2003,
- (b) NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR).
- (c) Council's rainwater tank policy.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To protect public health and amenity)

DAOC017 STORMWATER (CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM)

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

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

Certificate.

(Reason: Adequate stormwater management)

DAOC019 STORMWATER (COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS)

A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:

(a) Charged drainage system

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

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

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

Conditions to be satisfied during ongoing use of the premises (DAOU)

DAOU001 BOARDING HOUSES (OPERATIONAL PLAN OF MANAGEMENT)

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. The on-site Caretaker shall be responsible for ensuring that the terms of the Plan are adhered to at all times.

This Operational Plan of Management must incorporate the following:

- 1) 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..
- 2) All the responsibilities of the Caretaker/Manager.
- 3) 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.
- 4) 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.
- 5) 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 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 (3) 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.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

(Reason: To minimise the impact of the use on surrounding residences)

DAOU002 BOARDING HOUSE (ONGOING USE OF)

Ongoing operation of the approved use for the purpose of a boarding house shall comply with the following:

- 1) 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:
 - (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, a serviced apartment, seniors housing or hotel or motel accommodation.
- 2) Subdivision of the approved boarding house under strata or community title is prohibited.
- 3) 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.
- 4) 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.
- 5) No speakers or music is permitted outdoors or in the communal areas

(Reason: To minimise the impact of the boarding house on surrounding residences)

DAOU006 FIRE SAFETY (ANNUAL STATEMENT)

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:-

1. Forwarded to the Commissioner of the New South Wales Fire Brigade; and
2. Prominently displayed in the building

(Reason: Fire safety)

DAOU038 WASTE (CONTROL OF LITTER)

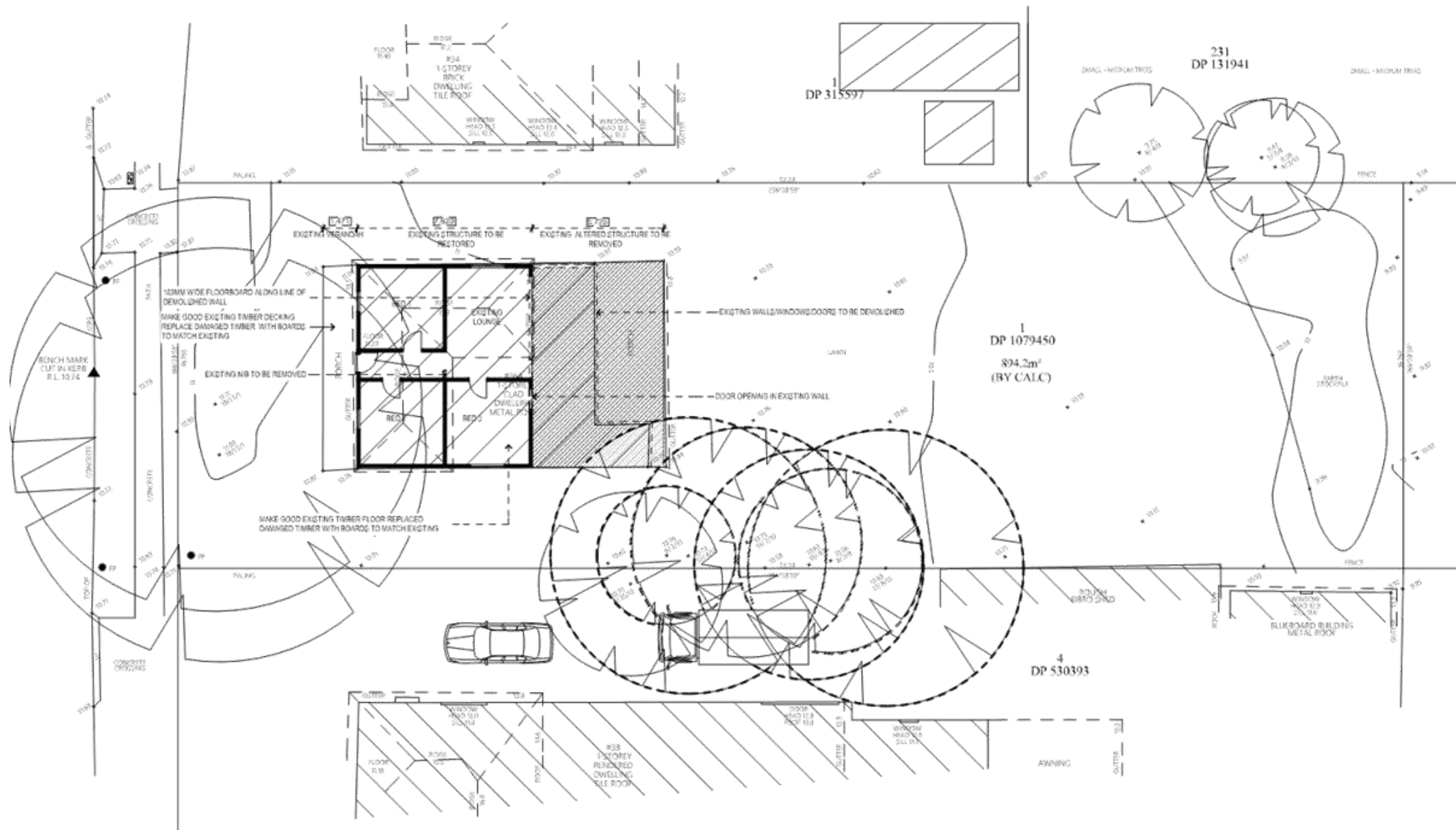
The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or public area adjacent to the premises is maintained in a clean and tidy condition. Where a litter problem arises and the offending material is found to usually include wrappers, 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.

2016/0186 - 36A Water Street, Belfield - Lot 1, DP 1079450 (Cont'd)

(Reason: Environmental health)

ATTACHMENTS

1. [↓](#) Architecturals
2. [↓](#) Map



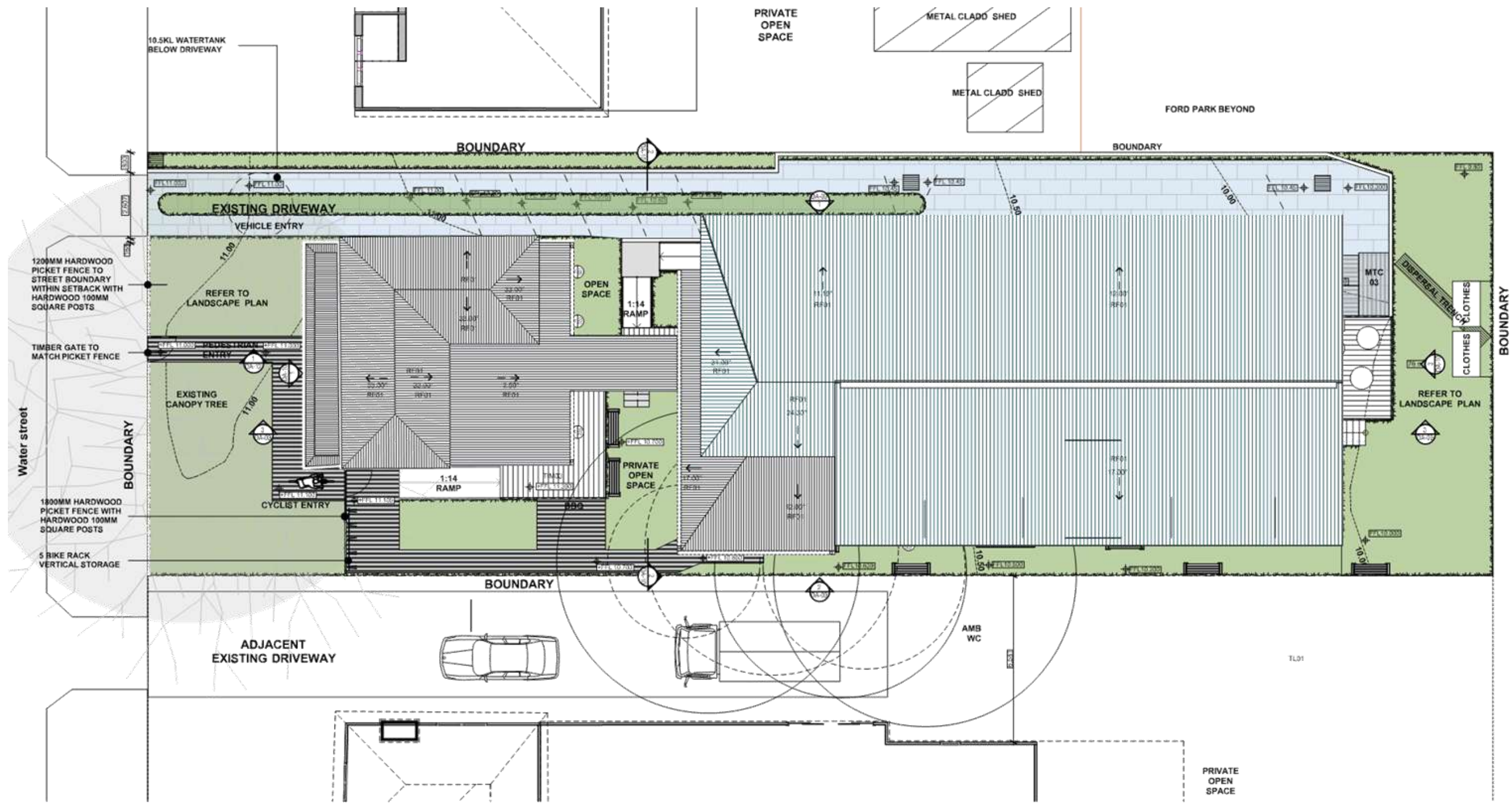
RESTORATION LEGEND

1. THIS DRAWINGS IS TO BE READ IN CONJUNCTION WITH THE DILAPIDATION & RESTORATION REPORT AND DRAWING DA09 COTTAGE WESTERN ELEVATION
2. HATCHED AREA INDICATES EXTENT OF REAR SECTION OF THE EXISTING COTTAGE TO BE REMOVED
3. REPAIR CEILING GENERALLY
4. REPAIR SET PLASTER WALLS GENERALLY WHERE DRUMMY AND OR REMOVED PAINT FINISH
5. REPAIR WALL GENERALLY
6. CABLES AND SERVICES TO BE CONCEALED
7. REPLACE ANY STRUCTURALLY INADEQUATE TIMBER
8. REPLACE ALL GUTTERING AND DOWNPIPES
9. ALL DIMMENSIONS AND FLOOR AREAS TO BE VERIFIED BY BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. ANY DISCREPANCIES ARE TO BE REFERED TO THE DESIGNER/ENGINEER PRIOR COMMENCEMENT OF WORK.
10. ALL WORK TO BE IN ACCORDANCE WITH THE BCA, AS AND LOCAL COUNCIL.
11. ALL DRAWINGS SHOULD BE READ IN CONJUNCTION WITH ARCHITECTURAL SPECIFICATION, SCHEDULES AND CONSULTANT DRAWINGS. WHERE INDICATED ENGINEERING AND HYDRAULIC DRAWINGS TAKE PREFERENCE.
12. DRAWINGS ARE NOT TO BE SCALED FOR DIMMENSIONS.REFER TO FIGURED DIMMENSIONS ON DRAWINGS
13. LEVELS SHOWN ARE APPROXIMATE UNLESS INDICATED BY REDUCED LEVELS BY A REGISTERED SURVEYOR.
14. TIMBER USED SHOULD BE IN ACCORDANCE WITH AS 1684 OF TIMBER FRAMING CODE.
15. WET AREA CONSTRUCTION TO FIRST FLOOR WET AREA SHOULD BE IN ACCORDANCE WITH AS3740
16. ALL BOUNDARY CLEARANCES MUST BE VERIFIED BY A REGISTERED SUREYOR ON SITE PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.
17. STORMWATER TO BE CONNECTED AND DISCHARGED TO COUNCILS REQUIREMENTS AND AS 3500.3.1 1998
18. ALL SERVICES TO BE LOCATED, VERIFIED BY THE BUILDER WITH THE RELEVANT AUTHORITIES PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.

RESTORATION GROUND FLOOR PLAN
1:200



B Spatial design 21 Rubina Street, Merrylands West, N.S.W,2150, tel 0414 261228	CLIENT : JOHN BOUSTANI	BELFIELD RESIDENCE 36 A WATER STREET BELFIELD, SYDNEY, N.S.W		RESTORATION GROUND FLOOR PLAN 1:200, @A3	DA-04	PRDA	REV B
					DRAWN QA RK GEB	PLOTDATE 12/8/2016	JOB No 10136



1 PROPOSED SITE PLAN
1:150

CURRENT SITE AREA 894.2 m²
 PROPOSED TOTAL GFA 477.00m²
 PROPOSED FSR = 0.54
 EXISTING LANDSCAPING IN FRONT OF BUILDING LINE 99m²
 LANDSCAPING BEHIND BUILDING LINE 281.54m²
 AREA OF PROPOSED DRIVEWAY 140.4m²

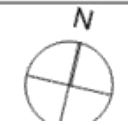
HERITAGE COTTAGE
 EXISTING HERITAGE LISTED WEATHERBOARD COTTAGE RETAINED ON GROUND LEVEL 78.56m²

REAR EXTENTION
 REAR EXTENTION GROUND LEVEL 127.00m²
 REAR EXTENTION LEVEL 1 244.70m²
 GROUND TERRACE 21.00m²
 LEVEL 1 ENCLOSED PATIO 25.00m²

B Spatial design
 21 Rubina Street, Merrylands West,
 N.S.W, 2150, tel 0414 261228

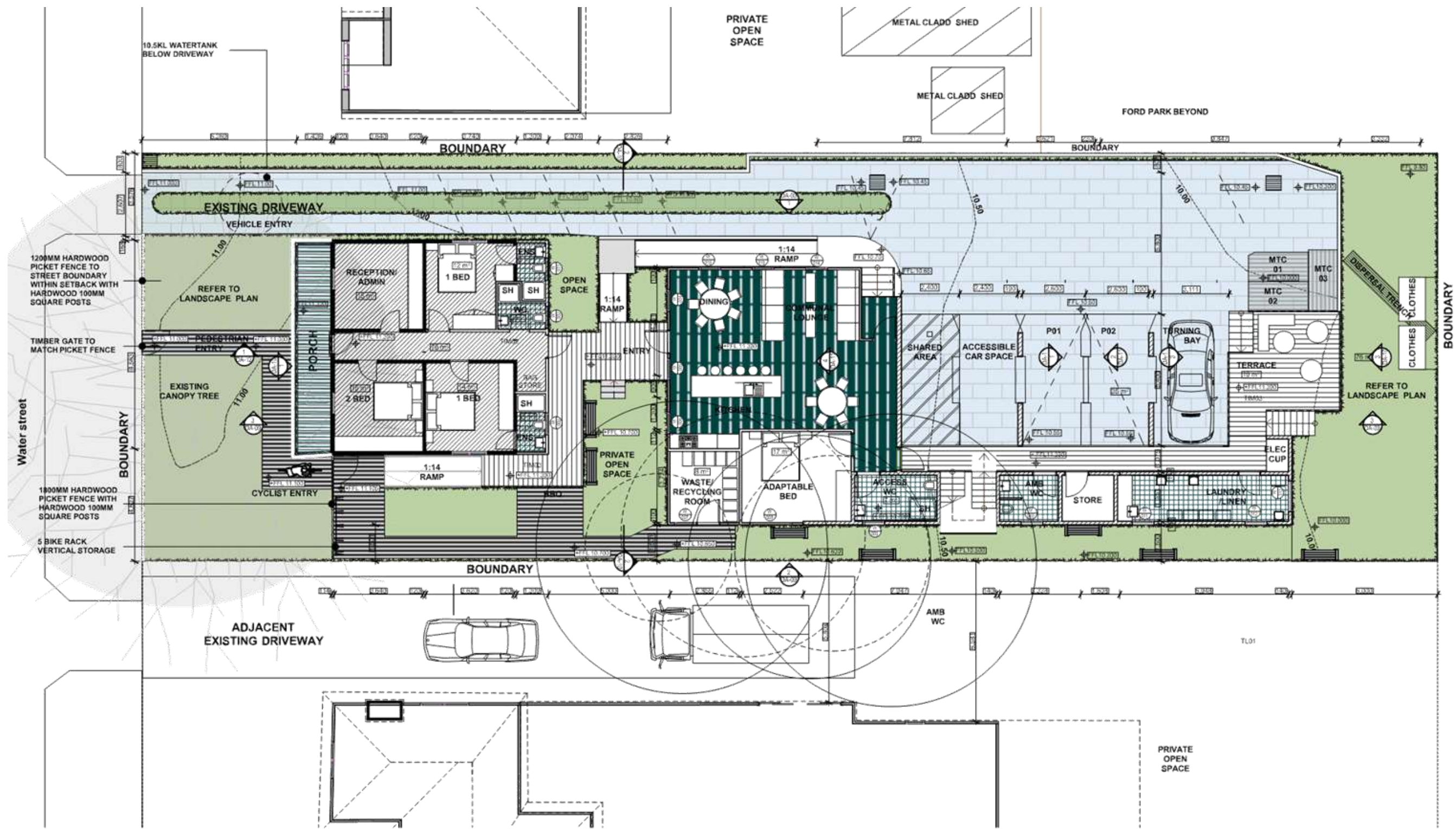
CLIENT : JOHN BOUSTANI

BELFIELD RESIDENCE
 36 A WATER STREET
 BELFIELD, SYDNEY, N.S.W



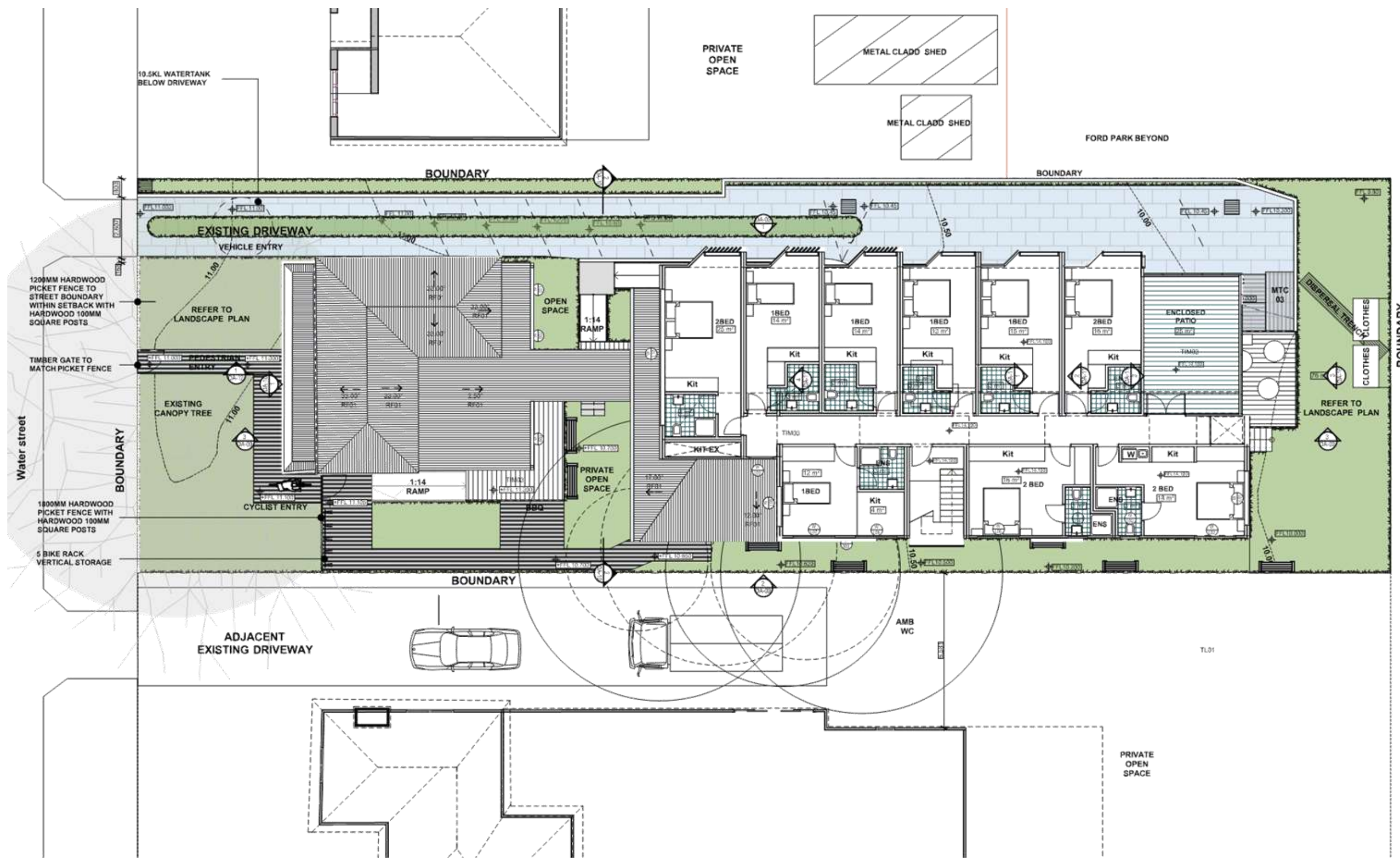
SITE PLAN
 1:150 @A3

DA-06	PRDA	REVG
DRAWN QA	PLODDATE	JOB No
RK GEB	5/14/2017	10136



1 BOARDING HOUSE GROUND FLOOR PLAN
1:150

B Spatial design 21 Rubina Street, Merrylands West, N.S.W, 2150, tel 0414 261228	CLIENT : JOHN BOUSTANI	BELFIELD RESIDENCE 36 A WATER STREET BELFIELD, SYDNEY, N.S.W	N 	2 BUILDINGS WITH A LINK GROUND LEVEL PLAN	DA-07	
				1:150 @A3	PRDA PLOTDATE 5/14/2017	REVG JOB No 10136



2 BOARDING HOUSE GROUND FLOOR PLAN
1:150

B Spatial design
21 Rubina Street, Merrylands West,
N.S.W, 2150, tel 0414 261228

CLIENT : JOHN BOUSTANI

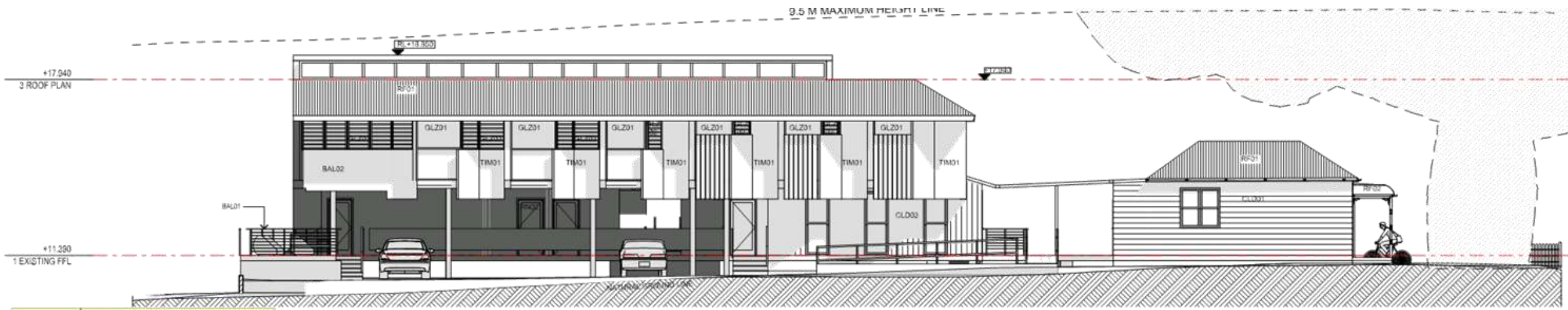
BELFIELD RESIDENCE
36 A WATER STREET
BELFIELD, SYDNEY, N.S.W



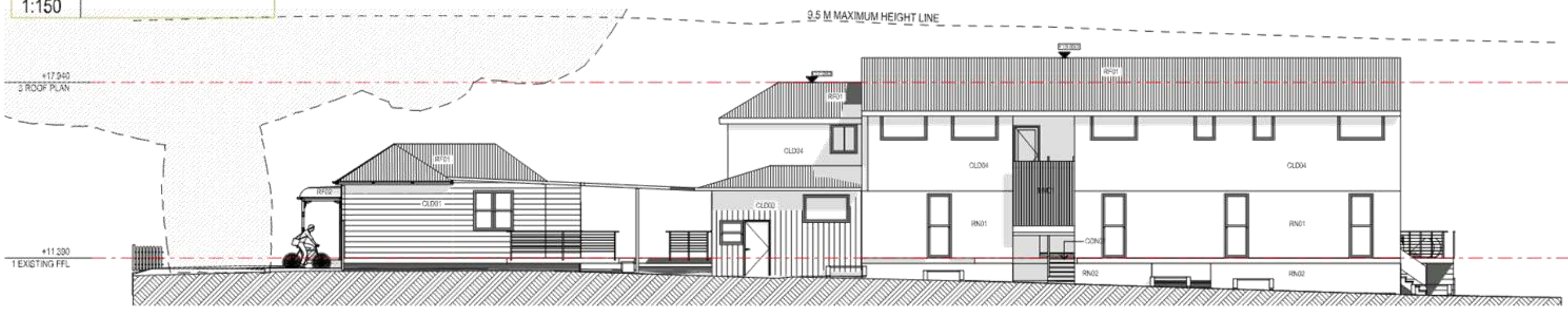
2 BUILDINGS WITH A LINK LEVEL 1 PLAN

1:150 @A3

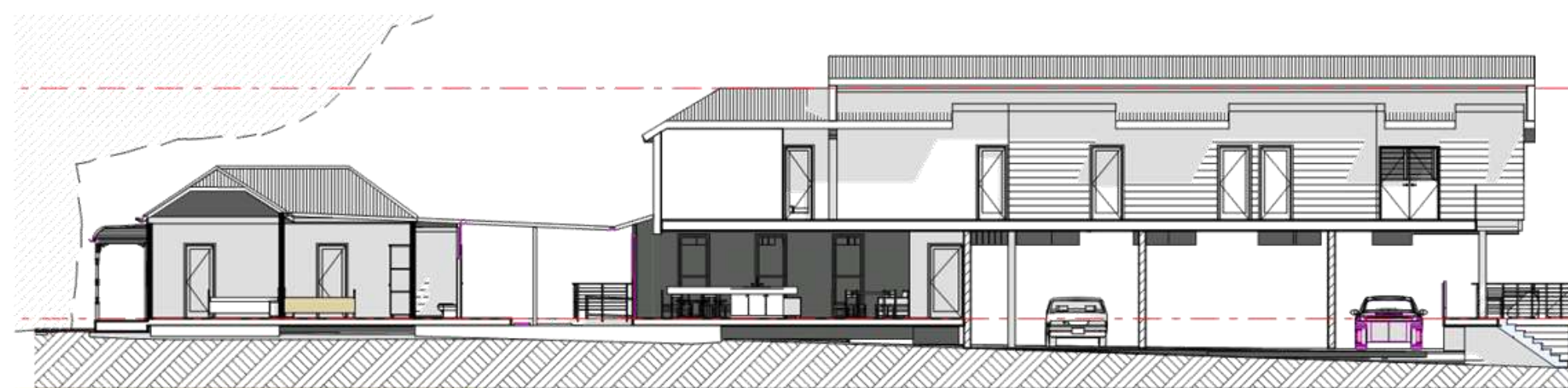
DA-08	PRDA	REVG
DRAWN QA	PLOTDATE	JOB No
RK GEB	5/14/2017	10136



1 NORTH ELEVATION
1:150



2 SOUTH ELEVATIONS
1:150



3 EAST-WEST LONG SECTION
1:150

EXTERNAL FINISHES

- BAL 01 STAINLESS STEEL BALUSTRADE WITH TIMBER HANDRAIL
- BAL 02 FRAMED BALUSTRADE WITH TIM01 PANELING
- CON01 OFF-FORM CONCRETE
- CON02 POLISHED CONCRETE FLOOR
- CLD01 SIMPLE FEATHER EDGED WEATHERBOARD PANEL TO MATCH EXISTING TIMBER COTTAGE
- CLD02 RUSTICATED PROFILE SHIPLAPED WEATHERBOARD BOARDS TO FRONT ELEVATION TO MATCH EXISTING TIMBER COTTAGE
- CLD03 EQUITONE "LINES" LT20 FIBRE CEMENT FACADE
- CLD04 FIBRE CEMENT FACADE CLADDING TO TIMBER FRAME WALL
- GLZ01 FACADE GLAZING
- GLZ02 GLAZED LOUVERS
- RF01 CORRUGATED COLORBOND ROOF
- RF02 BULLNOSE COLORBOND ROOF
- RN01 RENDERED BLOCKWALL WITH A ROUGH TEXTURED FINISH
- RN02 RENDERED BLOCKWALL
- TIM01 LIGHT BROWN COMPOSITE PANELS WITH NATURAL WOOD VENEER WITH PROTECTIVE COATING
- TIM02 TIMBER FLOORING BOARDS
- TIM03 TIMBER DECKING BOARDS
- TL01 PORCELAIN TILES
- TL02 PORCELAIN TILES

B Spatial design
21 Rubina Street, Merrylands West,
N.S.W,2150, tel 0414 261228

CLIENT : JOHN BOUSTANI

BELFIELD RESIDENCE
36 A WATER STREET
BELFIELD, SYDNEY, N.S.W

NORTH & SOUTH ELEVATIONS

1:150, @A3

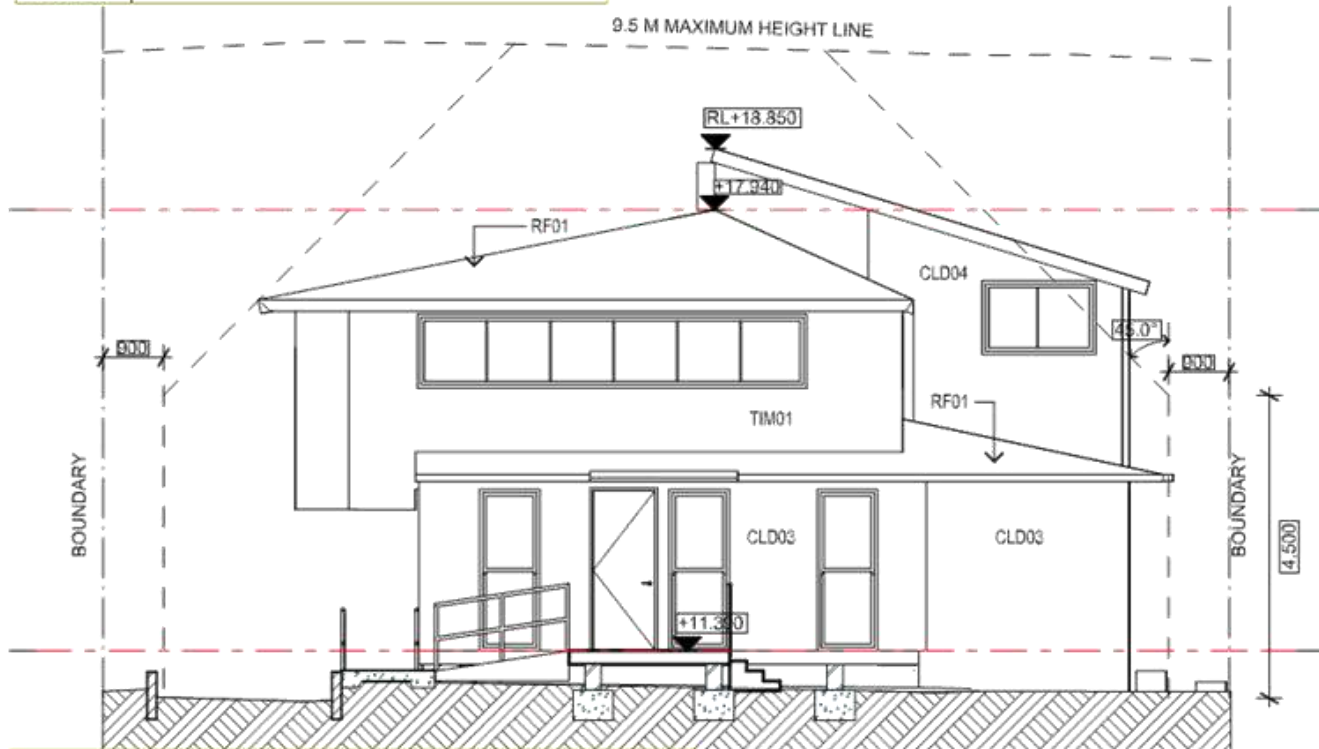
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DRAWN QA	PLODATE	JOB No
RK GEB	5/14/2017	10136



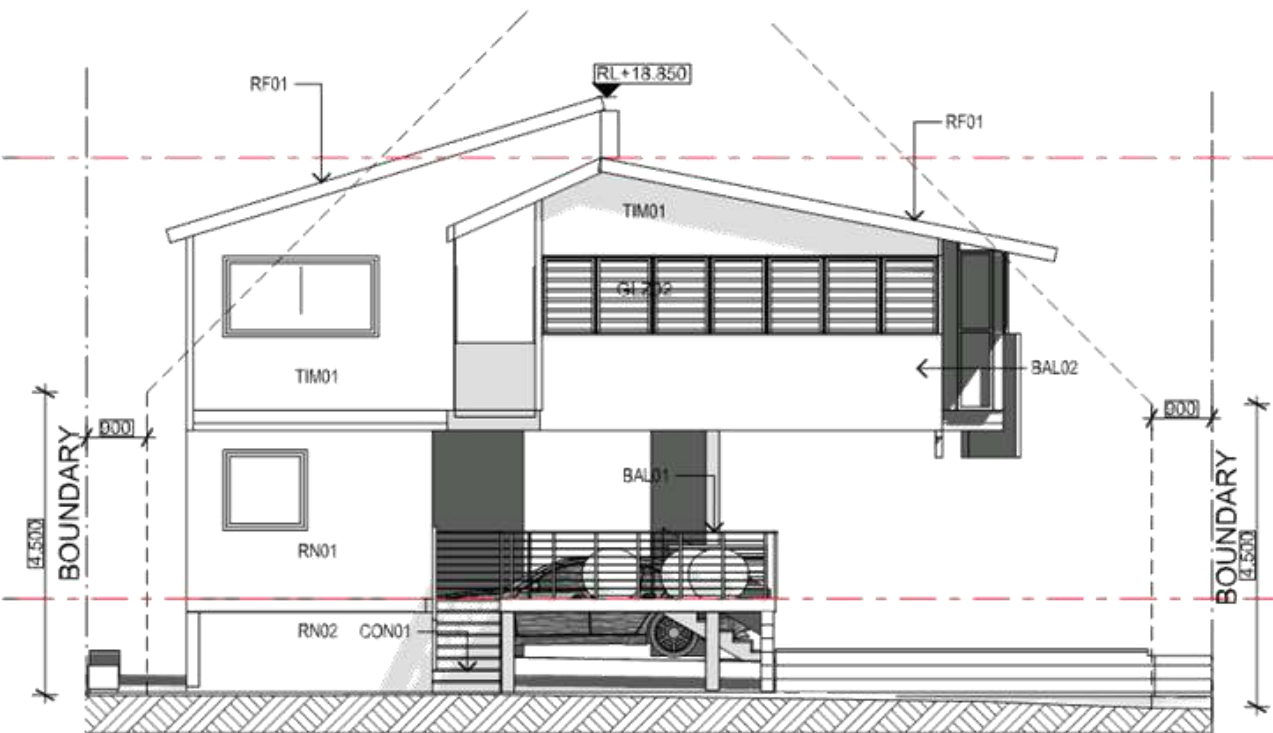
EXTERNAL FINISHES

- BAL 01 STAINLESS STEEL BALUSTRADE WITH TIMBER HANDRAIL
- BAL 02 FRAMED BALSUTRADE WITH TIM01 PANELING
- CON01 OFF-FORM CONCRETE
- CON02 POLISHED CONCRETE FLOOR
- CLD01 SIMPLE FEATHER EDGED WEATHERBOARD PANEL TO MATCH EXISTING TIMBER COTTAGE
- CLD02 RUSTICATED PROFILE SHIPLAPED WEATHERBOARD BOARDS TO FRONT ELEVATION TO MATCH EXISTING TIMBER COTTAGE
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- CLD04 FIBRE CEMENT FACADE CLADDING TO TIMBER FRAME WALL
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- RN02 RENDERED BLOCKWALL
- TIM01 LIGHT BROWN COMPOSITE PANELS WITH NATURAL WOOD VENEER WITH PROTECTIVE COATING
- TIM02 TIMBER FLOORING BOARDS
- TIM03 TIMBER DECKING BOARDS
- TL01 PORCELAIN TILES
- TL02 PORCELAIN TILES

1 COTTAGE WESTERN ELEVATION
1:100



2 REAR EXTENSION WESTERN ELEVATION
1:100



3 REAR EXTENSION EASTERN ELEVATION
1:100

B Spatial design
21 Rubina Street, Merrylands West,
N.S.W, 2150, tel 0414 261228

CLIENT : JOHN BOUSTANI

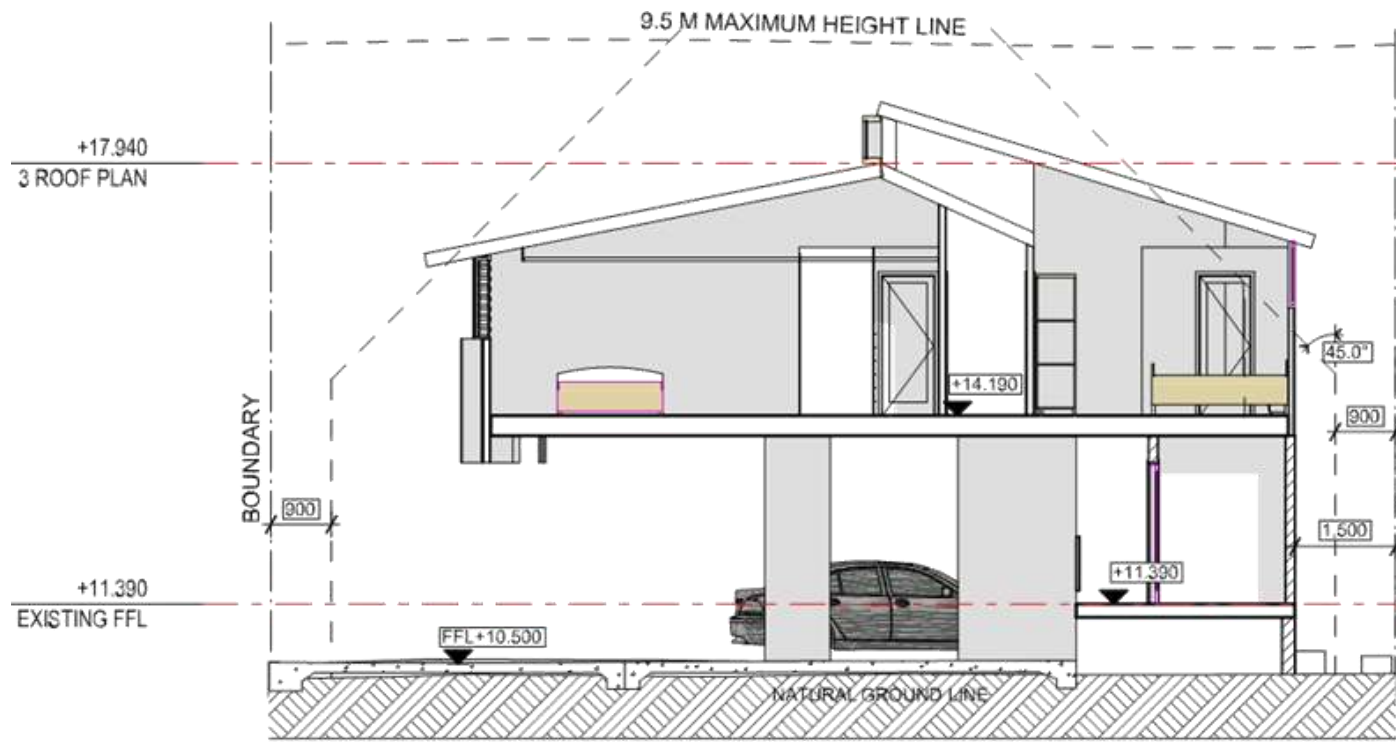
BELFIELD RESIDENCE
36 A WATER STREET
BELFIELD, SYDNEY, N.S.W

EAST & WEST ELEVATIONS

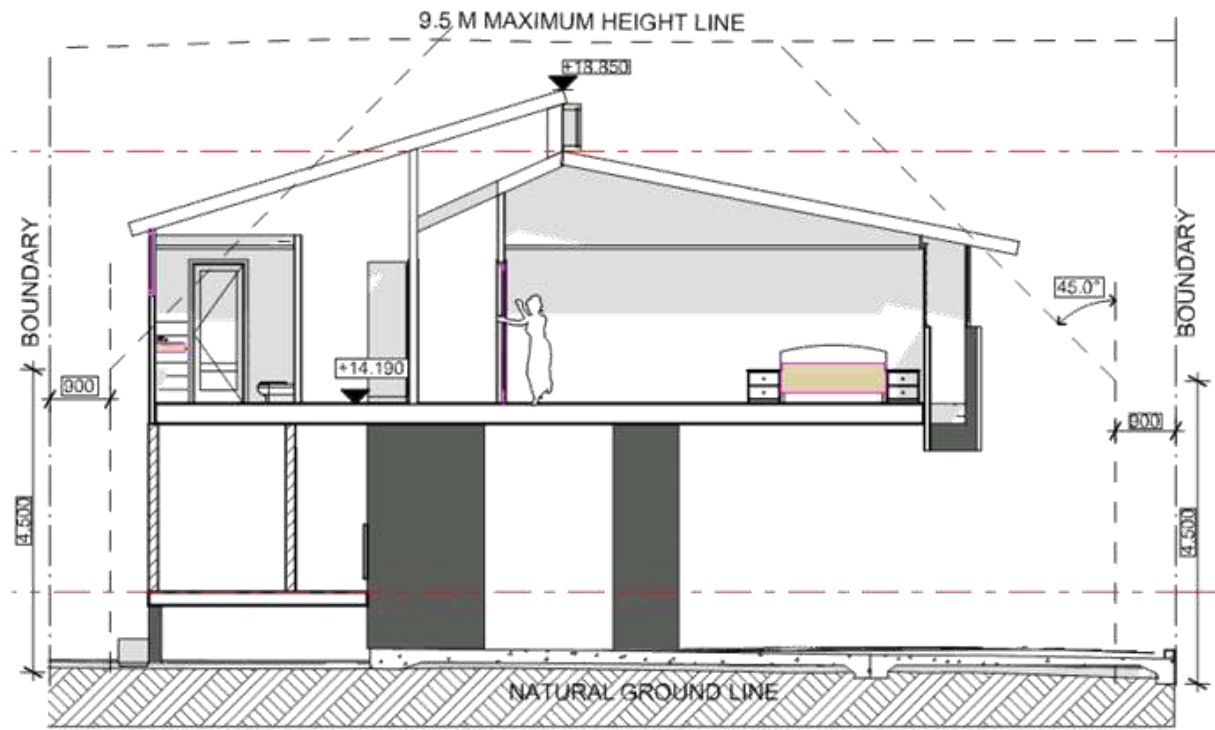
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DA-10

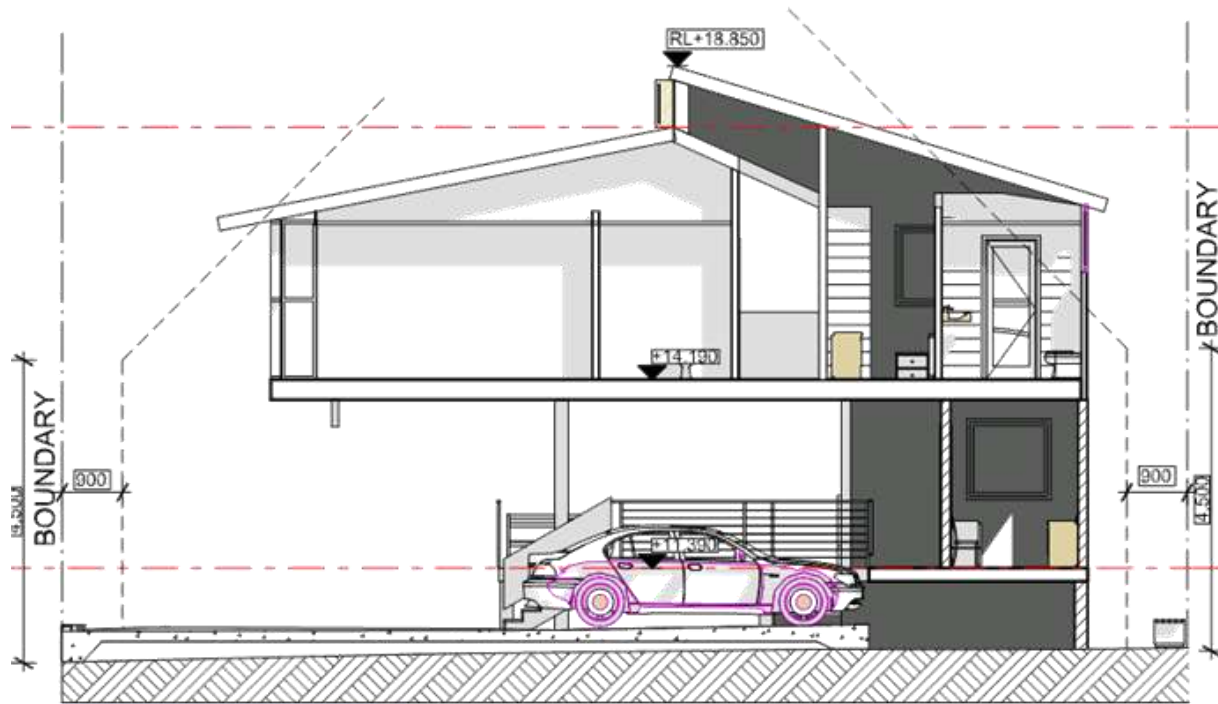
PRDA	REVG
DRAWN QA	PLOTDATE
RK GEB	5/14/2017
JOB No	10136



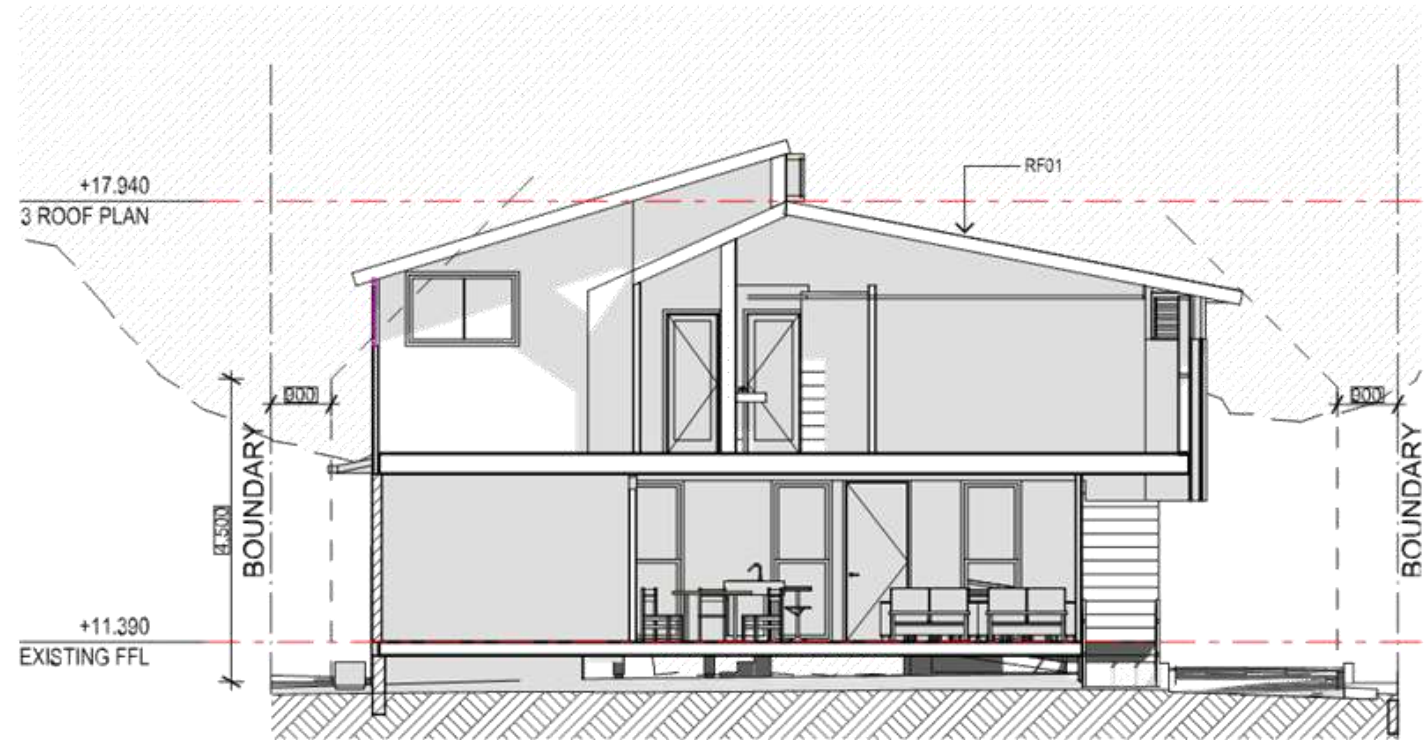
1	Section C
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2	Section D
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3	Section E
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4	Section F
1:100	

B Spatial design

21 Rubina Street, Merrylands West,
N.S.W, 2150, tel 0414 261228

CLIENT : JOHN BOUSTANI

BELFIELD RESIDENCE
36 A WATER STREET
BELFIELD, SYDNEY, N.S.W

SECTIONS SHEET 01

1:100 @A3

DA-11

PRDA	REVG
DRAWN QA	JOB No
RK GEB	5/14/2017
	10136



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 1 June 2017
REPORT: SIHAP – Report No. 3
SUBJECT: 2017/030 - 170/81-86 COURALLIE AVENUE, HOMEBUSH
DA NO. DA2017/030

SUMMARY

Proposal: Fit out and use of a vacant tenancy (Lot170) as a childcare centre including associated landscaping works and signage.
Applicant: Sitehope
Owner: Telmet Ventures Pty Ltd
Date of lodgement: 1 March 2017
Notification period: 14 March 2017 – 29 March 2017
Submissions received: 42 submissions received
Assessment officer: KL
Estimated cost of works: \$500,000.00
Zoning: R3 Medium Density Residential- SLEP 2012
Heritage: N/A
Flood affected: No
RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

1. Approval is sought for fit out and use of a vacant tenancy as a child care centre including associated landscaping works and signage. The proposed development is considered to complement the existing residential uses upon the site without resulting in any significant loss of amenity to residents of the site.
2. The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 14 March 2017 to 29 March 2017 and 42 submissions have been received.
3. The main concerns raised from the submissions were the noise impact and the possible traffic congestion in the area with the proposed child care centre with facility to cater for upto 89 children. In addition, there were also concerns with bin storage, where the efficient logistics of bin removal is crucial due to the odour in surrounding areas.
4. It is recommended that the proposed child care centre be approved with amendments made to the (60) children accommodated comprising a minimum of (30) children from residents residing within the residential complex and a maximum of another (30) children from neighbouring areas.

BACKGROUND

The following applications provide a relevant background to the subject site:

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

Remediation & Civil Works

DA95/67	Development Application (DA) for substantial remediation works to the site was approved by Council.
DA95/135	DA to implement Environmental Management Measures was approved by Council on 17 December 1996.
DA 9899/446	DA for the construction of vehicular access from Marlborough Road was approved in September 1999.
DA 9900/402	DA for earthworks and drainage works to the site including construction of a detention basin and stormwater detention tank was approved in April 2001.
Spot Rezoning	The Strathfield LEP Amendment 103 to rezone the site from Industrial 4 to Residential B was gazetted on 17 January 2003.
Site Specific DCP	Council resolved to adopt DCP No. 25 which contains the controls for the future development of the subject site on 1 October 2002.
DA0304/203 – Master Plan	DA proposing a masterplan for the future residential development of Stage 1 of the site at 79 Courallie Avenue was approved on 20 January 2004. This masterplan approval specifically stated that a further stage (Stage 2) would be provided to Council at a later date and would be subject to a separate application.

Stages 1D and 1E

0405/176	Approved by Council 12 June 2007.
0405/176/01	Section 96 Application to extend the lapse date was refused by Council 13 May 2008.
0405/176/02	S96(2) to modify the Stage 1E and the design of buildings 7, 8 and 9, incorporating the additional FSR from buildings 11 and 12 which was modified under DA0405/160/03 and DA2013/132. This application was approved on 12 December 2013.
0405/176/03	S96(2) to modify Stage 1D to provide 408 additional parking spaces and reconfigure the approved residential flat buildings (B2, B3, B4, B5 and B6) was approved by Council in

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

August 2015.

- 0405/176/04 S96(1A) to modify the terrace and balcony sizes throughout Stage 1E was approved by Council in December 2015.
- 0405/176/05 S96(2) to increase the height of three (3) residential flat buildings (B2, B3 and B4) was refused by Council in October 2016.
- 0405/176/05 S96(2) to increase the height of three (3) residential flat buildings (B2, B3 and B4) was refused by Council in October 2016.
- 04/05/176/06 Subject S96(1A) Application lodged with Council in October 2016.

The following Development Applications relate to the previously approved stages of the development which have already been constructed or are currently under construction:

Stage 1A

- 0304/419 DA for Stage 1A proposing the construction of one (1) x 3 storey and one (1) x 4 storey residential flat buildings comprising (72) apartments, (14) semi-detached residencies and nine (9) detached residences with landscaping, roads and service networks was refused by Council 9 August 2005.
- 0304/419 A Class 1 Appeal against Council's previous refusal of DA0304/419 was upheld by the Land and Environment Court on 15 August 2006.
- 0304/419/01 Section 96 Application to modify the gatehouse entry structure was approved by Council on 15 October 2007.
- 0304/419/02 Section 96 Application to modify Condition 4 relating to Section 94 Contributions was refused by Council on 13 May 2008.
- 0304/419/02 A Class 1 Appeal against the refusal of a Section 96 application to modify Condition 4 relating to Section 94 Contributions was upheld by the Land and Environment Court on 24 November 2008.
- 0403/419/03 Section 96 Application for the deletion of conditions of consent relating to the release of information to future purchasers in relation to the former contamination of the subject site and adjoining "Ford Site" was refused by Council on 4 March 2009.

Stages 1B and 1C

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

0405/160	Refused by Council 8 May 2007
0405/160	Section 82A Review approved by Council 18 July 2007.
0405/160/01	Section 96 Application to extend lapse date refused by Council 18 June 2008.
0405/160/02	Section 96 Application to modify building 1B was approved by Council 14 March 2011.
0405/160/03	Section 96 Application to modify Stage 1C including the reduction of six (6) residential flat buildings to two (2) 'bookend' style buildings and construction of two groups of two (2) storey townhouses was partially approved on 14 March 2011. The applicant was advised to lodge a new DA for the townhouse component of the development (refer to DA2013/132).
0405/160/04	Section 96 Application to relocate community facilities was approved by Council on 14 August 2012.
0405/160/05	Section 96 Application to modify Stage 1C was approved by Council on 14 August 2012.

Buildings 11 and 12 (townhouses)

2013/132	DA to replace previously approved residential flat buildings totalling (94) units within Block Areas 11 and 12 of Stage 1C with (24) x three (3) storey townhouses above basement level car parking and a part (3), part (4) storey detached dwelling with at grade parking was approved by Council on 12 December 2013.
2013/132/01	S96 to reallocate the accessible dwellings to Stage 1D of the development and a correction of a minor error in relation to parking allocation was approved by Council on 4 April 2014.

DA2016/119

DA2016/119 was approved by Council at its meeting of 20 December 2016 for the use of four (4) commercial tenancies as a child care centre with a maximum of (30) children upon the site at any time. Works relating to DA2016/119 are currently nearing completion.

Subject Application

1 March 2017 Subject application lodged.

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

- 7 April 2017** Request for additional information letter sent to Applicant raising concerns over acoustic impacts given the proximity of the development to surrounding residences and child numbers.
- 15 May 2017** Amended plans received reducing child numbers from (89) to (60) supported by a Traffic Report and Acoustic Report giving consideration to the likely impacts of the development upon existing development upon the site.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located at 81-86 Courallie Avenue (formerly 78 Marlborough Road), Homebush West. The site is known as Centenary Park and has a curvilinear shape with an area of approximately 6 hectares (60,000m²).

The site is bordered to the south and west by the Western Railway line, and is located between Lidcombe (1.3km) and Flemington (700m) Railway Stations.



Figure 1: Aerial view of subject site and surrounding development

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 fit out and use of a vacant tenancy (Strata Lot 170) as a Child Care Centre including associated landscaping works and signage.

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The specific elements of the proposal are:

- A maximum of (60) children consisting of (30) children residing on site and (30) non-residents made up of:
 - 16 x 0-2 years;
 - 15 x 2-3 years;
 - 15 x 3-4 years; and
 - 14 x 4-5 years.
- Five (5) playrooms for various ages ranging from 0-5 years old; and
- Two (2) cot rooms consisting of (24) cots with bathrooms, bottle preparation and nappy change areas

Hours of Operation

- 7:00am to 7:00pm Monday to Friday (staff pack up to occur between 7:00am and 7pm) No operation on Saturday, Sunday and Public Holidays

Parking

- A total of fourteen (14) staff parking spaces provided; and
- One (1) visitor space per eight (8) children for parent drop off, totaling 11 spaces.

REFERRALS**INTERNAL REFERRALS****Engineering Comments**

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

Council's Engineer has reviewed the Statement of Environmental Effects issue A dated 20 February 2017 and the architectural plans issue A drawing no. DA01- DA06 project No. 16022 dated 25 January 2017, both prepared by Tow Form. The basement carp is approved under S96 DA0405/176/03 and stormwater drainage concept plan approved under DA0405/176 hence no engineering assessment is required.

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

Environmental Health Comments

Council's Environmental Health and Compliance Coordinator has reviewed the report prepared by Acoustic Logic Consultancy, 78 Marlborough Road, Homebush West – Train Noise Impact, Homebush NSW, Ref: 20111049.1/2811A/R1/JS, Dated 28/11/2011 and commented the following:

The report only includes an assessment of train noise impacts on the building from the rail corridor to the west of the site. This appears to have been done at the initial planning for the building prior to the proposed use as a childcare facility. Further assessment is required which assesses the noise impacts of the proposed use on the surrounding residents, specifically:

- *Operational noise (per number of proposed children);*
- *Proposed plant (e.g. AC units); and*
- *Vehicular traffic from dropping off and picking up children.*

The report should make reference to and assess compliance with the 'Association of Australian Acoustical Consultants (AAAC) Guideline for Child Care Centre Acoustic Assessment' (October 2013).

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

The Applicant subsequently provided an additional Acoustic Assessment prepared by Acoustic Logic addressing the matters raised by giving consideration Council's Environmental Health and Compliance Coordinator has reviewed the Acoustic Assessment by Acoustic Logic Consultancy Pty Ltd dated 12/05/2017 and is satisfied that the proposed development can be carried out in compliance with the NSW Industrial Noise Policy and AAAC guidelines subject to compliance with 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****SEPP 55 – REMEDIATION OF LAND**

The subject site is located within an area of investigation identified in Map 2, Part K of the Strathfield Consolidated Development Control Plan 2005.

The subject site was rezoned from Industrial 4 to Residential B in 2003, following substantial remediation works which were approved under DA95/67 and DA95/135.

As part of the rezoning and remediation process, SEPP 55 required Council to consider whether the land is contaminated and if so, whether it can be remediated for the purposes for which the land is to be zoned.

As detailed in the site history above, works were carried out to remediate the site. Works have since substantially commenced for the residential redevelopment of the site, with several buildings now occupied. Accordingly, the subject site is deemed suitable for the proposed development involving fit out and use of an existing commercial tenancy as a child care centre.

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</i>	Yes

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

and restricting incompatible development

Permissibility

The subject site is Zoned R3 Medium Density Residential under Strathfield Local Environmental Plan (SLEP) 2012.

Childcare Centres are permissible within the R3 Medium Density Residential Zone with consent and is defined under SLEP 2012 as follows:

Child care centre means a building or place used for the supervision and care of children that:

- (a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and
- (b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre,

Zone Objectives

An assessment of the proposal against the objectives of the R3 Medium Density Residential 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 development provides services to meet the day to day needs of residents as access to the proposed child care centre would be a convenient option for the residents of the site and thus is consistent with the objectives of the zoning.

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 E – CHILD CARE CENTRES

An assessment of the proposal against the objectives contained within Clause 1.2 of Part E of SCDCP 2005 is included below:

No.	Objectives	Complies
A	To encourage the provision of child care centres to meet the needs of the community and ensure that such centres will be appropriate for the purpose and provide a functional and pleasant environment for users.	Yes
B	To ensure that there is a consistent approach to the provision, construction and approval of child care centres	Yes

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

C	To ensure that child care centres are compatible with neighbouring land uses	Yes
D	To ensure the amenity of adjoining neighbours is retained (including protection of privacy, access to property, etc) and is not detrimentally affected by noise emissions from the site	Yes
E	To ensure child care centres are located with adequate, convenient and safe parking for visitors that do not impose on any residential neighbourhoods or commercial areas.	Yes
F	To ensure that child care centres integrate into existing residential environments and are unobtrusive in terms of size, bulk, height and the amount of landscaped area provided	Yes
G	To provide child care centres that are located or designed so as not to pose a health risk to children using the centre	Yes
H	To retain and protect significant existing vegetation in the Strathfield Municipality	Yes

Site Analysis and Design Principles

Cl. 5.1 Objectives	Complies
A. To ensure that the site layout and building design consider the existing characteristics, opportunities and constraints of the site and the surrounds which will result in a design sensitive to its environment and of high visual quality	Yes
B. To ensure that a child care centre is compatible with the bulk, scale and height of existing buildings in the surrounding area	Yes
C. To ensure that the amenity of neighbours is maintained	Yes
Cl. Controls	Complies
5.1.1 The bulk, scale, height, character and external detailing of the development is compatible with the character of development within the vicinity, including any adjoining items of environmental heritage or conservation areas	Yes
5.1.2 The child care centre design is generally consistent and sympathetic with the existing streetscape character of the locality (in residential areas the building should look like a residential dwelling)	Yes
5.1.3 The development is unlikely to adversely affect the amenity of any existing development in terms of overshadowing, privacy, excess noise, loss of views or otherwise	Yes
5.1.4 Adequate screening has been provided where balconies and decks cause privacy concerns for adjoining properties	Yes

Comments: The proposed development is integrated into the site with outdoor spaces provided around the location of the child care centre and screened from the adjacent apartments to allow privacy. There are three car spaces proposed directly outside the centre entrance to allow for the safe drop off of children. Basement car parking with lift access to the centre has also been provided.

Site Requirements

Cl. 5.2 Objectives	Complies
A. To ensure that the relationship between a child care centre and adjoining land uses is favourable in terms of traffic, parking and noise impacts	Yes
B. To ensure that a child care centre is located where it is safe for children and has a minimal impact on traffic and the amenity of residents	Yes
Cl.5.2 Controls	Complies
1 Minimum site area of 1000m ² .	Yes
2 Sites other than corner sites require a minimum width of 25 metres	Yes
3 Minimum side and rear boundary setback of 4 metres	

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

4	Minimum entry area setback from front boundary line of 12 metres.	Yes
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Comments: The total area of the residential redevelopment is 68,780m², with the childcare allotment size being 1152.3m². Due to the existing approved nature of the childcare centre the current setbacks have been previously approved on a merit basis to allow the best use of the space. (DA0405/176).

Site Contamination

Cl.5.4	Objectives	Complies
A.	To ensure that a site is a safe and healthy environment for children.	Yes

Cl.	Controls	Complies
5.4	Where a child care centre is proposed on a site that is identified as potentially unhealthy or contaminated, an environmental site contamination assessment must be produced to Council by the applicant to demonstrate that the site is environmentally safe and is suitable for use as a child care centre. This documentation must be provided with the development application.	Yes

Comments: The site is not contaminated from previous industrial usage, additional information can be found in the previously approved development application. (DA0405/176)

Traffic, Parking and Access

Cl. 5.6	Objectives	Complies
A.	To ensure that the relationship between child care centres and adjoining land uses are favourable in terms of parking, traffic and vehicular access	Yes
B.	To ensure that a child care centre is safe for children	Yes

Cl.5.6	Controls	Complies
1	1 visitor space per employee	Yes
2	1 visitor space per 8 children (or part thereof) proposed to use child care centre	Yes
3	2 additional parking spaces for any associated residence	

Comments: The childcare allotment has been approved with parking provided for the centre as part of the approved residential development (refer to DA0405/176). The proposed development allocated 14 car spaces for staff of the child care centre. There are three (3) drop off car parking spaces located directly in front of the centre's entry accessed from the internal access road. Pedestrian entry and access is facilitated by footpath access off this same area.

Height

Cl. 5.7	Objectives	Complies
A.	To ensure that a Child Care Centre that has received development consent will be able to be licensed under the Children (Care and Protection) Act 1987	Yes
B.	To ensure that children using a child care centre receive appropriate care	Yes

Cl.5.7	Controls	Complies
1	The optimal height for a child care centre is 1 storey.	Yes
2	The maximum height for a child care centre is 2 storeys (9.5 metres from natural ground level to ridge of the roof)	Yes

Comments: The childcare allotment is a single level development on the ground floor of the residential development. Therefore it satisfies the requirements for optimal height.

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Licensing Standards and Internal Layout

Cl. 5.8	Objectives	Complies
A.	<i>To ensure the height of a child care centre relates to site conditions, matches the scale of the streetscape and minimises any adverse impacts on adjoining properties such as overshadowing and overlooking</i>	Yes

Cl.5.8	Controls	Complies
1	<i>For a Child Care Centre to be licensed under the Children (Care and Protection) Act 1987, the centre must satisfy the requirements of the NSW DOCS. These requirements are within the Centre Based and Mobile Child Care Services Regulation (No 2) 1996, as amended May 1997. Council will not grant development consent to an application which can not satisfy the requirements of the regulation, as it would be unwise to grant development consent for a child care centre that can not operate. The requirements include: licensing standards, the maximum number of children allowed per child care centre, staffing standards and a code of conduct.</i>	Yes
2	<i>Requirements for the following are included within the regulation as licensing standards:</i> <ul style="list-style-type: none"> • <i>Space requirements for child care services;</i> • <i>Laundry facilities;</i> • <i>Craft preparation facilities;</i> • <i>Food preparation facilities;</i> • <i>Toilets and washing facilities;</i> • <i>Nappy change facilities;</i> • <i>Sleeping facilities;</i> • <i>Storage facilities;</i> • <i>Fencing;</i> • <i>Telephone;</i> • <i>Glass;</i> • <i>Pools;</i> • <i>Premises cleanliness, maintenance and repairs;</i> • <i>Heating and cooling equipment;</i> • <i>First aid;</i> • <i>Outdoor play equipment;</i> • <i>Emergency procedures and fire safety;</i> • <i>Hot water;</i> • <i>Plants; and</i> • <i>Equipment to support program.</i> 	Yes

Comments: *An extract of the floor plan demonstrates compliances as provided in the Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2011 – updated November 2016 document.*

Noise

Cl. 5.9	Objectives	Complies
A.	<i>To protect neighbours from excessive noise by ensuring that noise from a child care centre is not created by additional traffic, activities on and off the site (such as the dropping off and collecting of children) and children's activities on site</i>	Yes
B.	<i>To protect children from excessive noise which may be generated by proximity to roads, industrial premises, aircraft or rail operations</i>	Yes

Cl.5.9	Controls	Complies
1	<i>The centre must be designed to minimise the impact of noise on surrounding properties. In this regard, the following must be addressed when designing a child care centre development:</i> <ul style="list-style-type: none"> • <i>access points should be located so as to minimise disruption to neighbours (ie to reduce the impact of gates opening and slamming car doors when children are dropped off and picked up);</i> 	Yes

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	<ul style="list-style-type: none"> • playground areas should be appropriately located; • appropriate location of windows and doors; • no public address systems are to be installed at the centre; • the use of fencing and landscaping to reduce the impact of noise; and • the proposed hours of operation, particularly the impact of early morning starting times. 	
2	Sites should be chosen which protect children from excessive noise.	Yes
3	Where the centre is affected by excessive noise, the centre should be designed to minimise the impact of that noise source. For example, using appropriate screening devices or locating sensitive areas (eg sleeping rooms) away from the source of noise	Yes
4	Details of any mitigation measures should be submitted in the Statement of Environmental Effects	Yes
5	In situations where noise may be excessive from surrounding areas, an acoustic consultant's report may be required	Yes
	Where sites are adjoining or adjacent to railway land, the State Rail publication entitled Rail Related Noise and Vibration; Issues to consider in Local Environmental Planning - Development Applications and Building Applications must be considered.	Yes

Comments: Council's Environmental Health Officer has reviewed the Acoustic Assessment by Acoustic Logic Consultancy Pty Ltd dated 12/05/2017 and is satisfied that the proposed development can be carried out in compliance with the NSW Industrial Noise Policy and AAAC guidelines subject to compliance with recommended conditions of consent.

Outdoor Play Areas

Cl. 5.10 Objectives	Complies
A. To provide external spaces which promote a variety of learning, play and other developmental experiences	Yes
B. To provide a safe and healthy outdoor environment for children	Yes
Cl.5.10 Controls	Complies
1 Outdoor play areas are not to be located so that they are adjacent to the living/bedroom areas of adjoining residents, busy roadways/driveway areas and other potential noise or pollution sources	Yes
2 An outdoor play area shall be provided in each child care centre development, having space for the following areas, equipment and facilities. * An open flat grassed area for running. * Quiet play areas for focused play (including a sandpit). * A formal quiet area for contained play (eg finger painting). * An active area for busy physical play which includes: - some paved surfaces for wheeled toys; and - suitable play equipment with impact absorbent material beneath. * A transition zone from indoor and outdoor areas for covered outdoor play. The transition zone shall be a veranda with a minimum width of 4 metres. * A baby/toddler area which is flat, soft and separated from older children. * Secure fencing (refer to section 5.12 of Part E)	Yes
3 A variety of surfaces, such as grass, sand, hard paving and moulding shall be provided in outdoor play areas. The heat absorption qualities and texture of materials must be suitable, with surfaces such as bitumen (due to surface temperatures exceeding 45° in summer) being avoided	Yes
4 Outdoor play areas must not be occupied by any motor vehicles during operating hours	Yes
5 Outdoor play areas shall have immediate access to toilets	Yes
6 Where possible, outdoor play areas shall be located to the north or north-east of the site to ensure that play areas receive adequate sunlight	Yes
7 Outdoor play areas shall be designed to allow constant supervision and access to children by staff	Yes
8 Outdoor play areas shall utilise the site's natural features (where possible)	Yes

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9	Attention should be given to the design and construction of outdoor play areas, to provide a variety of experiences for children	Yes
10	All outdoor play areas are to be shaded in accordance to the recommendations and considerations of the NSW Cancer Council and the NSW Health Department publication Under Cover: Guidelines For Shade Planning and Design	Yes

Comments: The childcare allotment has been provided adequate outdoor play area in relation to the amount of children accommodated within the child care centre. It is in accordance with the ACECQA regulations, Part 4.3: Physical Environment; Outdoor Space Requirements of the Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2011 – updated November 2016 document.

Landscaping and Vegetation

Cl. 5.11	Objectives	Complies
A.	To improve the overall visual amenity of Strathfield Municipality	Yes
B.	To protect existing significant vegetation	Yes
C.	To protect the privacy of any adjoining residences	
D.	To aid in noise abatement	
Cl.5.11	Controls	Complies
1	All development shall be in accordance with the Strathfield Landscaping Code.	Yes
2	In residential zones, or on land adjoining residential zones, a 1.5 metre landscaping strip shall be provided on all boundaries to help with noise abatement and privacy	Yes

Comments: The plan has been prepared in co-ordination with the child care centre floor plan, number of children and also in accordance with the landscaping standards applicable to child care centres. As such, the proposed landscaped plan is considered satisfactory.

Fencing and Gates

Cl. 5.12	Objectives	Complies
A.	To ensure the child care centre provides a safe environment for children	Yes
B.	To minimise access by children to dangerous areas.	Yes
Cl.5.12	Controls	Complies
1	Outdoor play areas must be fenced on all sides by fencing of at least 1800 mm in height	Yes

Comments: It is proposed that south western site boundary will be secured by an 1800mm high fence providing security to the outdoor play areas located along this boundary. The north eastern boundary that runs along the internal access road is proposed as a concrete panel structure that is perforated with circular elements to allow air flow and add interest to this wall. As such, the proposed fencing is considered satisfactory.

Safety and Health

Cl. 5.13	Objectives	Complies
A.	To ensure that the site and building provide a safe and healthy environment for children	Yes
B.	To minimise access to dangerous areas and substances by children	Yes
Cl.5.13	Controls	Complies
1	Safety balustrades are to be provided on all balconies and raised areas	Yes

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2	<i>Kitchen areas are to be separated from play areas in accordance to NSW DOCS requirements</i>	Yes
3	<i>Dangerous substances such as detergents and cleaning materials are to be securely stored</i>	Yes
4	<i>Fire safety egress and equipment are to be installed in accordance with the Building Code of Australia</i>	Yes
5	<i>Outdoor play equipment is to comply with current Australian Standards, notably AS 1924 Playground Equipment for Parks, Schools and Domestic Use, Part 1 General Requirements and Part 2 Design Construction - Safety Aspects; AS/NZS 4422 - Playground Surfacing - Specifications, Requirements and Test Methods; and AS/NZS 4486 - Playgrounds and Playground Equipment</i>	Yes

Comments: *The proposed childcare allotment has provided adequate safety measure to provide a safe and healthy environment for children within the premises. There are measures in place to address safety and amenity issues such as privacy, security, supervision and health.*

Stormwater Drainage and Control

Cl. 5.14 Objectives	Complies
A. To ensure that the site (including buildings) is adequately drained and to plan, implement and maintain a stormwater drainage system which adequately serves the needs of the subject site without detrimental impact on adjoining properties	Yes
Cl.5.14 Controls	Complies
1 All child care centre developments must be in accordance to the requirements of Council's Stormwater Management Code. A general concept plan for drainage is required to be submitted with each development application for a child care centre. Refer to Council's Application Information Kit for details to be included on a general concept plan for drainage	Yes

Comments: *Due to the existing approved nature of the childcare centre the proposed stormwater and drainage design has been approved and is considered acceptable. (DA0405/176)*

Signage

Cl. 5.15 Objectives	Complies
A. To ensure that any signage proposed with the child care centre does not dominate the building or the streetscape	Yes
Cl.5.15 Controls	Complies
1 Applicants shall refer to the Strathfield Planning Scheme Ordinance 1969 and Part J - Erection and Display of Advertisements and Advertising Structures for guidelines for signage	Yes

Comments: *The proposed signage does not dominate the building's street frontage. The signage proposal is a relief of the child care centre's name in powdercoat colour to match the centre's branding. It is sized proportionally to the wall is fixed onto and thus, the proposed signage is considered satisfactory.*

Hours of Operation

Cl. 5.16 Objectives	Complies
A. To protect the amenity of adjoining residential neighbours	Yes
Cl.5.15 Controls	Complies
1 Where a child care centre is proposed within a residential area or adjoining a residential area, the hours of operation shall generally be limited to 7 am	Yes

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to 6 pm, Monday to Friday. Operating hours outside these times will be considered on their merits.

Where an application is submitted with operating hours outside the above mentioned times, a noise impact assessment must be produced to Council by the applicant to demonstrate that the hours of operation will not adversely impact upon any adjoining residential neighbours

Comments: The proposed hours of operation are Monday to Friday 7am to 7pm. According to the SDCP 2005, a condition of consent will be imposed to limit the hours of operation to 7am to 6pm, Monday to Friday.

Maximum number of children

Cl. 5.17 Objectives	Complies
A. To ensure that child care centres integrate into existing residential environments and are unobtrusive in terms of size and operation	Yes
B. To ensure that the amenity of neighbours is maintained	Yes
Cl.5.17 Controls	Complies
1 The maximum number of children using a child care centre at any one time shall not exceed thirty (30)	No

Comments: The proposed child care centre will accommodate up to 89 children. A condition of consent will be imposed to limit the maximum number of children permissible to a maximum of 30 children from the residing tenants and maximum of another 30 children from neighbouring areas, totaling 60 children.

PART H - WASTE MANAGEMENT (SCDCP 2005)

Waste Management Plane submitted with the proposed development indicates that the bins will be located in the storage area in the waste storage room of the building basement. Furthermore, the proposed waste management plan indicates that the child care centre will have designated cleaners that will maintain the centre daily to maintain the waste disposal.

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*.

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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 not 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*

Child Numbers

Section 5.17 of Part E "Child Care Centres" of the Strathfield Consolidated Development Control Plan 2005 permits a maximum of (30) children at any one (1) time. The original proposal of an (89) placed child centre significantly exceeded this requirement. The applicant subsequently amended the proposal to accommodate for (30) residents of the site plus (30) non-residents. In recognition of the significant population density upon the subject site and resulting demand for child care the designation of a portion of child numbers to residents of the site is considered to be a positive outcome for the residents of the site. Further, by restricting off-site student numbers to a maximum of (30) places the additional traffic and parking implications of the development are limited to that of a compliant scheme. As such, a departure from Section 5.17 of Part E of the SCDCP 2005 is considered to be acceptable and a condition of consent is recommended requiring the maximum child numbers of the centre be limited to (30) children residing upon the site and (30) non-residents at any time.

Noise

In recognition of the proximity of the proposed development to surrounding residences the subject application was accompanied by an Acoustic Assessment prepared by Acoustic Logic giving consideration to the likely impacts of the development upon surrounding residences. Council's Environmental Health and Compliance Coordinator has reviewed the Acoustic Assessment prepared by Acoustic Logic and is satisfied that the proposed development can be carried out in compliance with the NSW Industrial Noise Policy and AAAC guidelines subject to compliance with recommended conditions of consent.

Traffic/Parking

In recognition of the additional traffic movement generated by the proposed development the subject application was accompanied by a Parking and Traffic Impact Assessment Report prepared by Greys Australia Pty Ltd. This assessment identifies the proposed development is likely to generate a maximum of (28) vehicle movements per hour during the morning peak and notes that given the relative scale of the subject site and connectivity to arterial roads the proposed development is considered unlikely to result in any significant impacts upon traffic movements upon the site or within the locality. Nonetheless, to ensure that the proposed drop-off-pick-up area functions efficiently a condition of consent is recommended requiring that a staff member be present within the drop-off/pick-up area at morning and evening peak hour periods.

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

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The proposed development is considered to be suitable to the site in that the proposed child care centre will be complementary to the future residential uses upon the site. By limiting the maximum number of children permissible to total of (60) children, the noise impact, traffic and waste management will be more feasible, considering the location of the proposed child care centre.

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

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 14 March to 29 March 2017. (42) written submissions were received.

The concerns raised in the submissions are outlined and discussed below.

1. Proximity to Residences

Concern was raised over the proximity of outdoor play areas to existing residences and the potential loss of amenity to these residences.

Comment: The subject application as accompanied by an Acoustic Assessment prepared by Acoustic Logic identifying that with the implementation of certain noise attenuation measures the proposed development is capable of retaining an appropriate level of internal amenity to surrounding residences. Implementation of the recommendations of the acoustic assessment is to be enforced by way of condition of consent. It should also be noted that the application was amended from accommodating a maximum of (89) children to (60) children. As such, the proposed development is considered unlikely to result in any loss of amenity.

2. Maximum number of Children and Noise

Concern was raised over insufficient information provided in the Acoustic report submitted with the application. There were also concerns in relation to possible noise impact with the proposed child care centre catering up to 89 children.

Comment: The initial proposal for the child care centre was to accommodate up to (89) children. The application was subsequently amended to limit the maximum number of children upon the site to a maximum of (30) residing on the site and a maximum of (30) non-residents, totaling (60) children. In addition, Council's Environmental Health Officer has reviewed the Acoustic Assessment by Acoustic Logic Consultancy Pty Ltd dated 12/05/2017 and is satisfied that the proposed development can be carried out in compliance with the NSW Industrial Noise Policy and AAAC guidelines subject to compliance with recommended conditions of consent.

3. Bin Storage

Concern was raised over location of bin storage and point of collection of bins.

Comment: Council officers have been in ongoing discussions with the property's strata manager regarding the storage and point of collection of bins upon the subject site. Since the lodgement of the subject application a bin holding bay has been constructed in the basement of the site where the contract cleaners will bring waste up to the street level for collection and return the bins to the basement after collection.

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.

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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 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	\$5,000.00
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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 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

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RECOMMENDATION

That Development Application No. DA2017/030 for the out and use of a vacant tenancy (strata lot 170) as a child care centre including associated landscaping works and signage at 81-86 Courallie Avenue, Homebush West be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS

1. Maximum Children Numbers

The maximum number of children permitted on site at any one time shall be restricted as follows:

Age Group	Maximum number of children permitted.
Birth to 24 months of age	16
Children over 24 months of age and less than 36 months of age	15
Children 36 months of age and less than 6 years of age	29
Total	60

Of these children a maximum of (30) children are to be non-residents of the site. The operator of the tenancy is to maintain a register of evidence of residency. Such a register is to be made readily available to Council staff upon request.

(Reason: To ensure compatibility with existing development upon the site)

2. Plan of Management

Prior to the issue of a Construction Certificate, a Plan of Management shall be prepared to reflect the following:

- (a) Hours of operation between 7:00am – 7:00pm Monday – Friday (staff only operation permitted between 7:00pm to 7:30pm). No operation is permitted on Saturday, Sunday or public holidays.
- (b) Outdoor playtime shall be restricted to a maximum of one (1) hour in the morning between 7:00am – 12:00 noon and a maximum of one (1) hour in the afternoon between 12:00 noon and 6:00pm;
- (c) Maximum of seven (11) employees on site at any one (1) time;
- (d) Maximum of (60) children to be present at the centre at any one (1) time; and
- (e) A waste management plan including storage and collection arrangements to minimise nuisance and transfer of odour to adjoining properties.

(Reason: To ensure for the appropriate management and operation of the site)

GENERAL CONDITIONS

3. Approved Plans and Reference Documentation

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:

<i>Drawing No.</i>	<i>Title/Description</i>	<i>Prepared by</i>	<i>Issue Revision Date</i>	<i>/ & Date received by Council</i>
DA01	Site Plan	Two form	A	15 May 2017

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DA02	Site Analysis Plan	Two form	A	15 May 2017
DA04	Ground Floor Plan	Two form	B	15 May 2017
DA04	Elevations	Two form	B	15 May 2017
L-01	Landscape Plan	Site Design + Studios	B	1 March 2017

<i>Title / Description</i>	<i>Prepared by</i>	<i>Issue/Revision Date</i>	<i>& Date received by Council</i>
Statement of Environmental Effects	Two form	B	15 May 2017
Parking & Traffic Impact Assessment Report	Greys Australia Pty Ltd	P1709TIA	15 May 2017
Waste Management Plan	Legion Property Group	-	1 March 2017
Acoustic Assessment	Acoustic Logic	20170603.1	15 May 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. 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.

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- (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.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

5. Access (access for people with disabilities)

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

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

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

6. Access (disabled toilets)

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

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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.)

7. Building Code of Australia (compliance with)

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.)

8. Car Parking (compliance with AS/NZS 2890.1:2004)

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.)

9. 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.)

10. Dilapidation Report (pre-commencement)

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.

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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.)

11. Fire safety upgrade (change of building use)

Council considers pursuant to clause 93 of the *Environmental Planning and Assessment Regulation 2000* that it is appropriate to require the existing building to be upgraded to total or partial conformity with the BCA.

The Construction Certificate plans and specification required to be submitted to the Certifying Authority pursuant to clause 139 of the Regulation must detail building upgrade works required by for the approved use.

The Certifying Authority must be satisfied that such work, to be implemented as part of the development, will upgrade the building to bring it into compliance with the provisions of the BCA in force at the date of issue of the Construction Certificate.

Note: The Certifying Authority issuing the Construction Certificate has no power to remove the requirement to upgrade the existing building as required by this condition. Where this condition specifies compliance with performance requirements of the BCA, the Certifying Authority (subject to their level of accreditation) may be satisfied as to such matters. Where this condition specifies compliance with prescriptive (deemed to satisfy) provisions of the BCA, these prescriptive requirements must be satisfied and cannot be varied unless this condition is reviewed under section 82A or amended under section 96 of the Act.

(Reason: Fire safety.)

12. Fire Safety Schedule

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.)

13. Hoardings

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.

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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.

(Reason: Public safety.)

14. Landscaping (maintenance strategy)

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.)

15. Landscaping (on slab)

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.)

16. Noise and vibration management plan

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council or the Principal Certifying Authority.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliance with the relevant legislation and Australian Standards. The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

- (i) identification of activities carried out and associated noise sources;
- (ii) identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment;
- (iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;
- (iv) noise and vibration monitoring, reporting and response procedures;
- (v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- (vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- (vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;

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- (viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- (ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

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

17. Section 94 contribution Payment (indirect contributions plan)

In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect 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:

Local Amenity Improvement Levy	\$5,000.00
---------------------------------------	-------------------

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 4.12 of the Strathfield Indirect 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.

A copy of this condition is to be presented to Council's Customer Service Centre when paying the contribution so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Indirect 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.)

18. Traffic (construction traffic management plan)

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

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- from the site;
- (viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
 - (ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
 - (x) measures to maintain public safety and convenience;
 - (xi) any proposed road and/or footpath closures;
 - (xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
 - (xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
 - (xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
 - (xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
 - (xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
 - (xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
 - (xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
 - (xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

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

19. Waste Management Plan

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.)

20. Works Permit

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.

(Reason: Council requirement.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS

21. Appointment of a Principal Certifying Authority (PCA)

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

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

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

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

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

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS

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

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- 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.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE

23. Car Parking (customer car parking signage)

A sign shall be erected in a suitable location on the property near the driveway entrance indicating where customer 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.)

24. Drainage System (maintenance of existing system)

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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.)

25. 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.)

26. Fire Safety (certification)

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.

(i)

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 &*

2017/030 - 170/81-86 Courallie Avenue, Homebush (Cont'd)

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.)

27. Occupation of Building

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.)

28. Stormwater (certification of the constructed drainage system)

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.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES

29. Commercial Premises (no signage or goods on public footway)

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.)

30. Deliveries

All deliveries must not occur between 8.00am and 5:00pm Monday to Friday with no deliveries on weekends or public holidays, to avoid noise disruption to the surrounding area.

(Reason: To control noise impacts.)

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31. Hours of Operation (commercial premises)

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	7:00am – 7:00pm
Weekends and public holidays	Nil

A sign shall be erected in a prominent position in the building/premises stating the maximum number of persons/seating capacity of the approved child care centre.

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

32. Noise (compliance with acoustic assessment report)

All recommendations contained in the approved Acoustic Assessment Report prepared by Acoustic Logic dated 15 May 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.)

33. Staff Restriction (generally)

A maximum number of 11 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.)

34. Customer Parking Restriction

- A total of (13) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Customer	4
Drop-off/Pick-up	3
Staff	11
TOTAL	18

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

(Reason: Compliance with approved visitor parking provision.)

35. Visitor Parking Restriction

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All Customer parking spaces must not at any time be allocated sold or leased to an individual owner/occupier.

(Reason: Compliance with approved visitor parking provision.)

36. Child Care Centre (approved use and number of children)

This approval is given for the use of the land for the purposes of a Child Care Centre with a maximum number of (60) children. A separate approval and/or license will be required from the Department of Community Services for the operation of a child care centre from the subject premises.

(Reason: To ensure the development is consistent with the development for which consent was granted.)

37. Landscaping (irrigation of common and private landscape areas)

All common and private landscape areas including all planters 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.)

38. Lighting

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.)

39. Materials (schedule of external materials, finishes and colours)

The 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.)

40. Principal Certifying Authority (PCA) Identification Sign

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.

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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.)

41. 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:

- (xxi) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- (xxii) Demolition must be carried out by a registered demolition contractor.
- (xxiii) 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.
- (xxiv) No blasting is to be carried out at any time during construction of the building.
- (xxv) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- (xxvi) 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.
- (xxvii) Any demolition and excess construction materials are to be recycled wherever practicable.
- (xxviii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- (xxix) 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.
- (xxx) All waste must be contained entirely within the site.
- (xxxi) 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.
- (xxxii) 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.
- (xxxiii) 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.
- (xxxiv) 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.
- (xxxv) 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.
- (xxxvi) 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.
- (xxxvii) All site waters during excavation and construction must be contained on site

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in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.

- (xxxviii) Any work must not prohibit or divert any natural overland flow of water.
- (xxxix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- (xl) 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.)

42. Utilities and Services (protection of)

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.)

43. Waste (trackable)

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.)

ATTACHMENTS

- 1. [↓](#) Architecturals
- 2. [↓](#) Maps



ABBREVIATIONS

ACR	ACRYLIC	MRS	METAL ROOF SHEETING
AHD	AUSTRALIAN HEIGHT DATUM	MS	MILD STEEL
AL	ALUMINIUM	NL	NEW
AP	ACCESS PANEL	NSC	NATIONAL CONSTRUCTION
APP	APPLIANCE	NSC	NOT IN CONTRACT
BR	BRICK	OF	OVERFLOW
BF	B-FIELD	OF	OFF FORM
BHD	BULKHEAD	P	PAINTED
BR	BROWN BRICKWORK	PL	PLASTERBOARD
BL	BLOCKWORK CONCRETE	PCT	POLISHED CONCRETE TOP
BS	BRUSH BATH	PI	POLYURETHANE
BT	BATHTUB	R	RENDERED
C	CONCRETE	RC	REINFORCED CONCRETE
CA	CARPET	RL	REDUCED LEVEL
CB	COBBLESTONE	RST	RECESSED SHADOW TRIM
CB	CURBBOARD	RP	RAIN WATER PIPES
CBG	COLOR BACKED GLASS	RWO	RAIN WATER OUTLET
CF	CLEAR FINISHED	S	STONE
CJ	CONTROL JOINT	SC	STEEL COLUMN
CP	CONCRETE PAVERS	SCR	SCREEN SCREEN
CR	CEMENT RENDER	SFL	STRUCTURAL FINISHED UP
CS	CONCRETE CISTERN	SK	SKATING
CUT	CUTLERY INSERTS	SP	SET PLASTER
D	DOOR	SS	STAINLESS STEEL
DWR	DRESSED ALL ROUND	SSS	SANDSTONE
DB	DOUBLE	ST	STEEL TRIMMED
DH	DOOR HARDWARE	SW	STORMWATER
DP	DOWNPIPE	SWP	STORMWATER PIT
DPC	DAMP PROOF COURSE	T	TIMBER
DR	DRAIN	TB	TIMBER BATTEN
DS	DOOR STOP	TD	TIMBER DECKING
ED	EGGING	TF	TIMBER FRAMED
EA	EQUAL ANGLES	TL	TILE
ESB	ELECTRICAL DISTRIBUTION BOARD	TR	TAPWARE
EXT	EXTERNAL	TOW	TOP OF WALL
F	FIXED	TS	STAIR FINISH
FB	FABRIC	TR	TILE ROOF
FBK	FACE BRICKWORK	TWB	TIMBER WEATHERSHIELD
FC	FIBRE CEMENT SHEETING	TV	TIMBER VENEER
FCL	FINISHED CEILING LEVEL	T&G	TONGUE AND GROOVE TM
FFL	FINISHED FLOOR LEVEL	UB	UNDERBENCH
FHR	FIRE HOSE REEL	UTE	UTILITY INSERTS
FP	FIRE PLACE	VCS	VENT ON SITE
FR	FRIDGE GRILLE	W	WINDOW
FT	FITTINGS & FIXTURES	WC	TOILET SUITE
FW	FLOOR WASTE	WP	WALL PLATE
G	GLAZING	WR	WATER RESISTANT
GD	GRADED DRAIN	WPM	WATERPROOF MEMBRANE
H	HARDWARE		
HT	HOSE TAP		
INT	INTERNAL		
JL	JUNCTION LIGHT		
L	LINOLEUM FLOORING		
LF	LIGHT FITTING		
LFR	LINEAR FLOOR WASTE		
LB	LAMINATE		
M	MIRRO		
MDP	MEDIUM DENSITY FIBREBOARD		
MJ	MOVEMENT JOINT		
ML	MELAMINE FINISH		
MS	METAL MESH		

A ISSUED FOR DA 25.01.2017

REV.	DESCRIPTION	DATE

AMENDMENTS

two form
ARCHITECTURE + INTERIOR DESIGN

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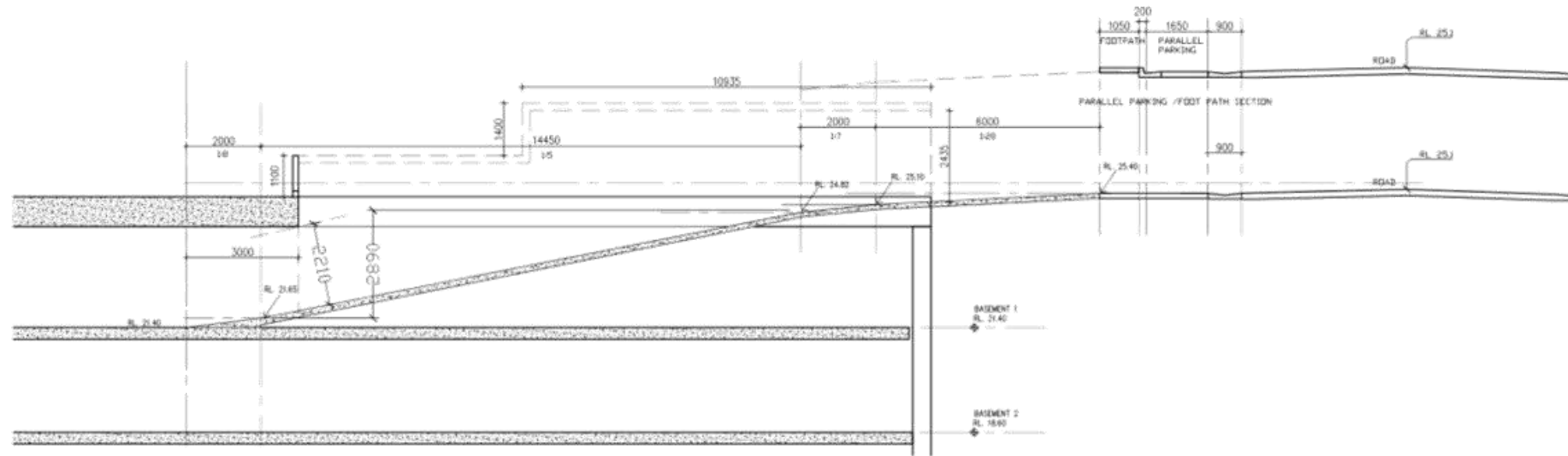
Client: LEGION PROPERTY GROUP
Project: OZ EDUCATION-FIT OUT OF APPROVED CHILD CARE CENTRE IN BLOCK B4- STAGE 1D
81-86 COURALLIE AVENUE, HOMEBUSH WEST

Drawing Title: SITE PLAN

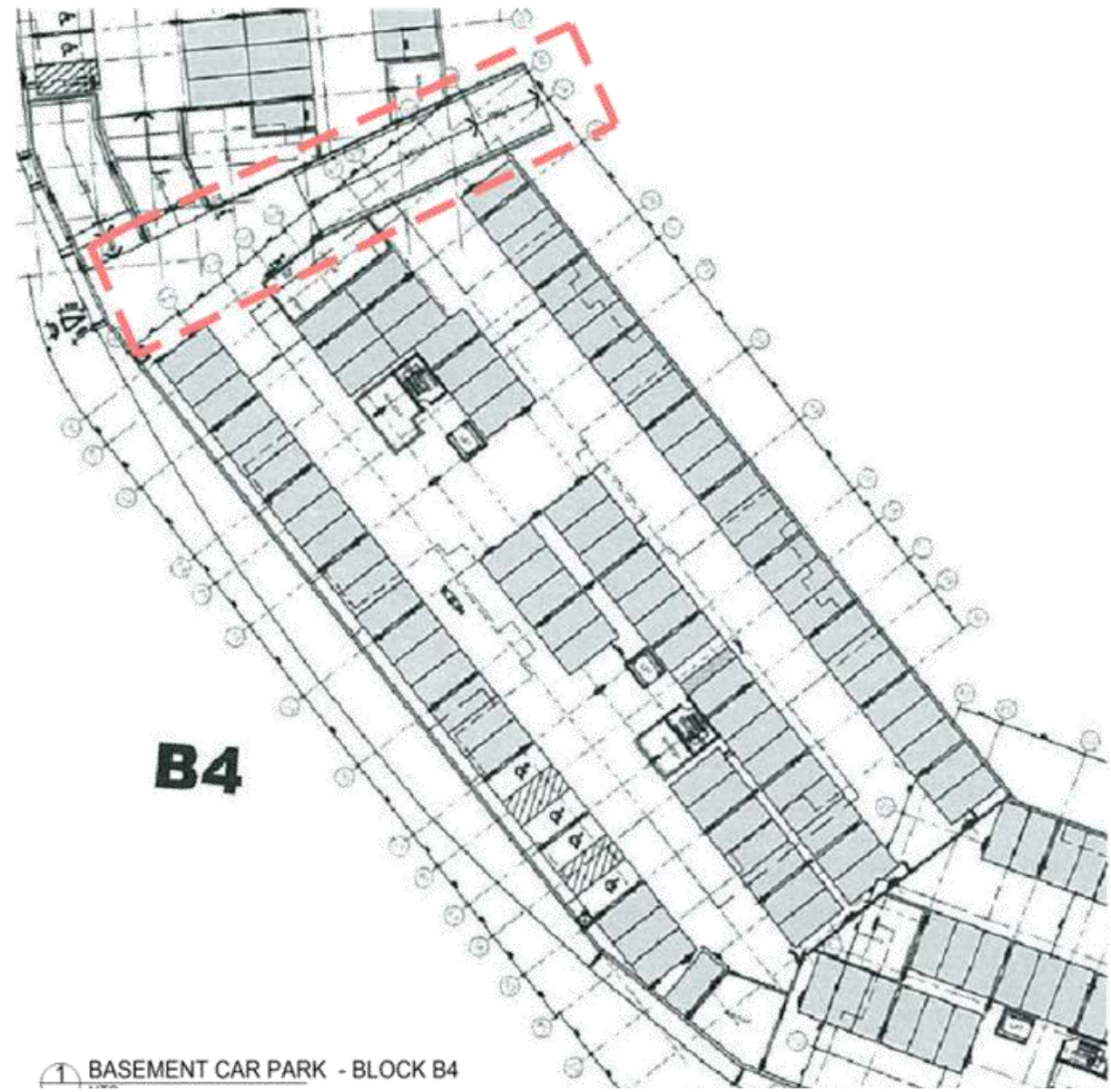
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STATUS	DA SUBMISSION	CHECKED BY	
PROJECT NO.	16 022	DRAWING NO.	AR. DA 01

3 SITE PLAN - BLOCK B4





2 RAMP SECTION
1:100



1 BASEMENT CAR PARK - BLOCK B4

NOTE: BASEMENT CAR PARK PLAN AS PER STRATHFIELD COUNCIL APPROVAL- S96 NO: 0405/176/3

LEGEND			
ABBREVIATIONS			
ACR	ACRYLIC	MRS	METAL ROOF SHEETING
AD	ADDITIONAL HEIGHT DATUM	MS	M.S. STEEL
AL	ALUMINIUM	NE	NEW
AP	ACCESS PANEL	NCC	NATIONAL CONSTRUCTION CODE
APP	APPLIANCE	NC	NOT IN CONTRACT
BR	BRICK	OF	OVER FLOOR
BS	BUSH	CF	CONCRETE FORM
BU	BULKHEAD	F	FINISHED
BC	COMMON BRICKWORK	FB	PLASTERBOARD
BL	BLOCKWORK CONCRETE	PC	POLISHED CONCRETE TOPPING
BS	BENTONITE MAT	PJ	POLYURETHANE
BT	BATHTUB	R	REINFORCED
C	CONCRETE	RC	REINFORCED CONCRETE
CA	CARPET	RL	REDUCED LEVEL
CB	COMBUSTIBLE	RST	RECESSED SHADOW TRIM
CBG	COLOURED GLASS	RP	RIVER PEBBLES
CF	CONCRETE FINISH	RWD	RANK WATER OUTLET
CI	CONTROL JOINT	S	STONE
CP	CONCRETE PAVERS	SC	STEEL COLUMN
CR	CEMENT RENDER	SCR	SHOWER SCREEN
CS	CONCRETE SLAB	SL	STRUCTURAL FINISHED LEVEL
CUT	CUTLERY INSERTS	SK	SKIRTING
D	DOOR	SP	SET PLASTER
DAR	DRESSED ALL ROUND	SS	STAINLESS STEEL
DB	DOUBLE	SST	SANDSTONE
DF	DOOR HARDWARE	ST	STEEL TROUSERS
DS	DOWNPIPE	SW	STORMWATER
DPC	DAMP PROOF COURSE	SWP	STORMWATER PIT
DR	DRAIN	T	TIMBER
ES	DOOR STOP	TB	TIMBER BATTEN
EX	EXISTING	TD	TIMBER DECKING
EA	EQUAL ANGLES	TF	TIMBER FRAMED
EDB	ELECTRICAL DISTRIBUTION BOARD	T	TILE
EXT	EXTERNAL	TF	TAPWARE
F	FIBRE	TOW	TOP OF WALL
FB	FABRIC	TS	STAIN FINISH
FBK	FACE BRICKWORK	TR	TILE ROOF
FC	FIBRE CEMENT SHEETING	TMB	TIMBER HEATHERBOARD
FCL	FINISHED CEILING LEVEL	TY	TIMBER TRIMMER
FFL	FINISHED FLOOR LEVEL	TAG	TONGUE AND GROOVE TIMBER
FR	FIRE HOSE REEL	UB	UNDERBENCH
FP	FIRE PLACE	UTE	UTILITY INSETS
FRP	FIRE RESISTANT	UCS	UTILITY ON SITE
FT	FITTINGS & FIXTURES	W	WINDOW
FW	FLOOR WASTE	WC	TOILET SUITE
G	GLAZING	WP	WALL PLATE
GD	GRADED GRAH	WR	WATER RESISTANT
H	HARDWARE	WIM	WATERPROOF MEMBRANE
HT	HOSE TAP		
INT	INTERNAL	---	EXISTING WALL
JN	JUNCTION UNIT	---	STUD WALL
L	LINOLEUM FLOORING	---	MASONRY WALL
LF	LIGHT FITTING	---	BLOCKWORK WALL
LWF	LINER FLOOR WASTE	---	STONE WALL
LA	LAMINATE	X	JEAL GR
M	MERCER	+	RL 4.00
MD	MEDIUM DENSITY FIBREBOARD		NEW SPOT RL
MU	MOVEMENT JOINT		
ML	MIL MESH FINISH		
MM	METAL MESH		

REV.	DESCRIPTION	DATE	B'
A	ISSUED FOR DA	25.01.2017	K3

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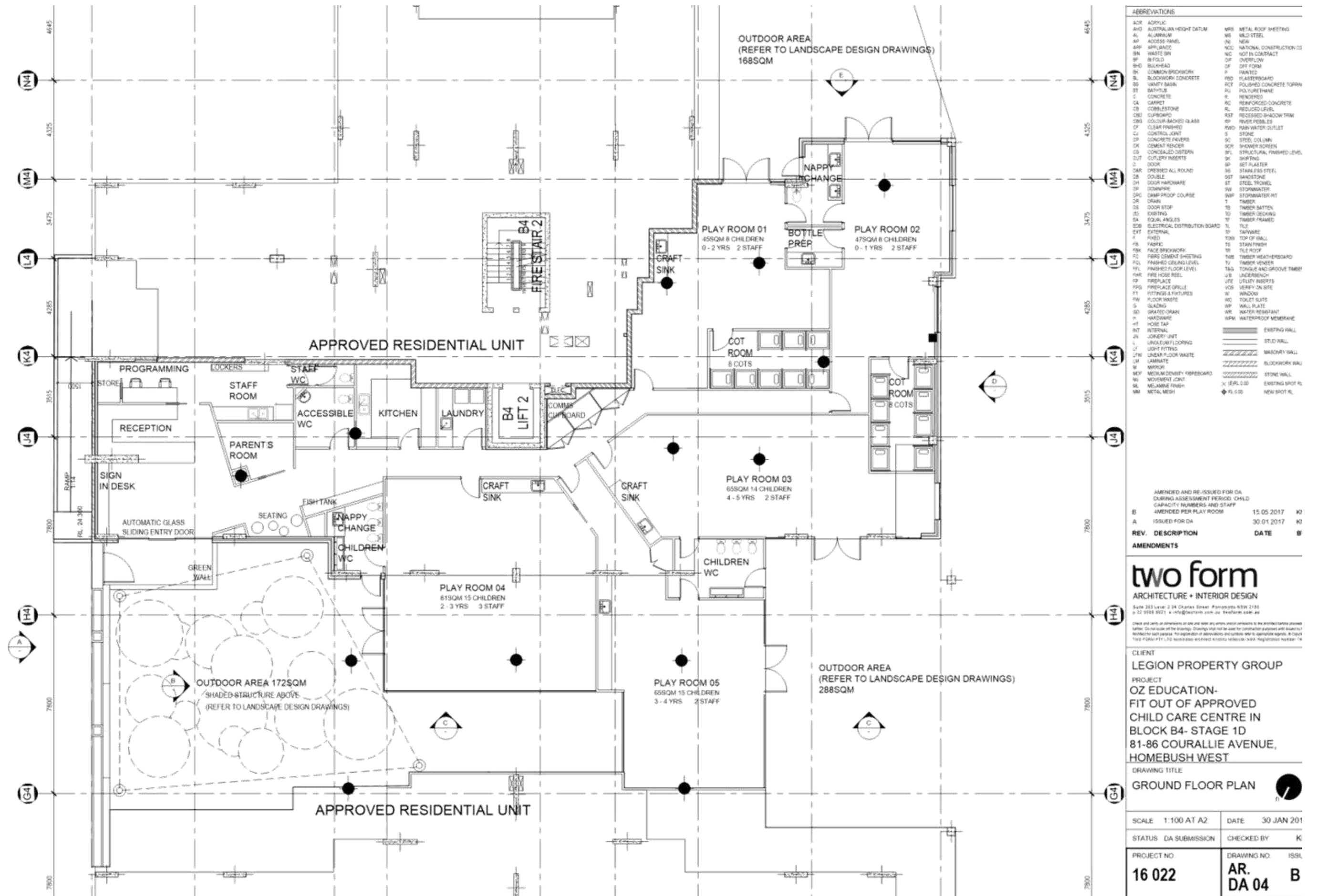
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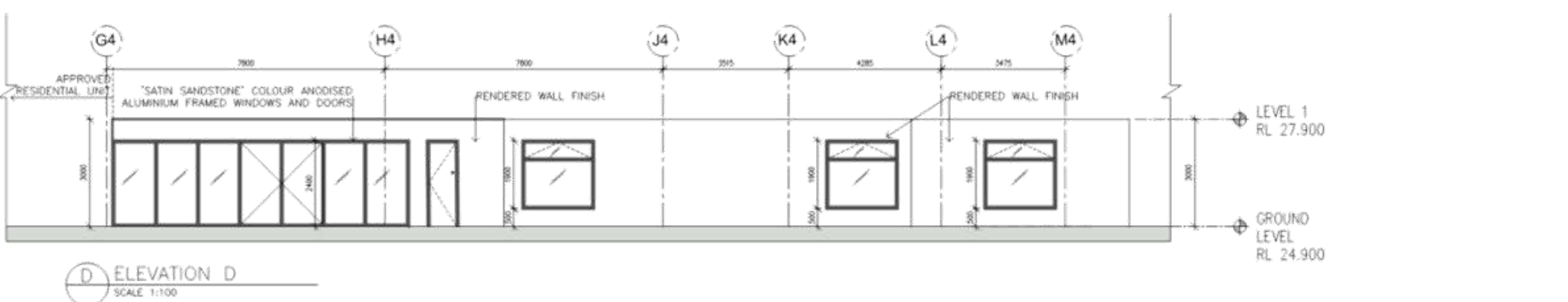
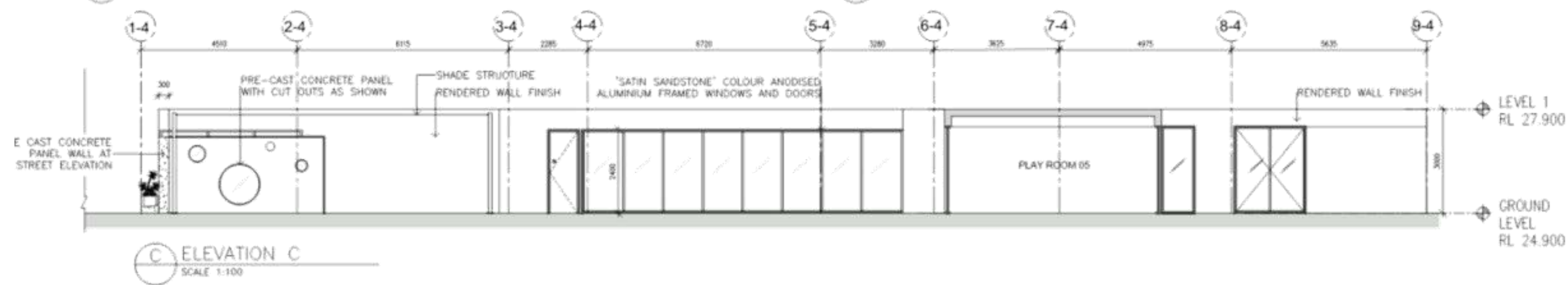
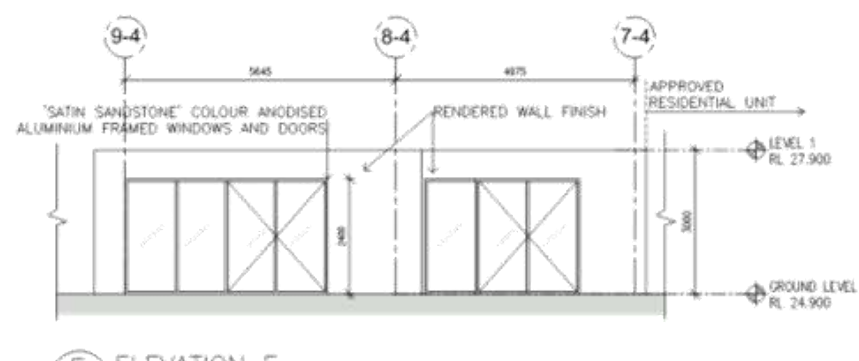
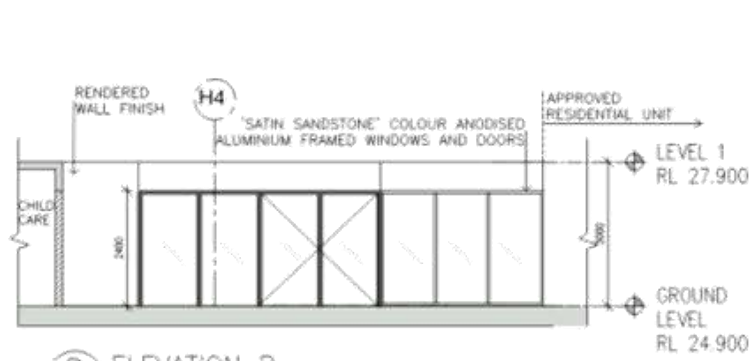
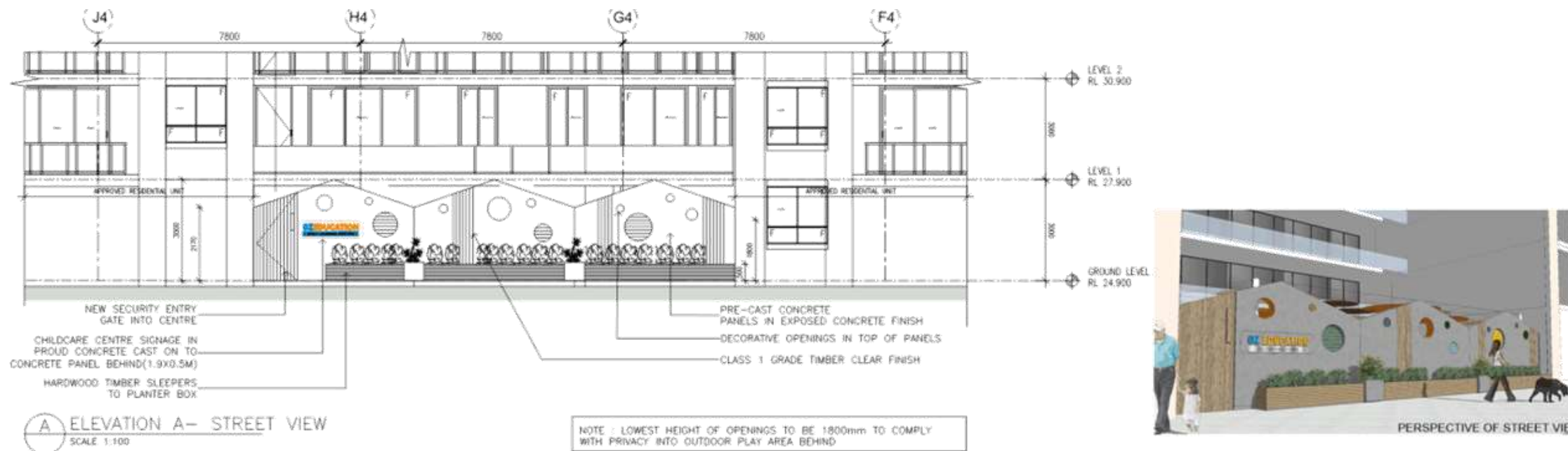
CLIENT
LEGION PROPERTY GROUP

PROJECT
OZ EDUCATION- FIT OUT OF APPROVED CHILD CARE CENTRE IN BLOCK B4- STAGE 1D 81-86 COURALLIE AVENUE, HOMEBUSH WEST

DRAWING TITLE
BASEMENT CAR PARK FOR BLOCK B4

SCALE	1:100 AT A2	DATE	25 JAN 2017
STATUS	DA SUBMISSION	CHECKED BY	KI
PROJECT NO.	16 022	DRAWING NO.	AR. DA 03
		ISSU	A





ACR ACRYLIC	MFS METAL ROOF SHEETING
ALD ALUMINUM HEIGHT DATUM	MLD METAL
AL ALUMINUM	ND NEW
AP ACCESS PANEL	NCD NATIONAL CONSTRUCTION CODE
APP APPLIANCE	NC NOT IN CONTRACT
BN WASTE BIN	OF OFF FORM
BF BULLHEAD	P PAINTED
BR COMMON BRICKWORK	PLASTERBOARD
RL BUSHWORK CONCRETE	PC POLISHED CONCRETE TOPPING
BS BATHY BASKIN	PU POLYURETHANE
BT BATHUB	R RENDERED
C CONCRETE	RC REINFORCED CONCRETE
CA CARPET	RL REDUCED LEVEL
CB CURBSTONE	RST RECESSED SHADOW FRAME
CBG COLOUR-SACKED GLASS	RP RIVER-PEBBLES
CF CLEAR FINISHED	RWD RAIN WATER OUTLET
CL CONTROL JOINT	S STONE
CP CONCRETE PAVERS	SC STEEL COLUMN
CR CURB	SE SHOWER SCREEN
CS CONCEALED CISTERN	SFL STRUCTURAL FINISHED LEVEL
CLT CLUSTEN ROBERTS	SK SKirting
D DOOR	SP SET PLASTER
DAR DRESSED ALL ROUND	SS STAINLESS STEEL
DB DOUBLE	SST SANDSTONE
CH DOOR-HARDWARE	ST STEEL PROFILE
CP DOWNPIPE	SW STORMWATER
DPC DAMP PROOF COURSE	SWP STORMWATER PIT
DR DRAIN	T TIMBER
DS DOOR STOP	TS TIMBER SILL
EB ELECTRICAL	TD TIMBER DECKING
EA EQUAL ANGLE	TF TIMBER FRAMED
EDB ELECTRICAL DISTRIBUTION BOARD	TL TILE
EXT EXTERNAL	TM TAPWARE
F FINISH	TS STAINLESS
FB FABRIC	TR TRIM
FBK FACE BRICKWORK	TWS TIMBER WEATHERBOARD
FC FIBRE CEMENT SHEETING	TV TIMBER VENEER
FCL FINISHED CONCRETE LEVEL	TAG TONGUE AND GROOVE TIMBER
FFL FINISHED FLOOR LEVEL	UB UNDERBENCH
FHM FIRE HOSE REEL	UF UNDERBENCH
FG FINISH	UFL UTILITY INSETS
FGR FLOOR GRILLE	US VERIFY ON SITE
FE FITTINGS & FIXTURES	W WINDOW
FW FLOOR WASTE	WC TOILET SUITE
G GLAZING	WF WALL PLATE
GD GRADED DRAIN	WR WATER RESISTANT
H HARDWARE	WWM WATERPROOF MEMBRANE
HT HOT TAP	
INT INTERNAL	EXISTING WALL
JL JOINT LIFT	STUD WALL
L LINOLEUM FLOORING	
LF LIGHT FITTING	MASSORY WALL
LFW LINEAR FLOOR WASTE	BLOCKWORK WALL
LW LAUNDRY	STONE WALL
M MIRROR	EXISTING SPOT RL
MDP MEDIUM DENSITY FIBREBOARD	NEW SPOT RL
MU MOVEMENT JOINT	
ML MILLIARIE FINISH	
MM METAL MESH	

AMENDED ELEVATION AND RE-ISSUED FOR DA DURING ASSESSMENT PERIOD. WINDOWS ADDED TO ELEVATION E

REV.	DESCRIPTION	DATE	BY
B	ISSUED FOR DA	15.05.2017	KM
A	ISSUED FOR DA	25.01.2017	KM

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CLIENT
LEGION PROPERTY GROUP

PROJECT
OZ EDUCATION-FIT OUT OF APPROVED CHILD CARE CENTRE IN BLOCK B4- STAGE 1D 81-86 COURALLIE AVENUE, HOMEBUSH WEST

DRAWING TITLE
ELEVATIONS

SCALE	1:100 AT A2	DATE	25 JAN 2017
STATUS	DA SUBMISSION	CHECKED BY	KM
PROJECT NO.	16 022	DRAWING NO.	AR. DA 05
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1 PERSPECTIVE FROM FRONT STREET



2 AERIAL VIEW OF THE FRONT WALL AND THE SHADE STRUCTURE



3 INTERNAL PERSPECTIVE OF THE OPEN AREA/SHADE STRUCTURE



4 STREET ELEVATION

LEGEND

ABBREVIATIONS

ACR ACRYLIC	MRS METAL ROOF SHEETING
AD AUSTRALIAN HEIGHT DATUM	MS MILD-STEEL
AL ALUMINIUM	NR NOT IN CONTRACT
AP ACCESS PANEL	NCC NATIONAL CONSTRUCTION CODE
APL APPLIANCE	NC NOT IN CONTRACT
BB WASTE BIN	OF OVERFLOW
BF BI-FOLD	OF OFF FORM
BRD BRUSHED	P PAINTED
BR COMMON BRICKWORK	PB PLASTERBOARD
BL BLOCKWORK CONCRETE	PCT POLISHED CONCRETE TOPPING
BS VANITY BASK	PU POLYURETHANE
BT BATHTUB	R RIBBED
C CONCRETE	RC REINFORCED CONCRETE
CA CAVISET	RL REDUCED LEVEL
CB CORRELSTONE	RST THICKENED SHADOW TRIM
CD CLIPBOARD	RP RAIN PEBBLES
CG COLOUR BACKED GLASS	RWO RAIN WATER OUTLET
CF CLEAR FINISHED	S STONE
CJ CONTROL JOINT	SC STEEL COLUMN
CP CONCRETE PAVERS	SCM SHOWER SCREEN
CR CEMENT RENDER	SFL STRUCTURAL FINISHED LEVEL
CS CONCRETE CASTER	SK SKIRTING
CUT CUTLERY INSERTS	SP SET PLASTER
D DOOR	SS STAINLESS STEEL
DAR DRESSED ALL ROUND	ST SANDSTONE
DB DOUBLE	ST STEEL TRIMMEL
CH DOOR HARDWARE	SW STORMWATER
CP DOWNPIPE	SWP STORMWATER PIT
CPC DAMP PROOF COURSE	T TIMBER
CR DRAIN	TB TIMBER BATTEN
CS DOOR STOP	TD TIMBER DRAINING
EX EXISTING	TF TIMBER FRAMED
EQ EQUAL PANELS	TL TILING
ESB ELECTRICAL DISTRIBUTION BOARD	TM TAPWARE
EXT EXTERNAL	TOW TOP OF WALL
F FIXED	TS STAIN FINISH
FB FABRIC	TR TILE ROOF
FBK FACE BRICKWORK	TWB TIMBER WEATHERBOARD
FC FINE CEMENT SHEETING	TV TIMBER VENEER
FL FINISHED CEILING LEVEL	TG TONGUE AND GROOVE TIMBER
PFL FINISHED FLOOR LEVEL	UB UNDERBENCH
FR FIRE RISE RES.	US UNDERBENCH
FR FIREPLACE	UTS UTILITY INSERTS
FRG REPLACE GRILLE	VOS VERIFY ON SITE
FT FITTINGS & FIXTURES	W WINDOW
FW FLOOR WASTE	WC WOLIT BLUTE
G GLAZING	WP WALL PLATE
GD GRATED DRAIN	WR WATER RESISTANT
H HARDWARE	WPM WATERPROOF MEMBRANE
HT HOSE TAP	
INT INTERNAL	EXISTING WALL
JN JOINERY UNIT	STUD WALL
L LINCOLN FLOORING	MASONRY WALL
LP LIGHT FITTING	BLOCKWORK WALL
LW LINEAR FLOOR WASTE	STONE WALL
LM LAMINATE	EXISTING SPOT PL
M MIRROR	NEW SPOT PL
MEF MEDIUM DENSITY FIBREBOARD	
MJ MOVEMENT JOINT	
ML MELLARNE FINISH	
MM METAL MESH	

A	ISSUED FOR DA	25.01.2017	K3
REV.	DESCRIPTION	DATE	B1
AMENDMENTS			
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<p>CLIENT LEGION PROPERTY GROUP</p> <p>PROJECT OZ EDUCATION- FIT OUT OF APPROVED CHILD CARE CENTRE IN BLOCK B4- STAGE 1D 81-86 COURALLIE AVENUE, HOMEBUSH WEST</p>			
<p>DRAWING TITLE PERSPECTIVES</p>			
SCALE	NTS	DATE	25 JAN 2017
STATUS	DA SUBMISSION	CHECKED BY	KJ
PROJECT NO.	16 022	DRAWING NO.	ISSU
		AR.	A



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 1 June 2017

REPORT: SIHAP – Report No. 4

SUBJECT: 2017/021 - 14-26 TELOPEA AVENUE, HOMEBUSH WEST - LOTS 110 TO 116 DP 11427

DA NO. 2017/021

SUMMARY

Proposal: Multi-Dwelling Housing

Applicant: Al Maha Pty Ltd
Angelic Pty Ltd,

Owner: A.M Hanson, and
J.R Meagher

Date of lodgement: 22 February 2017

Notification period: 28 February 2017 to 31 March 2017

Submissions received: Nil

Assessment officer: LP

Estimated cost of works: \$7,600,000

Zoning: R3 Medium Density - SLEP 2012

Heritage: n/a

Flood affected: Yes

Is a Clause 4.6 variation proposed? Yes - Building height and Floor space ratio

Extent of the variation supported? Nil – proposed 10% (0.95m) and 17.87% (466.74m²)

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: **REFUSAL**

EXECUTIVE SUMMARY

- 1.0 This application seeks approval for the demolition of existing site structures and construction of a three (3) storey multi dwelling housing development comprised of (28) town houses over one (1) level of basement car parking.
- 2.0 The application and plans were notified in accordance with of Part L of the Strathfield Consolidated Development Control Plan 2005 from 28 February 2017 to 31 March 2017. No written submissions were received.
- 3.0 The proposal provides a floor space ratio (FSR) of 0.766:1 (3077.86m²), which significantly exceeds the maximum permissible FSR of 0.65:1 (2611.05m²) under Clause 4.4 of the Strathfield Local Environmental Plan 2012 (SLEP 2012). The proposal seeks a departure of 950mm or 10% from the maximum permissible building height of 9.5m under Clause 4.3 of the SLEP 2012 to provide a maximum building height of 10.45m. The proposed additional FSR represents 80.5% of the upper storey of the proposed development.

2017/021 - 14-26 Telopea Avenue, Homebush West - Lots 110 to 116 DP 11427 (Cont'd)

- 4.0 The application is Integrated Development under Section 91 of the Environmental Planning and Assessment Act 1979 as the application is an aquifer interface activity requiring authorisation under the Water Management Act 2000. The General Terms of Approval (GTA) were provided on 29 March 2017.
- 5.0 In recognition of the above, it is recommended that the Development Application be REFUSED.

BACKGROUND

- 7 October 2016 Pre-lodgement meeting held between the applicant and Council officers. During this meeting Council officers raised concerns over the maximum building height, the flood prone nature of the site, excess FSR, setbacks, contamination, and waste disposal. While the application as lodged was significantly refined, a number of the matters
- 18 November 2016 Planning Proposal PP_2016_STRAT_001_00 gazetted reducing the maximum permissible building height upon the subject site from 12m to 9.5m to achieve consistency with surrounding properties.
- 13 March 2017 Correspondence issued to the Applicant advising that Council officers were not in support of the extent of the proposed departures to the maximum building height and floor space ratio controls of the SLEP 2012 and requesting that the proposal be amended to achieve compliance with development standards Concerns were also raised over site suitability (contamination), dwelling sizes, streetscape presentation and the internal configuration of dwelling 5. It should be noted that while a written response was received on 20 March 2017, the applicant declined to amend the proposal to achieve compliance with the height and FSR controls of the SLEP 2012 and requested the application be considered based upon the Clause 4.6 variation requests that accompanied the subject application.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lots 110, 111, 112, 113, 114, 115 and 116 in DP 11427 and is commonly known as 14-26 Telopea Avenue, Homebush West. The site is located on the eastern side of Telopea Avenue and has an area of 4017m².

The site is irregular in shape and has a frontage of 120.04m to the west, rear boundary of 120.17m to the west side boundary length of 33.18m to the south, and side boundary length of 35.5m to the north. Telopea Avenue runs the length of the site's western and southern boundaries.

The site slopes from south to north and has a cross-fall of 1.72m.

Existing development on the site comprises an industrial warehouse complex comprised of single and two storey brick buildings. Vehicular access is currently provided to the site via two (2) existing driveways from Telopea Avenue.

The surrounding streetscape is currently transitioning from low to medium density residential development in accordance with the site's R3 Medium Density zoning. A part two (2) storey, part 3 storey multi-unit development was recently constructed adjacent to the subject site (23-39 Telopea Avenue, Homebush West).

2017/021 - 14-26 Telopea Avenue, Homebush West - Lots 110 to 116 DP 11427 (Cont'd)



Figure 1: Locality plan



Figure 2: Existing development upon the 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

2017/021 - 14-26 Telopea Avenue, Homebush West - Lots 110 to 116 DP 11427 (Cont'd)

The application seeks Council approval for the demolition of existing site structures and construction of a part two (2) storey part (3) storey multi-dwelling housing development.

The specific elements of the proposal are:

- Demolition of existing site structures;
- Construction of (28) townhouses comprised of five (5) x 2 bedroom + study, (19) x 3 bedroom and four (4) x 3 bedroom + study town houses over a single level of basement carparking
- A single level of basement parking containing (61) parking spaces consisting of:
 - (54) resident parking spaces;
 - Four (4) adaptable spaces;
 - Six (6) visitor parking spaces; and
 - One (1) wash bay; and
- Associated site remediation, landscaping and stormwater drainage works.

A photomontage of the proposal is provided below.



Figure 3: Photomontage extracted from the architectural plans

REFERRALS

INTERNAL REFERRALS

Engineering Comments

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

Council's Engineer offered no objections to the proposal, subject to compliance with the recommendations of the Flood Study prepared by Envirotech and the imposition of recommended conditions of consent.

Waste Comments

Council's Waste Officer raised no objection subject to compliance with the recommendations contained within the Waste Management Plan prepared by Waste Tech.

Landscaping Comments

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

Council's Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent and compliance with the recommendations contained within the Arborist report prepared by Redgum Horticultural.

Environmental Health Comments

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

2017/021 - 14-26 Telopea Avenue, Homebush West - Lots 110 to 116 DP 11427 (Cont'd)

"The applicant seeks to undertake a Stage 2 Detailed Site investigation and Remedial Action Plan upon demolition of existing structures upon the site. No objection is raised subject to the imposition of a condition of consent requiring a Stage 2 Detailed Site Investigation and required remediation works be undertaken prior to the issue of any Construction Certificate for the development contrary to the requirements of SEPP 55."

EXTERNAL REFERRALS

Water NSW

The development is classified as Integrated Development under Section 91 of the *Environmental Planning and Assessment Act 1979* as it requires an approval under The Water Management Act 2000. Accordingly, the application was referred to Water NSW.

General Terms of Approval (GTA) were provided on 29 March 2017.

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 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 or following the completion of remediation works for the purpose for which development consent is being sought.

The subject site is located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield Local Government Area as a result of the proximity of the subject site to the former Ford Landfill site which is located approximately 300m to the south of the subject site. Further, the subject application was accompanied by a Stage 1 Preliminary Site Investigation prepared by Aargus Pty Ltd that identifies the subject site as being potentially contaminated as a result of historical land uses upon the site and the presence of underground storage tanks. This report concludes that the subject site is considered to be suitable for the purposes of the proposed development subject to the provision a Stage 2 Detailed Site Investigation and subsequent remediation and validation if required. Without undertaking a Stage Detailed Site Investigation the actual extent of contamination upon the subject site is unknown and therefore the suitability of the site for the purposes of the proposed development cannot be accurately established. As such, the proposed development fails to satisfy the requirements of Sepp 55.

2017/021 - 14-26 Telopea Avenue, Homebush West - Lots 110 to 116 DP 11427 (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	No
(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: While the proposed development provides for a medium density development that is repositive to flood risk present upon the site, as the proposed development significantly breaches the FSR control for the subject site resulting in additional bulk in the upper proportions of the development contrary to the desired future character of the locality as established throughout the density controls established under the SLEP 2012. As such, the proposed development is inconsistent with Clause 1.2(2)(a) of the SLEP 2012.

Permissibility

The subject site is Zoned R3 Medium Density Residential under Strathfield Local Environmental Plan (SLEP) 2012.

Multi dwelling housing is permissible within the R3 Medium Density Residential Zone with consent and is defined under SLEP 2012 as follows:

“multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.”

The proposed development is consistent with the definition above and is permissible with consent within the R3 Medium Density Residential Zone.

Zone Objectives

An assessment of the proposal against the objectives of the R3 Medium Density Residential 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

2017/021 - 14-26 Telopea Avenue, Homebush West - Lots 110 to 116 DP 11427 (Cont'd)

Comments: The proposed development provides for additional residential accommodation within a medium density environment and as such is consistent with the above objectives of the R3 Medium Density Residential Zone.

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.

Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

Cl.	Standard	Controls	Proposed	Complies
4.1A	Minimum lot size (Multi dwelling housing)	1000m ²	4017m ²	Yes
Objectives				Complies
(a)	To achieve planned residential density in certain zones			Yes

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	10.45m	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			No
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area			No
(c)	To achieve a diversity of small and large development options.			Yes

Comments: A discussion of the proposed development's performance against the objectives of the control is included in the Clause 4.6 discussion below.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	0.65:1 (2,611.05m ²)	0.766:1 (3077.86m ²)	No
Objectives				Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area			No
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas			No
(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			N/A
(e)	In relation to Strathfield Town Centre:			N/A
	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			

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	<i>development</i>	
(f)	<i>In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor</i>	N/A

Comments: A discussion of the proposed development's performance against the objectives of the control is included in the Clause 4.6 discussion below.

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.

Building Height

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 the upper portions of the third storey with the a non-compliance being at its greatest at the north-eastern corner of the structure.

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 maximum building height development standard on the following grounds:

- The site is affected by flooding which requires the finished ground level to be raised above existing ground level adding to the height of the buildings;
- The height is compatible with the scale of development in the existing area including the recently completed residential flat development on the opposite side of Telopea Avenue;
- The proposal will improve the appearance of the area; and
- The proposal will not be incompatible with other development nearby.

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 does not adequately address 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

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development standard. The written request is not considered to provide sufficient substantive information on the environmental planning grounds relating to streetscape, bulk, scale and form.

- (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.*

An assessment of the proposed development against the objectives of the development standard follows:

Ensure that the development is of a height that is generally compatible with or which improves the appearance of the existing area.

As previously noted the area surrounding the subject site is undergoing a transition from low to medium density residential development as a result of the gazettal of the SLEP 2012. As such, giving consideration to the compatibility of the development with the surrounding area it is appropriate to give weight to recent approvals within the area and the building heights as envisaged under the SLEP 2012.

The SLEP 2012 envisages a predominant maximum building height of 9.5m to the properties surrounding the subject site. The recently completed development to the west of the subject site (23-39 Telopea Avenue) features maximum building height of 10.3m, however it is noted that the portion of the development fronting Telopea Avenue presents as only two (2) storeys with a flat roof structure which further reduces the perceived bulk. It is also noted that this structure was approved under the former Strathfield Planning Ordinance which contained no height control. In contrast, the proposed development presents as a predominantly three (3) storey structure with a partially reduced footprint in the upper storey.

As such, the proposed 10.45 maximum building height applied to the subject site is considered to be inconsistent with the existing and likely future development upon surrounding sites which is predominantly two (2) storeys.

As such, giving consideration to the compatibility of the proposed 10.45m building height to permissible building heights upon the subject site and adjoining allotments and recent approvals within the locality; the proposed 10.45m building height is considered to be beyond what is compatible with existing and likely future development within the area.

Encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area.

The planned residential density as established throughout the building height and FSR controls of the SLEP 2012 are considered to provide a suitable reflection of the optimum sustainable capacity for the area. As the proposed additional building height results in an increase in GFA which is 466.81m² or 17.88% beyond the maximum permissible FSR for the subject site, the proposed development as modified is considered to be beyond the planned residential density for the area.

In consideration of the above, the proposal is considered to be inconsistent with the objectives of the development standard

- (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 maximum building height development standard is considered to be inadequate in that the applicant has unsatisfactorily demonstrated that compliance with the standard is unnecessary or unreasonable in

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the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

Floor Space Ratio

As demonstrated in the table above, the proposed development fails to comply with the maximum floor space ratio development standard permitted under Clause 4.4 of the SLEP 2012. The proposed development exceeds the maximum permissible FSR of 0.65:1 (2611.05m²) by 466.81m² or 17.88% which equates to 80.5% of the upper storey of the proposed development. It is noted that the Clause 4.6 variation request that accompanied the subject application identified the proposed departure as equating to 261.01m² or 10%. It is noted that this discrepancy is as a result of the exclusion of internal staircases within FSR calculations. However, in accordance with the findings of Chami v Lane Cove Council (2015) staircases internal to a dwelling fall beyond the exclusions for not areas of common vertical circulation under the definition of gross floor area under the Standard Instrument Local Environmental Plans and are therefore required to be included within FSR calculations. As the proposed variation request does not adequately reflect the extent of the proposed departure Council is unable to approve the subject application. Nonetheless, for the sake of completeness below is an assessment of the applicant's variation request against the requirements of Clause 4.6 of the SLEP 2012.

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 floor space ratio development standard on the following grounds:

- The characteristics of the site (i.e. relatively large size surrounded by a street on two sides and a drainage channel on a third) are such that it can accommodate the additional 0.065:1 of FSR as part of a suitable design response to the site context;
- The proposed development meets the objectives of the FSR development standard, as detailed above in Section 4.1 and 4.2;
- The proposal is consistent with the overall planning intent for this precinct;
- the proposed additional GFA/FSR will not appear unreasonable or out of character in the site's context;
- Impacts associated with the minor increase in FSR are not unreasonable or unacceptable; and
- There is no necessity, in the interests of a good planning outcome, for reducing the FSR from what is proposed.

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)

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The applicant's written request to justify the contravention of the building height standard does not adequately address 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 not considered to provide sufficient substantive information on the environmental planning grounds relating to streetscape, bulk, scale and form, amenity.

(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.

An assessment of the proposed development against the objectives of the development standard follows:

Ensure that dwellings are in keeping with the built form character of the local area.

As previously noted the area surrounding the subject site is undergoing a transition from low to medium density residential development as a result of the gazettal of the SLEP 2012. As such, giving consideration to the character of the local area it is appropriate to give weight to recent approvals within the area and the building heights as envisaged under the SLEP 2012.

Through the provision of a 0.65:1 FSR and 9.5m maximum height limit the SLEP 2012 envisages a predominantly two (2) storey streetscape with opportunities for ample setbacks and ground level open space. Existing development within the streetscape consists predominantly one (1) and two (2) storey structures however a part two (2) storey part (3) storey development was recently completed to the west of the subject site (23-39 Telopea Avenue). This development presents to Telopea Avenue as two (2) storeys.

As such, the proposed predominantly three (3) storey development including a non-compliant 6m front setback is considered to be incompatible with the desired built form character of the local area as established through the density controls of the SLEP 2012 and Part C "Multiple-Unit Housing" of the Strathfield Consolidated development Control Plan 2005.

Provide consistency in the bulk and scale of new dwellings in residential areas.

The proposed additional FSR is represented as an additional storey in the upper proportion of the structure that subsequently increases the bulk and scale of the development. This additional bulk results in a development that is beyond the scale of development that is envisaged throughout the SLEP 2012.

In consideration of the above, the proposal is considered to be inconsistent with the objectives of the development standard

(c) 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 maximum floor space ratio development standard is considered to be inadequate in that the applicant has unsatisfactorily 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.

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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 sulphate soils

The subject site is identified as having Class 5 soils and involves no works below 5m AHD. Therefore, the subject application 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

Clause 6.2 of the SLEP 2012 requires consideration be given to the impacts of the proposed ancillary earthworks may have upon drainage within the locality, the future redevelopment of the site, adjoining development and any environmentally sensitive areas. The proposed development involves no earthworks considered likely to result in any significant impacts upon drainage within the locality, any future redevelopment of the site, adjoining development or any environmentally sensitive areas. Nonetheless, conditions of consent are recommended requiring the implementation of appropriate shoring and erosion and sediment control measures throughout the proposed excavation works so as to mitigate any potential impacts.

6.3 Flood planning

Clause 6.3 of the SLEP 2012 requires consideration to be given to the compatibility of the development with the flood risk to the site and the likely impacts of the development upon the movement of flood waters within the locality. The subject application was accompanied by a Flood Study prepared by Envirotech giving consideration to the compatibility of the development with the flood risk present upon the subject site. This Study identifies the proposed development as being compatible with the flood risk to the site subject to the implementation of a number of recommendations which have been incorporated in the design of the proposed development.

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 connections, direct vehicular access and frontage 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.

PART C – MULTIPLE-UNIT HOUSING

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
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1	To maintain and improve the amenity and character of medium density residential areas in the Council area.	Yes
2	To ensure that new residential development is of a type, scale, height, bulk and character that is compatible with the particular streetscape characteristics of the area in which it is proposed.	No
3	To promote residential development that is attractive, functional, innovative and is of a high quality.	Yes
4	To maximise solar access and privacy to existing and proposed developments.	Yes
5	To provide an acceptable acoustic environment for residents through appropriate design, layout and construction measures, which mitigate noise and vibration impacts from nearby road and rail transport activities.	Yes
6	To preserve existing mature vegetation and encourage the planting of native vegetation suitable for the area.	Yes
7	To ensure that an adequate number of on-site car parking spaces are provided for residents and visitors.	Yes
8	To ensure that adequate provision is made for landscaped open space for the enjoyment of residents.	Yes
9	To promote high quality landscaped areas which complement the overall development and which assist in maintaining existing streetscape quality.	Yes
10	To ensure that the heritage value of individual buildings and conservation areas is not compromised by new multiple-unit residential development.	Yes

Comments: As previously discussed the proposed development is inconsistent with desired future character of the locality as established through the density controls of the SLEP 2012. As such, the propose development fails to achieve the Streetscape objectives of Part C of the SCDCP 2005.

Cl.	Element	Controls	Complies
2.2	Site Requirements	Minimum site area of 1000m ² and a minimum street frontage of 30m.	Yes
	Building Street Setback	Minimum 9m or predominant	Yes
	Building Street Setback (Secondary)	Minimum combined primary and secondary frontage of 12m	No
	Building Envelope	3.5m vertically at boundary & project inwards at 45°.	Yes
	Rear Setback	Determined by the building envelope, exceptions are for sites which adjoin open space.	Yes
	Side setback	Minimum 4m.	Yes
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.	Yes
	Dwelling Unit and Building Design for townhouses	50% of the development is required to have at least one bedroom and bathroom facility located on the ground floor.	No
	Dwelling Unit and Building Design	No single building should have a continuous wall length of more than 30m without separation.	Yes
	Dwelling Unit and Building Design	Walls greater than 10m in length to be broken down or staggered.	Yes

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	Dwelling Unit and Building Design	Parking for people with disabilities with convenient access to the building.	No
	Dwelling Unit and Building Design	Building materials and finishes are to be sympathetic to with the adjoining buildings and the streetscape.	Yes
	Unit Sizes and Lot Layout	2 bed townhouse = 100m ² 3 bed townhouse = 110m ² < than 3 bed t/house = 120m ²	No
2.4.2.2	Solar Access	50% of the principle private open space achieves a minimum of 3 hours sunlight during the winter solstice.	No
	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.	Yes
2.4.3	Natural Space Heating and Cooling	Reduce the need to artificially heat and cool dwellings.	Yes
2.4.4	Natural Lighting	Reduce reliance on artificial lighting	Yes
2.4.6	Water Management	Mandatory water storage 10 dwell= 500lt / dwell each dwell thereafter = 250 lt/ dwell	Yes
	Water Management	Tanks to be located underground or at least behind the front building line. Located 900mm from front boundary	Yes
2.5	Streetscape orientation	Compatible with the existing character and address the street frontage.	No
	Streetscape orientation	Dwellings facing the street will have frontage and apparent access.	Yes
	Streetscape orientation	Garages do not dominate the street frontage.	Yes
2.5	Front Fences	Sympathetic to street.	Yes
		Height of fence is to be less than 900mm of solid material.	Yes
	Side and rear fences	1.8m maximum height.	Yes
2.7	Open space and landscaping	40% (1606.8m ²) of the total site area for 2-3 storey townhouses must equate to open space at ground level (this area can include driveways).	Yes 55.2% (2218m ²)
		Townhouses – 70% (1552.6m ²) to be unpaved or 'soft' positive contribution to streetscape	Yes 79.8% (1771m ²)
		35% of the landscaped area (776.3m ²) is to be provide as deep soil landscaping this excludes basement underneath areas.	Yes 40.1% (891m ²)
		Townhouses are required to have a minimum of 40m ² of private open space per dwelling.	Yes
2.8	Privacy and Security	Windows are not to be located less than 9m apart from other dwellings.	Yes
		Windows to be offset from adjoining dwelling by 0.5m; Have a sill height of 1.7m or have obscure glazing to a height of 1.7m.	Yes
		Bedrooms not to adjoin living rooms/ garages of adjoining dwellings.	No
		A balcony on the second storey of a townhouse must not overlook and adjoining property.	Yes
		Locked Shared pedestrian entries.	Yes
		Casual surveillance of street and public areas.	Yes
2.9	Car Parking	Car parking is required to be provided: 1 bed = 1 space	Yes (54)

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	2 bed = 1.5 spaces 3 + bed = 2 spaces Required = (54) spaces	spaces
	Dimensions of garage car spaces	Yes
	1 visitor space is to be provided per 5 units. Required = (6) spaces	Yes
	Developments with greater than 10 units must provide one designated car washing bay.	Yes
Ramp Driveway Gradient/ design	Complies with AS2890.1	Yes

Comments: As identified within the table above the proposed development fails to comply with a number of the development controls established under Part C of the SCDCP 2005. These non-compliances are discussed in detail within the likely impacts section of this report.

PART H - WASTE MANAGEMENT (SCDCP 2005)

Part H "Waste Minimisation and Management Plan" of the Strathfield Consolidated Development Control Plan 2005 establishes a number of development controls relating to the minimisation and management of waste throughout development processes.

Section 2.1 of Part H requires that all development applications be accompanied by a Waste Management Plan outlining the proposed measures of minimising waste generation and waste disposal throughout demolition, construction works and the ongoing use of the site. The subject application was accompanied by a Waste Management Plan prepared by Waste Tech outlining the proposed measures of minimising waste generation and waste disposal throughout the proposed construction and demolition works and the ongoing management operation of the site.

Section 3.3 of Part H of the Strathfield Development Control Plan 2005 requires development for the purposes of multi-unit housing provide for onsite, underground waste collection. The proposed development, providing for on-street waste collection, fails to comply with this requirement. In recognition of this non-compliance the subject application was referred to Council's Acting Waste Management Supervisor for comment. In recognition of the relatively low density of development and expansive frontage of the subject site to Telopea Avenue, no objection was raised to the proposed departure.

Further, Section 3.6.3 of Part H, requires waste storage be provided at the following rates:

General Waste: 120L/unit/week
Recycling: 120L/unit/fortnight
Bulk Storage: 4m² per 10 units or part thereof

Having regard to the above rates, a minimum of (14) x 240L bins are to be provided for general waste and (14) x 240L bins are to be provided for recycling waste. It is noted that the proposed development provides a bulky goods storage room at ground level at the northern end of the proposed structure. The proposed bulky goods storage room is inaccessible and impractical in its current location and should be relocated to the basement.

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

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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 involves 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 recommended to ensure the prescribed conditions of consent including compliance with the *Building Code of Australia* and insurance requirements under the *Home Building Act 1989* are met.

(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*.

The subject application was accompanied by a Flood Study prepared by Envirotech giving consideration to the compatibility of the development with the flood risk present upon the subject site. This Study identifies the proposed development as being compatible with the flood risk to the site subject to the implementation of a number of recommendations which have been incorporated in the design of the proposed development.

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

Setbacks

Section 2.2 of the Part C of the SCDCP 2005 requires a minimum front setback of 9m and a combined secondary and primary setback of 12m be provided to all new development except where the predominant setback in the street block is less than 9m. While the predominate setback within the streetscape is less than 9m, the proposed 4m setback to the secondary frontage resulting in combined setback of 10m is inconsistent with the predominant 6m setback in the street scape. The reduced setback is emphasized by the additional massing in the upper proportions of the structure.

Building Design

Section 2.3.3 of Part C of the SCDCP 2005 requires 50% of the total number of townhouses to provide at least one (1) bedroom and bathroom facilities on the ground floor. The proposed development provides 15% (4 units) of units as accessible including ground floor bedroom and bathroom facilities. This is considered to be acceptable for the purposes of the proposed development.

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Section 2.3.8 of Part C of the SCDCP 2005 requires developments to provide adequate parking for people with mobility disabilities and convenient to the building including ramp or passenger lift access from the basement. While the proposed development provides adequate accessible parking spaces, no pedestrian ramp or passenger lift is provided from the basement to the ground floor. Further, access to each of the proposed units is via stepping stones which fails to provide safe, easy and convenient access to the dwellings.

Section 2.3.14 of Part C of the SCDCP 2005 requires two (2) bedroom townhouses have a minimum area of 100m² and three (3) bedroom townhouses have a minimum area of 110m². A number of the proposed town houses fail to satisfy these minimum area requirements including a two (2) bedroom townhouse with a gross floor area of 87.65m² and a three (3) bedroom townhouse with a gross floor area 106.8m².

Solar Access (Private Open Space)

Section 2.4.2 of Part C of the SCDCP requires 50% of the principle private open space of each dwelling to receive at least 3 hours of solar access between 9:00am and 3:00pm on June 22. The subject application as accompanied by a series of shadow diagrams which identify that the majority of proposed dwellings as failing to achieve a minimum of 3 hours solar access to at least 50% of the principle private open space.

Streetscape

Section 2.5 of the SCDCP 2005 requires new development to be compatible with the predominant character and architectural detail of existing residential development in the street. As previously discussed the proposed presenting as three (3) storey structure to Telopea avenue is inconsistent with the character and architectural style of existing and likely future development within the streetscape.

Privacy

Section 2.8 of the SCDCP requires bedrooms of one dwelling not adjoin the living rooms or garages of adjoining dwellings. While Dwellings 13, 20, 27 and 28 feature bedrooms adjoining living rooms of adjoining dwellings, the subject application was accompanied by an acoustic report prepared by Acouras Consultancy giving consideration to internal residential amenity. This report identifies that amenity criteria can be achieved with the implementation of certain measures.

Dwelling 5

Throughout the assessment of the subject application it was noted that the proposed study to Dwelling 5 could only accessed from balcony. This matter was raised with the applicant who declined to provide amended plans and requested a condition be imposed to amended the floor plan.

Northern Elevation

The proposed development presents a blank elevation to the north. This matter was raised with the applicant who declined to provide amended plans and requested a condition be imposed that a window be provided on the upper level. The proposed northern elevation is considered to be a poor streetscape outcome and is not supported.

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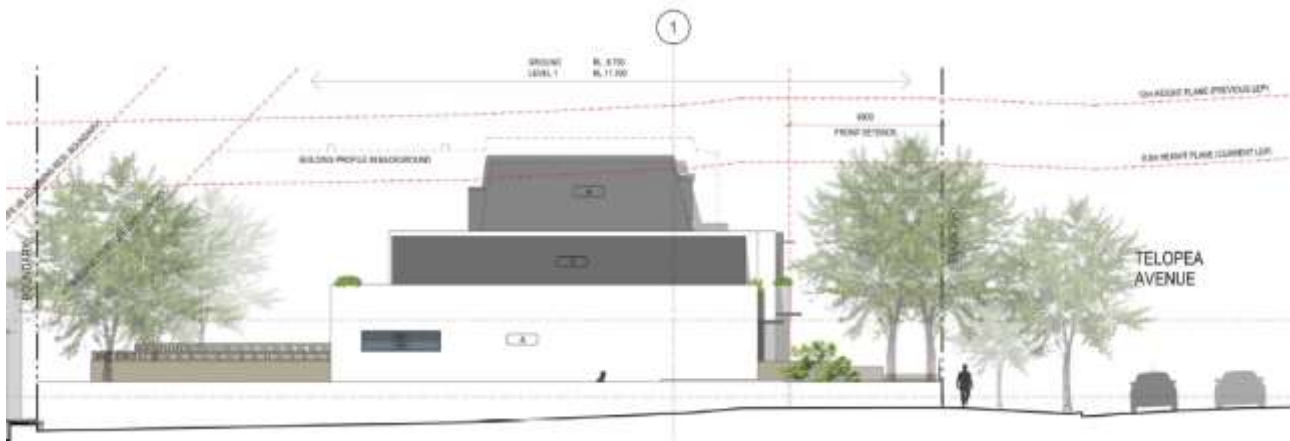


Figure 4: Proposed Northern Elevation

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

While the proposed development suitably responds to the flood risk present upon the site and the site is capable of accommodating for a compliant multi-dwelling housing development, the proposed development exceeding the density controls for the subject site as established under the SLEP 2012 is considered to be beyond what is capable of being accommodated for upon the subject 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 28 February 2017 to 31 March 2017. No submissions were received.

79C(1)(e) the public interest

Approval of the proposal would result in a loss of amenity to surrounding residences as a result of the overdevelopment of the site. As such, approval of the proposal would 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, however as the subject application is recommended for refusal a calculation has not been undertaken.

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CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No.55-Remediation of Land, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005. The proposed development is inconsistent with the maximum building height and floor space ratio development standards of the Strathfield Local Environmental Plan 2012 and the setback, building design, solar access and streetscape controls of Part C "Multiple-Unit Housing" of the Strathfield Consolidated Development Control Plans 2005 and is unsatisfactory for approval.

RECOMMENDATION

In consideration of the written request made by the applicant pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is not satisfied that compliance with the development standard contained in Clause 4.3 (Height of buildings) of the SLEP 2012 is well founded or that there are sufficient environmental planning grounds to justify contravening the development standard. Further, the subject application was not accompanied by a written request pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012 for the actual extent of the proposed non-compliance with Clause 4.4 (Floor space ratio) of the SLEP 2012 and therefore cannot be supported.

That Development Application No. 2017/021 for demolition of existing site structures and construction of a three (3) storey multi dwelling housing development comprised of (28) town houses over one (1) level of basement car parking at 14-26 Telopea Avenue, Homebush West be **REFUSED**, for the following reasons:

1. The proposal is excessive in scale and has a height of 10.45.81m to the top of the roof structure where the height control contained in Clause 4.3 of the Strathfield Local Environmental Plan 2012 permits a maximum 9.5m, resulting in a variation of 10%. The clause 4.6 variation request is not considered to be well-founded as it does not establish that the proposed non-compliant development provides a better planning outcome than a compliant development (*Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979*).
2. The proposed development exceeds the maximum permitted FSR contained in Clause 4.4 is 0.65:1 (2611.05m²). The proposal provides an FSR of 0.766:1 (3077.86m²) which is a substantial variation of 0.116:1 (466.81m²) or 17.8% and will adversely impact the anticipated building form in the streetscape (*Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979*).
3. The proposed development was accompanied by insufficient information to establish the suitability of the site for the purposes of the proposed development in its current or proposed remediated state in accordance with the requirements of Clause 7 of State Environmental Planning Policy No 55 – Remediation of Land (*Section 79 C (1) (a)(i) of the Environmental Planning and Assessment Act 1979*).
4. The proposed 6m primary setback and 4m secondary setback resulting in a combined setback of 10m fail to achieve the minimum 12m combined setback required under Section 2.2 of Part C 'Multiple-Unit Housing' of the Strathfield Consolidated Development Control Plan 2005 resulting in a development that is inconsistent with the desired future character of the locality (*Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).
5. The proposed development fails to provide suitable access from the basement level carparking and to each of the proposed dwellings for people with mobility disabilities in accordance with the requirements of Section 2.3.8 of Part C 'Multiple-Unit Housing' of the Strathfield Consolidated Development Control Plan 2005 and the Disability (Access to

2017/021 - 14-26 Telopea Avenue, Homebush West - Lots 110 to 116 DP 11427 (Cont'd)

Premises-Buildings) Standards 2010 (*Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).

6. Dwellings 1,2,3,4,5,6,7,8,9,10,11,12,14,15,16,17,18,19,21,22,23,24,25 and 26 fail to achieve the minimum dwelling sizes established under Section 2.3.14 of Part C 'Multiple-Unit Housing' of the Strathfield Consolidated Development Control Plan 2005 (*Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).
7. The majority of dwellings fail to achieve a minimum of three (3) hours solar access to 50% of the principle private open space for the dwelling contrary to the requirements of Section 2.4.2 of Part C 'Multiple-Unit Housing' of the Strathfield Consolidated Development Control Plan 2005 resulting in a poor level of amenity for future residents of the site (*Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).
8. The proposed development exceeding the maximum height and FSR controls of the Strathfield Local Environmental Plan is inconsistent with the desired future character of the surrounding streetscape contrary to the requirements of Section 2.5 of Part C 'Multiple-Unit Housing' of the Strathfield Consolidated Development Control Plan 2005 (*Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).

ATTACHMENTS

1. [↓](#) Architecturals
2. [↓](#) Map

TELOPEA AVENUE

14-26 TELOPEA AVENUE, HOMEBUSH WEST

DA DRAWING LIST

Sheet Number	Sheet Name	Issue
DA-001	COVER SHEET	A
DA-012	SITE ANALYSIS PLAN	A
DA-030	DEMOLITION PLAN GROUND LEVEL	A
DA-101	FLOOR PLAN BASEMENT LEVEL	A
DA-102	FLOOR PLAN GROUND LEVEL	A
DA-103	FLOOR PLAN LEVEL 1	A
DA-104	FLOOR PLAN LEVEL 2	A
DA-105	ROOF PLAN	A
DA-110	FLOOR LEVEL DIAGRAM	A
DA-201	ELEVATIONS NORTH-EAST	A
DA-202	ELEVATIONS SOUTH-WEST	A
DA-203	ELEVATIONS NORTH-EAST & SOUTH-WEST	A
DA-204	WINDOW SCHEDULE	A
DA-301	SECTIONS SHEET 1	A
DA-401	SHADOW STUDY PLAN WINTER SOLSTICE	A
DA-402	SHADOW STUDY PLAN WINTER SOLSTICE	A
DA-403	SHADOW STUDY PLAN SUMMER SOLSTICE	A
DA-404	SHADOW STUDY PLAN SUMMER SOLSTICE	A
DA-431	SUN'S EYE VIEW SHEET 1	A
DA-432	SUN'S EYE VIEW SHEET 2	A
DA-450	SOLAR ACCESS	A
DA-501	GROSS FLOOR AREA CALCULATIONS	A
DA-601	PRIVATE OPEN SPACE PLAN	A
DA-602	LANDSCAPE COVER PLAN	A



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DEVELOPMENT APPLICATION
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NO.	DATE	PURPOSE
1	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
2	04.02.2017	PURPOSE 01 ISSUE

NOTES

PROJECT
 TELOPEA AVENUE
 14-26 TELOPEA AVENUE, HOMEBUSH WEST

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 DA-001

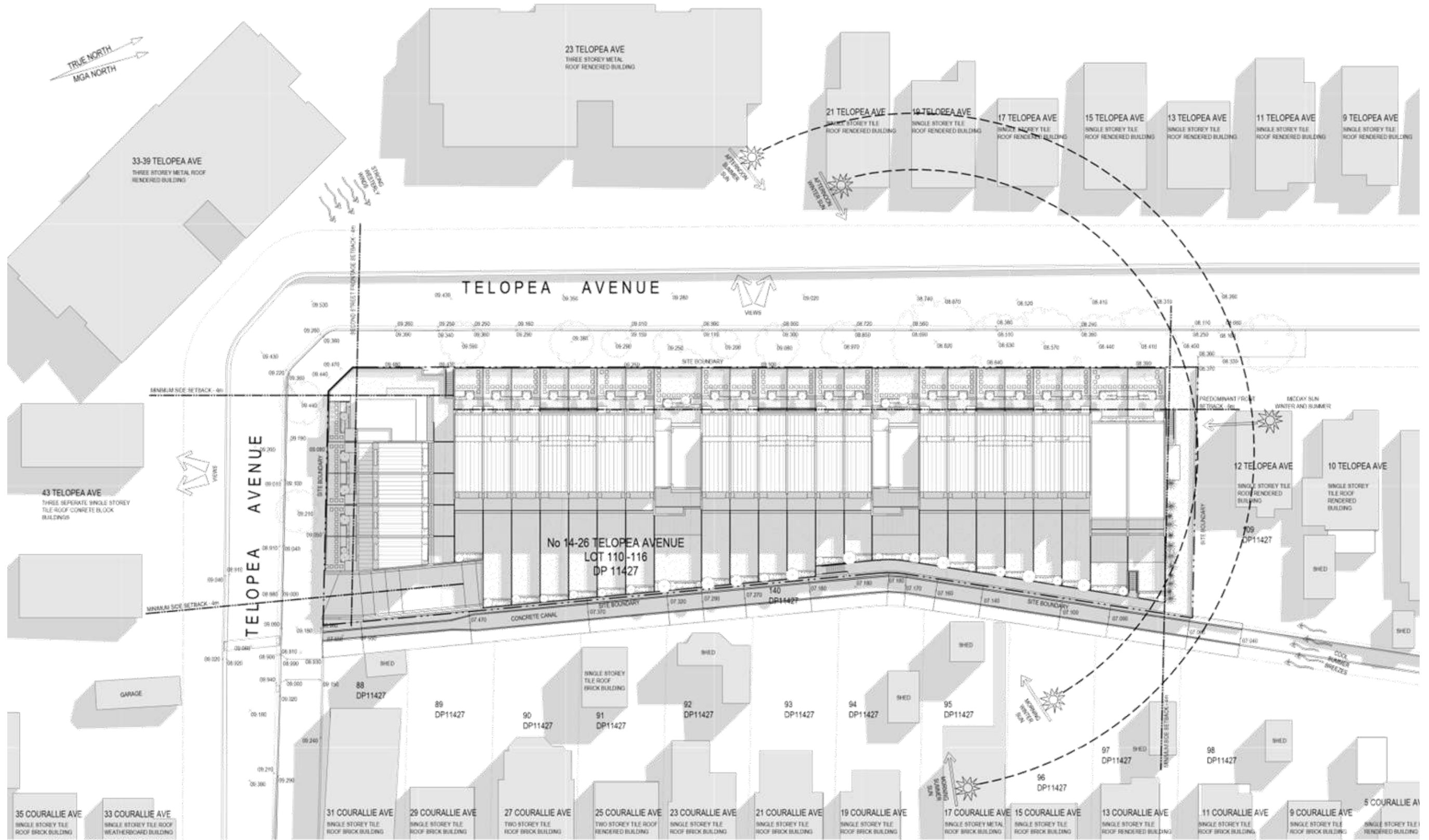
ISSUE
 A

SCALE
 @ A1

DATE
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DRAWING TITLE
 COVER SHEET

JOB NO.
 OMA1511



1 SITE ANALYSIS PLAN.
1:250 @ A1

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DEVELOPMENT APPLICATION
This is a Development Application for the construction of a building. It is subject to the approval of the Council. The Council will consider the application on the basis of the information provided in this application and any other information it may receive. The Council's decision will be based on the merits of the application and the relevant provisions of the Planning Scheme. The Council's decision may be appealed to the Victorian Civil and Administrative Tribunal (VCAT).

NOTES
1. Scale: 1:250 @ A1
2. Date: 10/02/2017

PROJECT
TELOPEA AVENUE
14-26 TELOPEA AVENUE, HOMEDUHL VAST

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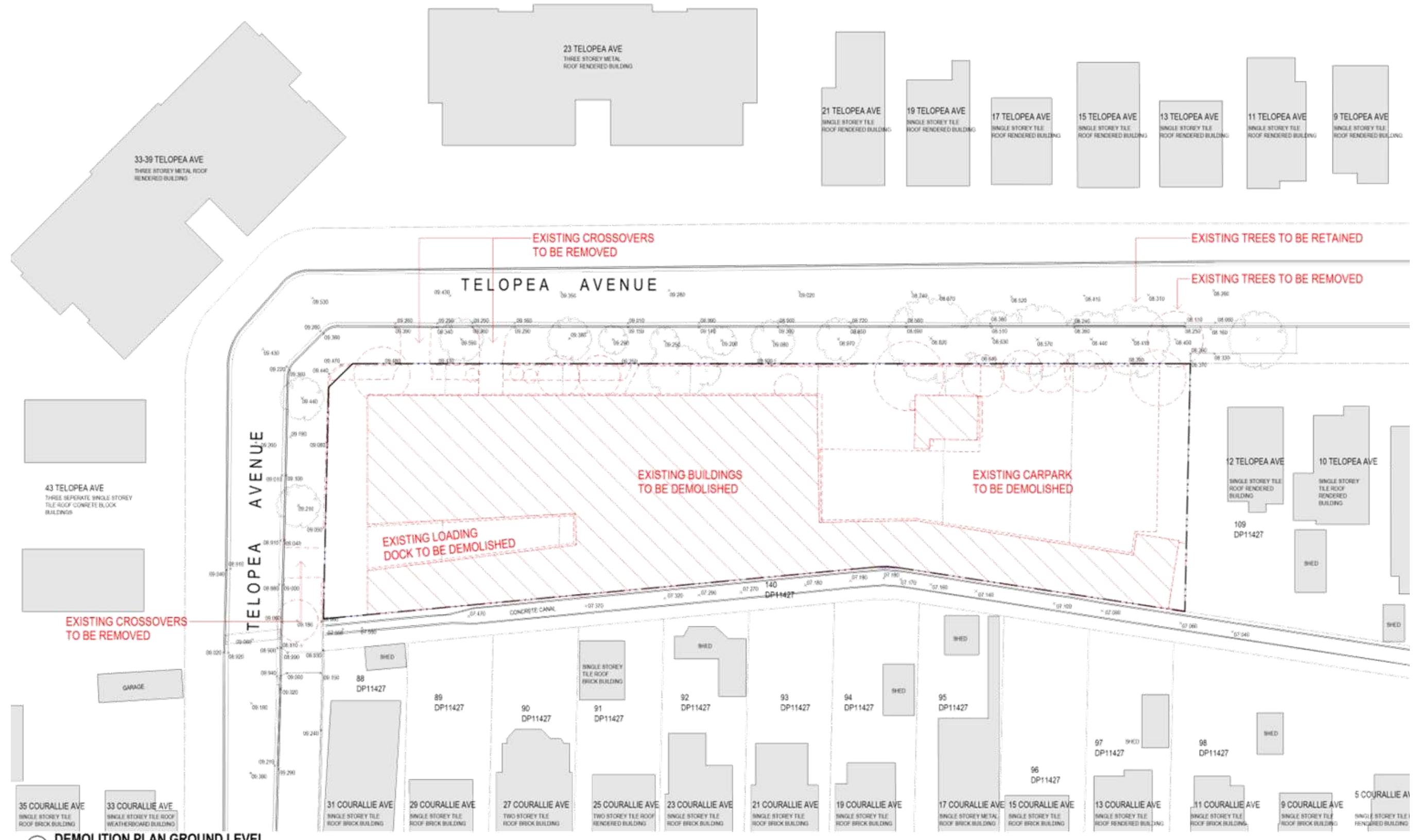
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DRAWING TITLE
SITE ANALYSIS PLAN





1 DEMOLITION PLAN GROUND LEVEL.
1 : 250 @ A1

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4	10.08.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	04.02.2017	FOR ISSUE OF DA

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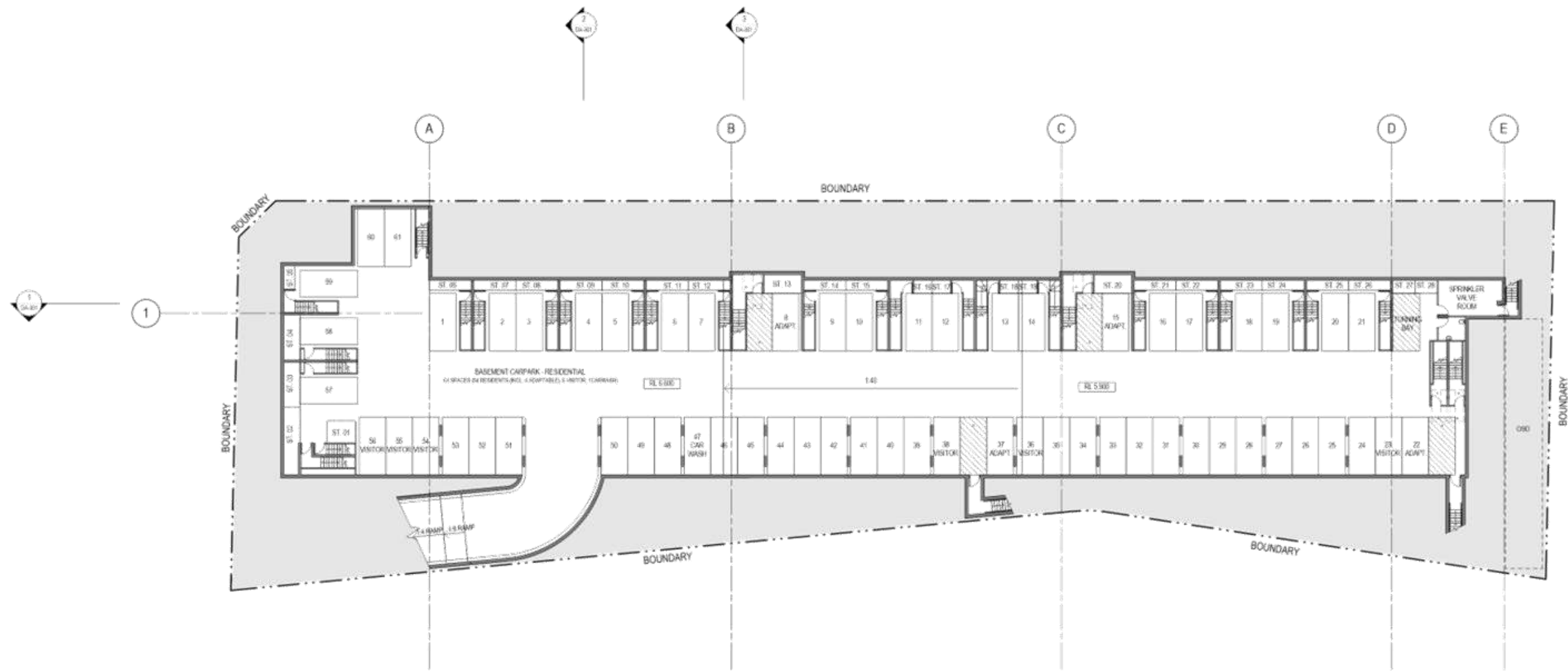
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DRAWING TITLE: DEMOLITION PLAN GROUND LEVEL



1 FLOOR PLAN BASEMENT LEVEL.
1:200 @ A1

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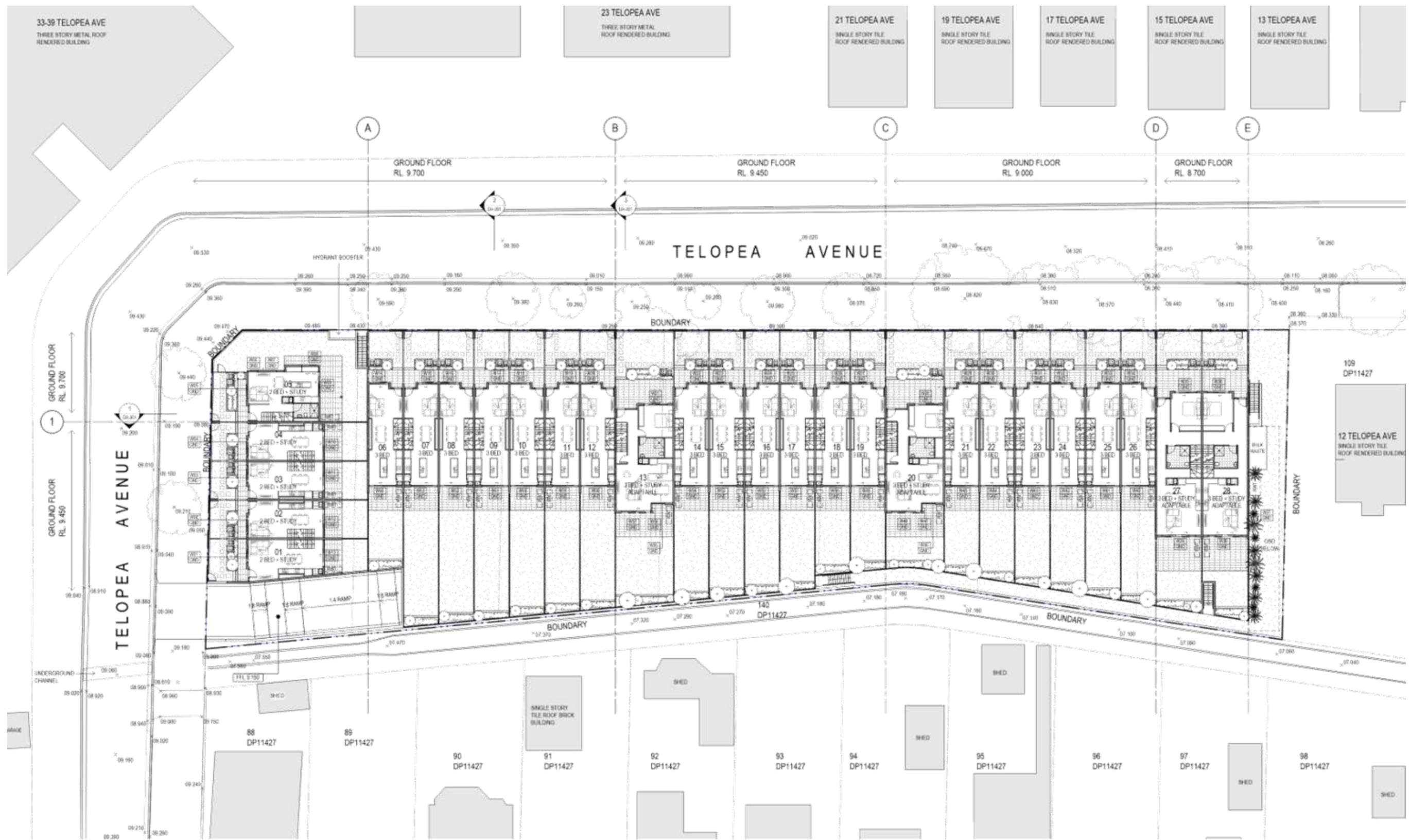
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APP: 04 132 554 732
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FLOOR PLAN BASEMENT LEVEL





1 FLOOR PLAN GROUND LEVEL.
1: 200 @ A1

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DEVELOPMENT APPLICATION
This is a development application for the construction of a residential development. The development is located on the site of the former Telopea Public School. The development is a residential development consisting of 28 units. The development is a residential development consisting of 28 units. The development is a residential development consisting of 28 units.

NO.	DATE	REVISION
1	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
2	04.02.2017	FOR APPROVAL

NOTES
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. REFER TO THE ARCHITECT'S DRAWINGS FOR FURTHER INFORMATION.

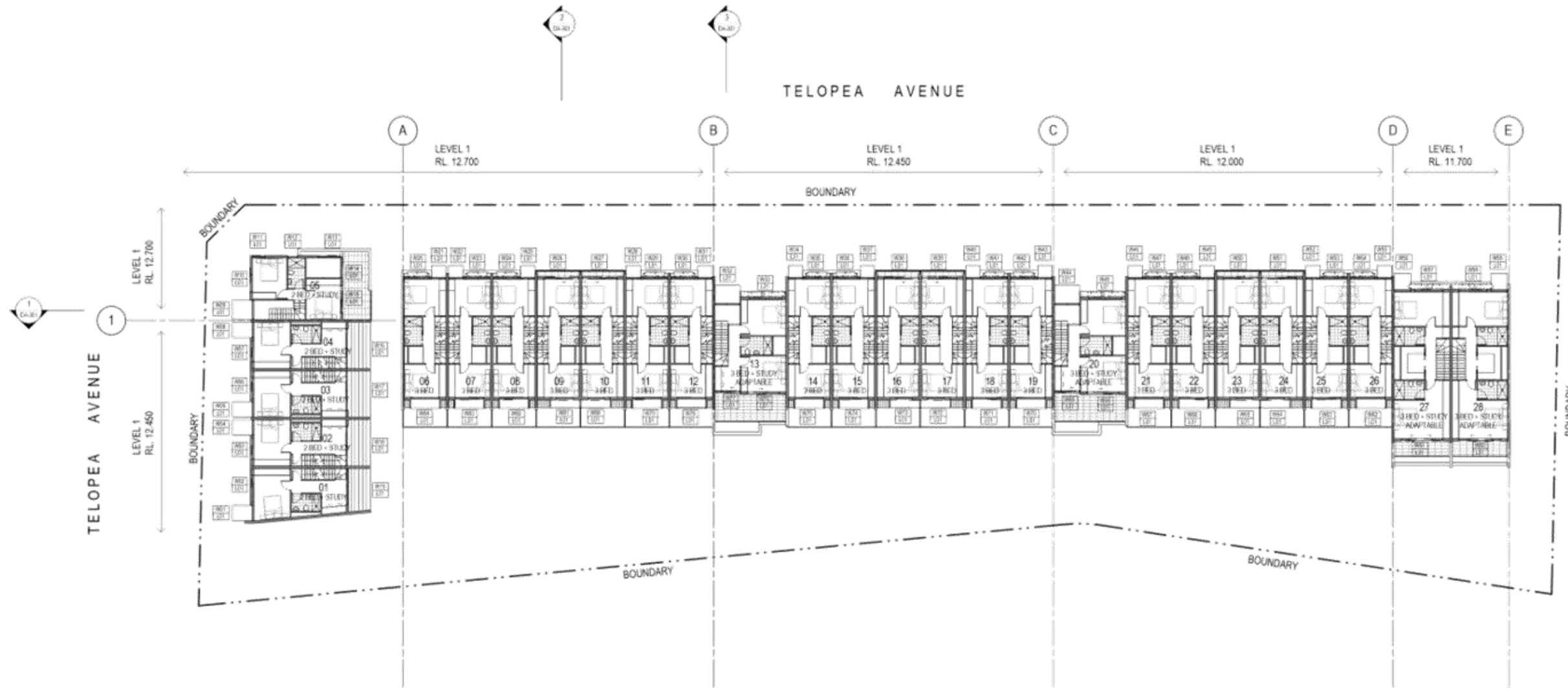


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TELOPEA AVENUE
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DRAWING TITLE
FLOOR PLAN GROUND LEVEL



1 FLOOR PLAN LEVEL 1.
1:200 @ A1

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STATE DEVELOPMENT APPLICATION

STATE DEVELOPMENT APPLICATION
1:200 @ A1
DATE: 10.02.2017
PURPOSE: DA115502



4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	DATE:	PURPOSE: DA115502

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170/181-183 Reg. No. 6489 (VIC);
0300 0421 8871 (NATL)

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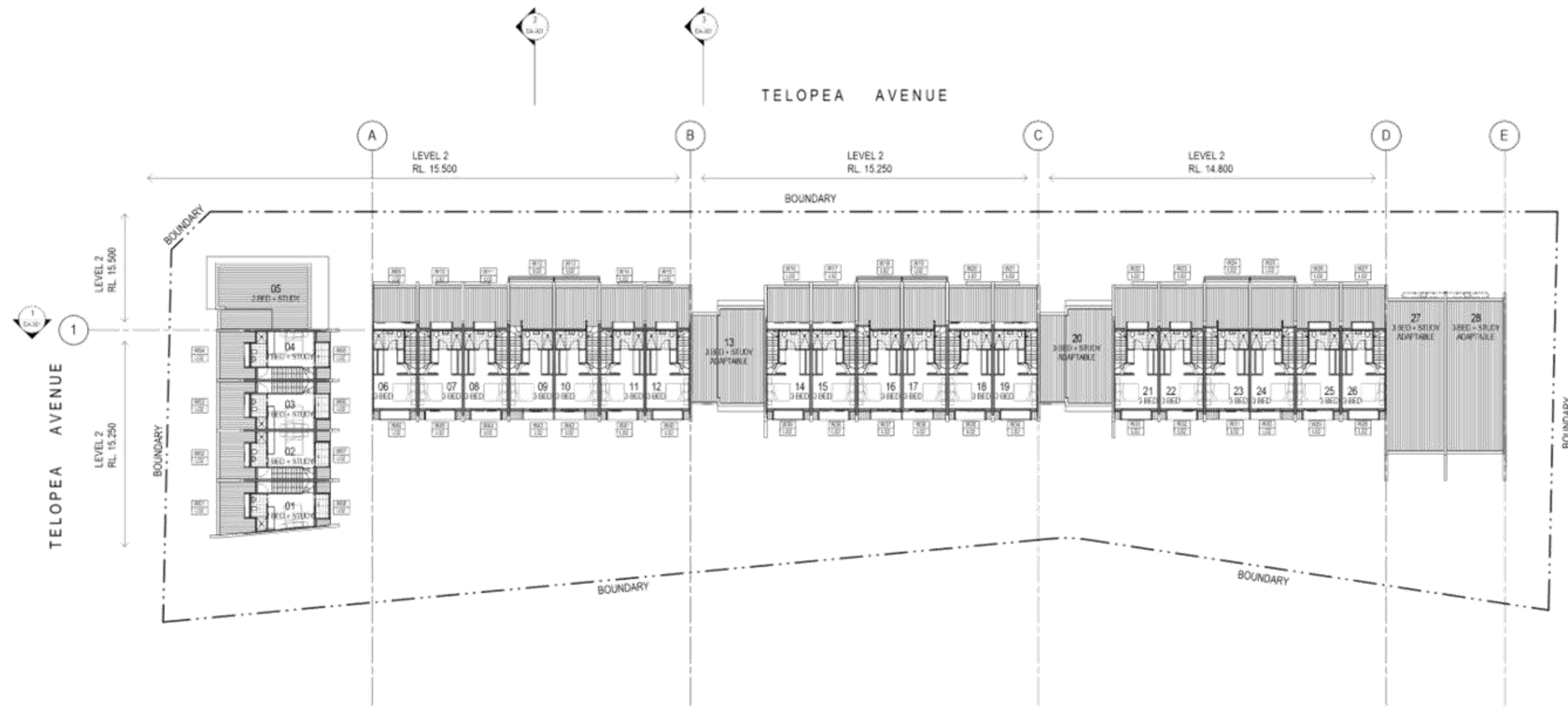
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DATE **10.02.20**

DRAWING TITLE **FLOOR PLAN LEVEL 1**

JOB NO. **OMA1511**



1 FLOOR PLAN LEVEL 2.
1:200 @ A1

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DEVELOPMENT APPLICATION
This plan is submitted to the Council of the City of Sydney for consideration and approval. It is intended for use in support of a development application for the purposes of the Sydney Local Government Act 1995.



4 10.02.2017 ISSUE FOR DEVELOPMENT APPLICATION
55 DATE PURPOSE: 10/2017

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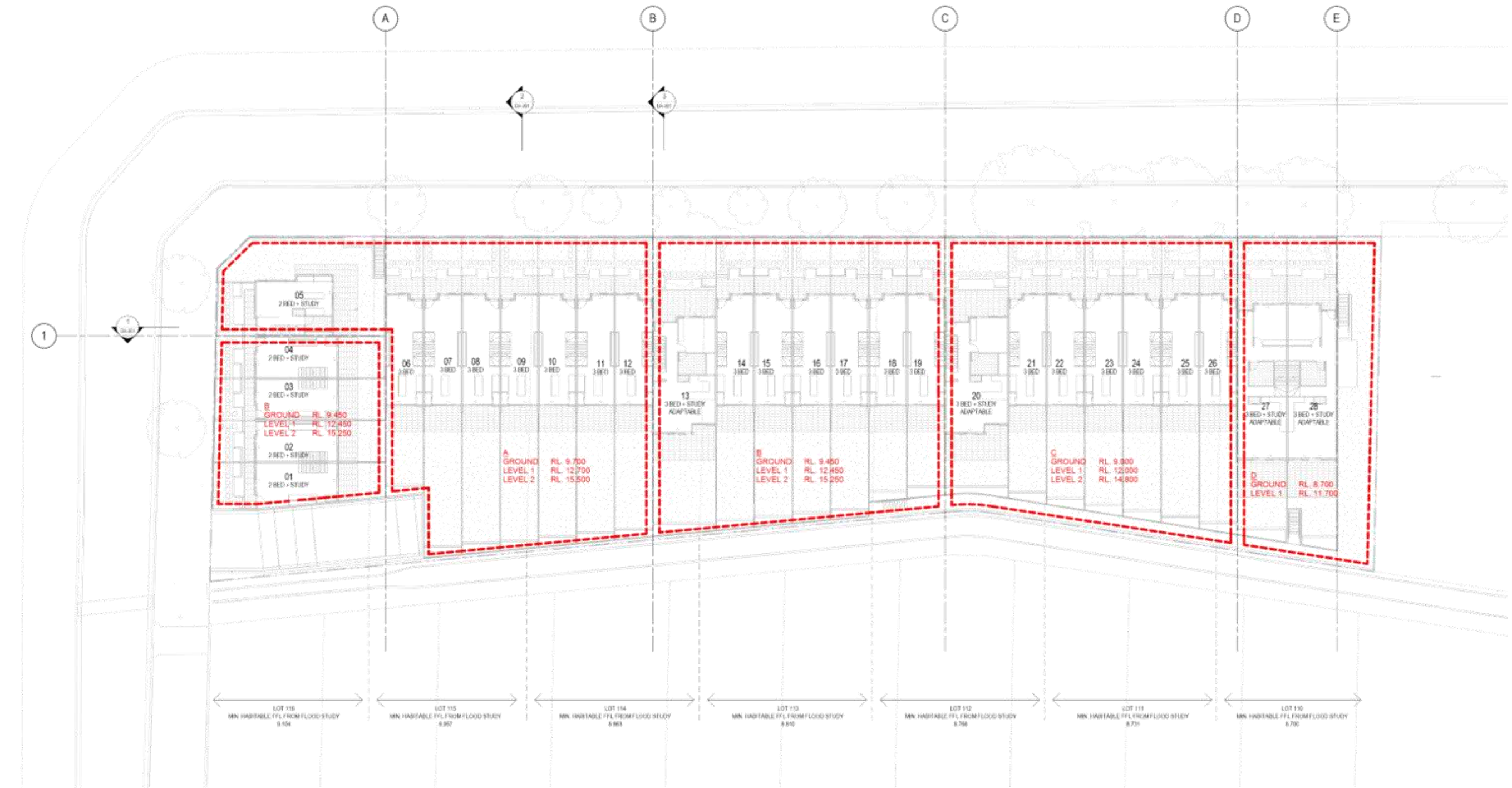
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DRAWING TITLE **FLOOR PLAN LEVEL 2**



1 FLOOR LEVEL DIAGRAM
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4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
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OMA1511
DRAWING TITLE
FLOOR LEVEL DIAGRAM



1 NORTH- WEST ELEVATION. FULL
1: 200 @ A1



2 NORTH- WEST ELEVATION. PART A
1: 100 @ A1



3 NORTH- WEST ELEVATION. PART B
1: 100 @ A1

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PROJECT
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ABN: 34 157 420 538

NOMINATED ARCHITECT
Shane Squillace Reg. No. 14088 (VIC), 30098 (NSW), 16071 (ACT)

DRAWING NO.
DA-201

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JOB NO.
OMA1511

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DRAWING TITLE
ELEVATIONS NORTH-WEST



1 SOUTH-EAST ELEVATION. FULL
 1:200 @ A1



2 SOUTH-EAST ELEVATION. PART A
 1:100 @ A1



3 SOUTH-EAST ELEVATION. PART B
 1:100 @ A1

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 3399-102-1 1077 424 02

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DA-202

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DRAWING TITLE
ELEVATIONS SOUTH-EAST



1 WEST ELEVATION.
1: 100 @ A1



2 NORTH-EAST ELEVATION.
1: 100 @ A1

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PROJECT
 TELOPEA AVENUE
 04-26 TELOPEA AVENUE, HOMEBUSH WEST
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 ABRN: 34 137 420 138

NOMINATED ARCHITECT
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 3399-102-1 9077 424 02

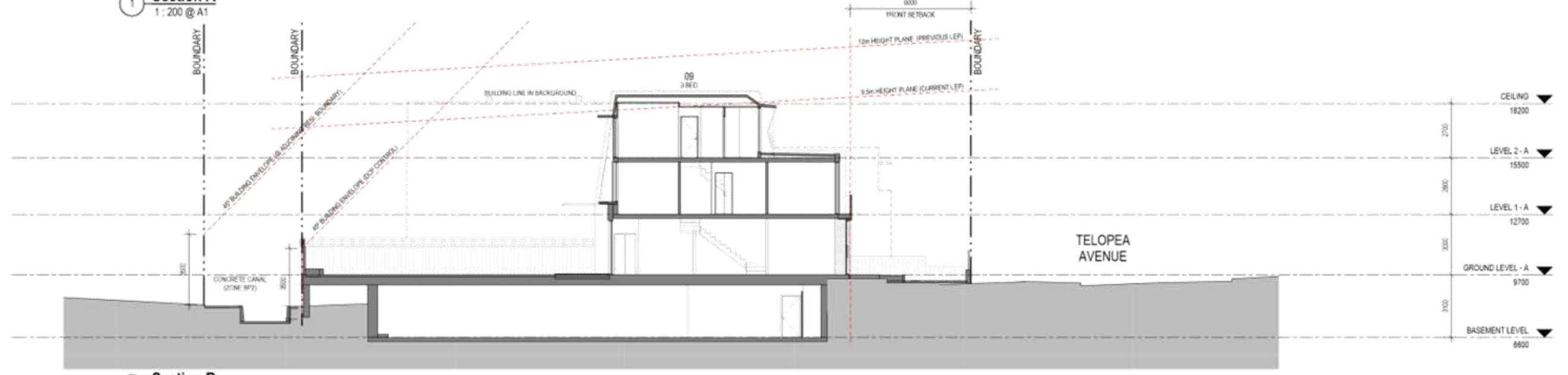
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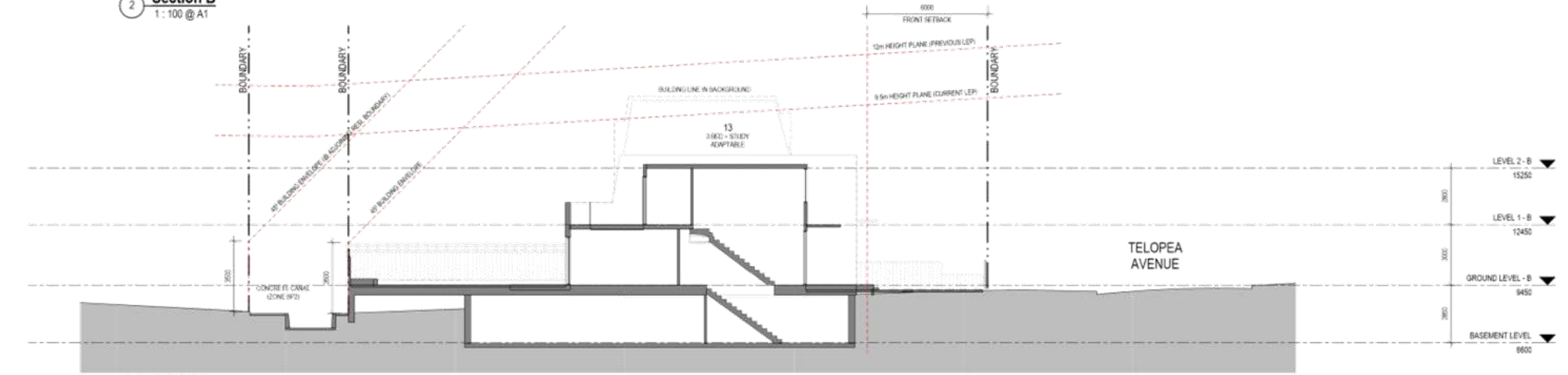
DRAWING TITLE
 ELEVATIONS NORTH - EAST & SOUTH - WEST



1 Section A
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2 Section B
1:100 @ A1



3 Section C
1:100 @ A1

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55	DATE	PURPOSE 01 ISSUE



PROJECT
TELOPEA AVENUE
16-26 TELOPEA AVENUE, HOMEBUSH
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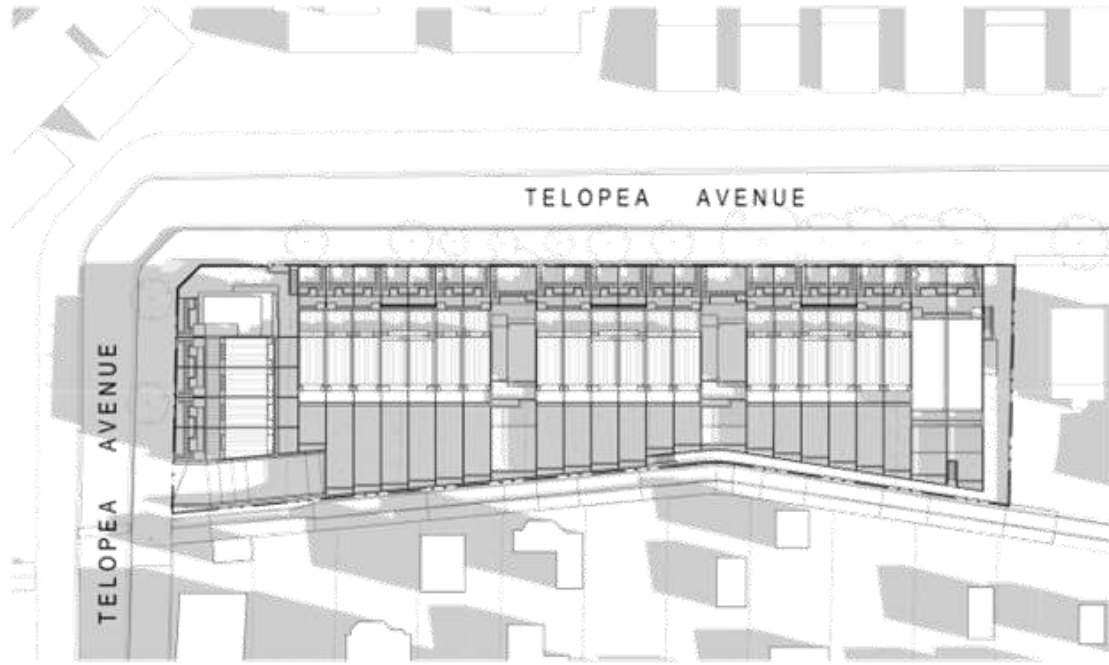
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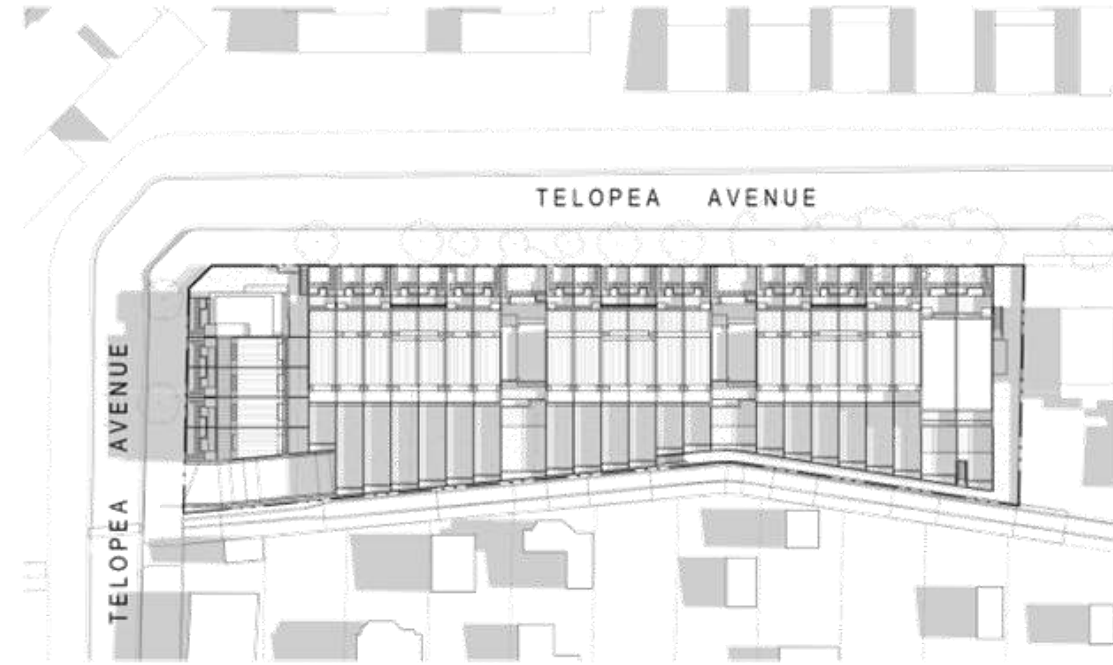
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SECTIONS SHEET 1

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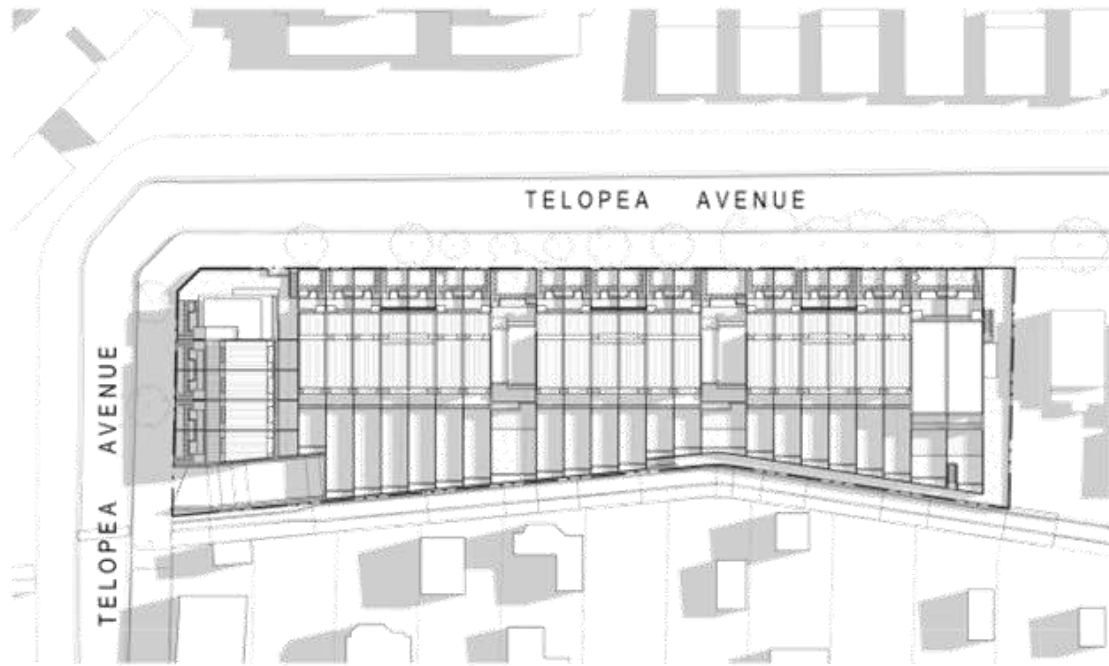
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OMA1511
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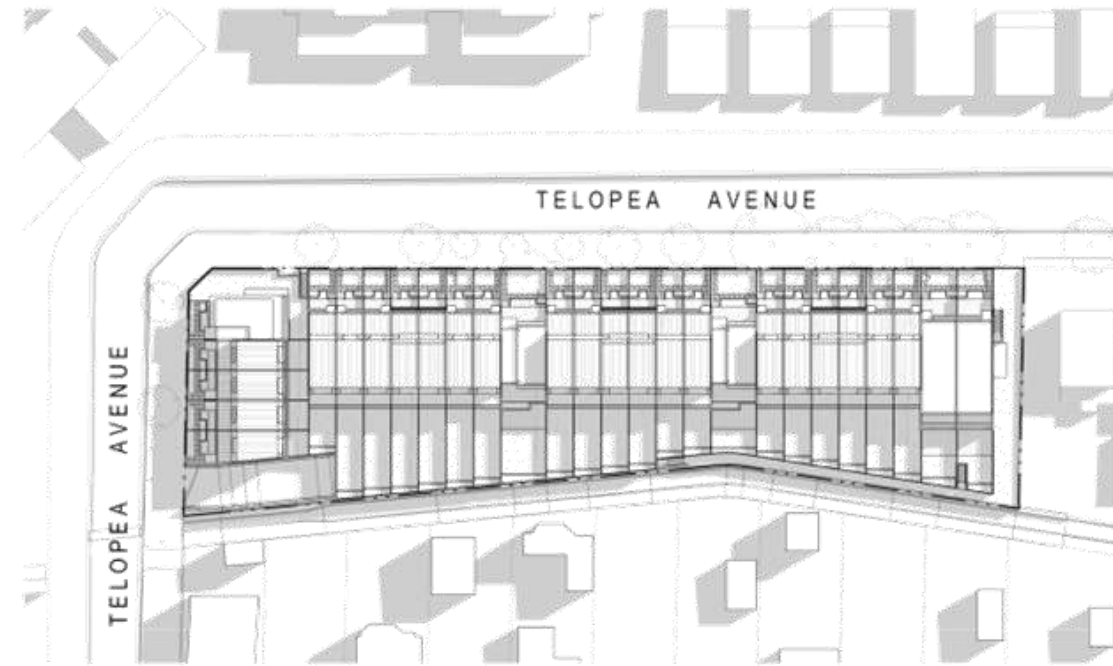
1 **SHADOW STUDY PLAN - WINTER SOLSTICE - 9AM - PROPOSED**
1:500 @ A1



2 **SHADOW STUDY PLAN - WINTER SOLSTICE - 10AM - PROPOSED**
1:500 @ A1



3 **SHADOW STUDY PLAN - WINTER SOLSTICE - 11AM - PROPOSED**
1:500 @ A1



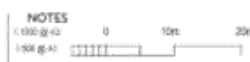
4 **SHADOW STUDY PLAN - WINTER SOLSTICE - NOON - PROPOSED**
1:500 @ A1

SHADOW DIAGRAMS - KEY

■ SHADOWS CAST BY PROPOSED DEVELOPMENT AND NEIGHBORING BUILDINGS

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DEVELOPMENT APPLICATION
This drawing is a preliminary drawing. It is not to be used for construction. It is subject to the approval of the Council and the Department of Planning and Infrastructure. It is not to be used for construction without the approval of the Council and the Department of Planning and Infrastructure.



4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	DATE	PURPOSE OF ISSUE

PROJECT
TELOPEA AVENUE
16-26 TELOPEA AVENUE, HOMEDOUGH WEST

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APP: 24 132 554 732

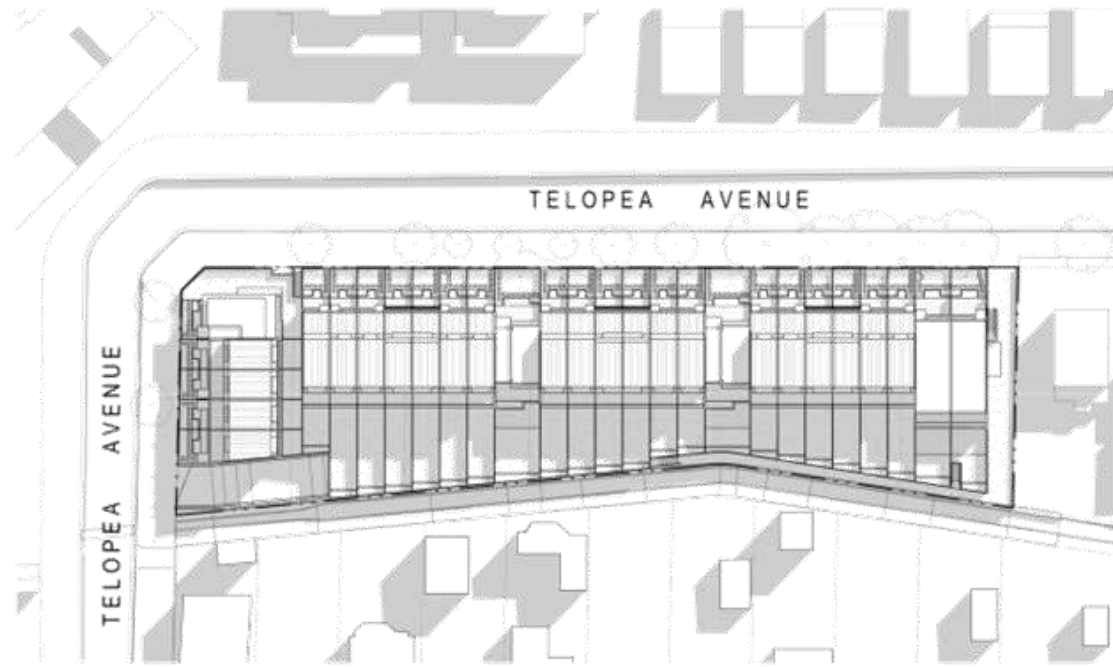
MELBOURNE
LEVEL 2, 255 L STATION LANE, MELBOURNE VIC 3000
PH: +61 3 9629 4888 FAX: +61 3 9649 0444
APP: 33 137 202 150

NOMINATED ARCHITECT
30/06/2016 Reg No: 6428 (VIC)
2200 (NSW) 2821 (ACT)

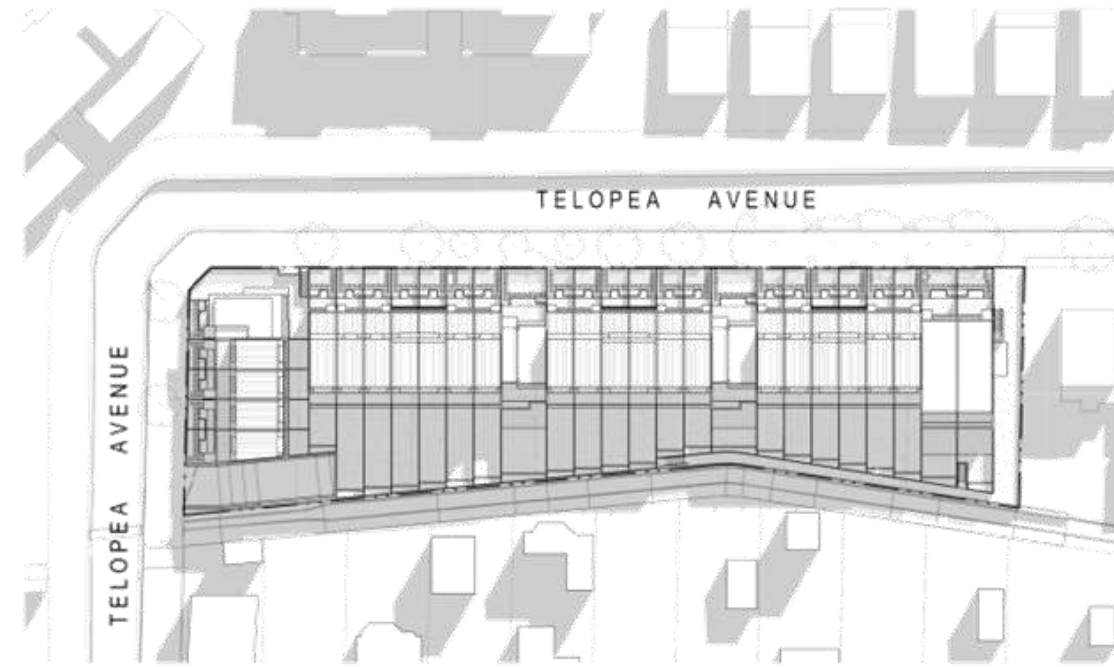
DRAWING NO. **DA-401** REVISION **A** JOB NO. **OMA1511**

DRAWN BY **MB** CHECKED BY **SC** SCALE **As indicated@ A1** DATE **10.02.20**

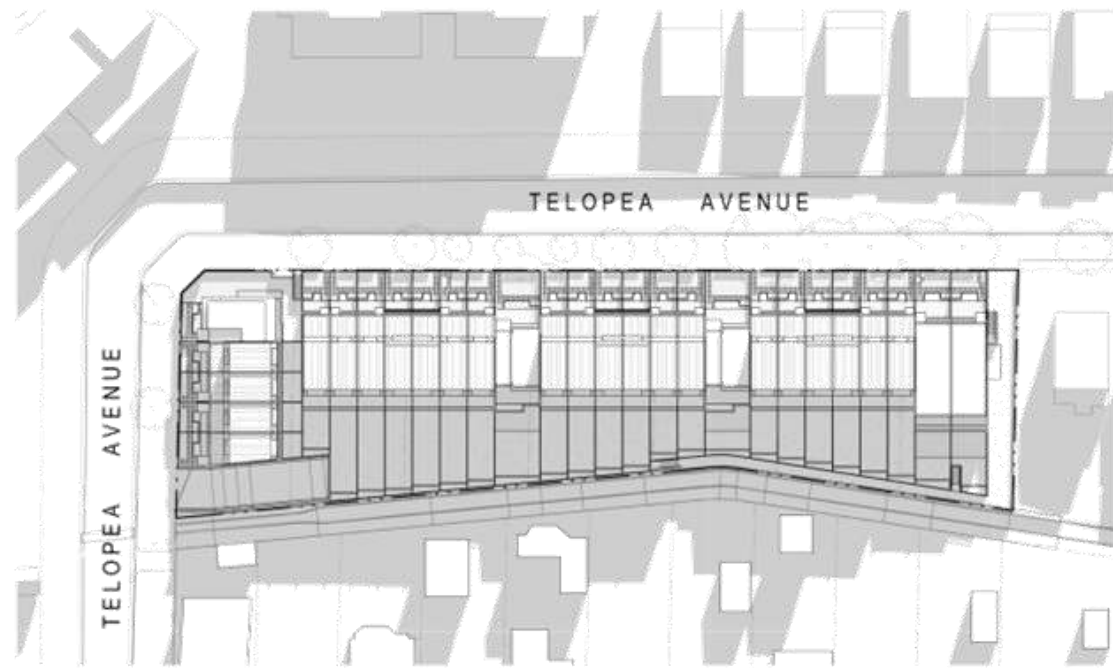
DRAWING TITLE **SHADOW STUDY PLAN WINTER SOLSTICE**



2 SHADOW STUDY PLAN - WINTER SOLSTICE - 1PM - PROPOSED
1:500 @ A1



3 SHADOW STUDY PLAN - WINTER SOLSTICE - 2PM - PROPOSED
1:500 @ A1



1 SHADOW STUDY PLAN - WINTER SOLSTICE - 3PM - PROPOSED
1:500 @ A1

SHADOW DIAGRAMS - KEY

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DEVELOPMENT APPLICATION
This is a Development Application (DA) for the proposed development. It is subject to the provisions of the Planning and Environment Act 1987 and the Planning and Environment Regulations 2014. The DA is subject to the provisions of the Planning and Environment Act 1987 and the Planning and Environment Regulations 2014.

4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	DATE	PURPOSE OF ISSUE

NOTES
1:500 @ A1



PROJECT
TELOPEA AVENUE
16-26 TELOPEA AVENUE, HOMEBUSH
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NOMINATED ARCHITECT
111 WILSON ROAD, SYDNEY NSW 2000
0295 5411 1000

DRAWING NO.
DA-402

REVISION
A

JOB NO.
OMA1511

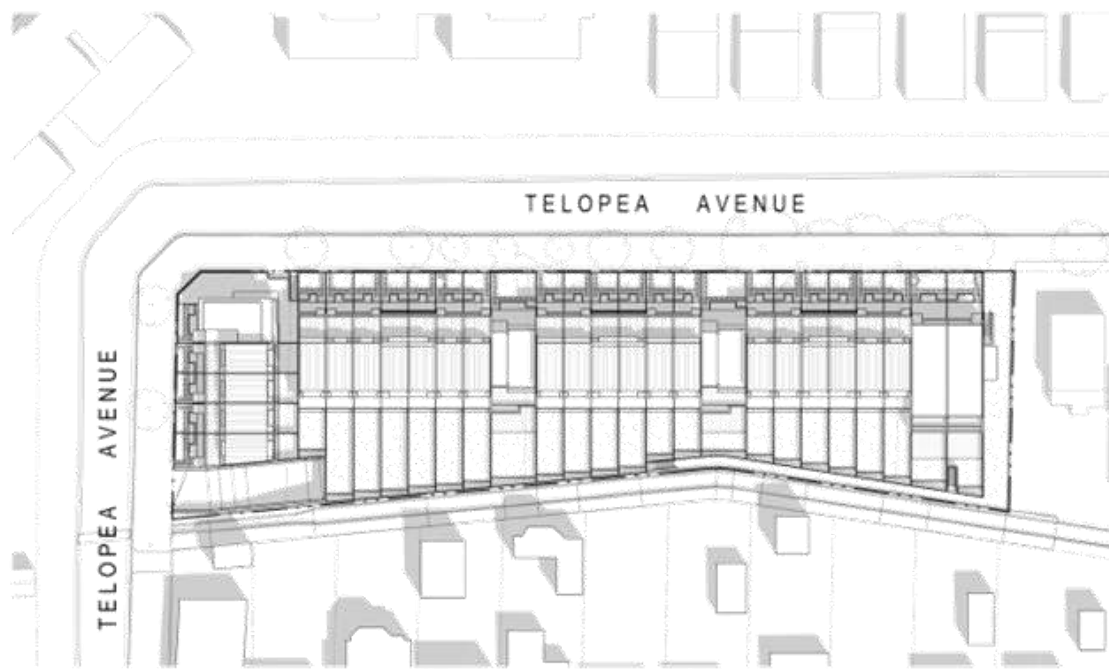
DRAWN BY
MB

CHECKED BY
SC

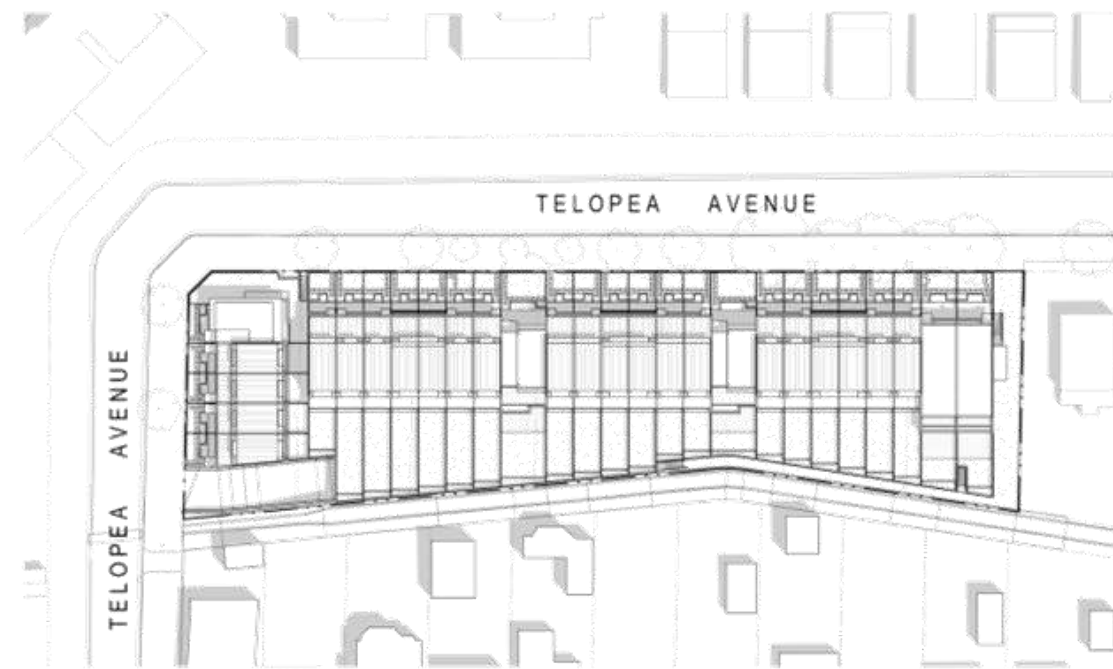
SCALE
As indicated @ A1

DATE
10.02.20

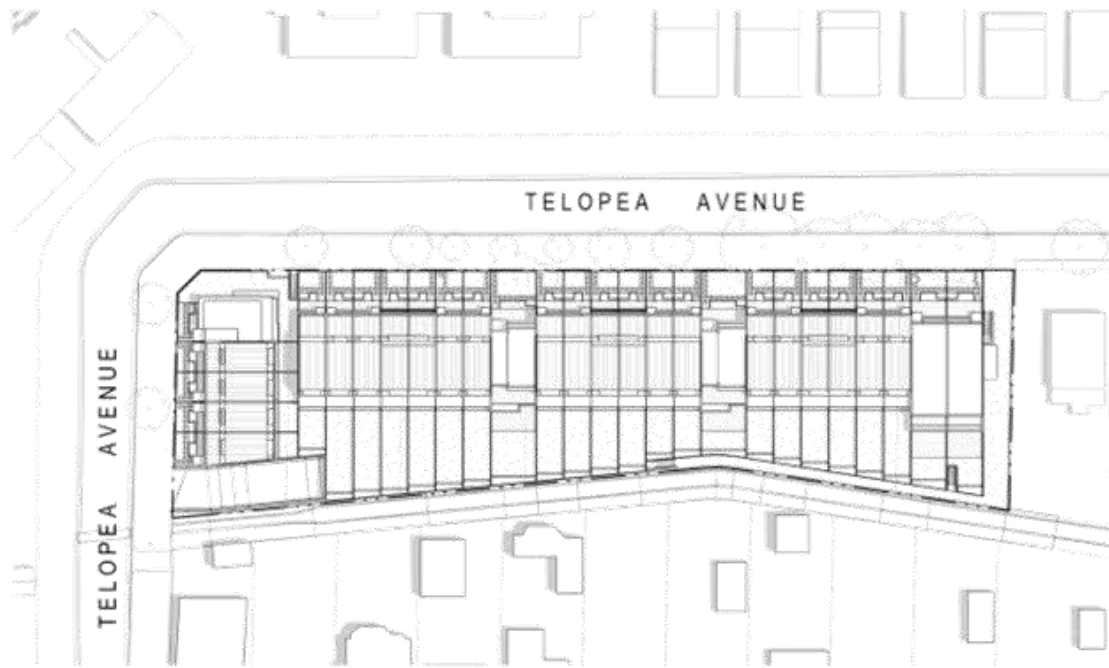
DRAWING TITLE
SHADOW STUDY PLAN WINTER SOLSTICE



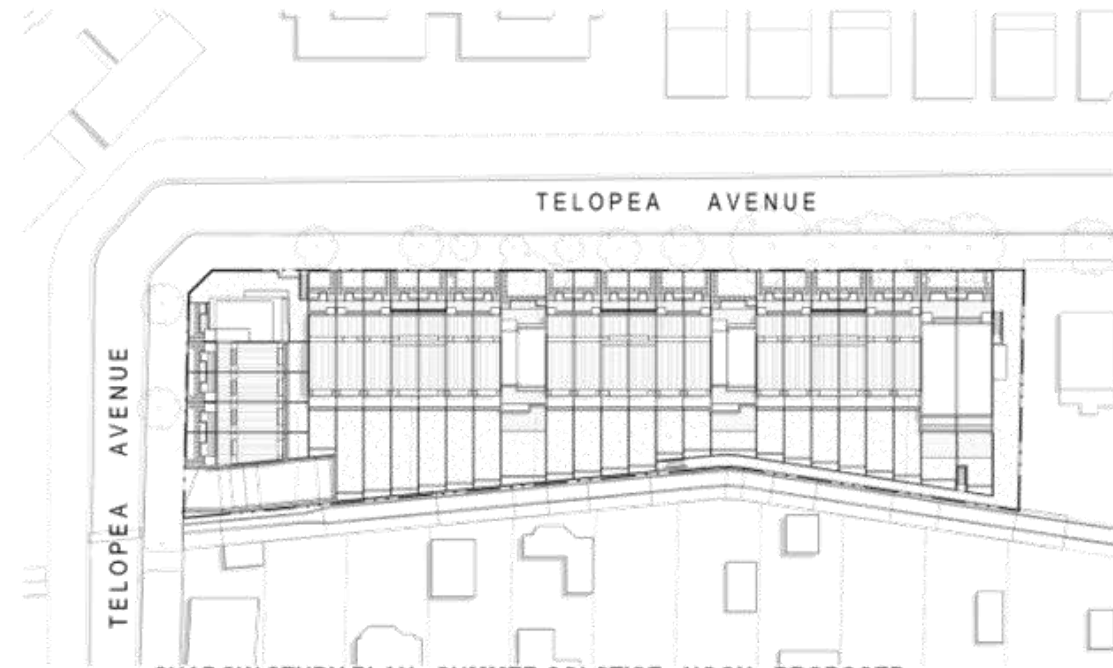
1 SHADOW STUDY PLAN - SUMMER SOLSTICE - 9AM - PROPOSED
1:500 @ A1



2 SHADOW STUDY PLAN - SUMMER SOLSTICE - 10AM - PROPOSED
1:500 @ A1



3 SHADOW STUDY PLAN - SUMMER SOLSTICE - 11AM - PROPOSED
1:500 @ A1



4 SHADOW STUDY PLAN - SUMMER SOLSTICE - NOON - PROPOSED
1:500 @ A1

SHADOW DIAGRAMS - KEY

■ SHADOWS CAST BY PROPOSED DEVELOPMENT AND NEIGHBORING BUILDINGS

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DEVELOPMENT APPLICATION
This is a preliminary development application. It is not a final approval. It is subject to a public hearing and a decision by the Council.

4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	DATE	PROPOSED ISSUE



PROJECT
TELOPEA AVENUE
16-26 TELOPEA AVENUE, HOMEBUSH
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NOMINATED ARCHITECT
11-11-2017
11-11-2017
11-11-2017

DRAWING NO.
DA-403

REVISION
A

JOB NO.
OMA1511

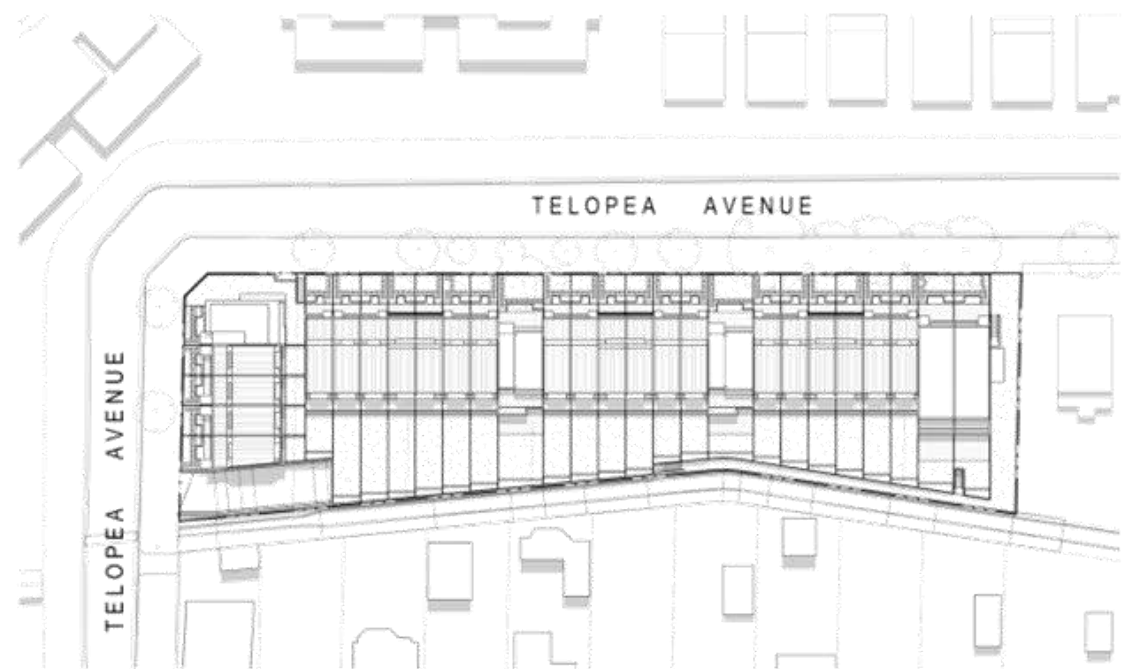
DRAWN BY
MB

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SC

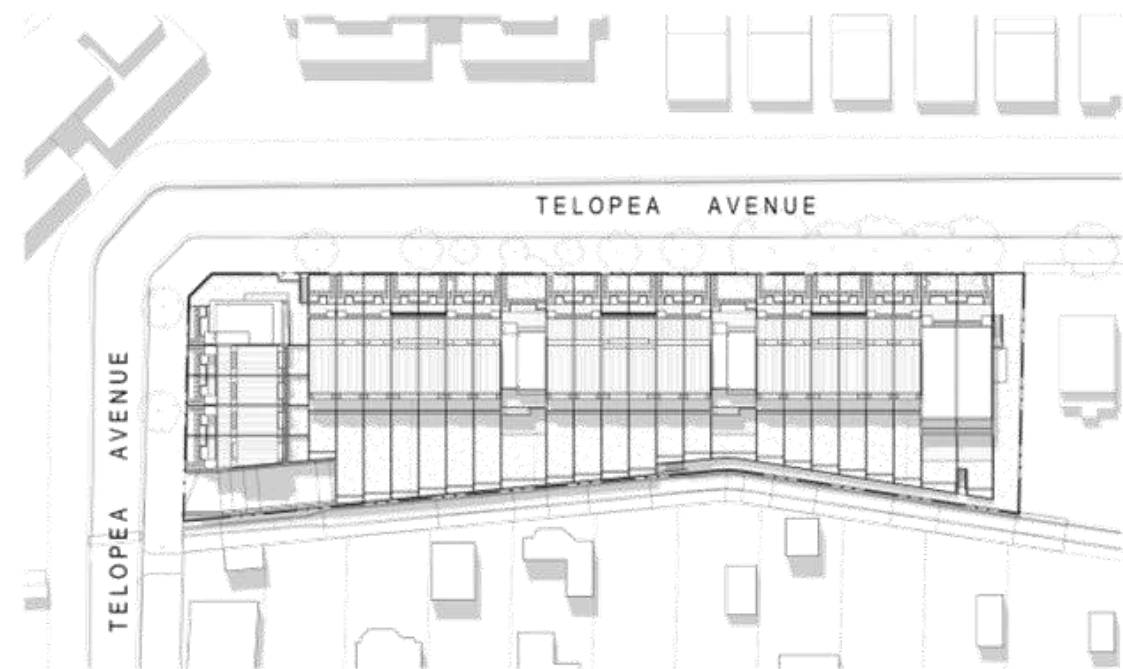
SCALE
As indicated @ A1

DATE
10.02.20

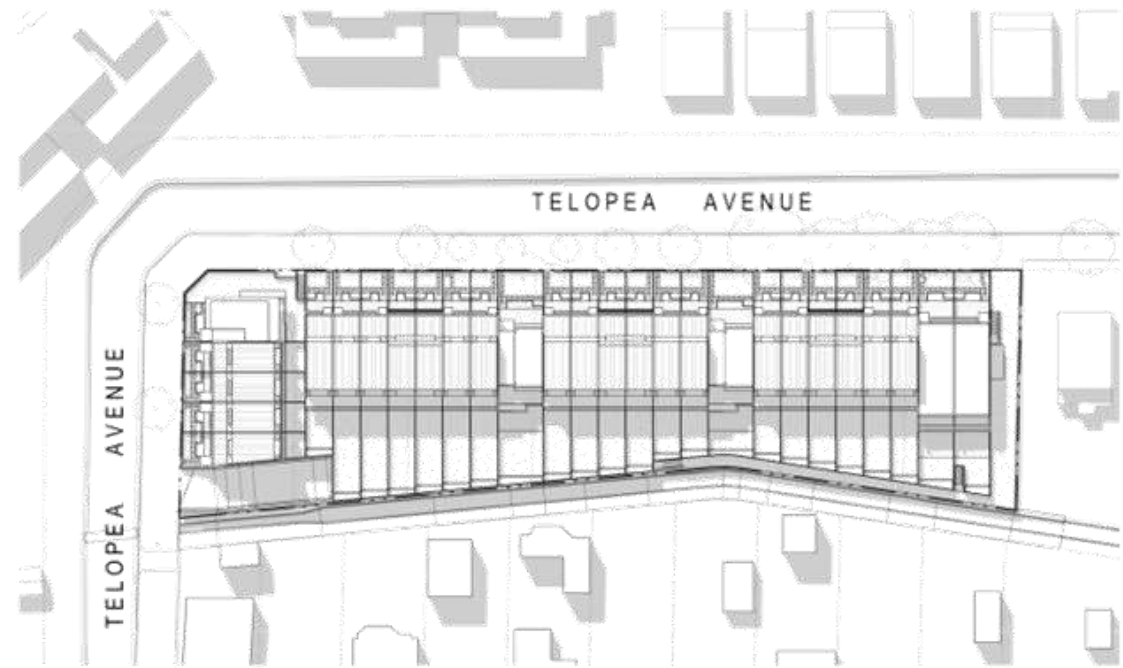
DRAWING TITLE
SHADOW STUDY PLAN SUMMER SOLSTICE



1 SHADOW STUDY PLAN - SUMMER SOLSTICE - 1PM - PROPOSED
1:500 @ A1



2 SHADOW STUDY PLAN - SUMMER SOLSTICE - 2PM - PROPOSED
1:500 @ A1



3 SHADOW STUDY PLAN - SUMMER SOLSTICE - 3PM - PROPOSED
1:500 @ A1

SHADOW DIAGRAMS - KEY

■ SHADOWS CAST BY PROPOSED DEVELOPMENT AND NEIGHBORING BUILDINGS

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DEVELOPMENT APPLICATION
This is a development application for the proposed development. It is a preliminary drawing for the purpose of council approval and is not to be used for construction.



NOTES
1:500 @ A1

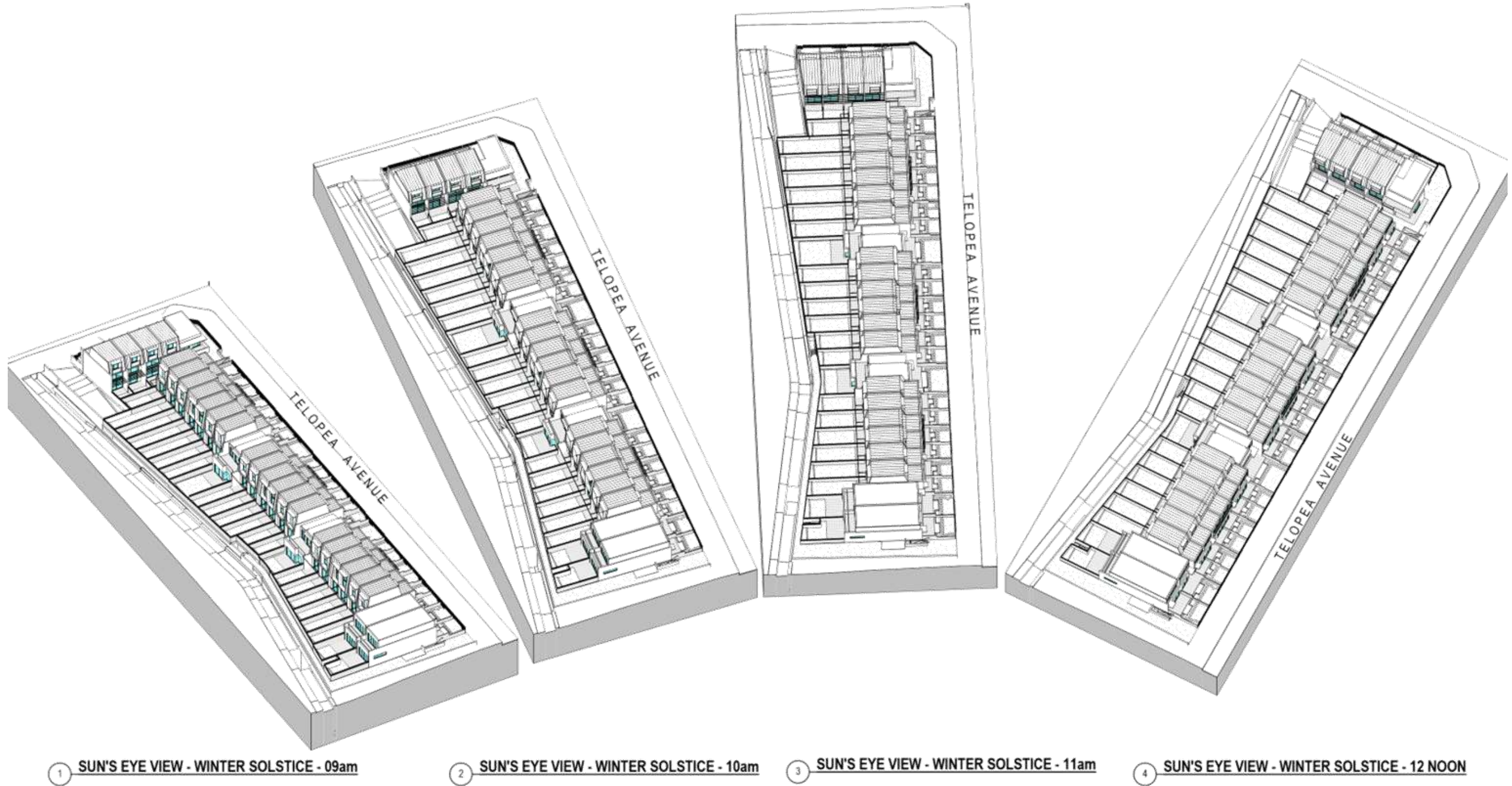
4 10.02.2017 ISSUE FOR DEVELOPMENT APPLICATION
65 DATE PURPOSE: 01 ISSUE

PROJECT
TELOPEA AVENUE
16-26 TELOPEA AVENUE, HOMERDASH
VIC 3122
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NOMINATED ARCHITECT
1/100 St Georges Road, Melbourne VIC 3000
03 9400 01 66 / 03 9400 1600

DRAWING NO. **DA-404** REVISION **A** JOB NO. **OMA1511**
DRAWN BY **MB** CHECKED BY **SC** SCALE **As indicated @ A1** DATE **10.02.20**
DRAWING TITLE
SHADOW STUDY PLAN SUMMER SOLSTICE



SUN'S EYE VIEW - KEY
 PROPOSED BUILDING GLAZING

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DEVELOPMENT APPLICATION
 Part 4, Sub-Item 4, Item 4, Development Application. Report any discrepancies in documentation to project. This drawing is for the purpose of council approval and is not to be used for construction.

NOTES

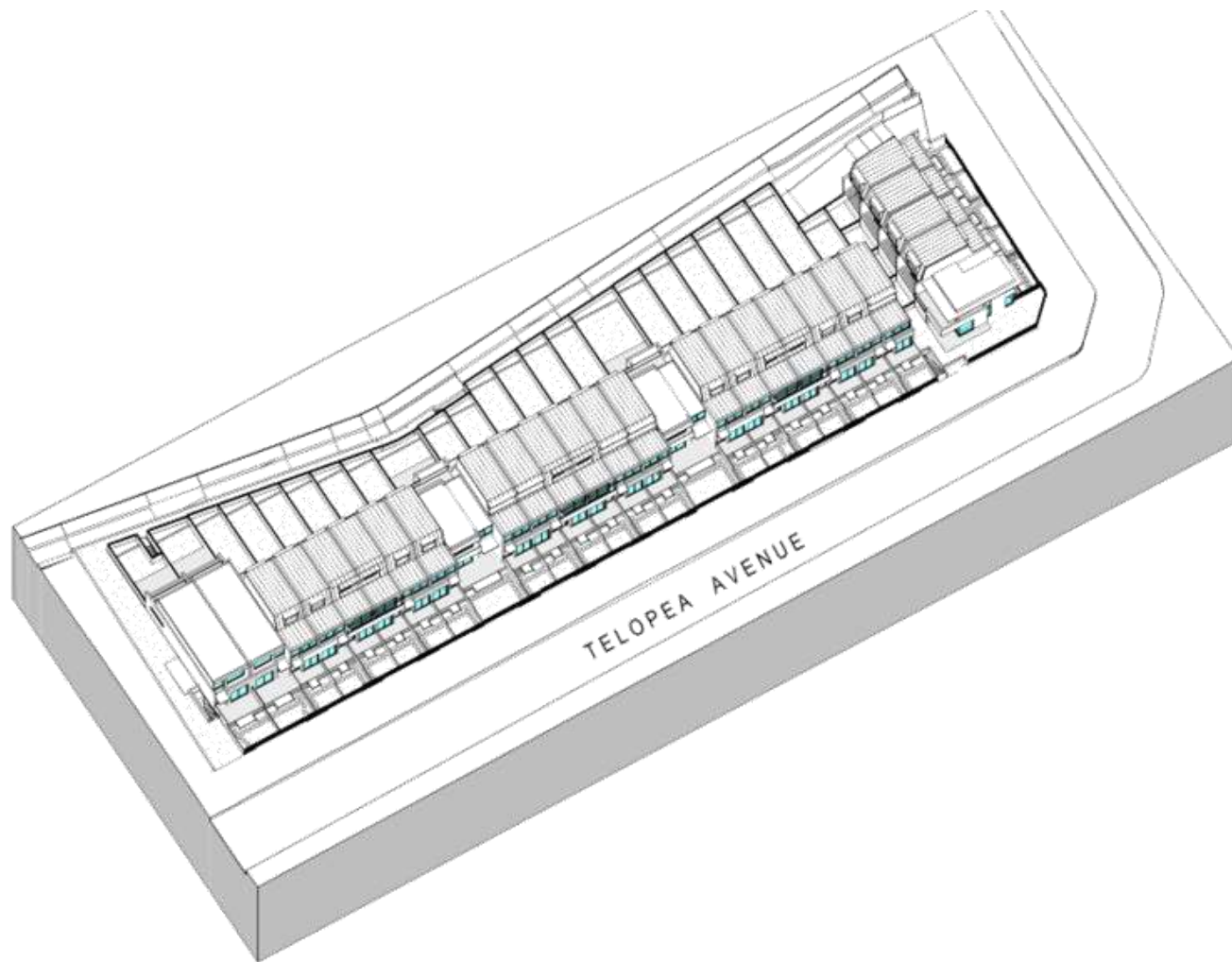
4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	DATE	PURPOSE OF ISSUE

PROJECT
TELOPEA AVENUE
 16-26 TELOPEA AVENUE, HOMEDUSH
 VIC 3111
 CLIENT
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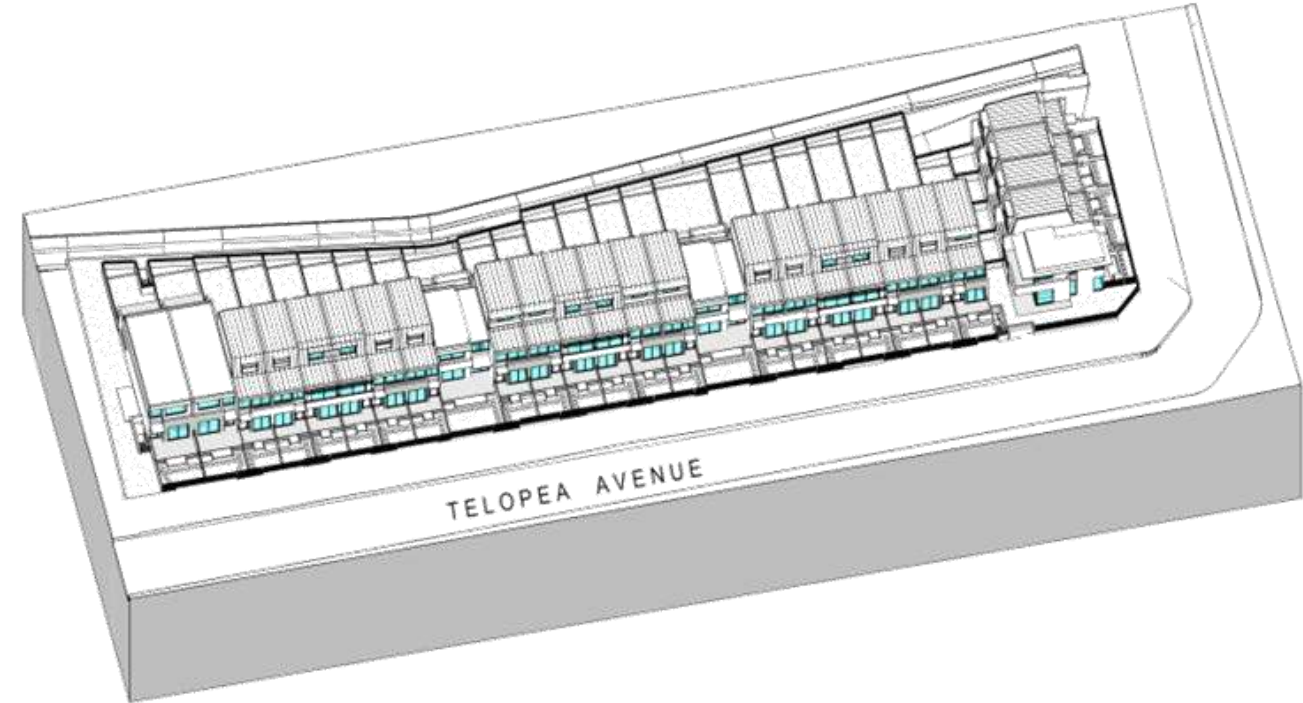
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 AHP: 24 532 554 733
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 LEVEL 2, 251-1 STANLEY ST, MELBOURNE VIC 3000
 TEL: +61 3 9629 4888 FAX: +61 3 9649 0444
 AHP: 55 157 800 558
NOMINATED ARCHITECT
 1/100-100A STAG LN, GARDNER VIC 3000
 03958 2421 0871 02111

DRAWING NO. **DA-431** REVISION **A** JOB NO. **OMA1511**
 DRAWN BY **MB** CHECKED BY **SC** SCALE **1:1@ A1** DATE **10.02.20**
 DRAWING TITLE **SUN'S EYE VIEW SHEET 1**




1 SUN'S EYE VIEW - WINTER SOLSTICE - 1pm
@ A1



2 SUN'S EYE VIEW - WINTER SOLSTICE - 2pm
@ A1



3 SUN'S EYE VIEW - WINTER SOLSTICE - 3pm
@ A1

SUN'S EYE VIEW - KEY
 PROPOSED BUILDING GLAZING

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DEVELOPMENT APPLICATION
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4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	04/02	FOR ISSUE OF DA

NOTES

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 SCALE
1:1 @ A1
 DATE
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 JOB NO.
OMA1511

DRAWING TITLE
SUN'S EYE VIEW SHEET 2



1 **SOLAR ACCESS**
1: 250 @ A1

SOLAR ACCESS - LIVING AREAS

NUMBER OF HOURS MAIN LIVING AREAS RECEIVE DIRECT SUNLIGHT BETWEEN 9am TO 3pm DURING WINTER SOLSTRICE

- 1 HOUR
(28 / 28 = 100% OF TOWNHOUSES HAVE LIVING AREAS WHICH RECEIVE MIN. 1 HOUR DIRECT SUNLIGHT)
- 2 HOURS
(27 / 28 = 96% OF TOWNHOUSES HAVE LIVING AREAS WHICH RECEIVE MIN. 1 HOUR DIRECT SUNLIGHT)
- 3 HOURS
(25 / 28 = 89% OF TOWNHOUSES HAVE LIVING AREAS WHICH RECEIVE MIN. 1 HOUR DIRECT SUNLIGHT)



2 **SOLAR ACCESS Copy 1**
1: 250 @ A1

SOLAR ACCESS - PRIVATE OPEN SPACES

NUMBER OF HOURS 50% OF THE REQUIRED PRIVATE OPEN SPACES RECEIVE DIRECT SUNLIGHT BETWEEN 9am TO 3pm DURING WINTER SOLSTRICE

- LESS THAN 2 HOURS
- 2 HOURS
(24 / 28 = 86% OF TOWNHOUSES HAVE PRIVATE OPEN SPACES WHICH RECEIVE MIN. 2 HOUR DIRECT SUNLIGHT)
- 3 HOURS
(14 / 28 = 50% OF TOWNHOUSES HAVE PRIVATE OPEN SPACES WHICH RECEIVE MIN. 2 HOUR DIRECT SUNLIGHT)

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DEVELOPMENT APPLICATION
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NOTES
1:250 @ A1
1:250 @ A1

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DRAWING NO. **DA-450**
JOB NO. **A**
JOB NO. **OMA1511**
DRAWN BY **MB** CHECKED BY **SC** DATE **1: 250 @ A1 10.02.20**
DRAWING TITLE **SOLAR ACCESS**



GROSS FLOOR AREA - KEY

GROSS FLOOR AREA

FLOOR SPACE RATIO - CALCULATIONS

SITE AREA: 4017 m²
 MAXIMUM ALLOWABLE FSR: 0.65:1
 MAXIMUM ALLOWABLE GFA: 2611.05 m²
 TOTAL PROPOSED GFA: 2872 m²
 PROPOSED FSR: 2872 / 4017 = 0.715 : 1



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DEVELOPMENT APPLICATION

Section 4.1 of the Planning and Environment Act 1987 (Vic) requires that a development application be made to the Council of the local government area in which the land is situated.

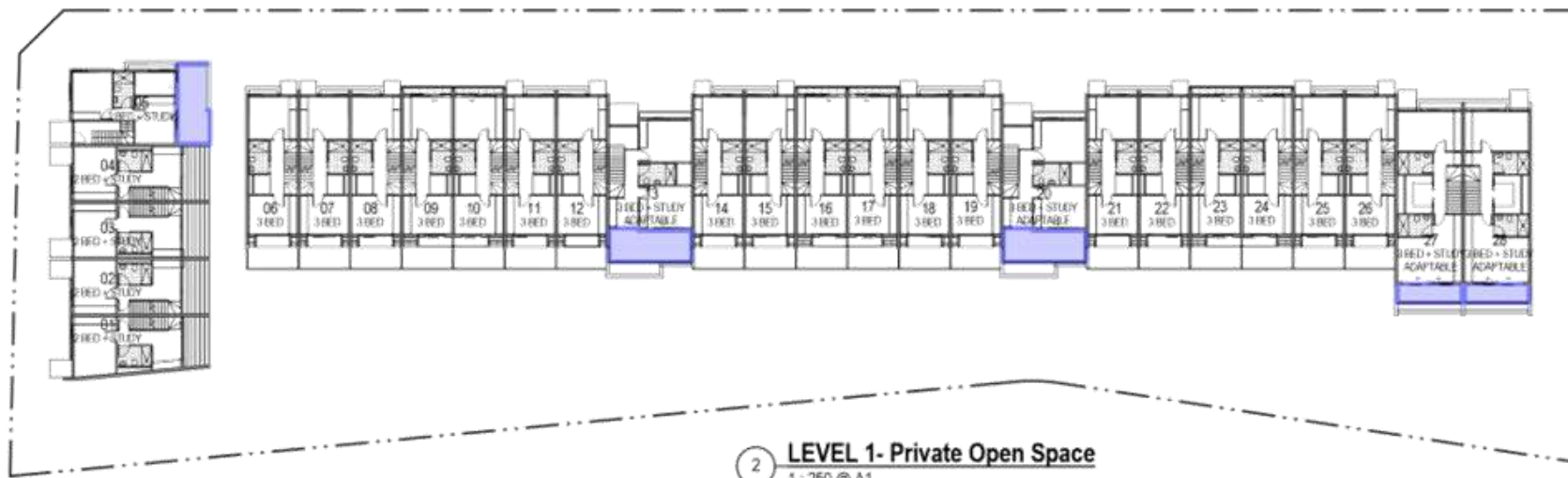
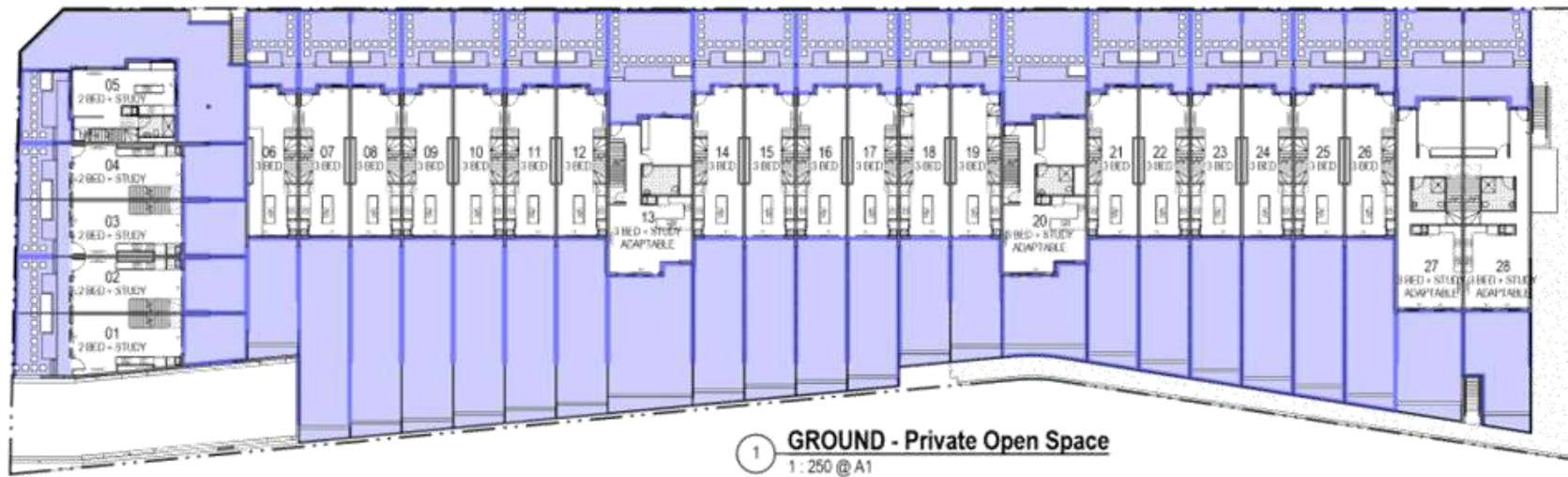
NOTES
 1. Scale of drawing is 1:250 @ A1.
 2. Scale of drawing is 1:250 @ A1.

PROJECT
TELOPEA AVENUE
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 AHS: 04 132 554 750
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 02 9554 1000

DRAWING NO. **DA-501** REVISION **A** JOB NO. **OMA1511**
 DRAWN BY **MB** CHECKED BY **SC** SCALE **1:250 @ A1** DATE **10.02.20**
 DRAWING TITLE **GROSS FLOOR AREA CALCULATIONS**



PRIVATE OPEN SPACE - KEY

PRIVATE OPEN SPACE

PRIVATE OPEN SPACE - AREA CALCULATIONS

TOWNHOUSE	AREA	LOCATION	TOWNHOUSE	AREA	LOCATION
01	21 m ²	Frontyard	15	45 m ²	Backyard
01	19 m ²	Backyard	15	24 m ²	Frontyard
01	3 m ²	Balcony		73 m ²	
	42 m ²				
02	19 m ²	Frontyard	16	48 m ²	Backyard
02	21 m ²	Backyard	16	24 m ²	Frontyard
02	3 m ²	Balcony		72 m ²	
	43 m ²				
03	19 m ²	Frontyard	17	46 m ²	Backyard
03	21 m ²	Backyard	17	24 m ²	Frontyard
03	3 m ²	Balcony		70 m ²	
	43 m ²				
04	18 m ²	Frontyard	18	37 m ²	Backyard
04	21 m ²	Backyard	18	24 m ²	Frontyard
04	3 m ²	Balcony		67 m ²	
	42 m ²				
05	22 m ²	Frontyard	19	37 m ²	Backyard
05	14 m ²	Backyard	19	24 m ²	Frontyard
05	15 m ²	Balcony		67 m ²	
	51 m ²				
06	37 m ²	Backyard	20	44 m ²	Backyard
06	23 m ²	Frontyard	20	55 m ²	Frontyard
	60 m ²		20	16 m ²	Balcony
				116 m ²	
07	52 m ²	Backyard	21	35 m ²	Backyard
07	23 m ²	Frontyard	21	23 m ²	Frontyard
	75 m ²			62 m ²	
08	51 m ²	Backyard	22	42 m ²	Backyard
08	23 m ²	Frontyard	22	24 m ²	Frontyard
	74 m ²			66 m ²	
09	51 m ²	Backyard	23	44 m ²	Backyard
09	23 m ²	Frontyard	23	24 m ²	Frontyard
	74 m ²			68 m ²	
10	55 m ²	Backyard	24	47 m ²	Backyard
10	23 m ²	Frontyard	24	24 m ²	Frontyard
	78 m ²			71 m ²	
11	56 m ²	Backyard	25	50 m ²	Backyard
11	23 m ²	Frontyard	25	24 m ²	Frontyard
	79 m ²			73 m ²	
12	55 m ²	Backyard	26	52 m ²	Backyard
12	23 m ²	Frontyard	26	24 m ²	Frontyard
	78 m ²			76 m ²	
13	71 m ²	Backyard	27	43 m ²	Backyard
13	16 m ²	Balcony	27	6 m ²	Balcony
	87 m ²		27	36 m ²	Frontyard
13	16 m ²	Balcony		87 m ²	
13	143 m ²				
14	51 m ²	Backyard	28	41 m ²	Backyard
14	24 m ²	Frontyard	28	6 m ²	Balcony
	75 m ²		28	35 m ²	Frontyard
				86 m ²	

MINIMUM REQUIRED PRIVATE OPEN SPACE AREA : 40m²

NUMBER OF TOWNHOUSES : 28

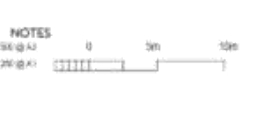
NUMBER OF TOWNHOUSES WITH MIN. 40m² PRIVATE OPEN SPACE AREA : 28

100% OF TOWNHOUSES COMPLY WITH DCP CONTROL FOR PRIVATE OPEN SPACE

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DEVELOPMENT APPLICATION
This is a Development Application for the proposed development. It is not a building permit. The applicant is responsible for ensuring that the development complies with all applicable laws, regulations and codes of practice. The applicant is also responsible for ensuring that the development is in accordance with the relevant planning instrument.

NO.	DATE	REVISION
1	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
2	05.03.2017	FOR APPROVAL



NOTES
1. All dimensions are in meters unless otherwise stated.
2. Refer to the relevant planning instrument for further details.

PROJECT
TELOPEA AVENUE
16-26 TELOPEA AVENUE, HOMEBUSH NSW
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1201/1202 STURTELL STREET, MELBOURNE VIC 3000
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NOMINATED ARCHITECT
1201/1202 STURTELL STREET, MELBOURNE VIC 3000
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APP: 04 132 554 732

DRAWING NO.
DA-531

REVISION
A

DATE
10.02.20

DRAWN BY
MB

CHECKED BY
SC

SCALE
As indicated @ A1

DRAWING TITLE
PRIVATE OPEN SPACE PLAN



1 GROUND - Landscape
1:250 @ A1

SOFTSCAPE AREA = 1771m²
 HARDSCAPE AREA = 447m²
 LANDSCAPE AREA = SOFTSCAPE + HARDSCAPE
 = 1771m² + 447m²
 = 2218m²

DCP - PART C

LANDSCAPE AREA = 2218m² > REQUIRED LANDSCAPE AREA = 1606.8m²
 55.2% OF SITE > 40% OF SITE AREA

SOFTSCAPE AREA = 1771m² > REQUIRED SOFTSCAPE AREA = 1330.8m²
 79% OF LANDSCAPE AREA > 60% OF LANDSCAPE AREA

DEEP SOIL = 891m² > REQUIRED DEEP SOIL AREA = 776.3 m²
 40% OF LANDSCAPED AREA > 35% OF LANDSCAPED AREA

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STATE OF VICTORIA
DEVELOPMENT APPLICATION

Part 4, Subdivision 2, Planning and Environment Act 1987
 Report any discrepancies in documentation to architect.
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4	10.02.2017	ISSUE FOR DEVELOPMENT APPLICATION
55	DATE	PURPOSE OF ISSUE

NOTES
 1:250 @ A1



PROJECT
TELOPEA AVENUE
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 DRAWING TITLE **LANDSCAPE COVER PLAN**



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 1 June 2017

REPORT: SIHAP – Report No. 5

SUBJECT: 2017/033 - 37-39 LOFTUS CRESCENT, HOMEBUSH - LOT 33 & 34 DP9154 & LOT Y DP 446141

DA NO. 2017/033

SUMMARY

Proposal: Demolition of existing structures and construction of a part (7) storey and part (5) storey residential flat building containing (62) units above two (2) levels of basement car parking.

Applicant: Urban Link Pty Ltd

Owner: Dasreef Developments P/L

Date of lodgement: 3 March 2017

Notification period: 14 March 2017 to 15 April 2017

Submissions received: One (1) written submission received.

Assessment officer: LM

Estimated cost of works: \$16,451,933.00

Zoning: R4 – High Density Residential - SLEP 2012

Heritage: N/A

Flood affected: Yes

Is a Clause 4.6 variation proposed? No -

RECOMMENDATION OF OFFICER: DEFERRED COMMENCEMENT

EXECUTIVE SUMMARY

The site forms the entirety of Key Site 68 under the Strathfield Local Environmental Plan (SLEP) 2012 and generally satisfies the relevant statutory controls applicable to the site under SEPP 55, SEPP 65, SEPP BASIX, the Strathfield Local Environmental Plan 2012 (SLEP) and is generally consistent with the built form sought by DCP 20 – Parramatta Road Corridor and Council's preliminary revisions to DCP 20.

One (1) written submission was received during the notification period raising concern for the reduced availability of parking, increased traffic density and the impact the construction phase will have on the locality including noise and visual pollution impacts.

The subject application proposes the dedication to Council of a 4.9m wide strip of land to the north-east of the site to accommodate for future widening of Loftus Lane in accordance with Council's strategic goal for the activation of the Parramatta Road Corridor and is considered to be in the public benefit.

Due to the proximity of the site to the north-west rail line, the subject application was forwarded to Sydney Trains for consideration. Concurrence was received on 19 April 2017 however Sydney

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Trains have requested that the application be granted a Deferred Commencement approval subject to a number of standard matters relating to excavation.

Whilst the application is identified as Integrated Development under Section 91 of the Environmental Planning and Assessment Act 1979, NSW Office of Water has advised that General Terms of Approval are not required for this application.

Overall, the proposal has demonstrated compliance with the relevant statutory controls applicable to the development and is therefore recommended for a deferred commencement.

BACKGROUND

5 April 2016	DA2016/045 for a residential flat building development was lodged with Council.
13 April 2016	DA2016/045 regarding the proposed residential flat building development at the subject site was withdrawn.
16 August 2016	DA2016/057 regarding the demolition of existing structures and construction of a part nine (9), part five (5) storey 'Infill Affordable Housing' residential flat building containing (76) units comprising (33) x 1 bedroom, (37) x 2 bedroom and six (6) x 3 bedroom units above three (3) levels of shared basement parking was granted a Deferred Commencement consent at Council's Planning Committee Meeting.
5 January 2016	A Pre-Lodgement Meeting was held with Council Officers concerning a new proposal for the subject site being for the construction of a part (9), part (5) storey mixed use development at the subject site.

Please note: A condition of consent has been imposed to ensure the Deferred Commencement Consent which was issued for the subject site under DA2016/057 will need to be surrendered to Council following the issue of this subject application.

DESCRIPTION OF THE SITE AND LOCALITY

The site comprises three (3) allotments legally identified as Lot 33 and 34 in DP 9154 and Lot Y in DP 446141 with the street address of 37-39 Loftus Crescent, Homebush. Three (3) single storey brick and tile cottages are present on the allotments, each with frontages to both Loftus Lane (north) and Loftus Crescent (south).

The site has a combined area of 2,169m² with a frontage of 35.33m to Loftus Crescent and 28.95m to Loftus Lane. An aerial photograph of the subject site has been provided below.

The subject site is approximately 600m west of Homebush Railway Station and is within a streetscape mostly characterised by single storey residential dwellings. Following recent development approvals, the surrounding area is transitioning from low density residential and industrial development to a high density, mixed use precinct.

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Figure 1: View of subject site and surrounding residential and mixed use areas.



Figure 2: Zoning map as per the Strathfield Local Environmental Plan 2012.

The subject site is identified as Key Site 68 and is zoned R4 – High Density under the Strathfield LEP. The maximum permitted height is 16m to Loftus Lane and 29m to Loftus Crescent and an incentive FSR of 2:1 is applicable to the site under Clause 4.3A and 4.4A of the Strathfield LEP.

Deferred Commencement consent was recently granted for the construction residential flat buildings upon the sites immediately to the east and west of the subject site. Furthermore, directly north of the subject site, at 162-170 and 172-176 Parramatta Road, two (2) x mixed use developments have recently been constructed.

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Figure 3: View of existing dwelling at 37 Loftus Crescent



Figure 4: View of existing dwelling at 38 Loftus Crescent.

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Figure 5: View of existing dwelling at 39 Loftus Crescent.

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 demolition of existing structures and construction of a part (7) storey and part (5) storey residential flat building containing (62) units above two (2) levels of basement car parking.

The elements of the proposal are:

- Excavation to accommodate two (2) levels of basement parking containing (x) parking spaces;
- Construction of a part (7), part (5) storey residential flat building designed as two (2) separate structures each incorporating nil side setbacks throughout various levels of the development; and
- Provision of roof top community open space areas

A photomontage of the building is provided below:

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REFERRALS

INTERNAL REFERRALS

The application was forwarded to Council's Development Engineer, Waste Education Officer and Tree Coordinator for comment.

Development Engineer

While initial concerns were raised over the compatibility of the development with the flood risk to the site, the proposal was subsequently amended and no objection was raised to the proposal as amended subject to compliance with the recommendations of the Overland Flow Impact Report prepared by Alpha Engineering.

Waste Education Officer

- Bin Room sizes – 'The bin collection area shall provide sufficient space for the standing of all waste bins to be collected in a single trip, as well as manoeuvring space for bins as they are emptied' (Part H 'Waste Minimisation and Management' of the Strathfield Consolidated Development Control Plan 2005). Total size of bin collection room on Basement level 1 near loading bay needs to be a minimum of 33.69m², currently only 23m². The other two Garbage rooms with chutes are an adequate size however the doors to these spaces should be wider.
- Waste management plan states there will be 1 x Carousel compactors as shown in basement floor plans. Council does not allow the compaction of 660L bins or recycling bins, this should be removed from the WMP and Architectural plan.
- No Bulky Waste storage room. **Prior to the issue of any Occupation Certificate** a bulky waste storage room of 32m² needs to be incorporated into the plans in accordance with the requirements PART H 'Waste Minimisation and Management' of the Strathfield Consolidated Development Control Plan 2005.

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- On site Collection Area is not a flat surface there is a 16cm fall to the rear of the collection bay. 'The collection area must be designed so that the bin standing area, and the standing area for the vehicle, is level' (PART H 'Waste Minimisation and Management' of the Strathfield Consolidated Development Control Plan 2005).
- The door from the waste collection room to the loading bay would be better suited to be located further back towards the rear of the loading bay. This will allow for easier manoeuvring of the bin to the rear loading truck.
- Applicant to provide an illustration of the truck entering basement level 1 waste collection area, to demonstrate compliance to the DCP.

Amended plans were submitted during the assessment process addressing the concerns raised in which no further concerns were raised subject to conditions.

Tree Coordinator

No concerns raised subject to conditions.

EXTERNAL REFERRALS

The application was forwarded to the Roads and Maritime Services, the NSW Office of Water and Sydney Trains for comment. Comments received from these external parties have been incorporated into the recommended conditions of consent below.

SECTION 79C CONSIDERATIONS – EP&A Act, 1979

The application has been assessed pursuant to the heads of consideration of Section 79C of the Environmental Planning and Assessment Act and the relevant matters described in sub-section (1)(a), (b), (c), (d) and (e) of Section 79C have been considered within this report.

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

The following Environmental Planning Instruments (EPI's) are applicable to the assessment of the subject application:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Building and Sustainability Index - BASIX) 2004;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings;
- Strathfield Local Environmental Plan 2012;
- Strathfield Development Contributions Plan 2010-2030; and
- Strathfield Development Control Plan 2005:
 - DCP 20 – Parramatta Road Corridor Area
 - Part H – Waste Management
 - Part L – Notification

An assessment of the proposal against the relevant provisions of each of these EPI's is provided below.

SEPP 55 – Remediation of Land

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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 purpose for which development consent is being sought.

A Phase 1 Preliminary Site Investigation was undertaken by Benviron Group which indicates that the three (3) allotments which comprise the subject site have remained mostly residential in nature. The Phase 1 assessment concludes that the potential for contamination risk at the site is minimal.

It is further noted that the site is not located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield local government area.

Accordingly, based on the findings of the Phase 1 Preliminary Site Investigation there does not appear to be a need for further investigation of the site and the continued use of the site for residential purposes is therefore suitable.

Accordingly, the provisions of SEPP 55 have been satisfied.

State Environmental Planning Policy (Building and Sustainability Index - 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 with the application which indicates that the proposal meets the required reduction targets and an appropriate condition of consent will be imposed to ensure future compliance with these targets.

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. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

Strathfield Council does not have a design review panel referred to under Clause 28 however an assessment of the design quality of the development against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide has been undertaken in the table below:

Principle	Objective	Proposed
Context and neighbourhood character	<p><i>Responding to context involves identifying the desirable elements of an area's existing or future character.</i></p> <p><i>Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<p>The proposed development responds to the high density, mixed use, urban context of the site which is envisaged for the Parramatta Road corridor. The proposed development adheres to the draft built form controls and will integrate with the form of more recent approvals within the street, which also achieve to the Key Site provisions.</p> <p>The proposed design considers the local context and is consistent with the desired future character of the area.</p>
Built form and	<i>Good design achieves a scale, bulk</i>	The development is informed by the draft

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Principle	Objective	Proposed
scale	<p><i>and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<p>Key Site controls and recent development approvals in the street to ensure the development is compatible with the desired future streetscape.</p> <p>The street is currently in a state of transition from low density residential to high density residential in response to the Key Site controls of the SLEP 2012. Several of the key sites within the street have been granted development approval and generally adhere to the Key Site provisions. In this regard, the proposed development will achieve a cohesive built form with the existing approvals in the street and future development of Loftus Crescent.</p> <p>The private and public domain is well defined through the use of the front fence and landscaped planter boxes to soften the visual presentation of the development.</p>
Density	<p><i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i></p> <p><i>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i></p>	<p>The proposal complies with the density requirements of the ARHSEPP. The proposal is located within close proximity to public transport and employment opportunities along Parramatta Road, which will support the proposed residential density and unit mix.</p>
Sustainability	<p><i>Good design combines positive environmental, social and economic outcomes.</i></p> <p><i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i></p>	<p>The proposal complies with BASIX and provides good solar access and natural ventilation to heat and cool the building alongside building products which provide high insulation properties.</p>
Landscape	<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by</i></p>	<p>The subject application is accompanied by a landscape plan that is considered suitable for the scale of development.</p> <p>The landscape design has been amended throughout the assessment process to allow</p>

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Principle	Objective	Proposed
	<p><i>contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</i></p>	<p>communal open spaces to be integrated with the deep soil area provided to the central portion of the site as well as providing a roof top garden. The design includes suitably shaded spaces and will provide functional open spaces for the enjoyment of future residents.</p>
Amenity	<p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</i></p>	<p>The proposal has been designed to achieve a high level of internal residential amenity through compliant ceiling heights and adequate access to natural light and ventilation</p> <p>The proposal has been designed to minimise overlooking to adjoining developments and subject to conditions, is considered to result in minimal privacy impacts.</p> <p>The unit layouts are efficient and comply with the new minimum unit sizes required by the ADG.</p>
Safety	<p><i>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	<p>The proposed building has a secure and readily identifiable entry. Balconies are orientated to overlook the public domain and centrally located green space areas to optimise safety and security within the development.</p>
Housing diversity and social interaction	<p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future</i></p>	<p>The proposal provides an acceptable mixture of unit types including (18) x 1 bedroom, (40) x 2 bedroom and (4) x 3 bedroom units.</p> <p>The proposal is provided with accessible and well-considered areas of communal open space on the central ground floor portion of the site and level 5 to the rear. These spaces are provided with suitable facilities to support social interaction.</p>

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Principle	Objective	Proposed
	<p><i>social mix.</i></p> <p><i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</i></p>	
Aesthetics	<p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	<p>The building is well articulated and avoids large expanses of unbroken wall with balconies orientated to the street, the central portion of the site or to the rear portion of the site facing Loftus Lane.</p> <p>The proposal incorporates a mixture of stone cladding as well as a variety of aluminium and fibre cement panelling.</p> <p>The schedule of external finishes is unique however will integrate well with to colours and finishes of more recently approved development in the immediate vicinity of the site.</p>

Apartment Design Guide Quality Design of Residential flat buildings

Design Criteria	Required	Proposed	Compliance
2E - Building Depth	12m – 18m	<p>Building A: Max.33m however reduces to maximum 20m between level 5-8.</p> <p>Building B: Max.28m between level 1-3 however reduced to 17m on level 4</p>	Acceptable as the minimum solar access and ventilation rule of thumb is met.
3B – Orientation	<p>Responsive to streetscape and site Designed to optimise solar access and minimise overlooking</p> <p>Minimum 2 hours solar access retained to adjoining properties</p>	<p>The proposal is responsive to the streetscape and is designed to optimise solar access whilst minimising the potential for overlooking.</p> <p>The proposal results in a degree of unavoidable overshadowing to the southern adjoining site as a result of its east-west orientation. Notwithstanding, a minimum 3 hours direct solar access will be received to the southern adjoining site between 9am-12pm during winter which meets requirements.</p>	<p>Yes.</p> <p>Yes.</p>

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<p>3C – Public Domain Interface</p>	<p>Direct street entry to ground floor apartments</p> <p>Balconies/windows orientated to overlook the public domain</p> <p>Front fence design is permeable Opportunities for concealment minimised</p> <p>Services concealed</p> <p>Access ramps minimised</p>	<p>Entry to all ground floor apartments fronting Loftus Crescent is provided. Units appertaining to Building B are accessed via the two (2) primary site entrances fronting Loftus Crescent which provides equitable paths of travel throughout the site to Building B.</p> <p>Balconies and windows are orientated to overlook the public domain and rear area of private open space.</p> <p>The front fence provides landscaping to soften the built form of the residential flat building.</p> <p>Services and access ramp concealed and access ramps minimised.</p>	<p>Yes.</p> <p>Yes.</p> <p>Yes</p> <p>Yes.</p>
<p>3D – Communal Open Space</p>	<p>Min. 25% (733.25m²) Min 2h to 50% communal open space at mid-winter Consolidated area Min dimension of 3m Equitable access</p> <p>Where developments are unable to achieve the design criteria, such as on small lots they should;</p> <ul style="list-style-type: none"> - Provide communal open space elsewhere such as a landscape rooftop terrace; - Provide larger balconies or increased private open space' - Demonstrate good proximity to public open space and facilities. 	<p>790.67m² or 36.45% of the site is dedicated as communal open space.</p> <p>The areas of communal open space upon the ground level and roof tops are consolidated, well landscaped and accessible.</p> <p>The rooftop areas of communal open space are each capable of receiving a minimum of 2hrs of solar access to at least 50% of open space during mid-winter.</p> <p>The landscape plan is supported with several canopy trees to provide shade.</p>	<p>Yes.</p>
<p>3E – Deep Soil Zones</p>	<p>Min. 7% (205.31m²) Greater than 1,500m² 6m min. dimension</p>	<p>The proposal provides 181.1m² or 8.35% of consolidated deep soil landscaping attaining a minimum dimension of 6m.</p>	<p>Yes.</p>

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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>Building A provides a nil side setback to the southern elevation between ground level to level 4.</p> <p>Building B provides a 6.5m setback to the eastern elevation of the building on the ground floor with a nil side setback provided to the northern ground floor elevation and nil side setbacks carried through between levels 1-4.</p> <p><u>5-8 storeys:</u></p> <p>Building A: Balconies adjoining units continue to be orientated either to Loftus Crescent or centrally located community open space area.</p>	Yes.
3G – Pedestrian Access and Entries	<p>Entry addresses public domain Clearly identifiable Steps and ramps integrated into building design</p>	<p>The entry addresses the public domain and is clearly identifiable.</p> <p>Both the vehicle and pedestrian ramps are integrated into the building.</p>	Yes.
3H – Vehicle Access	<p>Integrated into façade Visual impact minimised Entry behind the building line or from secondary frontage Clear sight lines Garbage collection screened Pedestrian and vehicle access separated</p>	<p>Vehicle access is integrated into the rear elevation of the building fronting Loftus Lane and provides clear sightlines.</p> <p>Garbage collection is provided within the basement.</p> <p>Pedestrian and vehicle access is separated.</p>	Yes.
3J – Bicycle and Car Parking	<p>Within 800m of a railway station:</p> <p>Min RMS Rate Applies:</p> <p><u>20 or more units:</u></p> <p>1 bedroom: 0.6 spaces (18 x 0.6 = 10.8 spaces)</p> <p>2 bedroom: 0.9 spaces (40 x 0.9 = 36 spaces)</p> <p>3 bedroom: 1.4 spaces (4 x 1.4 = 5.6 spaces)</p>	(77) parking spaces in total are provided.	Yes – refer to conditions.

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	<p>Visitor 1 per 5 units (62 / 5 =12.4 Spaces)</p> <p>Total requirement = (53) resident spaces and (13) visitor spaces</p> <p>Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.</p>		Yes
4A – Solar and Daylight Access	<p>Min. 70% (56 units) receive 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</p> <p>Design incorporates shading and glare control.</p>	A minimum of (49) 75.81% of the units receive a minimum 2 hours solar access daily	Yes.
4B – Natural Ventilation	<p>Min. 60% units are cross ventilated</p> <p>Light wells are not the primary source of ventilation for habitable rooms</p> <p>Single aspect units have limited depth to maximise ventilation.</p>	A minimum of (53) 86% of the units are cross ventilated.	Yes.
4C – Ceiling Heights	<p>Habitable: 2.7m</p> <p>Non-habitable: 2.4m</p> <p>2 storey apartments: 2.7m main living area, 2.4m mezzanine</p> <p>Mixed Use: 3.3m ground floor.</p>	2.7m ceiling heights to habitable rooms.	Yes.
4D – Apartment Size and Layout	<p>1 bed: 50m²</p> <p>2 bed: 70m²</p> <p>3 bed: 90m²</p> <p>Additional bathrooms +5m²</p> <p>Each habitable room must have a window > 10% floor area of the room.</p> <p>If open plan layout =max 8m from a window</p> <p>Master bed: min 10m²</p> <p>Other bedroom: min 9m²</p> <p>Living room min. width:</p> <p>Studio and 1 bed: 3.6m</p> <p>2 and 3 bed: 4m</p> <p>Crossover/through: min 4m.</p>	<p>All units are provided with the minimum unit size requirements.</p> <p>The bedroom to unit AG.01 does not have a window.</p>	<p>Yes.</p> <p>No, refer to condition.</p>
4E – Private Open Space and Balconies	<p>Studio: 4m²</p> <p>1 bed: 8m², min depth 2m</p> <p>2 bed: 10m², min depth 2m</p> <p>3 bed: 12m², min depth 2.4m</p>	All units are provided with an area of private open space with a minimum dimension of 2m which meets the minimum area	Yes.

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		requirements.	
4F – Common Circulation and Spaces	Max 8 apartments off a single core	No more than seven (7) apartments are accessed off a single core.	Yes.
4G – Storage	Studio: 4m ³ 1 bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³ At least 50% within the basement	Whilst some storage space is provided within the basement area, a condition of consent is required to ensure adequate storage space is provided according to the unit sizes.	Yes - Condition of consent recommended.
4H – Acoustic Privacy	Orientate building away from noise sources Party walls limited or insulated, like rooms together Noise sources (e.g. garage doors, driveways) located at least 3m from bedrooms	The subject site is within close proximity to Parramatta Road which presents as a potential noise source. An Acoustic Report prepared by Acoustic Logic accompanied the application. The Acoustic report provides recommendations on the acoustic treatment of the building which have been included as conditions of consent.	Yes, refer to conditions.
4J – Noise and Pollution	Site building to maximise noise insulation Noise attenuation utilised where necessary	The building will be constructed in accordance with the relevant Australian Standards.	Yes.
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building.	The proposal provides the following housing mix; (18) x 1 bedroom, (40) x 2 bedroom (4) x 3 bedroom	Yes.
4M – Facades	Composition of building elements. Defined base, middle and top Building services integrated into the façade	The composition of the building façade has a defined base and top which has integrated a mixture of unique external finishes to provide interest to the appearance of the building and allow it to positively contribute toward the presentation of development in the streetscape. The front façade of the development is well articulated and is broken	Yes.

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		into two (2) separately defined elements to break up the composition of the development.	
4N – Roof Design	Roof design integrated into the building Incorporates sustainability features May include common open space	A flat roof design is proposed which includes a roof top common open space area and is suitable for the scale of development.	Yes.
4O – Landscape Design	Responsive to streetscape Viable and sustainable	The landscape scheme is responsive to the streetscape and incorporates a mixture of lower level shrubs and larger canopy trees.	Yes.
4Q – Universal Design	Variety of adaptable apartments	The proposal provides (8) units as adaptable units providing a total of 13% of adaptable units throughout the building.	Yes.
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation Screened areas for clothes drying Shading on northern and western elevations	The proposal achieves compliant cross ventilation outcomes. Areas for clothes drying have not been provided however a condition of consent is recommended to provide such an area.	Yes. Yes, subject to condition of consent.
4V – Water Management and Conservation	Efficient fixtures/fittings WSUD integrated Rainwater storage and reuse	Refer to BASIX Certificate commitments.	Yes.
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	The proposal provides a waste storage room in the basement for the storage of waste. The proposal also allows for the underground collection of waste to ensure that there is no disruption to Loftus Crescent during collection. The underground collection of waste will maintain the amenity of the streetscape.	Yes.
4X – Building Maintenance	Material selection reduces ongoing maintenance costs.	The proposed schedule of external finishes is understated and refined to ensure the development will evolve nicely with both the approved as well as	Yes.

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		<p>future development in the street.</p> <p>The proposed schedule of external finishes will include a mixture of stone, aluminium and alucobond cladding.</p> <p>The selected materials are suitable for the scale of the development and are relatively durable to reduce the ongoing maintenance costs of the building.</p>	
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State Environmental Planning Policy (Infrastructure) 2007

The proposed development was referred to Sydney Trains (formerly Rail Corp) in accordance with the requirements of Clause 86(1) of the Infrastructure SEPP as the subject site is within 25m of a Railway Corridor and the development includes excavation for two (2) levels of basement car parking.

Concurrence was received by Sydney Trains in correspondence dated 19 April 2017, subject to a number of deferred commencement matters and standard conditions. These have been included in the recommended conditions below.

Clause 87 of the Infrastructure SEPP also requires Council to assess the impact of rail noise on the amenity of the proposed residential flat building. The application has been accompanied by an Acoustic Report prepared by Acoustic Logic which undertakes an assessment of the proposed development against the internal noise parameters of the SEPP and provides a recommended construction methodology. Compliance with the recommendations of the Acoustic Report will be enforced by way of conditions of consent.

Therefore, the proposal has been assessed against the relevant provisions of the Infrastructure SEPP and is satisfactory.

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

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(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 development is a unique design incorporating high quality material finishes so that it is compatible with approved new development in the streetscape and will be a positive contribution to the locality.

Permissibility

The subject site is Zoned R4 High Density Residential under Strathfield Local Environmental Plan (SLEP) 2012.

Residential Flat Buildings are permissible within the R4 Zone with consent and is defined under SLEP 2012 as follows:

“residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.”

The proposed development for the purpose of a residential flat building is consistent with the definition above.

Zone Objectives

An assessment of the proposal against the objectives of the R4 Zone is included below:

Objectives	Complies
➤ To provide for the housing needs of the community within a high density residential environment.	Yes
➤ To provide a variety of housing types within a high 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 residential flat building development will adequately provide for the needs of the community in a high density residential setting and is therefore compliant with the objectives of the R4 zone.

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.

Minimum subdivision lot size

Cl.	Standard	Controls	Proposed	Complies
4.1A	Minimum lot sizes for dual occupancies, multi dwelling houses and residential flat buildings	1,000m ²	2,169m ²	Yes

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3A	Exceptions to height of building	29m	28.2m	Yes

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(Parramatta Road Corridor)

	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 is compliant with the required maximum building heights applying to the site and will ensure the development is compatible with existing approved residential flat development surrounding the site.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4A	Exceptions to floor space ratio (Parramatta Road Corridor)	2:1(4,338m ²)	2:1(4,338.1m ² m 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: <ul style="list-style-type: none"> 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 is considered compatible with the prevailing bulk and scale of approved residential flat development in the streetscape and is in keeping with the character of the area.

Part 5: Miscellaneous Provisions

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

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 sulphate 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 required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

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6.2 Earthworks

Appropriate conditions of consent to be imposed to ensure compliance with the sediment, erosion control plan as well as conditions of consent which include preparation of a dilapidation report to be provided to adjoining property owners.

6.3 Flood planning

Clause 6.3 of the SLEP 2012 requires consideration to be given to the compatibility of the development to the flood risk upon the site. The proposed development has been designed giving consideration the likely maximum levels of overland flow upon the site as to minimise impacts of the development upon the movement of flood waters within the locality. The subject application was accompanied by an Overland Flow Report prepared by Alpha Engineering identifying the proposed development as being compatible with the flood risk to the site and being unlikely to result in any significant impacts upon the movement of flood waters within the locality.

6.9 Additional provisions for development in Parramatta Road Corridor

The site forms Key Site 68 and is appropriate to the future intended outcome for the site. The proposal will integrate well with existing approved key site developments in the streetscape. The proposal therefore satisfies the additional provisions for development in Parramatta Road Corridor in accordance with Clause 6.9 of the SLEP, 2012.

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 Development Control Plan No 20 – Parramatta Road Corridor Area

DCP – 20 is of relevance to the assessment of an application for a residential flat building within the Parramatta Road Corridor Area and as such applies to the subject application.

Clause 6A of SEPP 65 confirms that in the event of any inconsistency between the controls of the ADG and Council's Development Control Plan, the objectives, design criteria and design guidance set out in the ADG prevail.

This confirms that if a development control plan contains provisions that specify requirements, standards or controls in relation to the following matters, those provisions are of no effect:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation, and
- (h) storage.

These matters, as of relevance to the application, have been addressed in the ADG assessment above where it has been determined that the proposal is satisfactory. The remaining matters of relevance provided in the DCP are addressed in the table below:

Section	Development Control	Required	Proposed	Compliance
2.2	Built	Proposal to conform	The building footprint generally	N/A

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Section	Development Control	Required	Proposed	Compliance
	form/footprint	to the building footprint shown in figure 9.	accords with the Draft Key Sites Map.	
	Land Consolidation	Proposal to conform to the consolidation pattern identified in figure 12.	Conforms with consolidation pattern of SLEP 2012 (Key Site 68)	N/A
2.3	Building Height	Proposal to conform to building height identified in figure 12, which requires max. 3 storeys.	Refer to previous discussion of building height under SLEP 2012	N/A
	Minimum Unit Sizes	Proposal to comply to the following min. unit sizes: 1 bed – 70m ² 2 bed - 85m ² 3 bed - 100m ²	The unit sizes of the ADG prevail.	N/A
2.5	Roof Form	Lift and service plant concealed within roof structure.	The lift overrun structure protrudes beyond the roof structure however will form part of the shade structure and is considered acceptable.	Yes.
		Provide an interesting skyline and enhance views from adjoining developments.	Acceptable roofline provided for the scale of the building.	Yes.
2.6	Façade Composition	Entrance should be distinguishable in the façade.	Entries are distinguishable and do not include opportunities for concealment.	Yes.
		Facades should maintain a human scale to the street by incorporating appropriate architectural features.	Human scale is maintained through the provision of individual entries to the ground floor apartments as well as a separate pedestrian access way.	Yes.
		Materials and finishes should blend together with min. 30% to incorporate face brickwork.	Materials and finishes comprise stone, aluminium and alucobond cladding and is appropriate to the streetscape.	Acceptable.
		Consider the use of glass in facades on northern and western elevations in terms of glare impacts.	Complies with BASIX.	Yes.
2.8	Visual and Acoustic Privacy	Visual privacy to be provided by separation or screening.	ADG prevails	N/A
		Main living areas oriented to the street or rear garden to prevent overlooking.	ADG prevails	N/A

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Section	Development Control	Required	Proposed	Compliance
		Acoustic privacy must be considered in relation to proposal and surrounding environment.	Acoustic report submitted. Compliance with construction methodology by way of condition of consent.	Yes, subject to condition.
		Buildings designed and sited to minimise transmission of noise to adjoining developments.	Residential in nature and unlikely to generate noise.	Yes.
		Developments adjoining major road or railway line to consider potential noise impacts.	Proximity to Parramatta Road addressed in acoustic report.	Yes.
		Shared pedestrian entries shall be capable of being locked and serve a limited no. of dwellings	Secured entries proposed.	Yes.
		Casual surveillance maintained of public streets and spaces with at least one habitable room window facing that area.	Casual surveillance encouraged through balcony orientation to overlook the public domain and centrally located open space areas.	Yes
2.9	Private Open Space	Proposal to provide 35% deep soil landscape area on the site.	ADG prevails.	N/A
		Retain and protect existing significant trees.	There are no significant trees on site that need to be retained. The application is supported with a landscape plan to replenish the site.	N/A
		Each contiguous landscape area shall provide large trees.	Numerous canopy trees proposed on the site. Refer to Landscape Plan.	Yes.
		Trees and pergolas to shade external areas and control sunlight into buildings.	Trees are provided within the ground floor communal open space area to provide shade.	Yes.
		Proposal to provide common open space to the following dimensions: 10% of site or 100m ² (whichever is greater); Min dimensions of 7m; Positioned to receive	ADG prevails	N/A

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Section	Development Control	Required	Proposed	Compliance
		<p>sunlight, be conveniently located for residents with good opportunities for passive surveillance and contain durable children's play equipment;</p> <p>Located behind front setback.</p>		
	Balconies	<p>Dwellings without ground level open space shall have balconies to the following requirements:</p> <ul style="list-style-type: none"> • 12m² up to 2 bed; and • 15m² for 3 or more bed; <p>Min. dimension of 2.0m;</p> <p>Located off living areas and with good solar access; and</p> <p>Balustrades designed to provide privacy and conceal service areas whilst allowing passive surveillance.</p>	ADG prevails.	N/A
		Achieve required BASIX rating.	BASIX satisfied.	Yes.
	Solar Access	Main living and 50% of POS receive min. 3 hours solar access.	ADG prevails	N/A
		Min. 3 hours solar access maintained to habitable rooms and POS of adjoining development.	ADG prevails	N/A
	Stormwater, Sewerage and Drainage	Site to be adequately serviced by stormwater, sewerage and drainage in accordance with Council's Stormwater Management Code.	Stormwater assessed to comply with Council's Stormwater Management Code.	Yes.
2.11	Disabled Access	One main entrance barrier free and accessible.	Barrier free access to and from the main entrance.	Yes.
2.12	Vehicle Access and Parking	Accessible parking provided.	To satisfy BCA	Yes.

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Section	Development Control	Required	Proposed	Compliance
		15% of units designed to allow occupation by older people and people with disabilities.	The proposal provides (8) 13% units throughout the building as adaptable units.	Yes – subject to conditions.
		Car parking to be provided on the following basis: 1 and 2 bed – 1 space 3 bed – 1.5 spaces required Visitor – 1 space per 5 units	ADG Prevails	Yes.
2.13	Site Facilities and Services	Comply with driveway ramp gradient and dimension requirements.	Condition of consent recommended requiring the driveway ramp be designed in accordance with AS2890.1-2004.	Yes
		Electricity and telecommunication supplies shall be underground.	Aerial Bundling of overhead cables required.	Acceptable subject to condition.
2.14		Letterbox provision	No details provided	Refer to condition of consent.
		Master TV antenna provided.	No details provided.	No, but condition will be imposed to enforce compliance.
		Clothes drying facilities provided.	No detail.	Condition imposed to ensure drying facilities are provided.
		Comply with BCA	To be enforced by condition of consent.	Yes, by way of condition of consent.
2.16		Dilapidation report for all adjoining development.	No details provided.	Dilapidation report will be required to be prepared prior to CC. Compliance will be enforced by way of condition of consent.

Part H – ‘Waste Management’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

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The proposal provides for the underground collection of waste in accordance with Section 3.3 of Part H of the Strathfield Development Control Plan 2005.

The proposal includes three (3) waste collection areas within the basement for the storage of 15 x 660L waste bins and 20 x 240L recycling bins. A bulky/storage space has also been provided within the basement in accordance with the Part H requirements of the SCDCP 2005.

The proposal has sought to incorporate waste chutes to accommodate for each of the two (2) buildings on the site. A condition of consent has been recommended to ensure waste identification and education signage is installed within or adjacent to all waste storage rooms in the basement and each chute and recycling room on each level in accordance with the Part H requirements of the SCDCP 2005.

Furthermore, the proposal provides sufficient clearance to allow for Council's truck to access the entire eastern portion of the basement area to permit the on-site collection of waste to occur.

Overall, the management of waste from the site, once occupied, will be acceptable and meets the provisions of Council's DCP subject to the imposition of conditions.

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

The proposed development is subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979.

The proposed development is subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979 as the proposal involves the dedication of 216.5m² of land to Council for widening of Loftus Lane.

The dedication of this land will help Council achieve its strategic goal for the activation of the Parramatta Road Corridor and is considered to be of public benefit. The applicant has submitted written correspondence to Council for the dedication of the laneway through a Voluntary Planning Agreement which will be executed prior to the issue of a Construction Certificate for above ground works.

Suitable conditions of consent have been included in the recommendation below.

(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 recommended to ensure the prescribed conditions of consent including compliance with the *Building Code of Australia* and insurance requirements under the *Home Building Act 1989* are met.

(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*.

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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*.

The proposed development has been designed giving consideration the likely maximum levels of overland flow upon the site as to minimise impacts of the development upon the movement of flood waters within the locality. The subject application was accompanied by an Overland Flow Report prepared by Alpha Engineering identifying the proposed development as being compatible with the flood risk to the site and being unlikely to result in any significant impacts upon the movement of flood waters within the locality.

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*

Building Separation/Visual Privacy

In accordance with 3F of the Apartment Design Guide (ADG) buildings up to a height of four (4) storeys are to provide a minimum 6m separation between habitable rooms and the nearest property boundary and a minimum 3m separation between non-habitable rooms and the property boundary. The proposed development has been designed as two (2) separate structures as per the illustration below extracted from the architectural plans:



Figure 6: Extract of the architectural plans showing the floor plan for levels 1-4

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Building B carries a nil side setback throughout the northern boundary of the site. A nil side setback is also provided to the southern side boundary with a 4.46m setback provided between the fourth level and the southern boundary. All balconies, windows and common access ways are orientated toward Loftus Lane and into the central open space area of the site providing passive surveillance to both the street and communal open space areas. This achieves compliance with the minimum 6m separation required as per Section 3F of the ADG.

With regard to Building A, a nil side setback is provided to both the northern and southern side boundaries of the site which carries through from the ground floor to the fifth floor of the development. Similarly to Building B, all balconies windows and common access ways pertaining to these levels are orientated to Loftus Crescent and into the central communal space area providing passive surveillance to the street and open space areas.

Between levels 6-8, 9.3m of separation is provided to the northern side boundary with 11.8m of separation provided to the southern side boundary in accordance with the minimum 9m required by Section 3F of the ADG. Both level 6 and the rooftop level of the development contain both communal and private open space areas which are orientated north and south. A non-trafficable area has been provided around the peripheries of each space to ensure adequate visual separation is achieved between adjoining sites.

Apartment Size and Layout

The bedroom pertaining to the 1 bedroom unit AG.01 has not been provided with a window contrary to objective 4D which requires each habitable room to have a window. Accordingly, a condition of consent is recommended to ensure the subject bedroom be installed with a northern-orientated window provided with fixed privacy screening or obscure glazing to minimise opportunities for overlooking from the common walkway adjoining the bedroom.

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

The proposed development presents an overall bulk, height and scale which is commensurate with the relevant statutory controls. The overall layout of the two (2) buildings maximises the northerly orientation of the site, providing residents with good solar access to units, balconies and common areas. The proposal is consistent with the architectural form and high quality material palate sought by Council throughout the Parramatta Road Corridor and will be compatible with existing, recently approved and likely future development nearby.

Therefore, the proposed development is suitable for the subject site.

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

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 14 March 2017 to 15 April 2017. No written submissions were received.

79C(1)(e) the public interest

The public interest is best served by the consistent application of relevant Environmental Planning Instruments, Development Control Plans and Council policies. As discussed throughout this report, the proposed development has been assessed against the relevant statutory provisions and is satisfactory. Therefore approval of the proposal would not 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:

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- “(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	\$113,565.48
Provision of Major Open Space	\$516,688.91
Provision of Local Open Space	\$336,888.24
Provision Roads and Traffic Management	\$33,235.52
Administration	\$9,792.47
TOTAL	\$1,010,170.62

CONCLUSION

The proposed development is permissible in the subject zoning and is consistent with the relevant objectives of the Strathfield Local Environmental Plan 2012 which seek to provide a range of residential accommodation within close proximity of existing public transport infrastructure.

Overall, the proposal presents a development of good architectural merit which will positively contribute to the vibrant mixed use Parramatta Road precinct. The proposal will support a good level of amenity for future residents within close proximity to Homebush Railway Station, Parramatta Road, the Sydney Markets, existing schools and local services.

As discussed in detail throughout this report, the proposal accords with the relevant statutory provisions under SEPP 55, SEPP 65, SEPP (Infrastructure), SEPP (BASIX), Council's Development Control Plan and Interim Planning Policies.

The application is therefore recommended for approval, subject to the deferred commencement matters raised by Sydney Trains and the following operational conditions of consent.

RECOMMENDATION

That DA2017/033 for the demolition of existing structures and construction of a part (7) storey and part (5) storey residential flat building containing (62) units above two (2) levels of basement car parking at 37-39 Loftus Crescent, Homebush be granted a DEFERRED COMMENCEMENT subject to the following conditions:

Deferred Commencement Conditions (DADC)

DADC001 DEFERRED COMMENCEMENT APPROVAL

This is a Deferred Commencement Consent under Section 80(3) of the Environmental Planning and Assessment (EP&A Act, 1979. This consent does not become operative until the applicant has satisfied the conditions listed under Schedule A below. All conditions shall be satisfactorily

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resolved within a period of three (3) months from the Determination Date that is shown on this consent. Upon compliance with the conditions under Schedule A and written confirmation of this from Council, the consent shall become operative from the 'Date of Endorsement' (to be included on the written notice of determination).

(Reason: A deferred commencement consent stipulates conditions that must be satisfied before the consent operates in accordance with Section 80(3) of the EP&A Act 1979.)

Schedule A

This consent is not to operate until the Applicant satisfies the Council, within 12 months of the date of this consent, that it has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the Council:

The Applicant shall prepare and provide to Sydney Trains for approval/certification the following items:

- (a) Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
- (b) Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
- (c) Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
- (d) Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land.
- (e) If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

Upon written confirmation from Strathfield Council that the above conditions have been satisfied, the consent will become operable subject to the following conditions.

Special Conditions (DASC)**DASP001 CLOTHES-DRYING FACILITY**

Prior to the issue of a Construction Certificate, amended plans shall be prepared which provide a communal clothes-drying facility in a suitable location behind the front building line.

(Improve residential amenity)

DASP002 BULKY WASTE STORAGE ROOM

Prior to the issue of any Occupation Certificate a bulky waste storage room of 32m² needs to be incorporated into the plans in accordance with the requirements PART H 'Waste Minimisation and Management' of the Strathfield Consolidated Development Control Plan 2005.

(Ensure compliance with Council's waste management requirements)

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DASP003 ADAPTABLE UNITS

A minimum of (10) units shall be designed to achieve compliance with the Livable Housing Guideline's silver level universal design features. Details demonstrating this shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**

(Ensure compliance with the Apartment Design Guide – Objective 4Q1)

DASP004 APARTMENT SIZE AND LAYOUT

The bedroom pertaining to unit AG.01 shall be installed with a northern-orientated window providing either with fixed privacy screening or obscure glazing to minimise opportunities for overlooking from the common walkway adjoining the bedroom.

(Ensure compliance with the Apartment Design Guide – Objective 4D-1)

DASP005 TREE PROTECTION

To protect existing trees, masonry fence piers must be setback a minimum «CONDITION» metre radius from the *Tristanopsis laurina* within Council's nature strip on Loftus Crescent and all masonry walling between the piers within this zone must be supported on concrete beams (not strip footings).

(Tree protection)

DASP006 SYDNEY TRAINS CONCURRENCE CONDITIONS

- If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. The dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.
- An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridor and Busy Roads – Interim Guidelines".
- Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
- The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of Sydney Trains. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate

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until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

- If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phase) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and is required, that it has been endorsed.
- Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
- No rock anchors/bolts are to be installed into Sydney Trains property or easements.
- Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- If required by Sydney Trains, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management group to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
- If required by Sydney Trains, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
- Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
- Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- Sydney Trains advises they have a 33kV H/V aerial transmission line near to this site and any

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works, scaffolding and crane movements within 6 metres of the nearest transmission line conductor must be discussed and approved by Sydney Trains beforehand.

- In addition, all works within 6m of the nearest transmission line conductor must comply with:
 - ISSC 20 – Guidelines for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure
 - The Safe Approach Distances (SADs) in the Sydney Trains Document titles “SMS-06-GD-0268 – Working Around Electrical Equipment”.
- Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.
- Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

(Achieve compliance with Clause 86(1) of the Infrastructure SEPP 2007)

General Conditions (DAGC)

DAGC001 APPROVED PLANS AND REFERENCE DOCUMENTATION

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:

Drawings affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2017/033:

Drawing No.	Title/Description	Prepared By	Issue/ Revision & Date	Date Received by Council
DA1002	Site/Roof Plan	Urbanlink	B	3 April 2017
DA2001_B	Floor Plans – Basement 01	Urbanlink	C	21 April 2017
DA2001_B	Floor Plans – Basement 02	Urbanlink	C	21 April 2017
DA2002_B	Ground Floor Plans	Urbanlink	C	21 April 2017
DA2004_B	Level 1-3 Floor Plans	Urbanlink	B	3 April 2017
DA2005_B	Level 4 Floor Plans	Urbanlink	B	3 April 2017
DA2006_B	Level 5 Floor Plans	Urbanlink	B	3 April 2017
DA2007_B	Level 6 Floor Plans	Urbanlink	B	3 April 2017
DA2008_B	Level 7 Floor Plans	Urbanlink	B	3 April 2017
DA2009_B	Level 8 Rooftop Floor Plans	Urbanlink	B	3 April 2017
DA3001_C	Elevation Plans	Urbanlink	C	21 April 2017
DA3002_C	Elevation Plans	Urbanlink	C	21 April 2017
DA3003_C	Elevation Plans East/West	Urbanlink	C	21 April 2017
DA3101_B	Streetscape Loftus Lane & Crescent	Urbanlink	B	3 April 2017

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DA4001_B	Section AA Plans	Urbanlink	C	21 April 2017
DA4002_B	Section BB Plans	Urbanlink	C	21 April 2017
DA4003_B	Section CC Plans	Urbanlink	C	21 April 2017
DA4004_B	Section DD Plans	Urbanlink	C	21 April 2017
DA4005_C	Section EE Plans	Urbanlink	C	21 April 2017
DA6301_A	External Finishes Schedule	Urbanlink	A	3 March 2017
N/A	External Finishes Board	Urbanlink	A	20 March 2017
URBL001 Page 1 to 5	Landscape Plans	DenisChan Landscape Architect	B	3 April 2017
16MB7311/D01 Sheet 1 of 5	Site and Roof Drainage Plan	United Consulting Engineers	B	4 May 2017
16MB7311/D02 Sheet 2 of 5	Ground Floor Drainage Plan	United Consulting Engineers	B	4 May 2017
16MB7311/D03 Sheet 3 of 5	Basement 1 Drainage Plan	United Consulting Engineers	B	4 May 2017
16MB7311/D04 Sheet 4 of 5	Basement 2 Drainage Plan	United Consulting Engineers	B	4 May 2017
16MB7311/D05 Sheet 5 of 5	Drainage Details	United Consulting Engineers	B	4 May 2017
17SYT0017-SK1D	Swept Path Analysis	TTM Consulting Pty Ltd	A	3 April 2017

Development Consent No. 2017/033:

Title / Description	Prepared By	Issue/ Revision & Date	Date Received by Council
Statement of Environmental Effects	Planning Ingenuity	A	3 March 2017
Access Compliance Report	Vista Access Architects	A	3 March 2017
Acoustic Report	Acoustic Logic	1	3 March 2017
BASIX Certificate	-	Number:799802M issued 27 February 2017	3 March 2017
Preliminary Site Investigation Report	Benviron Group	0	3 March 2017
Geotechnical Report	Benviron Group	0	3 March 2017
Survey Plan	Sydney Registered Architects	B	3 March 2017
Overland Flow Impact Report	Alpha Engineering	A	24 April 2017
Traffic Assessment Report	TTM	0	3 March 2017
Waste Management Plan	Urbanlink	B	4 May 2017
Quantity Surveyor Report	MMD Construction Consultants	1	3 March 2017

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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)

DAGC005 BUILDING HEIGHT (MAXIMUM RL TO BE COMPLIED WITH)

The height of the building measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 41.261m AHD to the roof ridge of building A.

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

DAGC007 CONSTRUCTION HOURS

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)

DAGC008 CONSTRUCTION WITHIN BOUNDARIES

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).

DAGC009 DEMOLITION (GENERALLY)

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)

DAGC011 DEMOLITION (SITE SAFETY FENCING)

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

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- 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)

DAGC017 LANDSCAPING (IRRIGATION OF COMMON AND PRIVATE LANDSCAPE AREAS)

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)

DAGC018A LANDSCAPING (TREES TO BE RETAINED)

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) Tristaniopsis laurina (Water Gum)	5m x 3m	Nature strip	4.2m	2.37m
2) Tristaniopsis laurina (Water Gum)	5m x 3m	Nature strip	4.2m	2.37m
3) Tristaniopsis laurina (Water Gum)	5m x 3m	Nature strip	4.2m	2.37m

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 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.
- 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*.
- No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- The tree protection zone shall be regularly watered.
- Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable

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paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

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

DAGC019 LANDSCAPING (TREE PRESERVATION)

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.

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). All noxious weeds on the site shall be removed and destroyed as per their classification under the Noxious Weeds Act.

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.

DAGC022 MATERIALS (EXTERNAL MATERIALS AND REFLECTIVITY)

All external materials and finishes including windows and doors and roofing materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority.

(To minimise excessive glare and reflectivity)

DAGC023 MATERIALS (SCHEDULE OF EXTERNAL MATERIALS, FINISHES AND COLOURS)

The 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)

DAGC024 PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN

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

- (a) The Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- (b) The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- (c) 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)

DAGC027 SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- (a) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- (b) Demolition must be carried out by a registered demolition contractor.
- (c) 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.
- (d) No blasting is to be carried out at any time during construction of the building.
- (e) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- (f) 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.
- (g) Any demolition and excess construction materials are to be recycled wherever practicable.
- (h) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- (i) 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.
- (j) All waste must be contained entirely within the site.
- (k) 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.
- (l) 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.
- (m) 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.
- (n) 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.
- (o) 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.
- (p) 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.
- (q) 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.
- (r) Any work must not prohibit or divert any natural overland flow of water.
- (s) Toilet facilities for employees must be provided in accordance with WorkCover NSW.

(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)

DAGC028 STORMWATER MANAGEMENT PLAN (CERTIFICATION REQUIREMENT)

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.

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(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)

DAGC029 SYDNEY WATER (STAMPED PLANS PRIOR TO COMMENCEMENT)

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)

DAGC030 UTILITIES AND SERVICES (PROTECTION OF)

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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)

DAGC031 WASTE (NO BURNING AND BURYING OF MATERIALS OR RUBBISH)

No materials or rubbish resulting from the land clearing, demolition and building works must be burnt or buried on the site.

(Reason: Health and amenity)

DAGC032 WASTE (TRACKABLE)

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.

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Reason: To ensure compliance with legislation)

Conditions to be satisfied prior to the issue of a Construction Certificate (DACC)

DACC001 ACCESS (ACCESS FOR PEOPLE WITH DISABILITIES)

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*. Prior to the issue of a Construction Certificate, plans shall be notated demonstrating compliance, and approved by the Principal Certifying Authority

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)

DACC006 BASIX COMMITMENTS

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)

DACC009 BUILDING CODE OF AUSTRALIA (COMPLIANCE WITH)

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)

DACC010 CAR PARKING (BASEMENT CAR PARKING REQUIREMENTS)

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

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- 1) Minimal internal clearance of the basement is 2.2m in accordance with BCA requirements.
- 2) 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.
- 3) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.
- 4) Provision of pump-out systems and stormwater prevention shall be in accordance with Council's Stormwater Management Guide.

(Reason: To ensure suitable development)

DACC012 CAR PARKING (REQUIREMENTS FOR MULTIPLE USE BUILDINGS)

The following car parking and service vehicle requirements apply:-

- (a) **66** car spaces shall be provided on the development site. This shall consist of:

(i) Residents	53 (including 13 accessible spaces)
(ii) <u>Visitors</u>	<u>13</u>
TOTAL	(66)
- (b) All car spaces shall be allocated and marked according to this requirement.
- (c) If the development is to be strata subdivided, the car park layout must reflect the above allocation and thereafter be regarded as part of the entitlement of that strata lot.
- (d) Under no circumstances shall parking spaces be sold, let or otherwise disposed of for use other than in accordance with this condition.
- (e) Each car parking space shall have minimum dimensions in accordance with the relevant Australian Standard and be provided on-site in accordance with the approved plans.
- (f) The parking bays shall be delineated by line marking.
- (g) Visitor spaces shall be clearly line marked and/or signposted and shall only be used by persons visiting residents of the property or commercial/business/retail premises located within the development. Visitor spaces shall not be allocated as permanent residential parking spaces. Access to visitor parking spaces shall not be restricted without development approval and a sign shall be erected at the vehicular entrance indicating the availability of visitor parking.
- (h) The following traffic control measures shall be implemented on site:-
 - (i) Signage indicating 'Entry Only' shall be prominently displayed at the entrance to the development.
 - (ii) Signage indicating 'Exit Only' shall be prominently displayed at the exit to the development.
 - (iii) One-Way directional arrows shall be painted on the driveway pavement to indicate the required vehicular directional movement through the car parking area.

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

(Reason: To ensure car parking provision in accordance with this consent)

DACC015 CAR PARKING (COMPLIANCE WITH AS/NZS 2890.1:2004)

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)

DACC016 CAR PARKING (VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS)

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

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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)

DACC018 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)

DACC019 CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

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

- 1) Detailed information on any approvals required from other authorities prior to or during construction.
- 2) Traffic management, including details of:
 - (a) ingress and egress of vehicles to the site;
 - (b) management of loading and unloading of materials;
 - (c) the location of heavy vehicle parking off-site; and
 - (d) designated routes for vehicles to the site.
- 3) 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.
- 4) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - (a) the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - (b) procedures to prevent run-off of solid material and waste from the site.
- 5) Waste management, including:
 - (a) details of the types and estimated volumes of waste materials that will be generated;
 - (b) procedures for maximising reuse and recycling of construction materials; and
 - (c) details of the off-site disposal or recycling facilities for construction waste.
- 6) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- 7) A soil and water management plan, which includes:
 - (a) measures to minimise the area of soils exposed at any one time and conserve top soil;
 - (b) identification and protection of proposed stockpile locations;
 - (c) preservation of existing vegetation and revegetation;
 - (d) measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - (e) 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;
 - (f) details of sediment and erosion control measures in place before work commences;

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- (g) measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - (h) details of drainage to protect and drain the site during works.
- 8) Asbestos management procedures:
- (a) 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
 - (b) 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.
 - (c) 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:
 - (i) The Work Health and Safety Act 2011;
 - (ii) The Work Health and Safety Regulation 2011;
 - (iii) How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - (iv) Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - (d) 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.
 - (e) 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:
 - (i) the date and time when asbestos removal works will commence;
 - (ii) the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - (iii) the full name and license number of the asbestos removalist/s; and
 - (iv) the telephone number of WorkCover's Hotline 13 10 50
 - (v) 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
 - (vi) 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)

DACC020 DILAPIDATION REPORT (PRE-COMMENCEMENT)

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all 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.

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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)

DACC021 DRIVEWAY WIDTH (MULTI-UNIT DEVELOPMENT)

The internal driveway must be a minimum 5.50m wide (clear width) for the first 6 metres inside the property so as to allow entering & exiting vehicles to pass within the site. Should the driveway narrow after this point it is then to be designed with a minimum 1.5m x 1.5m splay to allow the passing to work. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior the issue of a Construction Certificate.

(Reason: Safety and traffic management)

DACC024 EXCAVATION (AFFECTING ADJOINING LAND)

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:

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

The condition referred to in subclause (1) 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)

DACC025 EXCAVATION (DEWATERING)

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

- 1) 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 Manly Council for compliance with ANZECC Water Quality Guidelines.
- 2) If tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.

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- 3) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- 4) 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)

DACC029 FIRE SAFETY SCHEDULE

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)

DACC030 FLOODING (COMPLY WITH FLOOD IMPACT REPORT)

The applicant shall comply with the flood recommendations provided in the Flood Impact Report prepared by Alpha Engineering. 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)

DACC032 HAZARDOUS GOODS AND WASTE

- (a) 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.
- (b) 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.
- (c) 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)

DACC035 HOARDINGS

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.

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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 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.

(Reason: Public safety)

DACC037 LANDSCAPING (MAINTENANCE STRATEGY)

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)

DACC038 LANDSCAPING (ON SLAB)

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)

DACC042 PLANNING AGREEMENT (SECTION 93F OF THE EP&A ACT)

In accordance with Section 93F(3) of the Environmental Planning and Assessment Act 1979, the Voluntary Planning Agreement offered by the developer in respect of the Development Application, the subject of this consent, for the dedication of 215m² of land with a minimum width of 4.9m for the purpose of an extension of Loftus Laneway adjacent to the northern boundary of the site. must be entered into prior to the issue of a Construction Certificate. The terms of the Voluntary Planning Agreement must, thereafter, be adhered to.

(Reason: To ensure compliance with the terms of the S93F Agreement)

DACC049 SECTION 94 CONTRIBUTIONS (DIRECT CONTRIBUTIONS PLAN)

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	\$113,565.48
Provision of Major Open Space	\$516,688.91
Provision of Local Open Space	\$336,888.24
Provision Roads and Traffic Management	\$33,235.52
Administration	\$9,792.47
TOTAL	\$1,010,170.62

The total amount of the contribution is valid as at the date of determination and is subject to

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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 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)

DACC051 SECURITY PAYMENT (DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE)

A security payment of **\$6,254.00** 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 tree protection bond	\$2,000.00
Refundable works bond	\$4,000.00
Non-refundable administration fee (\$127/bond)	\$254.00
TOTAL	\$6,254.00

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;
- (d) tree final inspection to ensure that Council's street trees have been retained, protected or replanted in accordance with conditions of consent and/or Arborists' report for the post final inspection twelve (12) month period; and
- (e) 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.

(Reason: Protection of Council infrastructure)

DACC061 WORKS PERMIT

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.

(Reason: Council requirement)

DACC062 WORKS (WITHIN THE ROAD RESERVE)

- (a) Detailed drawings including long and short sections and specifications of all works within existing roads (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) shall be submitted to and approved by Council under

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- Section 138 of the Roads Act 1993 and all fees and charges paid, prior to the issue of a Construction Certificate.
- (b) Detailed drawings and specifications are to be prepared and certified by an appropriately qualified Civil Engineer.
 - (c) Upon completion of the works, the Applicant is to provide to Council with electronic copies of 'Work as Executed Plans'. The plans are to show relevant dimensions and finished levels and are to be certified by a surveyor.
 - (d) The Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works.
 - (a) All civil engineering works adjacent/near/outside <insert address> are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

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

DACC063 TRAFFIC (CONSTRUCTION TRAFFIC MANAGEMENT PLAN)

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):

- 1) A description of the demolition, excavation and construction works
- 2) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
- 3) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- 4) 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
- 5) 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.
- 6) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.)
- 7) Proposed hours of construction related activities and vehicular movements to and from the site
- 8) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)
- 9) Any activities proposed to be located or impact upon Council's road, footways or any public place
- 10) Measures to maintain public safety and convenience
- 11) Any proposed road and/or footpath closures
- 12) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
- 13) The 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.
- 14) 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).
- 15) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
- 16) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- 17) An on-site parking area for employees, tradespersons and construction vehicles as far as

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possible.

- 18) The 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.
- 19) 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)

DACC064 UTILITIES AND TELECOMMUNICATIONS (ELECTRICITY CONNECTION)

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

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

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

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

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

(Reason: Environmental amenity)

DACC066 UTILITIES AND TELECOMMUNICATIONS (TELECOMMUNICATIONS ASSETS)

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)

DACC068 WASTE MANAGEMENT PLAN

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)

DACC070 WASTE (GARBAGE ROOMS OR GREASE ARRESTOR ROOMS)

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

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handling exhaust system.

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

DACC073 WATER HEATING SYSTEMS (LOCATION OF)

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)

DACC074 WORKS ZONE (APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE)

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.

Conditions to be satisfied prior to the commencement of works (DAPC)

DAPC001 APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY

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

- 1) A construction certificate for the building work has been issued by:
 - (a) the consent authority; or
 - (b) a Principal Certifying Authority; and
- 2) the person having the benefit of the development consent has:
 - (a) appointed a principal certifying authority for the building work, and
 - (b) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- 3) the principal certifying authority has, no later than 2 days before the building work commences:
 - (a) notified the Council of his or her appointment, and
 - (b) 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, and
- 4) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (a) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (b) notified the principal certifying authority of such appointment, and
 - (c) 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, and
- 5) 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

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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)

DAPC003 NOTICE OF COMMENCEMENT

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

- 1) 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;
- 2) Details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- 3) Details of the name, address and licence details of the Builder.

(Reason: Statutory requirement)

Conditions to be satisfied during demolition and building works (DADW)

DADW001 CONTAMINATED LAND UNEXPECTED FINDS

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)

DADW002 FILL MATERIAL

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

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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)

DADW006 OBSTRUCTION OF PUBLIC WAY (NOT PERMITTED DURING WORKS)

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)

DADW007 PUBLIC INFRASTRUCTURE AND SERVICES

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)

DADW010 SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

- 1) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- 2) Demolition must be carried out by a registered demolition contractor.
- 3) 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.
- 4) No blasting is to be carried out at any time during construction of the building.
- 5) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 6) 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.
- 7) Any demolition and excess construction materials are to be recycled wherever practicable.
- 8) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9) 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.
- 10) 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.
- 11) 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.
- 12) 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.
- 13) 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.
- 14) 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.

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- 15) 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.
- 16) 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.
- 17) 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.

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)

DADW011 SURVEY REPORT OF APPROVED LEVELS (DURING AND POST CONSTRUCTION)

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

- 1) At the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries.
- 2) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- 3) 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 (DAOC)**DAOC004 CAR PARKING (VISITOR CAR PARKING SIGNAGE)**

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)

DAOC006 DRAINAGE SYSTEM (MAINTENANCE OF EXISTING SYSTEM)

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.

2017/033 - 37-39 Loftus Crescent, Homebush - Lot 33 & 34 DP9154 & Lot Y DP 446141 (Cont'd)

(Reason: Maintenance and environment)

DAOC007 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:

- 1) the stormwater drainage system; and/or
- 2) the car parking arrangement and area; and/or
- 3) any related footpath crossing works; and/or
- 4) the proposed basement pump and well system; and/or
- 5) the proposed driveway and layback; and/or
- 6) 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)

DAOC008 FIRE SAFETY (CERTIFICATION)

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:

- a) has been assessed by a properly qualified person, and
- b) 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:-

- 1) submitted to Strathfield Council;
- 2) submitted to the Commissioner of the New South Wales Fire Brigade; and
- 3) prominently displayed in the building.

(Reason: Fire safety and statutory requirement)

2017/033 - 37-39 Loftus Crescent, Homebush - Lot 33 & 34 DP9154 & Lot Y DP 446141 (Cont'd)

DAOC012 LANDSCAPING (ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED)

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. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority

to be provided to the satisfaction of the Principle Certifying Authority at the completion of construction and prior to issue of any Occupation Certificate which documents the following:

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

(Reason: Ensure survival of trees to be retained)

DAOC014 OCCUPATION OF BUILDING

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:

- 1) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- 2) 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)

DAOC018 STORMWATER (CERTIFICATION OF THE CONSTRUCTED STORMWATER DRAINAGE SYSTEM)

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)

DAOC020 STORMWATER (ON SITE DETENTION IDENTIFICATION PLATE)

Prior to issue of a Final Occupation Certificate, the applicant shall install an identification plate near or onto the control structure of the OSD system, this is to advise the registered proprietor of their responsibility to maintain the OSD facility and not to tamper with it in any manner without written consent.

The applicant can obtain the OSD identification plate from the Council at a cost.

(Reason: To ensure that the OSD system is installed and identified in accordance with this approval)

2017/033 - 37-39 Loftus Crescent, Homebush - Lot 33 & 34 DP9154 & Lot Y DP 446141 (Cont'd)

DAOC021 SUBDIVISION (EVIDENCE OF CONSOLIDATION)

The existing allotments shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered as a deposited plan with the Land and Property Information Office must be submitted to Council, prior to occupation of the site.

(Reason: Proper management of land)

DAOC024 VENTILATION SYSTEMS (NATURAL)

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

- (a) The Building Code of Australia; and
- (b) 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)

Conditions to be satisfied prior to the issue of a Subdivision Certificate (DASC)

DASC002 ENGINEERING WORKS (CERTIFICATION OF WORK AS EXECUTED)

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

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

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

05 SEPARATE APPLICATION (FOR STRATA SUBDIVISION)

This consent does not imply approval to create a separate title, by subdivision or otherwise. Should it be intended to subdivide the approved development into strata title allotments, Council will require the lodgement of a separate development application for consideration.

(Reason: To ensure compliance with the consent)

DASC006 SUBDIVISION CERTIFICATE (REQUIREMENTS PRIOR TO THE ISSUE OF)

A Subdivision Certificate allows a person to lodge a plan of subdivision with NSW Land and Property Information (LPI). The plan of subdivision identifies each of the allotments approved under the original consent (if required) or each allotment subject to an exempt boundary adjustment. The plan of subdivision is required to be prepared by a registered surveyor.

All types of subdivision (Torrens, Strata and Community Title) are required to be registered with NSW LPI before a new 'allotment' of a subdivision of land can be created.

2017/033 - 37-39 Loftus Crescent, Homebush - Lot 33 & 34 DP9154 & Lot Y DP 446141 (Cont'd)

The release of a Subdivision Certificate confirms that the Principal Certifying Authority (Council or Accredited Certifier) is satisfied that works are completed in accordance with the applicable Development Consent and that the land is suitable to occupy.

Prior to the issuing of any Subdivision Certificate under section 37A of *the Strata Schemes (Freehold Development) Act 1973*, and section 66A of *the Strata Schemes (Leasehold Development) Act 1986*, and in accordance with section 29A of *the Strata Schemes (Freehold Development) Regulation 2007* and section 30A of *the Strata Schemes (Leasehold Development) Regulation 2007*, the PCA is required to be satisfied that:

- 1) the floors, external walls and ceilings depicted in the proposed strata plan for the building correspond to those of the building as constructed;
- 2) the floors, external walls and ceilings of the building as constructed correspond to those depicted in the building plans that accompanied the construction certificate for the building; and
- 3) any facilities required by the relevant development consent (such as parking spaces, terraces and courtyards) have been provided in accordance with those requirements.

As construction of the building nears completion, or after it has been completed, the Principal Certifying Authority must inspect the building and the common property areas around the building, so as to be satisfied, as required by section 66AA of the Act, that the above requirements have been met.

The Principal Certifying Authority shall also be satisfied that:

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

The Subdivision Certificate must not be issued until the Principal Certifying Authority has issued the Final Occupation Certificate in relation to the approved development.

(Reason: Statutory requirements)

DASC007 SUBDIVISION (LODGEMENT OF FINAL PLAN OF SUBDIVISION)

Once a Subdivision Certificate is issued by the Principal Certifying Authority, the Final Plan of Subdivision must be registered with Land and Property Information. Documentary evidence that the linen plan has been registered with Land and Property Information must be submitted to Strathfield Council as soon as practicable.

(Reason: Statutory requirement)

DASC008 SYDNEY WATER (SECTION 73 CERTIFICATE)

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained before the issue of the Subdivision Certificate. An application must be made through an authorised Water Servicing Coordinator (refer www.sydneywater.com.au).

Following receipt of the application a 'Notice of Requirements' will be issued detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Water Servicing Coordinator, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

Sydney Water written advice that you have obtained the Notice of Requirements must be submitted to the Principal Certifying Authority

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior

2017/033 - 37-39 Loftus Crescent, Homebush - Lot 33 & 34 DP9154 & Lot Y DP 446141 (Cont'd)

to release of the Subdivision Certificate /any occupation of the premises.

(Reason: To comply with the statutory requirements of Sydney Water)

Conditions to be satisfied during ongoing use of the premises (DAOU)

DAOU008 FIRE SAFETY (ANNUAL STATEMENT)

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:-

1. Forwarded to the Commissioner of the New South Wales Fire Brigade; and
2. Prominently displayed in the building

(Reason: Fire safety)

DAOU026 NOISE (COMPLIANCE WITH ACOUSTIC ASSESSMENT REPORT)

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

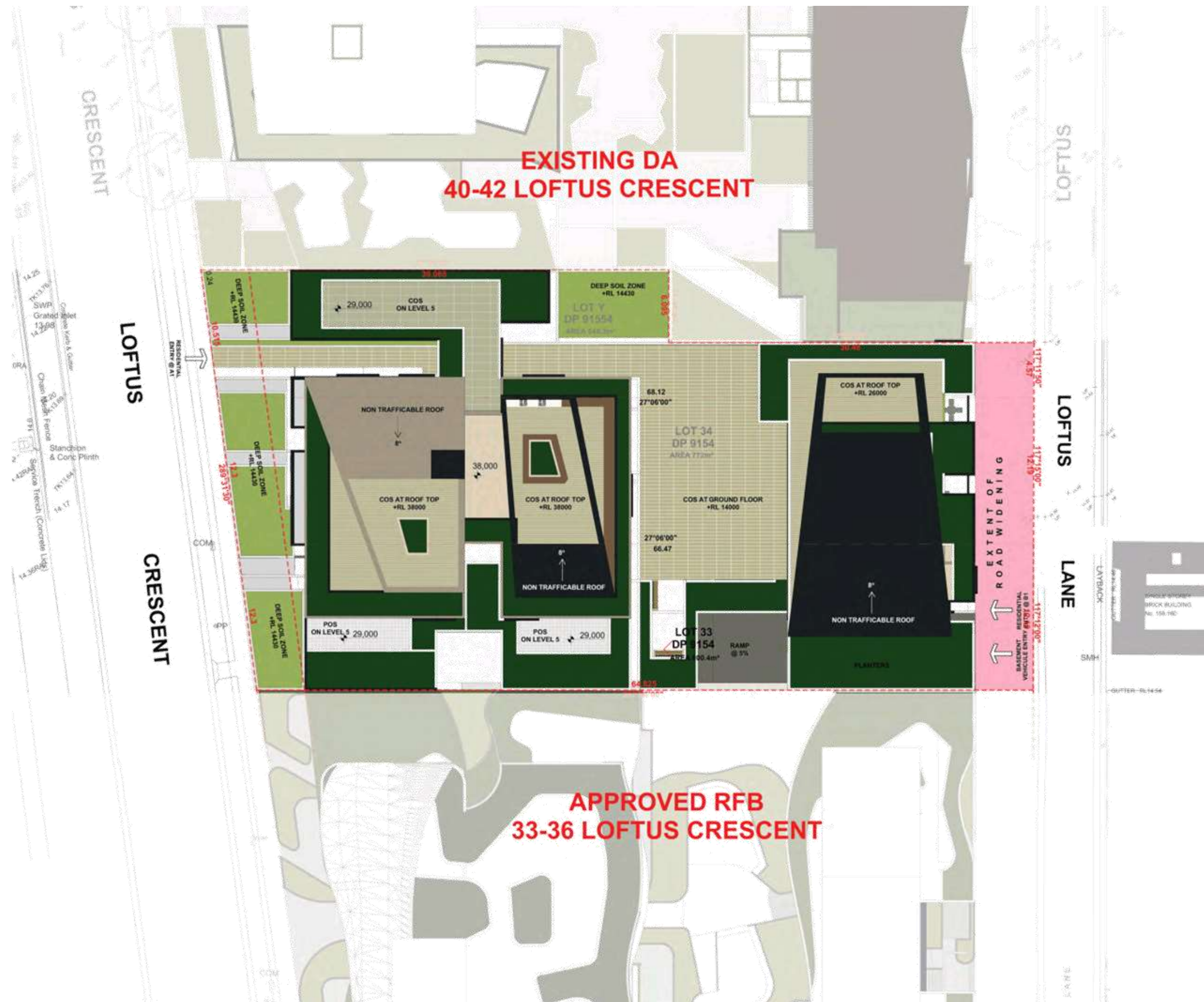
The Principal Certifying Authority (PCA) shall obtain a statement from an appropriately qualified acoustic consultant, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied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

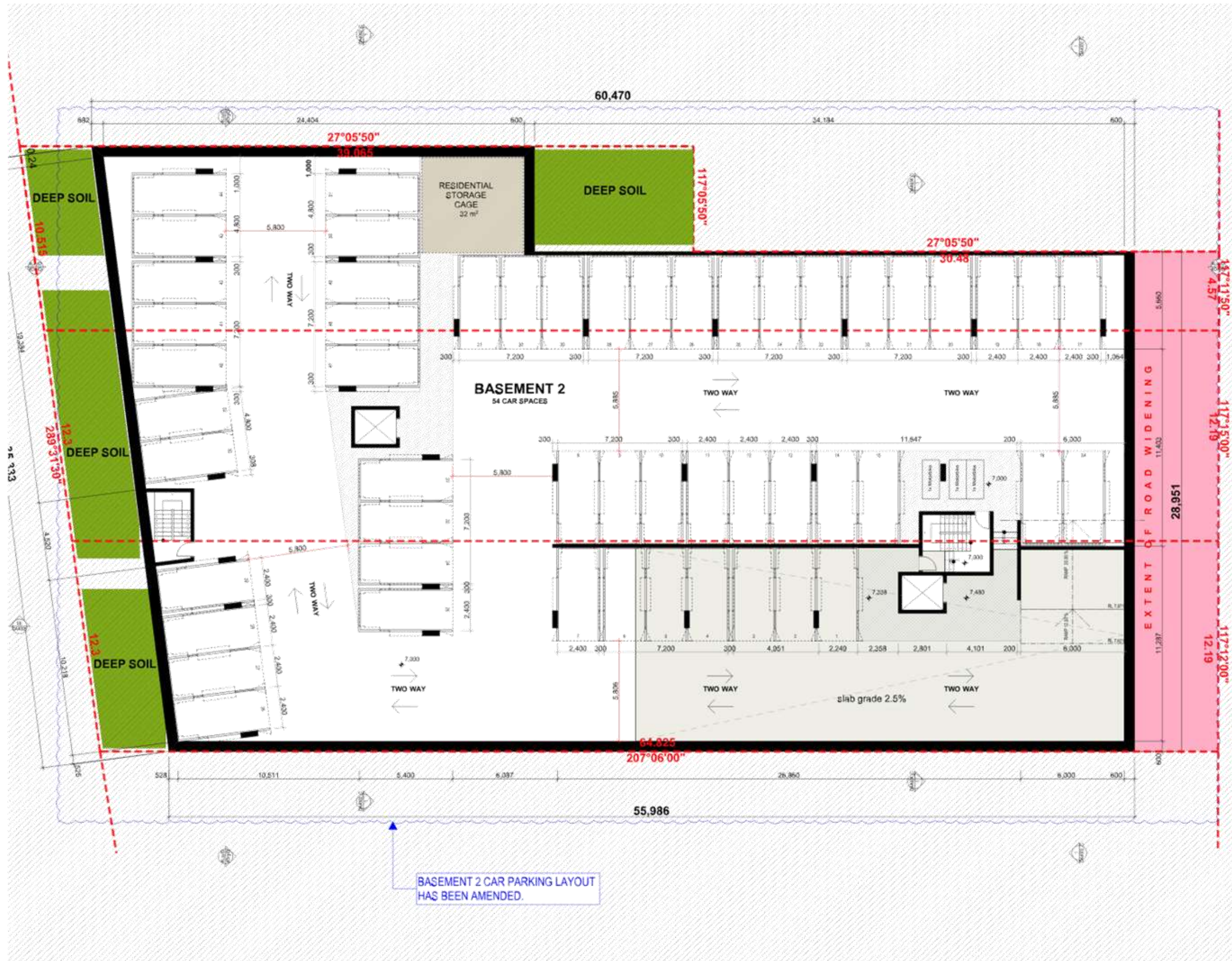
ATTACHMENTS

1. [↓](#) Architecturals
2. [↓](#) Map



Note:
 CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
 COMMENCING WORK OR PREPARING SHOP DRAWINGS.
 DO NOT SCALE DRAWING.

4. DEVELOPMENT APPLICATION 27.06.17 24
 Rev. Description Date
 Project
37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
 37-39 LOFTUS CRES
 HOMESBUSH NSW 1534a New South Wales
URBANLINK
 Strategic Advisory, Level 10, 11118 Danks Street, Berala NSW 1514
 Postal Address: PO BOX 2222 Berala NSW 1514
 Phone Number: +61 2 9743 2214
 National Landline
 24h Australian Reg no 8866 Ales 530 Reg no 2961
 Transport NSW Reg no 8852 Motor Vehicle Reg no 8338
 Drawing Title
SITE
SITE / ROOF PLAN
 Date of Issue Checked Approver
 30/06/17
 Scale
 1:150
 Project Number
 17-012 Drawing Number
 DA1002
 Date
 DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

C GENERAL REVISION FLOORING 2/24/17 JCB
 D GENERAL REVISION 20/02/17 CH
 E DEVELOPMENT APPLICATION 22/02/17 CH
 Rev Description Date Author

37-39 LOFTUS CRES
 RESIDENTIAL FLAT BUILDING
 37-39 LOFTUS CRES
 HOMESBUSH NSW 1514 Australia

URBANLINK

Building Address: 37-39 Loftus Cres, Sydney NSW 1514
 Plot Address: PO BOX 2222 Newswell NSW 1514
 Project Number: 17-012
 Nominating Authority: Zet Karamanoglou
 Project Engineer: Zet Karamanoglou
 Project Manager: Zet Karamanoglou

Drawing Title
FLOOR PLANS
BASEMENT 02

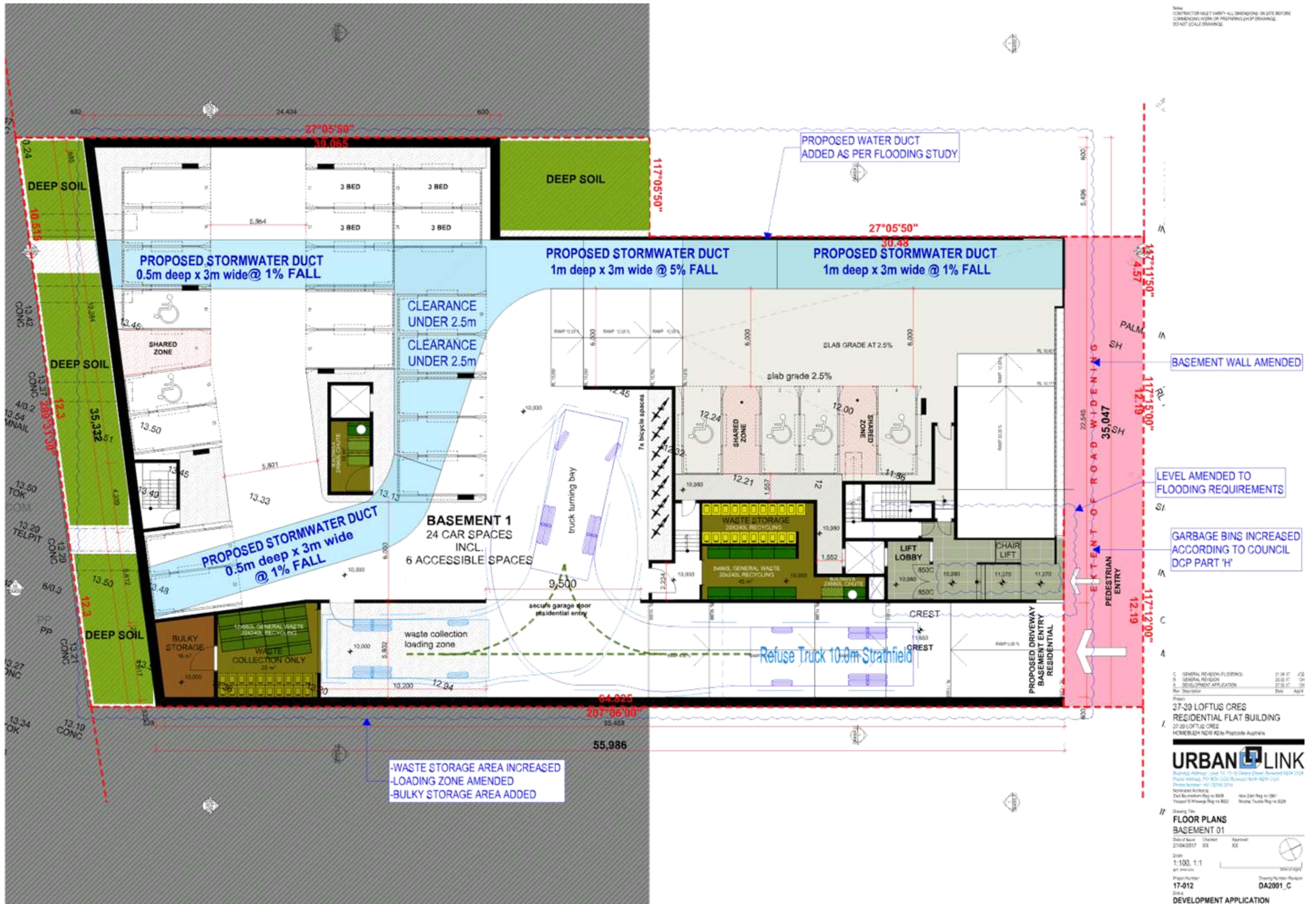
Date of Issue: 2/04/2017
 Checked: Approved:

Scale
 1:100, 1:1
 as indicated

Project Number
17-012

Drawing Number/Revision
DA2001_C

Date
DEVELOPMENT APPLICATION



Note:
 CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
 COMMENCING WORK. IF PRELIMINARY DRAWING,
 DO NOT SCALE DRAWING.

C GENERAL REVISION FLOODING 2/24/17 JCB
 B GENERAL REVISION 20/02/17 JCB
 A DEVELOPMENT APPLICATION 17/02/17 JCB
 Rev. Description Date
 Project:
 37-39 LOFTUS CRES
 RESIDENTIAL FLAT BUILDING
 37-39 LOFTUS CRES
 HOMESBUSH NSW 1516 Australia

URBAN LINK
 Building Advisory Unit 10/11-13 Oaker Street, Strathfield NSW 1513
 Phone: (02) 9511 3333 Fax: (02) 9511 3334
 Email: info@urbanlink.com.au
 Website: www.urbanlink.com.au
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Drawing Title:
FLOOR PLANS
BASEMENT 01
 Date of Issue: 2/04/2017
 Checked: JCB
 Approved: JCB
 Scale: 1:100, 1:1
 Project Number: 17-012
 Drawing Number: DA2001_C
 Date: DEVELOPMENT APPLICATION





Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS

Building A
 Fixtures/Appliances:
 Showers/baths: 3 star / Toilet: 4 star / Kitchen Tap: 3 star / Bathroom: 3 star / Dishwashers: 3 star
 Hot Water System - gas instantaneous 3.5 star
 Bathroom/Kitchen/Laundry: ventilated with individual fan, ducted to outside or roof
 Ceiling/lighting:
 Living area/bedrooms - 1 phase air conditioning 3.5 star
 Kitchen cooking - gas and electric oven
 Dishwasher - 3 star

Building B
 Fixtures/Appliances:
 Showers/baths: 3 star / Toilet: 4 star / Kitchen Tap: 3 star / Bathroom: 3 star / Dishwashers: 3 star
 Hot Water System - gas instantaneous 3.5 star
 Bathroom/Kitchen/Laundry: ventilated with individual fan, ducted to outside or roof
 Ceiling/lighting:
 Living area/bedrooms - 1 phase air conditioning 3.5 star
 Kitchen cooking - gas and electric oven
 Dishwasher - 3 star


 Certificate No. 88124702
 Assessor Name: Thomas Fluck
 Accreditation No. VIC080417214851
 Certificate Date: 27 February 2017
 Drawing Address:
 37-39 Loftus Crescent
 Hawthorn, VIC 3122
 2140
 www.urbanlink.com.au

4. DEVELOPMENT APPLICATION 27.06.17 OF
 Re: Description Date April

Project:
**37-39 LOFTUS CRES
 RESIDENTIAL FLAT BUILDING**
 37-39 LOFTUS CRES
 HOMEBUSH NSW 1510 Australia

URBANLINK
 Business Address: Level 10, 1110 Green Street, Richmond VIC 3121
 Phone Number: 41 2516 2214
 National Australia Bank: 261 Southbank Way, 3006 VIC 3006
 Transfer@kva.com.au 8001 464 534 Fax to 2961 7000 7000 Fax to 8006

Drawing Title:
**FLOOR PLANS
 LEVEL 01-03**

Date of Issue: 30/04/2017
 Checked: [Signature]
 Approved: [Signature]

Scale:
 1:100
 400 mm = 1 m

Project Number:
 17-012
 Drawing Number/Revision:
 DA2004_B

Site:
 DEVELOPMENT APPLICATION



Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS

Building A
Future Appliances: Showerheads 3 star / Toilet 4 star / Kitchen Tap 3 star / Bathroom 5 star / Dishwashers 3 star
Hot Water System - gas instantaneous 3.5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof
Cooling/Heating: Living area/bedrooms - 1 phase air conditioning 3.5 star
Kitchen cooking: gas and electric oven
Dishwasher - 3 star

Building B
Future Appliances: Showerheads 3 star / Toilet 4 star / Kitchen Tap 3 star / Bathroom 5 star / Dishwashers 3 star
Hot Water System - gas instantaneous 3.5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof
Cooling/Heating: Living area/bedrooms - 1 phase air conditioning 3.5 star
Kitchen cooking: gas and electric oven
Dishwasher - 3 star

Certificate no. 881214732
Assessor name: Thomas Ruck
Assessment no. V10/BA/V10/1485
Certificate date: 27 February 2017
Drawing Address: 37-39 Loftus Crescent, Hornsby, NSW 2140
www.nsw.gov.au

1800MM HIGH WALL TO MINIMISE OVERLOOKING INTO B.401

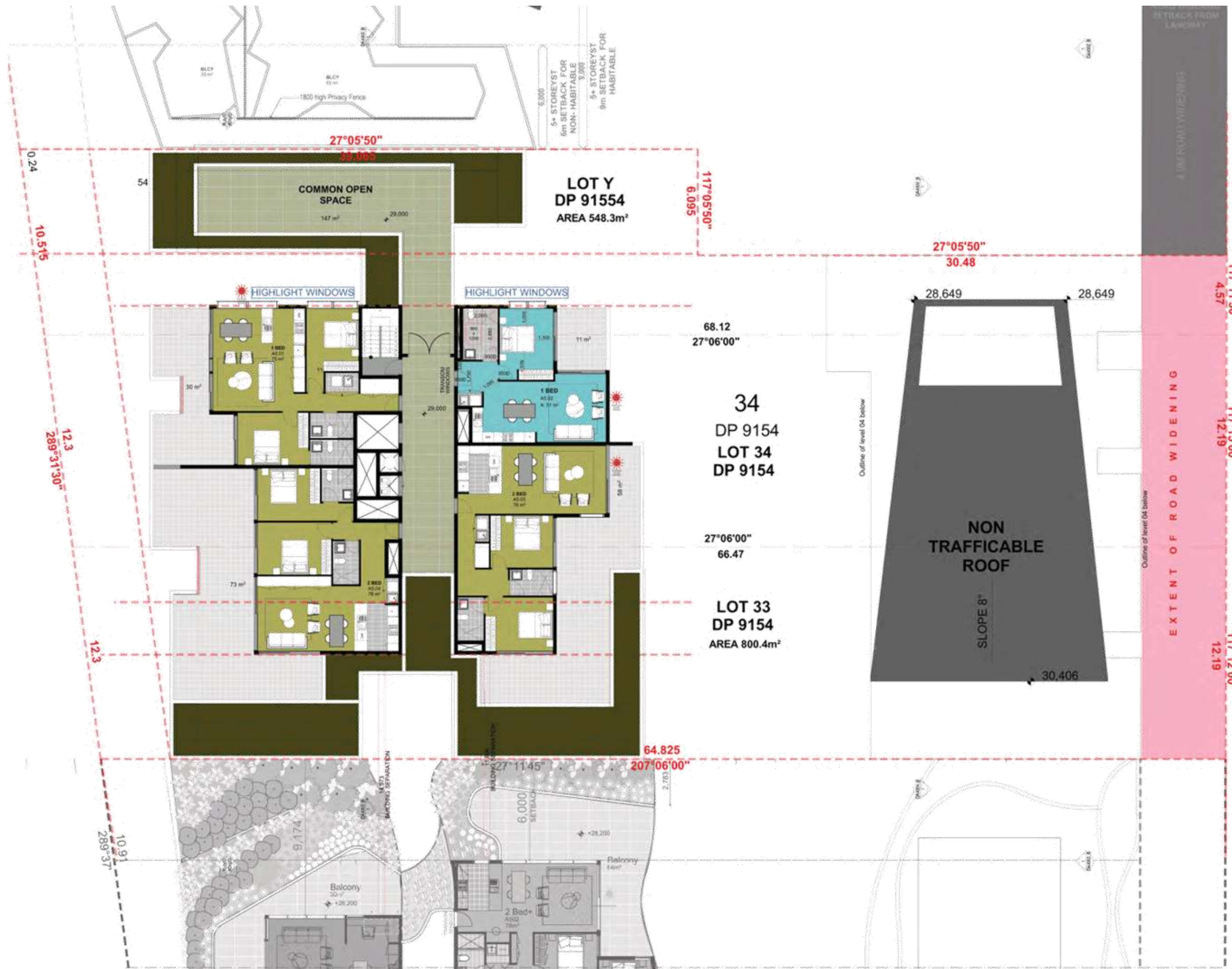
4. DEVELOPMENT APPLICATION 27.02.17 04
Rev. Description Date April

Project:
37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
37-39 LOFTUS CRES
HORNSBY NSW 2140 Postcode Australia

URBANLINK
Business Address: Level 10, 11-13 Deane Street, Hornsby NSW 2154
Phone Number: +61 29549 3214
National Australia Bank
Zur Sonnenberg Pty Ltd ABN 66 551 541 2801
Yasmin El-Khazra Pty Ltd ABN 66 551 541 2801

Drawing Title:
FLOOR PLANS
LEVEL 04

Date of Issue: 30/04/2017
Scale: 1:100
Project Number: 17-012
Drawing Number: DA2005_B
Status: DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS

Building A
Future Appliances
Showers/Baths 3 star / Toilet 4 star / Kitchen Tap 5 star / Bathroom 5 star / Dishwashers 3 star
Hot Water System - gas instantaneous 3.5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof
Cooling/Heating
Living areas/Bedrooms - 1 phase air conditioning 3.5 star
Kitchen cooking - gas and electric oven
Dishwasher - 3 star

Building B
Future Appliances
Showers/Baths 3 star / Toilet 4 star / Kitchen Tap 5 star / Bathroom 5 star / Dishwashers 3 star
Hot Water System - gas instantaneous 3.5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof
Cooling/Heating
Living areas/Bedrooms - 1 phase air conditioning 3.5 star
Kitchen cooking - gas and electric oven
Dishwasher - 3 star

4.3
RESIDENTIAL BUILDING
THOMAS RUCK
REGISTERED ARCHITECT
27 FEBRUARY 2017
37-39 LOFTUS CRESCENT
HOMEBUSH, NSW
2140
www.thomashouse.com.au

4. DEVELOPMENT APPLICATION 27/02/17 SH
Rev. Description Date April

Project
37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
37-39 LOFTUS CRES
HOMEBUSH NSW 2140 Postcode Australia

URBANLINK
Business Address: Level 10, 11-15 Deane Street, Sydney NSW 2014
Postal Address: PO BOX 3222, Newmarket NSW 1585
Phone Number: +61 2 9540 2014
National Bankcard
Zal Australia Pty Ltd 8886 A/c 551 Reg no 2861
Thomastown Pty Ltd 8953 A/c 551 Reg no 2861

Drawing Title
FLOOR PLANS
LEVEL 05

Date of Issue Checked Approved
30/04/2017

Scale
1:100

Project Number
17-012

Drawing Number/Revision
DA2006_B

Status
DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS

Building A
 Future Appliances:
 Dishwasher: 3 star / Toler A star / Kitchen Tap: 3 star / Bathroom: 3 star / Dishwasher: 3 star

Hot Water System - gas instantaneous 3.5 star
 Bathroom: Kitchen: Laundry: ventilated with individual fan, ducted to outside or roof

Cooling/Heating
 Living area/Bedrooms - 1 phase air conditioning 3.5 star

Kitchen cooking - gas and electric oven
 Dishwasher - 3 star

Building B
 Future Appliances:
 Dishwasher: 3 star / Toler A star / Kitchen Tap: 3 star / Bathroom: 3 star / Dishwasher: 3 star

Hot Water System - gas instantaneous 3.5 star
 Bathroom: Kitchen: Laundry: ventilated with individual fan, ducted to outside or roof

Cooling/Heating
 Living area/Bedrooms - 1 phase air conditioning 3.5 star

Kitchen cooking - gas and electric oven
 Dishwasher - 3 star

Certificate no. 38124758
 Assessor Name: Thomas Rusk
 Accreditation no. VTC0001727485
 Certificate date: 27 February 2017
 Drawing Address: 37-39 Loftus Crescent, Hawthorn, VIC 3122
 2140
 www.nature.gov.au

4. DEVELOPMENT APPLICATION 27/06/17 04
 Rev. Description Date April

Project
 37-39 LOFTUS CRES
 RESIDENTIAL FLAT BUILDING
 37-39 LOFTUS CRES
 HOMESBUSH NSW 8516 Postcode Australia

URBANLINK
 Business Address: Level 10, 1110 Danks Street, Richmond NSW 2134
 Postal Address: PO BOX 3233 Burwood NSW 1595
 Phone Number: 41 2914 2014
 National Landline: 240
 Zet Surveys Pty Ltd 8886 Aes 550 Reg 10 2861
 Youatt's Kinross Pty Ltd 8853 Nucleo Tech Pty Ltd 8336

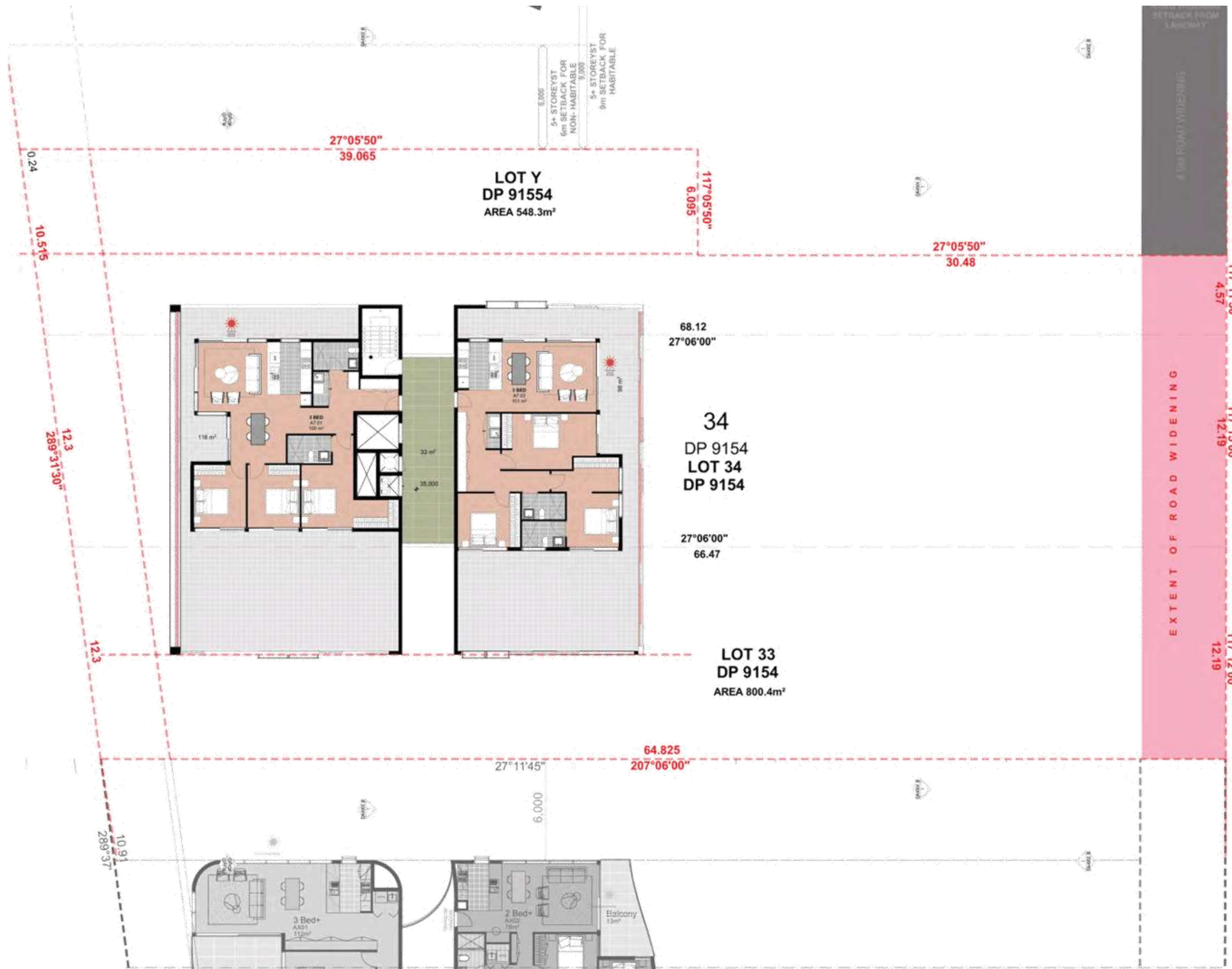
Drawing Title
FLOOR PLANS
LEVEL 06

Date of Issue: 30/04/2017
 Checked: Approved:

Scale
 1:100
 40m scale bar

Project Number
 17-912
 Drawing Number/Revision
 DA2007_B

Date
 DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS

Building A
Future Appliances
Showers: 3 star / Toilet 4 star / Kitchen Tap 5 star / Bathroom Seps 5 star / Dishwashers 3 star

Hot Water System - gas instantaneous 3.5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof

Cooling/Heating
Living area/bedrooms - 1 phase air conditioning 3.5 star

Kitchen cooking - gas and electric oven
Dishwasher - 3 star

Building B
Future Appliances
Showers: 3 star / Toilet 4 star / Kitchen Tap 5 star / Bathroom Seps 5 star / Dishwashers 3 star

Hot Water System - gas instantaneous 3.5 star
Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof

Cooling/Heating
Living area/bedrooms - 1 phase air conditioning 3.5 star

Kitchen cooking - gas and electric oven
Dishwasher - 3 star

Certificate no. 88124702
Assessor name: Thomas Ruck
Accreditation no. VCOB04VTC1485
Certificate date: 27 February 2017
Drawing Address: 37-39 Loftus Crescent, Hornsby, NSW 2140
www.urbanlink.com.au

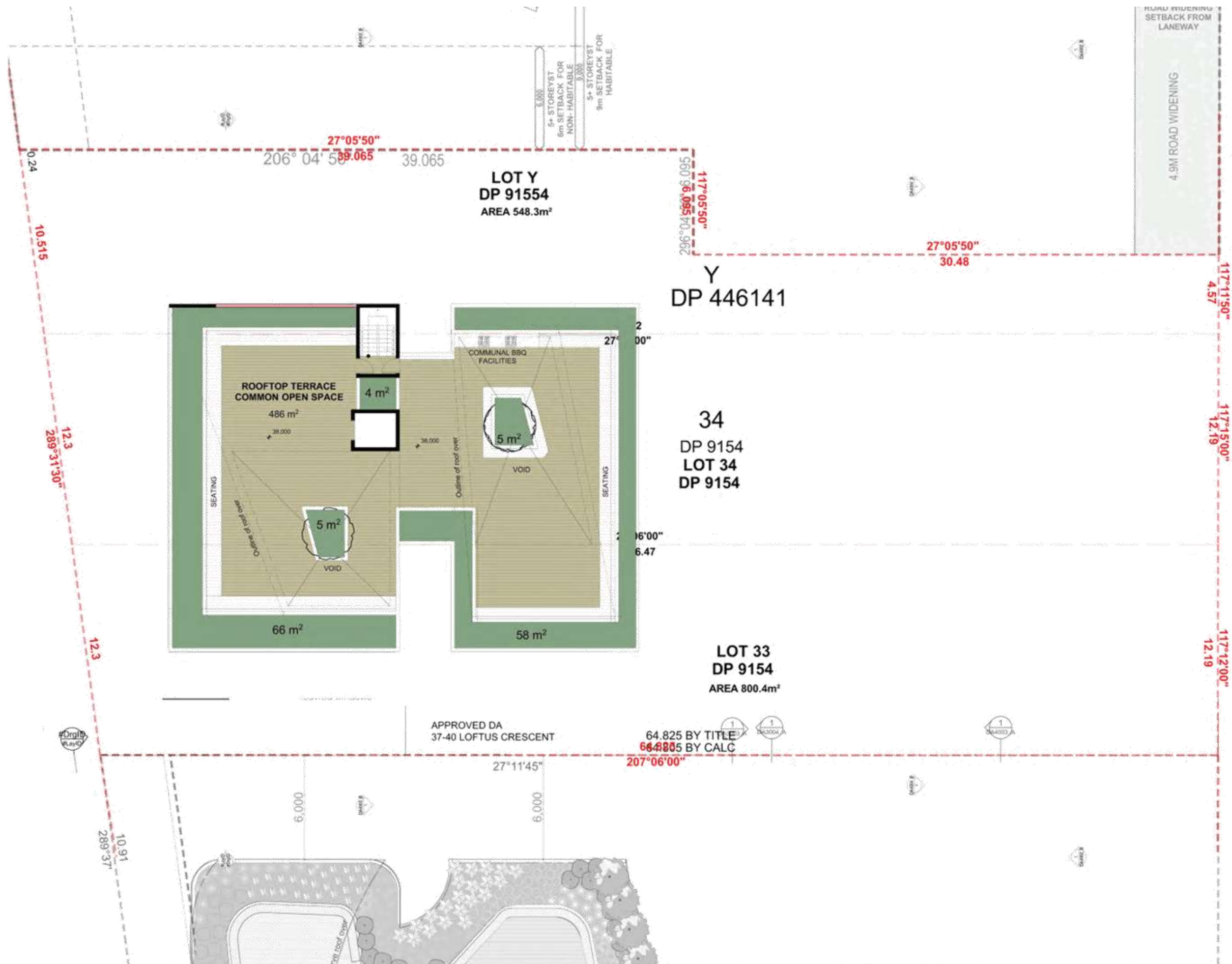
4. DEVELOPMENT APPLICATION 27.02.17 01
Rev Description Date April

Project
37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
37-39 LOFTUS CRES
HORNSBY NSW 2140 Australia

URBANLINK
Business Address: Level 10, 11-15 Deane Street, Sydney NSW 2154
Postal Address: PO BOX 2023, Burwood NSW 1595
Phone Number: +61 2 9744 2214
Business Hours:
Tue-Sun: 10am-6pm Mon-Fri: 9am-5pm
Yours truly: Khawaja Fayyaz Hussain
Khalid Hussain
Khalid Hussain

Drawing Title
FLOOR PLANS
LEVEL 07

Date of Issue: 25/02/2017
Scale: 1:100
Project Number: 17-012
Drawing Number: DA2008_B
Site: DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS

Building A
Future Appliances
Showers/Baths: 3 star / Toilet: 4 star / Kitchen Tap: 3 star / Bathroom: 3 star / Dishwashers: 3 star
Hot Water System - gas instantaneous 3.5 star
Bathroom/Laundry/Laundry ventilated with individual fan, ducted to outside or roof
Cooking/Hooding
Living area/Bedrooms - 1 phase 3000Watt 3.5 star
Kitchen cooking - gas and electric oven
Dishwasher - 3 star

Building B
Future Appliances
Showers/Baths: 3 star / Toilet: 4 star / Kitchen Tap: 3 star / Bathroom: 3 star / Dishwashers: 3 star
Hot Water System - gas instantaneous 3.5 star
Bathroom/Laundry/Laundry ventilated with individual fan, ducted to outside or roof
Cooking/Hooding
Living area/Bedrooms - 1 phase 3000Watt 3.5 star
Kitchen cooking - gas and electric oven
Dishwasher - 3 star

Certificate no. 88124702
Assessor Name: Thomas Rusk
Assessor no. VTC804172185E
Certificate date: 27 February 2017
Drawing Address: 37-39 Loftus Crescent, Hornsby, NSW 2140
www.nature.gov.au

4. DEVELOPMENT APPLICATION 17/017 SH
Rev. Description Date
Project
37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
37-39 LOFTUS CRES
HORNESBY NSW 2140 Postcode Australia

URBANLINK
Business Address: Level 10, 11-15 Drake Street, Hornsby NSW 2150
Postal Address: PG 824 333 Liverpool NSW 2150
Phone Number: 47 2550 2214
National Australia Bank
Zak Bourkehan Reg no 8808 A/c 534 Reg no 2861
Thomas Rusk Reg no 8853 A/c 534 Reg no 2861

Drawing Title
FLOOR PLANS
LEVEL 08 ROOFTOP
Date of Issue: Checked: Approved:
3/24/2017

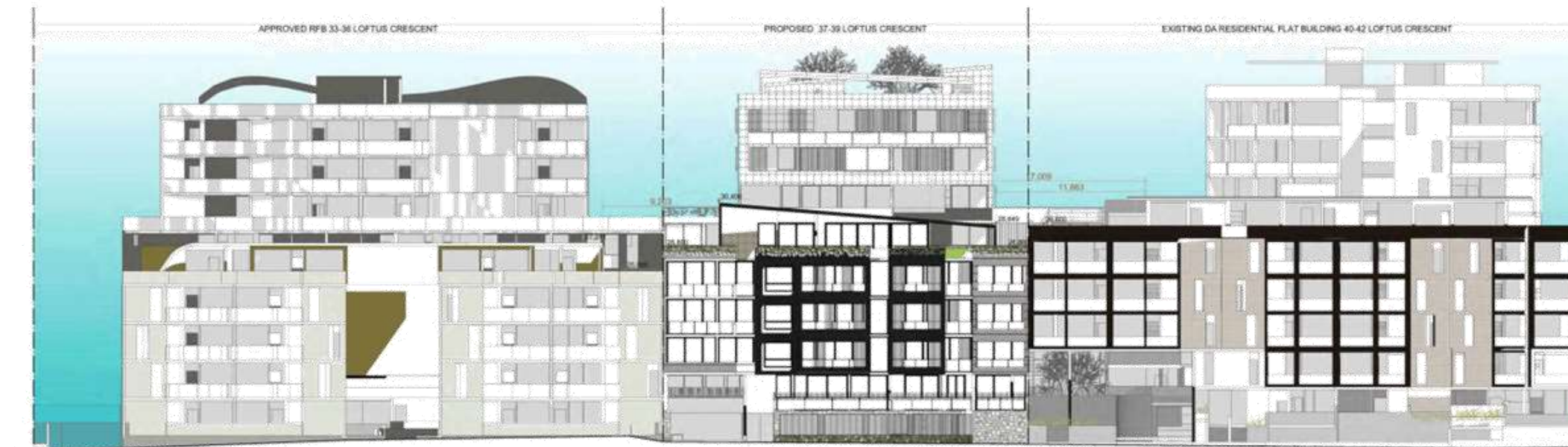
Scale
1:100
400 mm per 1m

Project Number
17-012
Drawing Number
DA2009_B
Date
DEVELOPMENT APPLICATION

Note: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.



LOFTUS CRESCENT



LOFTUS LANE

BASIC REQUIREMENTS
Building 4
Future options
Showersheads 3 star / Toilet 4 star / Kitchen Taps 5 star / Bedroom
Van 5 star Dishwashers 3 star
Hot Water System - gas instantaneous 3.5 star
Bedrooms/Kitchen/Laundry vented with individual fan, ducted to
outside or roof
Cooking/heating
Living areas/Bedrooms - 1 phase air conditioning 3.5 star
Kitchen cooking - gas and electric oven
Dishwasher - 3 star
Building 5
Future options
Showersheads 3 star / Toilet 4 star / Kitchen Taps 5 star / Bedroom
Van 5 star Dishwashers 3 star
Hot Water System - gas instantaneous 3.5 star
Bedrooms/Kitchen/Laundry vented with individual fan, ducted to
outside or roof
Cooking/heating
Living areas/Bedrooms - 1 phase air conditioning 3.5 star
Kitchen cooking - gas and electric oven
Dishwasher - 3 star

4. DEVELOPMENT APPLICATION 27.09.17 GH
Rev: Description Date: April

37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
37-39 LOFTUS CRES
HOMETOWN NSW 1516 Penrith NSW
URBANLINK
Business Address: Level 10, 1115 Drive Creek Boulevard NSW 2754
Phone Number: +61 2 9120 2210
Fax Number: +61 2 9120 2211
Postal Address: PO BOX 2020 Bunnah NSW 2514
Project: Katoomba Pkg 10-853 Area 501 Pkg 10-2951
Nucleus Tucka Pkg 10-8336

Streetscape
STREETSCAPE
LOFTUS LANE&CRES
Date of Issue: Checked: Approved: 30/4/2017

Table with 4 columns: Building Elements, Material, Detail, and Description. Lists various building components like External walls, Internal walls, Ceilings, Floors, Windows, and Roofing, along with their materials and specifications.

Note: If any of the elements indicated above change after the DA Development Application has been issued, a written agreement should be reached with the City of Strathfield. For further details, please contact the City of Strathfield Development Services and Sustainability.

Project Number: 17-012
Drawing Number: DA3101_B
Status: DEVELOPMENT APPLICATION



LEGEND

MATERIAL SCHEDULE

- 01 Aluminum Composite Panel
Vinabond
Bronze Metallic
- 02 Aluminum Composite Panel
Vinabond
Paint White Gloss
- 03 Aluminum Composite Panel
Vinabond
Thriller Grey
- 04 Fibre Cement
Trade Grey
- 05 Stone Cladding

LEVELS HAVE BEEN AMENDED
AS PER CHANGES TO BASEMENT



Building Elements	Material	Detail
External walls	Refer to Facade Schedule in attached schedule	See detail schedule
Internal walls (all)	Refer to Facade Schedule in attached schedule	See detail schedule
External walls (all)	Refer to Facade Schedule in attached schedule	See detail schedule
Internal walls (all)	Refer to Facade Schedule in attached schedule	See detail schedule
External walls (all)	Refer to Facade Schedule in attached schedule	See detail schedule
Internal walls (all)	Refer to Facade Schedule in attached schedule	See detail schedule

LEGEND

DESCRIPTION MATERIAL / FINISH

- 01 Exterior Wall - Vinabond Bronze Metallic
- 02 Exterior Wall - Vinabond Paint White Gloss
- 03 Exterior Wall - Vinabond Thriller Grey
- 04 Baseline - Fibre Cement Panels (Trade Grey)
- 05 Exterior Wall - Fibre cladding to match adjacent facade
- 06 Exterior Wall - Fibre Cement Panels (Trade Grey)
- 07 Exterior Wall - Fibre Cement Panels (Trade Grey)
- 08 Baseline - Fibre Cement Panels (Trade Grey)
- 09 Baseline - Fibre Cement Panels (Trade Grey)
- 10 Baseline - Fibre Cement Panels (Trade Grey)
- 11 Baseline - Fibre Cement Panels (Trade Grey)
- 12 Baseline - Fibre Cement Panels (Trade Grey)
- 13 Baseline - Fibre Cement Panels (Trade Grey)
- 14 Baseline - Fibre Cement Panels (Trade Grey)
- 15 Baseline - Fibre Cement Panels (Trade Grey)
- 16 Baseline - Fibre Cement Panels (Trade Grey)
- 17 Baseline - Fibre Cement Panels (Trade Grey)
- 18 Baseline - Fibre Cement Panels (Trade Grey)
- 19 Baseline - Fibre Cement Panels (Trade Grey)
- 20 Baseline - Fibre Cement Panels (Trade Grey)
- 21 Baseline - Fibre Cement Panels (Trade Grey)
- 22 Baseline - Fibre Cement Panels (Trade Grey)
- 23 Baseline - Fibre Cement Panels (Trade Grey)
- 24 Baseline - Fibre Cement Panels (Trade Grey)
- 25 Baseline - Fibre Cement Panels (Trade Grey)
- 26 Baseline - Fibre Cement Panels (Trade Grey)
- 27 Baseline - Fibre Cement Panels (Trade Grey)
- 28 Baseline - Fibre Cement Panels (Trade Grey)
- 29 Baseline - Fibre Cement Panels (Trade Grey)
- 30 Baseline - Fibre Cement Panels (Trade Grey)
- 31 Baseline - Fibre Cement Panels (Trade Grey)
- 32 Baseline - Fibre Cement Panels (Trade Grey)
- 33 Baseline - Fibre Cement Panels (Trade Grey)
- 34 Baseline - Fibre Cement Panels (Trade Grey)
- 35 Baseline - Fibre Cement Panels (Trade Grey)
- 36 Baseline - Fibre Cement Panels (Trade Grey)
- 37 Baseline - Fibre Cement Panels (Trade Grey)
- 38 Baseline - Fibre Cement Panels (Trade Grey)
- 39 Baseline - Fibre Cement Panels (Trade Grey)
- 40 Baseline - Fibre Cement Panels (Trade Grey)
- 41 Baseline - Fibre Cement Panels (Trade Grey)
- 42 Baseline - Fibre Cement Panels (Trade Grey)
- 43 Baseline - Fibre Cement Panels (Trade Grey)
- 44 Baseline - Fibre Cement Panels (Trade Grey)
- 45 Baseline - Fibre Cement Panels (Trade Grey)
- 46 Baseline - Fibre Cement Panels (Trade Grey)
- 47 Baseline - Fibre Cement Panels (Trade Grey)
- 48 Baseline - Fibre Cement Panels (Trade Grey)
- 49 Baseline - Fibre Cement Panels (Trade Grey)
- 50 Baseline - Fibre Cement Panels (Trade Grey)

BASE REQUIREMENTS

Building A
 Floor/Flooring: 100mm concrete
 Groundwater: 100mm concrete
 Subfloor: 100mm concrete
 Base: 100mm concrete

Building B
 Floor/Flooring: 100mm concrete
 Groundwater: 100mm concrete
 Subfloor: 100mm concrete
 Base: 100mm concrete

GENERAL REVISION FLOODING: 2/24/17 JCB
GENERAL REVISION: 2/24/17 JCB
DEVELOPMENT APPLICATION: 2/24/17 JCB
Rev. Description: Date: April

**37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING**
 37-39 LOFTUS CRES
 HOMESICH NEW AREA Paradise Australia

URBAN LINK
 Building Address: Unit 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
 Phone: (03) 9038 1234
 Email: info@urbanlink.com.au
 Website: www.urbanlink.com.au

ELEVATIONS EAST/WEST
 Date of Issue: 2/20/2017
 Scale: 1:150, 1:100, 1:1.51
 Project Number: 17-012
 Drawing Number: DA3003_C
 Date: 2/20/2017
DEVELOPMENT APPLICATION



LEVELS HAVE BEEN AMENDED AS PER CHANGES TO BASEMENT

LEGEND
MATERIAL SCHEDULE

- 01 Aluminum Composite Panel Venobond Bronze Metallic
- 02 Aluminum Composite Panel Venobond Pearl White Gloss
- 03 Aluminum Composite Panel Venobond Thriller Grey
- 04 Fibre Cement Quake Grey
- 05 Stone Cladding

LEGEND
DESCRIPTION (MATERIAL) / FINISH

- 01 Exterior Wall - Venobond Bronze Metallic
- 02 Exterior Wall - Venobond Pearl White Gloss
- 03 Exterior Wall - Venobond Thriller Grey
- 04 Baseline - Fibre Cement Panels (Grey)
- 05 Exterior Wall - Fibre cladding to match adjacent houses
- 06 Exterior Wall - Fibre (Concrete Panels)
- 07 Aluminium Frame (Black Anod., 2000 x 8. clear glass)
- 08 Windows - Aluminium Frame (Black Anod., 2000 x 8. clear glass)
- 09 Baseline - Fibre (Concrete Panels (Black/Grey/White))
- 10 Windows - Aluminium Frame with 4000 x 1200 clear glass
- 11 Windows - Aluminium Frame with 4000 x 1200 clear glass

BASIS REQUIREMENTS

Building A

Finishes/Flooring: 2 year / 7 year / 6 year kitchen / 2 year / 2 year / 2 year / 2 year / 2 year / 2 year

Hot Water System - gas / electric / 3.0 liter

Basement/Underpinning - underpinned with individual foundation to levels of roof

Cladding/Weathering - 1 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase

Cladding/Weathering - 1 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase

Kitchen (cabinet) - gas and electric oven

Dishwasher - 2 star

Building B

Finishes/Flooring: 2 year / 7 year / 6 year kitchen / 2 year / 2 year / 2 year / 2 year / 2 year / 2 year

Hot Water System - gas / electric / 3.0 liter

Basement/Underpinning - underpinned with individual foundation to levels of roof

Cladding/Weathering - 1 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase

Cladding/Weathering - 1 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase / 2 phase

Kitchen (cabinet) - gas and electric oven

Dishwasher - 2 star

Building Elements	Material	Detail
Concrete walls	100mm concrete / plasterboard	100mm plasterboard
External walls (brick)	Brick / plasterboard	100mm plasterboard
Concrete walls between flats	100mm concrete / plasterboard	100mm plasterboard
Concrete walls between units & open areas	100mm concrete / plasterboard	100mm plasterboard
Concrete walls between units & open areas (top)	100mm concrete / plasterboard	100mm plasterboard
Roof	Concrete / insulation / waterproofing	Concrete / insulation / waterproofing
Roof Floor Slab	Concrete	Concrete
Floors	Concrete / carpet	Concrete / carpet
Windows (to view)	Aluminium frame / double glazed / high performance glass	Aluminium frame / double glazed / high performance glass
Windows (to view) (top)	Aluminium frame / double glazed / high performance glass	Aluminium frame / double glazed / high performance glass
Windows (to view) (side)	Aluminium frame / double glazed / high performance glass	Aluminium frame / double glazed / high performance glass
Windows (to view) (other)	Aluminium frame / double glazed / high performance glass	Aluminium frame / double glazed / high performance glass
Windows (to view) (other) (top)	Aluminium frame / double glazed / high performance glass	Aluminium frame / double glazed / high performance glass
Windows (to view) (other) (side)	Aluminium frame / double glazed / high performance glass	Aluminium frame / double glazed / high performance glass
Windows (to view) (other) (other)	Aluminium frame / double glazed / high performance glass	Aluminium frame / double glazed / high performance glass



URBAN LINK

37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING

DATE OF SUBMITTAL: 04/06/17

PROJECT NUMBER: DA3092_C

DRAWING NUMBER: 17-012

DATE: 17/06/17

SCALE: 1:100

DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK. IF PREPARING SHOP DRAWINGS, DO NOT SCALE DRAWING.

LEGEND
MATERIAL SCHEDULE

- 01 Aluminium Composite Panel
Vinabond
Bronze Metallic
- 02 Aluminium Composite Panel
Vinabond
Pearl White Gloss
- 03 Aluminium Composite Panel
Vinabond
Thriller Grey
- 04 Fibre Cement
Quartz Grey
- 05 Stone Cladding

LEGEND
DESCRIPTION (MATERIAL / FINISH)

- 01 Exterior Wall - Vinabond Bronze Metallic
- 02 Exterior Wall - Vinabond Pearl White Gloss
- 03 Exterior Wall - Vinabond Thriller Grey
- 04 Baseline - Fibre Cement Panels (Quartz Grey)
- 05 Exterior Wall - Fibre cladding to match adjacent building
- 06 Exterior Wall - Fibre Cement Panels
- 07 Exterior Wall - Fibre Cement Panels
- 08 Windows - Aluminium Frame (Powder Coat, Dark Bronze & Grey)
- 09 Sliding Glass - Aluminium Frame (Black Anod. Clear & Silver Glass)
- 10 Baseline - Fibre Cement Panels (Quartz Grey)
- 11 Windows - Aluminium Frame with Inset (Dark Bronze/Grey)

7. Fixed Glazing - Fixed clear glass glazing
Referencing - Referencing to adjacent

BASIC REQUIREMENTS
Building A
Fire/Risk/Risk/Risk
Dimensions 2.0m / 2.0m / 2.0m / 2.0m / 2.0m / 2.0m / 2.0m / 2.0m
Kitchen (kitchen) - gas and electric oven
Dishwasher - 2.0m

Building B
Fire/Risk/Risk/Risk
Dimensions 2.0m / 2.0m / 2.0m / 2.0m / 2.0m / 2.0m / 2.0m / 2.0m
Kitchen (kitchen) - gas and electric oven
Dishwasher - 2.0m

LEVELS HAVE BEEN AMENDED AS PER CHANGES TO BASEMENT

Building Elements	Material	Detail
External walls	Aluminium Composite Panel - Vinabond	Refer to detail
Internal walls	Aluminium Composite Panel - Vinabond	Refer to detail
Roof	Concrete	Refer to detail
Windows	Aluminium Frame - Dark Bronze & Grey	Refer to detail
Sliding Glass	Aluminium Frame - Black Anod. Clear & Silver Glass	Refer to detail
Basement	Fibre Cement Panels (Quartz Grey)	Refer to detail
Landscaping	Stone Cladding	Refer to detail

4.5
NATIONAL HOUSE BUILDING CERTIFICATE

Certificate No: 0001214720
Assessor Name: Thomas Ruff
Registration No: VIC/2604/13/1456
Certificate Date: 27 February 2017

37-39 Loftus Crescent
Hemel Hempstead, Herts
SG9 6JH

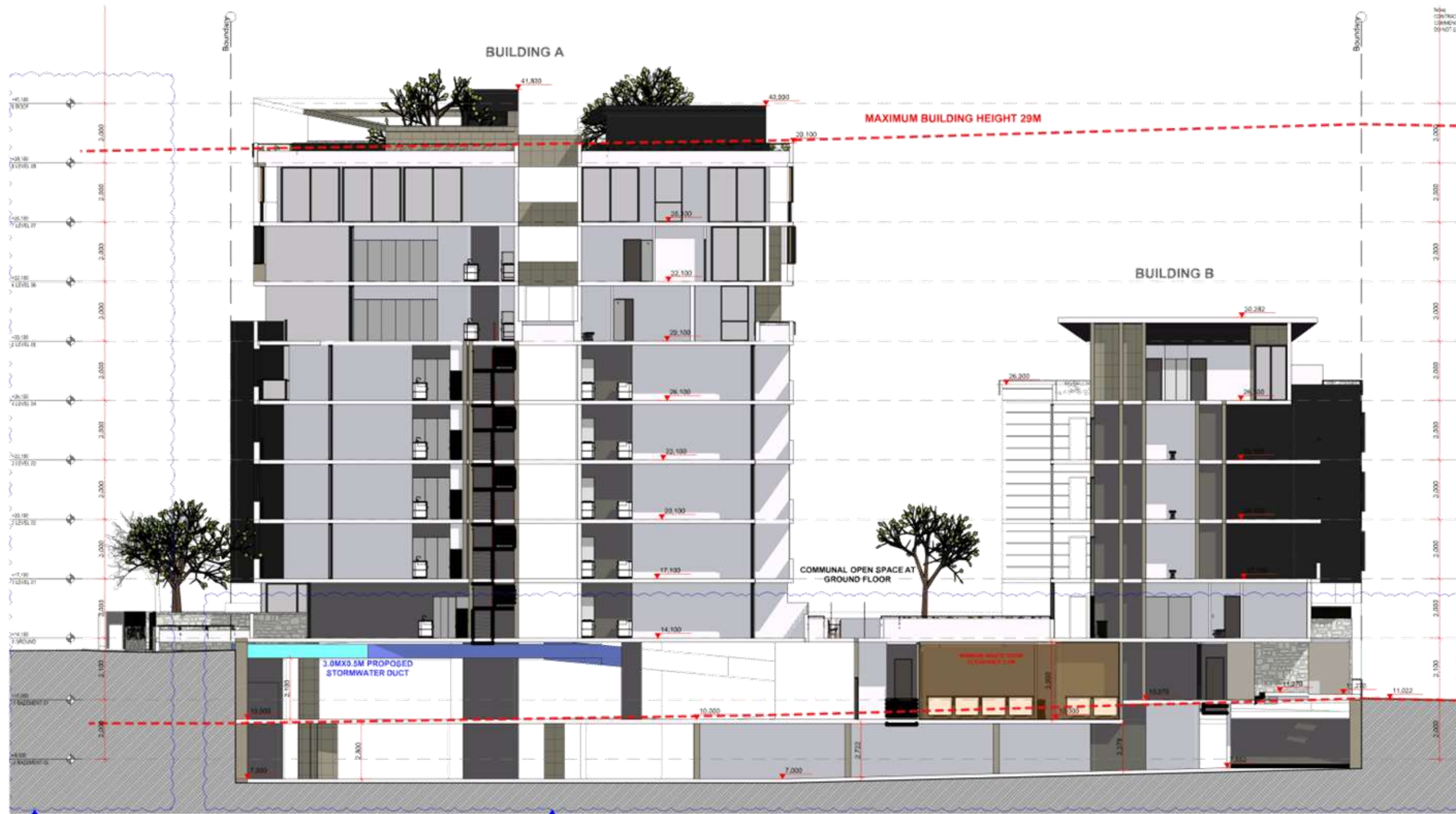
www.nhb.gov.au

C GENERAL REVISION FLOODING 0:34.17 JCB
B GENERAL REVISION 20:32.17 CH
A DEVELOPMENT APPLICATION 27:28.17 JCB
Rev Description Date April

37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
37-39 LOFTUS CRES
HOMESIDE NEW ASH PROTECTED AREA

URBAN LINK
Building Address: Unit 10, 11 & 12 Street, Hemel Hempstead, Herts
Postal Address: PO Box 2222, Hemel Hempstead, Herts
Phone Number: 01438 251414
Website: www.urbanlink.co.uk

Drawn To: 1:100, 1:1.51
Date of Issue: 20/04/2017
Project Number: 17-012
Drawing Number: DA3001_C
Date: DEVELOPMENT APPLICATION



Note
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE
COMMENCING WORK OR PREPARING SHOP DRAWINGS.
DO NOT SCALE DRAWING.

LEVELS HAVE BEEN AMENDED
AS PER CHANGES TO BASEMENT

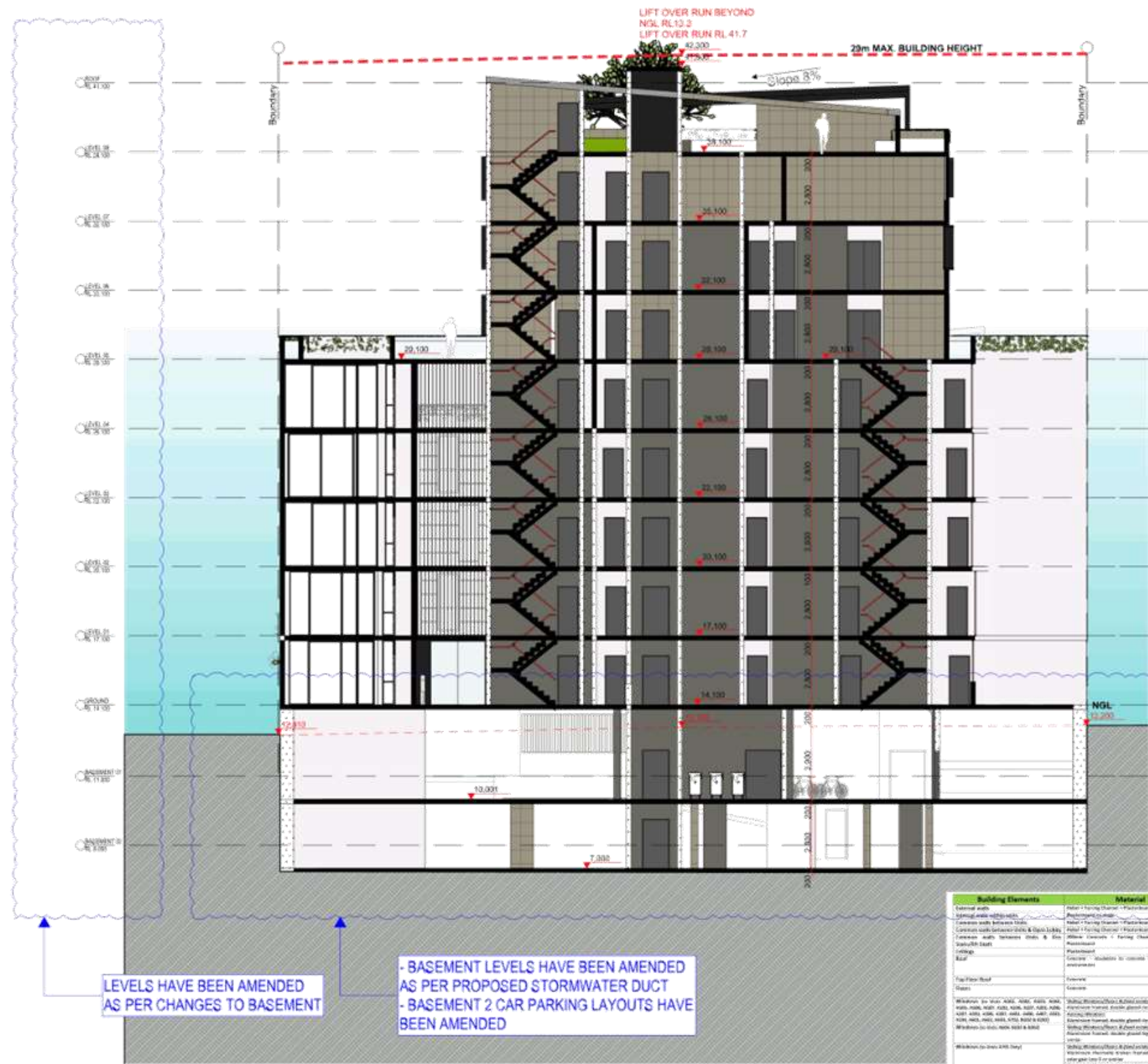
- BASEMENT LEVELS HAVE BEEN AMENDED
AS PER PROPOSED STORMWATER DUCT
- BASEMENT 2 CAR PARKING LAYOUTS HAVE
BEEN AMENDED
- PROPOSED STORMWATER DUCT 3.0X0.5M
- GROUND FLOOR LEVELS AMENDED

C	GENERAL REVISION FLOORING	01/04/17	JCB
B	GENERAL REVISION	20/02/17	CH
A	DEVELOPMENT APPLICATION	17/02/17	CH
Rev	Description	Date	Appr

Project
37-39 LOFTUS CRES
RESIDENTIAL FLAT BUILDING
37-39 LOFTUS CRES
HOMESLEIGH NSW 1586 Parramatta Australia

URBAN LINK
Building Address: 104-110, 113-115 Street Street, Strathfield NSW 2154
Postal Address: PO BOX 2222 Strathfield NSW 2154
Phone Number: 401 2874 2214
Specialist Accounting: 2nd Accountant Reg no 8388 Also 2nd Reg no 1061
Youatt & Kneass Reg no 802 Broker Trade Reg no 828

Drawing Title
SECTIONS
EE
Date of Issue: 2/04/2017
Scale: 1:100
Project Number: 17-012
Drawing Number: DA4005_C
Date: DEVELOPMENT APPLICATION



Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS
Building A
 Features/Requirements:
 Showers: 2 per / Toilet 4 per Kitchen Tap 2 per Bathroom: 1 per / Dishwasher 2 per
 Hot Water System - gas instantaneous 2.5 star
 Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof
 Cooling/Heating:
 Living areas/Bedrooms - 1 phase air conditioning 2.5 star
 Kitchen (cooltop - gas and electric oven) Dishwasher - 2 star
Building B
 Features/Requirements:
 Showers: 2 per / Toilet 4 per Kitchen Tap 2 per Bathroom: 1 per / Dishwasher 2 per
 Hot Water System - gas instantaneous 2.5 star
 Bathroom/Kitchen/Laundry ventilated with individual fan, ducted to outside or roof
 Cooling/Heating:
 Living areas/Bedrooms - 1 phase air conditioning 2.5 star
 Kitchen (cooltop - gas and electric oven) Dishwasher - 2 star

Certificate No: 0661274722
 Assessor Name: Thomas Ruck
 Assessment No: VCBDA/12/1456
 Certificate Date: 27 February 2017
 Issued for: 37-39 Loftus Crescent, Hornsby, NSW 2140

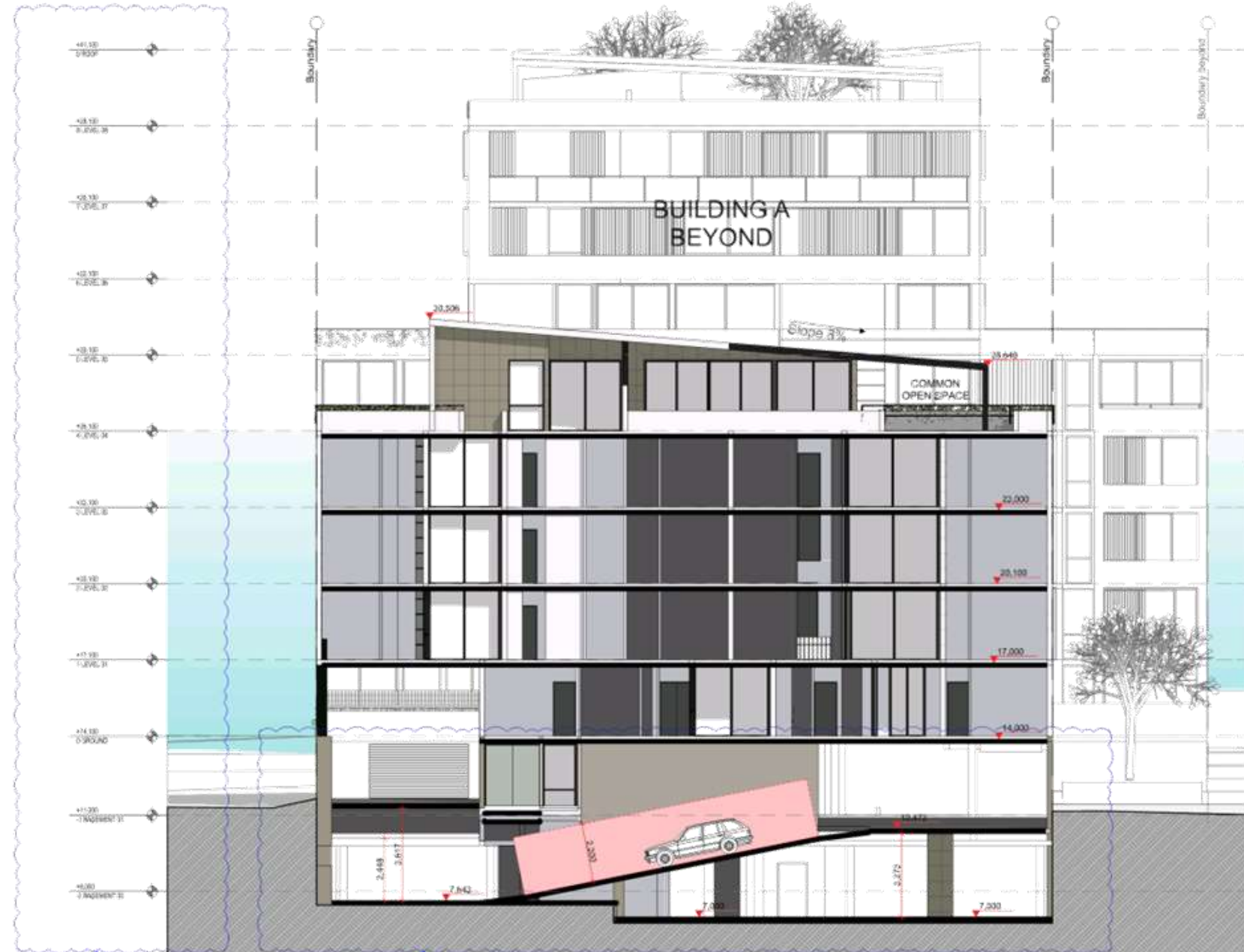
C - GENERAL REVIEW/FLOODING	2/24/17	JCB
B - GENERAL REVIEW	20/02/17	CH
A - DEVELOPMENT APPLICATION	27/06/17	SH
Rev. Description	Date	Appr.

37-39 LOFTUS CRES
 RESIDENTIAL FLAT BUILDING
 37-39 LOFTUS CRES
 HORNSBY NSW 2140, Australia

Business Address: Unit 10, 13-15 Drake Street, Hornsby NSW 2154
 Phone: 02 9374 3222 | Email: info@urbanlink.com.au
 Website: www.urbanlink.com.au

Drawing Title: CC
 Date of Issue: 2/04/2017
 Scale: 1:100, 1:151
 Project Number: 17-012
 Drawing Number: DA4003_C

DEVELOPMENT APPLICATION
 Drawing Number: 17-012
 Drawing Number: DA4003_C



LEVELS HAVE BEEN AMENDED AS PER CHANGES TO BASEMENT

- BASEMENT LEVELS HAVE BEEN AMENDED AS PER PROPOSED STORMWATER DUCT - BASEMENT 2 CAR PARKING LAYOUTS HAVE BEEN AMENDED

Building Elements	Material	Detail
External walls	Brick	200mm brick
Internal walls	Brick	100mm brick
Common walls	Brick	150mm brick
Roof	Concrete	150mm concrete
Floor	Concrete	100mm concrete
Slab	Concrete	100mm concrete
Stair	Concrete	100mm concrete
Window	Aluminium	60mm aluminium
Door	Aluminium	60mm aluminium
Handrail	Aluminium	60mm aluminium
Architrave	Aluminium	60mm aluminium
Skirting	Aluminium	60mm aluminium
Baseboard	Aluminium	60mm aluminium
Lighting	Aluminium	60mm aluminium

Note:
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.

BASIC REQUIREMENTS
Building A
 Future/Apartment
 Shower/Bath 2.0m² / Toilet 0.4m² / Kitchen Tap 0.4m² / Bedroom 1.0m² / Bath 0.4m² / Dressing 0.4m²
 Hot Water System - gas instantaneous 3.0 liter
 Bathroom Kitchen Laundry ventilated with individual fan, ducted to outside or roof
 Cooling/Heating
 Living areas/Bedrooms - 1 phase air conditioning 2.0 liter
 Kitchen (cooking - gas and electric oven) Dishwasher - 0.4m²
Building B
 Future/Apartment
 Shower/Bath 2.0m² / Toilet 0.4m² / Kitchen Tap 0.4m² / Bedroom 1.0m² / Bath 0.4m² / Dressing 0.4m²
 Hot Water System - gas instantaneous 3.0 liter
 Bathroom Kitchen Laundry ventilated with individual fan, ducted to outside or roof
 Cooling/Heating
 Living areas/Bedrooms - 1 phase air conditioning 2.0 liter
 Kitchen (cooking - gas and electric oven) Dishwasher - 0.4m²

C GENERAL REVIEW/FLOODING 0:34.17 JB
 B GENERAL REVIEW 20:32.17 CH
 A DEVELOPMENT APPLICATION 27:38.17 CH
 Rev Description Date April

37-39 LOFTUS CRES
 RESIDENTIAL FLAT BUILDING
 37-39 LOFTUS CRES
 HORNSBY NSW 2140

Building Address: 37-39 Loftus Crescent, Hornsby NSW 2140
 Planning Ref: P15/01022 (Hornsby) NSW 2140
 Design Ref: 17/101

Non-Asbestos Amending:
 2nd Submission Reg no 802 Rev 04/17 Reg no 801
 1st Submission Reg no 802 Rev 04/17 Reg no 801

Drawing Title
SECTIONS
BB
 Date of Issue: 2/04/2017
 Scale: 1:100, 1:151
 Drawing Number: 17-012
 Revision: DA4002_C
 Date: DEVELOPMENT APPLICATION



TO: Strathfield Independent Hearing and Assessment Panel Meeting - 1 June 2017
REPORT: SIHAP – Report No. 6
SUBJECT: SECTION 82A REVIEW - 12 DEAN STREET, STRATHFIELD SOUTH
DA NO. 2016/033/01

SUMMARY

Proposal: 82A – Review of previous refusal for the demolition of existing structures and construction of a new two (2) storey dwelling with basement parking and front fence.
Applicant: Johnny Ibrahim
Owner: Ms. F E Ibrahim
Date of lodgement: 16 March 2017
Notification period: 24 March 2017 – 9 April 2017
Submissions received: Nil
Assessment officer: KL
Estimated cost of works: \$500,000.00
Zoning: R2 Low Density Residential- SLEP 2012
Heritage: Not applicable
Flood affected: Yes
RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

Approval is sought for Council to review its previous determination to refuse the application for demolition of existing structures and construction of a new two (2) storey dwelling with basement parking.

The subject application involves minor changes to the development that was previously refused. The Applicant's consultant contends that the variation to the side setback controls is due to the length of the property and to create a more balanced and proportioned streetscape. In addition, the development application is now supported with a complying flood study prepared by KD Stormwater.

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 24 March 2017 to 9 April 2017. No written submissions were received.

The subject application is substantially similar to the original development application, with minor departure in the side setback due to the narrow frontage of 13.8m. Complying with the required 1.5m and 25% of the frontage would result in imbalanced development. As such, submission of a complying flood study and acceptable side setback satisfies the previously reasons for refusal and therefore, it is recommended that the proposed development be approved.

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

BACKGROUND

- 26 October 2015 A Pre-lodgement meeting was held regarding a proposal for the construction of a new two (2) storey dwelling with basement car parking on the subject site.
- 16 March 2016: DA2016/033 was lodged seeking approval for demolition of existing structures and construction of a two (2) storey dwelling with basement parking and front fence.
- 14 April 2016: A deferral letter was sent to the applicant and included a requirement for a Flood Impact Statement to be prepared and submitted to Council having consideration for the heavy flood affectation of the site. It was also requested that documentation be submitted to Council demonstrating that reasonable attempts have been made to secure an easement over downstream properties.
- 24 June 2016: A second deferral letter was sent to the applicant including a request for documentation to be submitted to Council demonstrating that reasonable attempts have been made to secure an easement. It was also requested that additional information relating to the levels of the gutter and front property boundary be submitted to allow for consideration for the overland flow of stormwater runoff through the site.
- 12 December 2016: Whilst all requested information was submitted to Council, the building design was not amended to adhere to the recommendations made in the Flood Impact Statement which would ensure that the development could accommodate for the flood affectation of the site. Furthermore, the dwelling failed to provide a compliant stormwater drainage design. Given that a considerable re-design of the development would be required to comply with the abovementioned concerns, the development as proposed was not supported and was refused.
- 16 March 2017: Section 82A review for DA2016/033 was lodged seeking approval for demolition of existing structures and construction of a two (2) storey dwelling with basement parking and front fence. A complying Flood Study prepared by KD Stormwater was received by Council on 16 March 2017.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the southern side of Dean Street slightly west of the intersection with Hillcrest Avenue and Dean Street (Figure 1). The site is a rectangular shaped allotment with a steep fall to the rear. The site is comprised of the following dimensions:

Site Area (approx.): 1,103.6m²
Dimensions (approx.): 13.72m x 80.47m

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)



Figure 1: Aerial view of subject site and surrounding residential development.

The subject site is presently comprised of a single storey cottage with an attached carport to the rear as well as an outbuilding and an in-ground swimming pool. The site contains a driveway which extends along the site's western boundary.

The current streetscape features a mixture of development types including single storey weatherboard and brick cottages as well as two (2) storey brick dwellings. Immediately adjoining the site to the east and west are allotments with similar frontage widths and lot sizes presenting as single storey developments. At present, works are being done to retain the existing swimming pool to the rear of the site.



Figure 2: View of existing dwelling from Dean Street.

PROPERTY BURDENS AND CONSTRAINTS

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

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 a review of a previous decision to refuse DA No. 2016/033 for demolition of existing structures and construction of a new two (2) storey dwelling with basement parking and front fence. The elements of the proposal are:

Basement

- The basement of the dwelling is to be comprised of a store room and a garage to provide for four (4) cars.

Ground Floor

- The ground floor of the dwelling is to be comprised of a study, bathroom, lounge room, media room, kitchen and dining area with a semi-enclosed atrium to the rear.

First Floor

- The first floor of the dwelling is to be comprised of six (6) bedrooms and a bathroom.

The proposal also seeks to:

- Construct an alfresco area.

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 and the owner has provided documentary evidence that easement from adjoining downstream property owners is unattainable. The provision of water sensitive urban design is not required as the site is less than 2000m². The site discharges to the street kerb and gutter by gravity means via the boundary pit.

The roof runoff from the proposed two storey residence with basement parking drain into the proposed below ground rainwater tank in accordance with BASIX requirements by gravity means and the outbuilding by charged means via downpipes.

The runoff from the basement access ramp area drains into the pump out tank via the grated trench drain and the holding tank within the basement by gravity means. The pump out tank discharges to the boundary pit by pump system means via the rising main. The overflow from the pump out tank drains into the proposed absorption trench by gravity means via the overflow pipe.

Council's Engineer 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**

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

S.82A OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979: REVIEW OF DETERMINATION

In accordance with Section 82A(4) of the EP&A Act, the council may review an application and may confirm or change its previous determination.

An application made under s82A of the EP&A Act must be notified in accordance with the regulations (if they so require) or a development control plan. In this respect, in accordance with Part L of the Strathfield Consolidated Development Control Plan the subject application was publically notified between 24 March 2017 and 9 April 2017. No written submission was received.

In accordance with Section 82A(4)(c) of the EP&A Act, the Council may review the determination in the event that the applicant has made amendments to the development described in the original application, is substantially the same development as the development described in the original application. In this regard, the application indicated minor changes to the original development application along with a complying flood study report submitted to Council.

The application has been made and will be determined within six (6) months from the date of the previous determination (12 December 2016) in accordance with s82A(2a) of the EP&A Act.

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
(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 R2 Low Density Residential under Strathfield Local Environmental Plan (SLEP) 2012. Development for the purposes of a dwelling house is permissible with consent in the R2 Low Density Residential Zone.

Zone Objectives

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

Objectives	Complies
➤ To provide for the housing needs of the community within a low density residential environment.	Yes

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

Comments: As there is an existing residential dwelling, the proposed development adheres to the objectives of the zoning, providing low density residential development.

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	8.9m	Yes

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	0.50:1 (551.8m ²)	0.49:1 (539m ²)	Yes

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 sulphate 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.

6.3 Flood planning

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*. A Flood Study prepared by KD Stormwater was received by Council on 16 March 2017 in relation to 12 Dean Street and has commented the following:

The results from direct rainfall modelling for the subject site show that the site is affected by minor overland flow mainly entering from 10 Dean Street. Appropriate flood mitigation measures including non-habitable area in the basement have been proposed to address the flood risk management. Flood Impact Assessment has been conducted and found that changes to the existing flood levels caused by the development is negligible.

It concluded that with a minor drop in ground levels along the side boundary, the water flowing across the side boundary from 10 Dean Street in a 1:100 ARI storm event will be unobstructed and will pose no risk to the neighbours. As such, the proposed development has implemented design that is satisfactory to the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

6.4 Essential Services

Currently, there is an existing single storey dwelling on the subject site with supply of essential services including: water, electricity, disposal and management of sewage, recycling waste, stormwater drainage and vehicular access.

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 A – DWELLING HOUSES AND ANCILLARY STRUCTURES**Streetscape**

Cl.	Element	Controls	Complies
3.3.1	<i>Neighbourhood character and amenity</i>	<ul style="list-style-type: none"> (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>	<ul style="list-style-type: none"> (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 setting</i>	<ul style="list-style-type: none"> (1) <i>Retain existing trees within the front setback</i> (2) <i>At least two (2) canopy trees within the front setback with minimum mature height of 10m</i> (3) <i>Driveway location must not necessitate the removal of any street tree</i> (4) <i>At least 50% of the front setback area must comprise deep soil landscaping</i> 	Yes
3.3.4	<i>Materials, colours, roof forms and architectural detailing</i>	<ul style="list-style-type: none"> (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
3.3.5	<i>Fencing</i>	<ul style="list-style-type: none"> (1) <i>Front and side fencing facing a secondary street to be sympathetic to the style of the dwelling.</i> (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</i> 	Yes

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

- permitted to support decorative elements, provided they are equally spaced along the street, and do not exceed a height of 1.8m.*
- (3) *Solid fencing forward of the building line shall not exceed 1m above NGL.*
 - (4) *Solid fencing up to 1.8m along a secondary frontage.*
 - (5) *Side and rear fences permitted up to 1.8m high.*
 - (6) *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.*
 - (7) *Side fencing shall be stepped to reflect the topography of the street.*
 - (8) *Side and rear fences to allow stormwater to flow through or under the fence.*
 - (9) *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.*
 - (10) *Solid fences adjoining vehicular access driveways to be provided with a minimum 1m x 1m splay to maintain sight distances for pedestrians and drivers.*
 - (11) *Corner splays must be landscaped.*
 - (12) *Council does not permit trees to be removed to facilitate a fence design.*

Comments: *Development is varied in the streetscape and provides a mixture of dwelling styles including single storey exposed brick and weatherboard cottages as well as two (2) storey dwellings of both exposed brick and rendered exterior walls. The proposal complies with the applicable FSR and building height applying to the site which generally indicates the dwelling fits within the desired future character of the area. Single storey dwellings are the predominant built form within the immediate vicinity of the site however, there are a number of two (2) storey dwellings located further along Dean Street.*

Architectural Design and Details

Cl.	Element	Controls	Complies
5.3.1	Building forms	(1) <i>Must be compatible with existing streetscape</i>	Yes
5.3.2	Two (2) storey porticoes	(2) <i>Two (2) storey porticoes may be considered where they are in scale with the proposed dwelling and compatible with the streetscape.</i> (3) <i>Two (2) storey porticoes are to be vertically articulated or broken to reduce their height.</i> (4) <i>No porticoes or associated porches shall protrude more than 1m forward of the front building façade.</i> (5) <i>Porticoes are not to extend higher than the understorey of the eaves/guttering.</i>	Yes

Comments: *The proposal seeks to construct a pitched roof form which is in keeping prevailing pitched tiled and colorbond roof forms in the streetscape.*

Ecologically Sustainable Development

Cl.	Element	Controls	Complies
6.3.1	Solar access and natural	(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</i>	Yes

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	<i>lighting</i>	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). (3) 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).	
6.3.5	Water tanks	(1) 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 (2) Above ground water tanks must be located at least 450mm from any property boundary	Yes

Comments: A series of shadow diagrams accompanied the subject application demonstrating that the development achieves a minimum four (4) hours sunlight required for the adjoining dwellings

Building Height

Cl.	Element	Controls	Complies
8.3.1	Building height	(1) 3.5m maximum height for outbuildings, detached garages and carports (2) The building height shall follow the gradient for any given site	Yes
8.3.2	Roof pitches and shape	(1) Pitched roofs should be designed with a pitch between 23.5 and 45 degrees. (2) 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. (3) Flat roofs will be considered where they are already present in the street or where a street has no discernible architecture style. (4) Balconies are not permitted in the attic of a garage, unless: a) less than 1.8m ² in area; b) they are located in the centre of the wall or roof facing into the site; and c) do not allow any significant overlooking of adjoining properties.	Yes

Comments: The proposed roof pitch is at 23.5degrees and complies with the requirements.

Landscaped Areas

Cl.	Element	Controls	Complies
9.3.1	Minimum landscaped area	45% (496.62m ²) as per Table 2 of Part A SCDCP 2005	Yes

Comments: The proposed landscaped area is 50% (551.8m²) of the total site area with two (2) trees in the front setback whilst retaining the existing tree in the rear setback of the site.

Setbacks

Cl.	Element	Controls	Complies
10.3.1	Street setback	(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	Yes

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		<p>(2) Despite subclause (1), a primary street setback of less than 9m may be considered where:</p> <ul style="list-style-type: none"> 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 <p>(3) The street setback is measured at right angles from the lot boundary to the front wall of a dwelling</p>	
10.3.2	Side and rear setbacks	<p>(1) New dwellings and extensions: 25% of the width of the block with minimum 1.5m setbacks for each side</p> <p>(2) Minimum 6m rear setback to provide adequately sized outdoor living areas and adequate deep soil areas for shading/screening trees</p> <p>(3) Subject to meeting minimum landscaped areas, ancillary facilities such as garages/outbuildings may be located within the rear setback area</p> <p>(4) Following minimum setbacks apply to ancillary structures:</p> <ul style="list-style-type: none"> 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 	No

Comments: 8m front setback is proposed to match the existing setback provided by the adjoining dwellings. The proposed side setback on the eastern boundary ranges from 1.2m to 2m and western boundary, 1.18m to 3.8m. As subject site has a narrow frontage of 13.8m, non-compliance of required 25% of the frontage for side setback is considered satisfactory.

Vehicle Access and Parking

Cl.	Element	Controls	Complies
11.3.1	Driveway and grades	<p>(1) Existing driveways must be used unless the applicant can demonstrate that:</p> <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 <p>(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.</p> <p>(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</p> <p>(4) The maximum width of driveways at the property boundary is to be 3m.</p> <p>(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).</p> <p>(6) Vehicular turning areas for garages shall comply with the relevant Australian Standard.</p>	Yes

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(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.

Comments: Existing driveway is to be retained where maximum driveway width is 3m.

Basements

Cl.	Element	Controls	Complies
12.3.1	Basement car parking	<p>(1) The maximum area of a basement shall be limited to and contained within the footprint of the dwelling at ground level</p> <p>(2) 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</p> <p>(3) Minimum internal clearance of 2.2m in accordance with BCA requirements</p> <p>(4) Driveways shall comply with the relevant Australian Standards (AS1428.1 and a maximum 1:4 gradient)</p> <p>(5) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide</p> <p>(6) Basements are not to be used for habitable purposes</p> <p>(7) 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.</p> <p>(8) Driveway ramps are to be perpendicular to the property boundary at the street frontage</p> <p>(9) Basements shall be designed to permit vehicles to enter and exit the basement in a forward direction</p> <p>(10) Provision of pump-out systems and stormwater prevention should be in accordance with Council's Stormwater Management Code</p> <p>(11) Basements may not be permissible on flood affected sites. Applicants should check with Council and consider the submitting a pre-lodgement application</p>	Yes

Comments: The proposed basement is contained within building footprint where entry/ramp is 3.3m wide with 2.24m internal clearance.

Privacy

Cl.	Element	Controls	Complies
14.3.2	Visual privacy	<p>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:</p> <p>(1) arranging the layout of a building so as to reduce opportunities for overlooking;</p> <p>(2) the use of fixed screening devices;</p> <p>(3) the separation of buildings;</p> <p>(4) the considered placement of windows and openings;</p> <p>(5) appropriate evergreen screen plants and trees; and</p> <p>(6) ensuring finished floor levels are not excessively elevated above NGL</p>	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:	Yes

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		(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	
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	Yes
		(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 where an applicant can demonstrate that the balcony would not unreasonably impact upon the privacy of adjoining premises (including buildings and outdoor spaces)	
		(4) Second storey balconies extending for the full width of the front façade are not permitted	

Comments: The proposed windows and openings achieve appropriate separation. The proposal seeks to construct a front balcony to adjoin the first floor master bedroom, which has minimal visual impact to the neighbouring properties.

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. The waste minimisation strategies detailed in this waste management plan are to an acceptable standard.

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

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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*. A Flood Study prepared by KD Stormwater was received by Council on 16 March 2017 in relation to 12 Dean Street and has commented the following:

The results from direct rainfall modelling for the subject site show that the site is affected by minor overland flow mainly entering from 10 Dean Street. Appropriate flood mitigation measures including non-habitable area in the basement have been proposed to address the flood risk management. Flood Impact Assessment has been conducted and found that changes to the existing flood levels caused by the development is negligible.

It concluded that with a minor drop in ground levels along the side boundary, the water flowing across the side boundary from 10 Dean Street in a 1:100 ARI storm event will be unobstructed and will pose no risk to the neighbours. As such, the proposed development has implemented design that is satisfactory to 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*

Basement

Concerns were previously raised due to the flood affectation of the site requiring the floor levels and driveway crest height to be raised. As a result, the far southern portion of the basement exceeded the maximum 1m above NGL permitted under Section 12.3 of Part A of the SDCP 2005 by 600mm.

The redesign has sought to address the departure through tapering the height of the dwelling, reducing the rear portions of the dwelling from 9.16m above NGL to 4.82m above NGL. Furthermore, the redesign has sought to address any potential overlooking impacts through incorporating highlight windows as well as frosted windows to address overlooking concerns. The departure is therefore considered acceptable in this regard.

Side Setbacks

The proposed side setback on the eastern boundary ranges from 1.2m to 2m and western boundary, 1.18m to 3.8m, resulting in a partial departure from the minimum 1.5m side setbacks and the combined 25% (3.42m) setback required for the site as prescribed by Section 10.3.2 of Part A of the SDCP 2005. As the site is restricted with 13.8m frontage, partial departure of required 25% of the frontage for the side setback is considered acceptable. The proposed side setback will result in building frontage of approximately 10m, consistent with the established streetscape character. Furthermore, the minor side setback departure will still meet the objectives outlined in Section 10.2 of Part A of the SDCP 2005, where view corridors between dwellings are still maintained and achieving passive surveillance whilst protecting visual privacy. As such, the minor side setback departure in this situation is considered satisfactory.

Visual Privacy

Privacy concerns were previously raised due to the proposed front balcony adjoining the first floor master bedroom. As the proposed balcony is facing front of the subject property, rear balcony requirement of minimum 1m x 2m dimensions do not apply. In addition, the proposed balcony is

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adjoining a bedroom which is not a high use area where privacy concerns are minimised and thus, the proposed first floor balcony to the front is considered acceptable.

Swimming Pool Fencing

Concerns were previously raised due to insufficient detail regarding the swimming pool fencing to ensure compliance with Australian Standards. Amended plans have been submitted outlining the details of the swimming pool fence, in accordance with the requirements of the Swimming Pools Act 1992 and AS1288 & AS1926.1, including child resistant barrier. As such, the proposed swimming pool fence is now considered satisfactory.

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

The Flood Study conducted by KD Stormwater, submitted for s82A review indicates that appropriate flood mitigation measures including non-habitable area in the basement have been proposed to address the flood risk management. In addition, flood impact statement has been conducted and concluded that the changes to the existing flood levels caused by the development is negligible. Furthermore, in considering the shape of the allotment, being 13.8m wide and 80m long, complying with the required 25% of frontage for side setback would result in a disproportionate outcome. As such, the proposed development is considered an acceptable and suitable outcome for the site.

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

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 24 March 2017 to 9 April 2017. 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

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 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	\$5,000.00
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CONCLUSION

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The application has been assessed having regard to Section 82A and 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. 2016/033/01 for the demolition and construction of two (2) storey dwelling with basement parking and front fence at 12 Dean Street, Strathfield South be **APPROVED**, subject to the following conditions:

Special Conditions (DASC)**DASP001**

(1) Stormwater runoff from all roof and paved surfaces shall be collected by charged and gravity means and discharged to the boundary pit by pump system and by means of a gravity pipe system to the street gutter in accordance with Council's standard requirements as depicted on the concept plan prepared by **Alpha Engineering and Development rev C drawing no. A6467-COVER – A6467-SW04 dated 01.05.2017**.

DASP002

(2) Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans **AND** the requirements of Council's Stormwater Management Code.

(3)

(4) In this project the above engineering plans are satisfactory as Concept plans. The assessment authority, (either (a) Council, or (b) a Private Certifier), is to satisfy themselves of the adequacy of the above plans for the purposes of Construction. They are to independently determine what details, if any, are to be added to the Construction Certificate plans, in order for the issue of the Construction Certificate.

(5) Where a Private Certifier issues the Construction Certificate a copy must be provided to Council, **prior to the issue of a Construction Certificate.**

DASP003

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

In addition, detailed works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.

DASP004

(7) Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

DASP005

(8) For drainage works within public land or connecting to Council's stormwater drainage system the following inspections will be required:

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- (a) After the excavation of pipeline trenches.
- (b) After the laying of all pipes prior to backfilling.
- (c) After the completion of all pits and connection points.

A minimum of 48 hours notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Engineering Works and Services section on 9748-9999 during office hours. Work is not to proceed until the works are inspected and approved by Council.

DASP006

- (9) All pits shall be constructed in accordance with Australian Standard AS3500.3.

DASP007

- (10) All subsoil drainage must be designed to meet the requirements of AS3500;

DASP008

- (11) Access to the basement car park, head room for basement entry, driveway ramp and turning circles shall be designed in accordance with AS 2890.1-2004.

DASP009

- (12) The proposed basement holding tank capacity shall be capable of handling 4 hours of 100yr ARI storm event and the catchment contributing to it shall be limited to the subsoil drainage and the basement access ramp area only. The pipes under the basement shall not be PVC or HDPE. The holding tank shall be connected to the pump out tank. Final details of this system are to be submitted with the Construction Certificate application.

DASP010

- (13) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.

DASP011

- (14) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention pump out tank.

DASP012

- (15) 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.

DASP013

- (16) 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.

DASP014

- (17) The applicant shall comply with the flood recommendations provided in the Flood Impact Report prepared by KD Stormwater. A certificate from a suitably qualified Engineer shall be submitted to the Certifying Authority stating compliance with these recommendations **prior to the issue of the Occupation Certificate.**

DASP015

- (18) A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:

- (a) On-site stormwater detention pump out system

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

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

General Conditions (DAGC)**DAGC001 Approved plans and reference documentation**

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:

Drawings affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2016/033/01:

Drawing No.	Title/Description	Prepared By	Issue/Revision & Date	Date Received by Council
A-01	Site Plan	Apex Intelligent Design		16 March 2017
A-02	Basement Plan	Apex Intelligent Design		16 March 2017
A-03	Ground Floor Plan	Apex Intelligent Design		16 March 2017
A-04	First Floor Plan	Apex Intelligent Design		16 March 2017
A-06	Section Plan	Apex Intelligent Design		16 March 2017
A-07	North & West Elevation	Apex Intelligent Design		16 March 2017
A-08	South & East Elevation	Apex Intelligent Design		16 March 2017
L-01	Landscape Plan	Apex Intelligent Design		16 March 2017
A6467-SW01	Sediment and Erosion Control Plan	Alpha Engineering	C	16 March 2017
A6467-SW02	Basement & First Floor Drainage Plan	Alpha Engineering	C	16 March 2017
A6467-SW03	Ground Floor Drainage Plan	Alpha Engineering	C	16 March 2017
A6467-SW04	Stormwater Sections and Details	Alpha Engineering	C	16 March 2017

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2016/033/01:

Title Description	Prepared by	Issue/Revision & Date	Date Received by Council
Flood Study	Ky Tran of KD Stormwater Pty Ltd	February 2017	16 March 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)

DAGC007 Construction hours

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.

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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)

DAGC008 Construction within boundaries

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).

DAGC009 Demolition (generally)

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)

DAGC011 Demolition (site safety fencing)

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)

DAGC019 Landscaping (tree preservation)

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.

DAGC023 Materials (schedule of external materials, finishes and colours)

The 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)

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DAGC024 Principal certifying authority (PCA) identification sign

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

- (a) The Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- (b) The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- (c) 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)

DAGC027 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:

- (a) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- (b) Demolition must be carried out by a registered demolition contractor.
- (c) 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.
- (d) No blasting is to be carried out at any time during construction of the building.
- (e) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- (f) 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.
- (g) Any demolition and excess construction materials are to be recycled wherever practicable.
- (h) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- (i) 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.
- (j) All waste must be contained entirely within the site.
- (k) 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.
- (l) 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.
- (m) Details as to the method and location of disposal of demolition materials (weight docket, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- (n) 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.
- (o) 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.
- (p) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar

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- 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.
- (q) 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.
 - (r) Any work must not prohibit or divert any natural overland flow of water.
 - (s) Toilet facilities for employees must be provided in accordance with WorkCover NSW.

(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)

DAGC028 Stormwater management plan (certification requirement)

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)

Conditions to be satisfied prior to the issue of a Construction Certificate (DACC)**DACC006 BASIX commitments**

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)

DACC009 Building Code of Australia (compliance with)

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)

DACC018 Commencement of works (no works until a CC is obtained)

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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)

DACC019 Construction and environmental management plan

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

- 1) Detailed information on any approvals required from other authorities prior to or during construction.
- 2) Traffic management, including details of:
 - (a) ingress and egress of vehicles to the site;
 - (b) management of loading and unloading of materials;
 - (c) the location of heavy vehicle parking off-site; and
 - (d) designated routes for vehicles to the site.
- 3) 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.
- 4) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - (a) the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - (b) procedures to prevent run-off of solid material and waste from the site.
- 5) Waste management, including:
 - (a) details of the types and estimated volumes of waste materials that will be generated;
 - (b) procedures for maximising reuse and recycling of construction materials; and
 - (c) details of the off-site disposal or recycling facilities for construction waste.
- 6) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- 7) A soil and water management plan, which includes:
 - (a) measures to minimise the area of soils exposed at any one time and conserve top soil;
 - (b) identification and protection of proposed stockpile locations;
 - (c) preservation of existing vegetation and revegetation;
 - (d) measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - (e) 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;
 - (f) details of sediment and erosion control measures in place before work commences;
 - (g) measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - (h) details of drainage to protect and drain the site during works.
- 8) Asbestos management procedures:
 - (a) 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
 - (b) Removal of asbestos by a person who does not hold a Class A or Class B asbestos

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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.

- (c) 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:
 - (i) The Work Health and Safety Act 2011;
 - (ii) The Work Health and Safety Regulation 2011;
 - (iii) How to Safely Remove Asbestos Code of Practice – WorkCover 2011; and
 - (iv) Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
- (d) 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.
- (e) 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:
 - (i) the date and time when asbestos removal works will commence;
 - (ii) the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - (iii) the full name and license number of the asbestos removalist/s; and
 - (iv) the telephone number of WorkCover's Hotline 13 10 50
 - (v) 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
 - (vi) 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)

DACC024 Excavation (affecting adjoining land)

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:

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

The condition referred to in subclause (1) 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)

DACC037 Landscaping (maintenance strategy)

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

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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)

DACC050 Section 94 contributions (indirect contributions plan)

In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect 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:

Local Amenity Improvement Levy	\$5,000.00
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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 4.12 of the Strathfield Indirect 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.

A copy of this condition is to be presented to Council's Customer Service Centre when paying the contribution so that it can be recalculated.

Note: A copy of Strathfield Council's Section 94 Indirect 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)

DACC053 Stormwater (rainwater re-use)

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)

DACC055 Structural certification

The applicant must engage a qualified practising structural engineer to provide structural certification of the approved development in accordance with relevant Building Code of Australia (BCA) requirements, prior to the issue of a Construction Certificate. For approved works involving additions, details shall include certification of the load carrying capabilities of the existing structure to support the approved additions.

(Reason: To ensure structural stability and maintain public safety)

DACC061 Works permit

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.

(Reason: Council requirement)

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)***DACC063 Traffic (construction traffic management plan)***

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):

- 1) A description of the demolition, excavation and construction works
- 2) A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
- 3) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
- 4) 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
- 5) 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.
- 6) Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.)
- 7) Proposed hours of construction related activities and vehicular movements to and from the site
- 8) Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority)
- 9) Any activities proposed to be located or impact upon Council's road, footways or any public place
- 10) Measures to maintain public safety and convenience
- 11) Any proposed road and/or footpath closures
- 12) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
- 13) The 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.
- 14) 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).
- 15) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
- 16) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- 17) An on-site parking area for employees, tradespersons and construction vehicles as far as possible.
- 18) The 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.
- 19) 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)

DACC074 Works zone (approval by Council's traffic committee)

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

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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.

Conditions to be satisfied prior to the commencement of works (DAPC)***DAPC001 Appointment of a principal certifying authority***

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

- 1) A construction certificate for the building work has been issued by:
 - (a) the consent authority; or
 - (b) a Principal Certifying Authority; and
- 2) the person having the benefit of the development consent has:
 - (a) appointed a principal certifying authority for the building work, and
 - (b) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- 3) the principal certifying authority has, no later than 2 days before the building work commences:
 - (a) notified the Council of his or her appointment, and
 - (b) 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, and
- 4) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (a) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (b) notified the principal certifying authority of such appointment, and
 - (c) 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, and
- 5) 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)

DAPC003 Notice of commencement

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

- 1) 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;
- 2) Details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- 3) Details of the name, address and licence details of the Builder.

(Reason: Statutory requirement)

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Conditions to be satisfied during demolition and building works (DADW)**DADW002 *Fill material***

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)

DADW006 *Obstruction of public way (not permitted during works)*

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)

DADW010 *Site requirements during demolition and construction*

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

- 1) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- 2) Demolition must be carried out by a registered demolition contractor.
- 3) 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.
- 4) No blasting is to be carried out at any time during construction of the building.
- 5) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 6) 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.
- 7) Any demolition and excess construction materials are to be recycled wherever practicable.
- 8) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9) 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.
- 10) 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.
- 11) 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.
- 12) 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.
- 13) Details as to the method and location of disposal of demolition materials (weight docket, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- 14) Any materials stored on site must be stored out of view or in such a manner so as not to

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

- cause unsightliness when viewed from nearby lands or roadways.
- 15) 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.
 - 16) 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.
 - 17) 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.

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)

DADW011 Survey report of approved levels (during and post construction)

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

- 1) At the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries.
- 2) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- 3) 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 (DAOC)**DAOC006 Drainage system (maintenance of existing system)**

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)

DAOC007 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:

- 1) the stormwater drainage system; and/or
- 2) the car parking arrangement and area; and/or

Section 82A Review - 12 Dean Street, Strathfield South (Cont'd)

- 3) any related footpath crossing works; and/or
- 4) the proposed basement pump and well system; and/or
- 5) the proposed driveway and layback; and/or
- 6) 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)

DAOC014 Occupation of building

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:

- 1) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- 2) 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)

DAOC015 Rainwater tanks

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- (a) Australian/New Zealand Standard AS/NZS 3500:2003,
- (b) NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR).
- (c) Council's rainwater tank policy.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To protect public health and amenity)

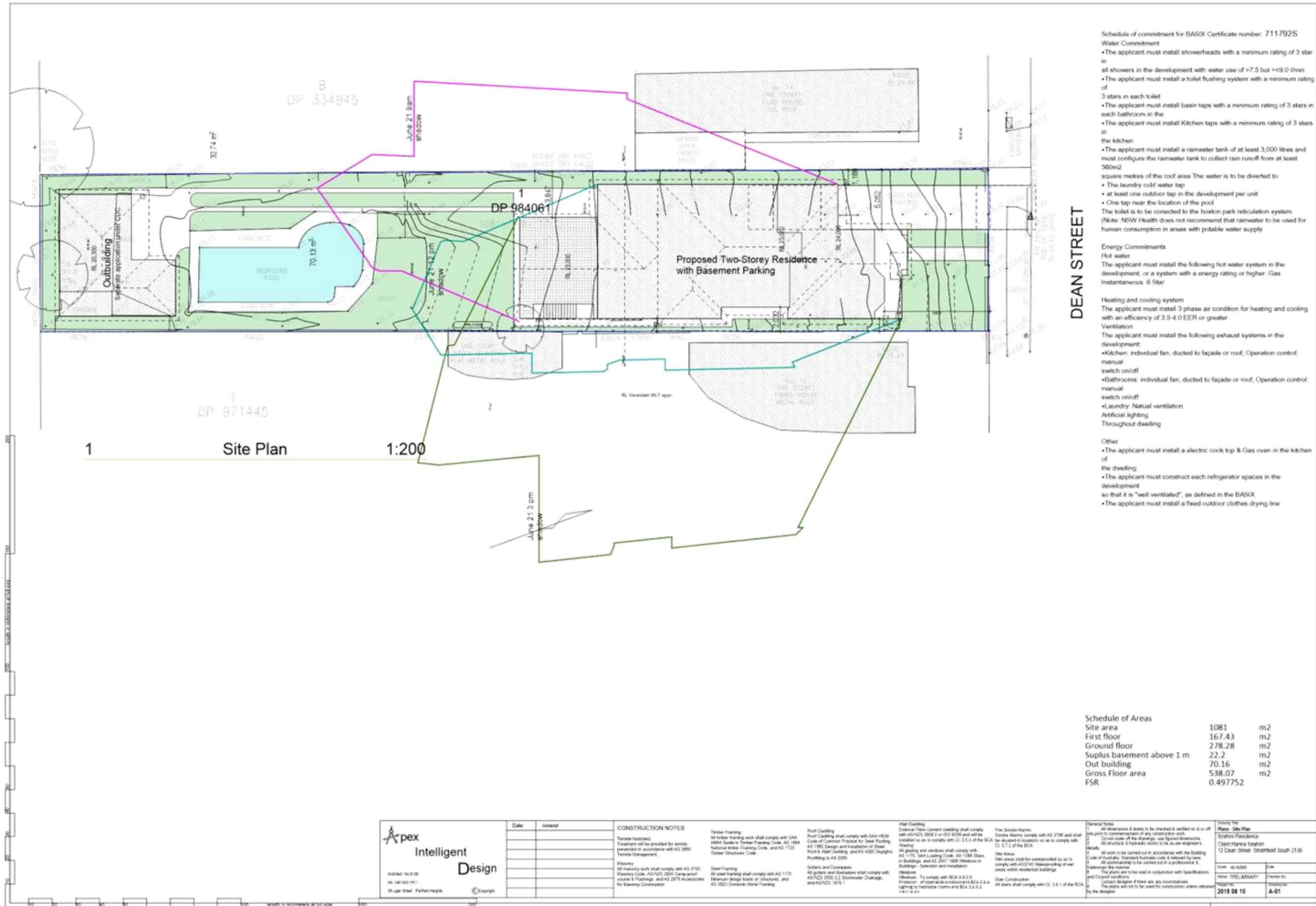
DAOC018 Stormwater (certification of the constructed stormwater drainage system)

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

1. [↓](#) Architectural Plans
2. [↓](#) Map



- Schedule of commitment for BASIX Certificate number: 711792S
- Water Commitment**
- The applicant must install showerheads with a minimum rating of 3 stars in all showers in the development with water use of >7.5 but ≤9.0 l/min
 - The applicant must install a toilet flushing system with a minimum rating of 3 stars in each toilet
 - The applicant must install basin taps with a minimum rating of 3 stars in each bathroom in the
 - The applicant must install Kitchen taps with a minimum rating of 3 stars in the kitchen
 - The applicant must install a rainwater tank of at least 3,000 litres and must configure the rainwater tank to collect rain runoff from at least 380m² square metres of the roof area. The water is to be diverted to:
 - The laundry cold water tap
 - at least one outdoor tap in the development per unit
 - One tap near the location of the pool
 The toilet is to be connected to the horizon park reticulation system (Note: NSW Health does not recommend that rainwater to be used for human consumption in areas with potable water supply)
- Energy Commitments**
- Hot water**
- The applicant must install the following hot water system in the development, or a system with a energy rating or higher: Gas Instantaneous 6 Star
- Heating and cooling system**
- The applicant must install 3 phase air condition for heating and cooling with an efficiency of 3.5-4.0 EER or greater
- Ventilation**
- The applicant must install the following exhaust systems in the development:
- Kitchen: individual fan, ducted to façade or roof, Operation control: manual switch on/off
 - Bathrooms: individual fan, ducted to façade or roof, Operation control: manual switch on/off
 - Laundry: Natural ventilation
 - Artificial lighting
 - Throughout dwelling
- Other**
- The applicant must install a electric cook top & Gas oven in the kitchen of the dwelling
 - The applicant must construct each refrigerator spaces in the development so that it is "well ventilated", as defined in the BASIX
 - The applicant must install a fixed outdoor clothes-drying line

Schedule of Areas	Area	Unit
Site area	1081	m ²
First floor	167.43	m ²
Ground floor	278.28	m ²
Suplus basement above 1 m	22.2	m ²
Out building	70.16	m ²
Gross Floor area	538.07	m ²
FSR	0.497752	

Apex Intelligent Design

Address: 16/2/28
160-180/400/1911
18 Upper Street, Parkside Heights

Date	Amend

CONSTRUCTION NOTES

Timber treatment
Treatment will be provided for woods as per AS 1600 Timber Management

Masonry
All masonry work shall comply with AS 3700
Masonry Code, AS/NZS 3601 Compartment Course & Floorings, and AS 2575 Accessories for Masonry Construction

Timber Framing
All timber framing work shall comply with SAA NDS4 Guide to Timber Framing Code, AS 1884 National Timber Framing Code, and AS 1720 Timber Structures Code

Steel Framing
All steel framing shall comply with AS 1170 Minimum design loads of structures, and AS 3601 Domestic Metal Framing

Roof Cladding
Roof Cladding shall comply with SAA HESD Code of Construction Practice for Steel Roofing, AS 1562 Design and Installation of Sheet, Roof & Wall Cladding, and AS 4285 Skylights, Roofing to AS 2020

Glazing and Conservatories
All glazing and conservatories shall comply with AS/NZS 4200.1.1 Stormwater Drainage, and AS/NZS 1618.1

Wall Cladding
External fibre cement cladding shall comply with AS/NZS 2902.2 or ISO 8339 and shall be installed in accordance with AS 1562.1.1 of the BCA

Glazing
All glazing and windows shall comply with AS 1170, SAA Lining Code, AS 1288 Glass in Buildings, and AS 2047 1880 Windows in Buildings - Selection and Installation

Windows
To comply with BCA 3.9.2.3 provision of operable windows and BCA 3.9.4.4 Lighting to habitable rooms and BCA 3.9.5.2 Ventilation

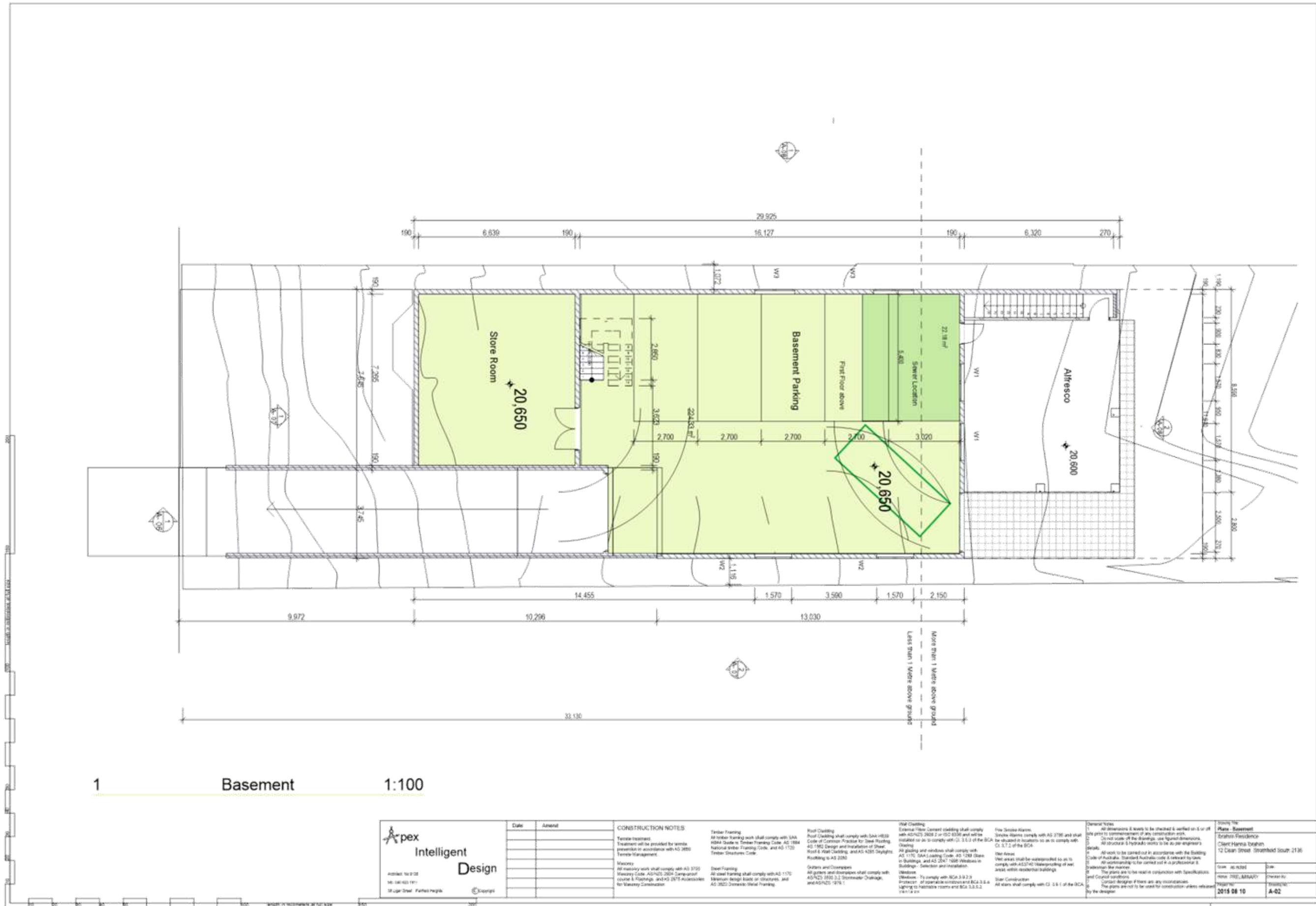
Fire Smoke Alarms
Smoke Alarms comply with AS 2796 and shall be situated in locations as to comply with Cl. 3.7.2 of the BCA

Fire Areas
Fire areas shall be waterproofed to AS 1562.1.1 of the BCA

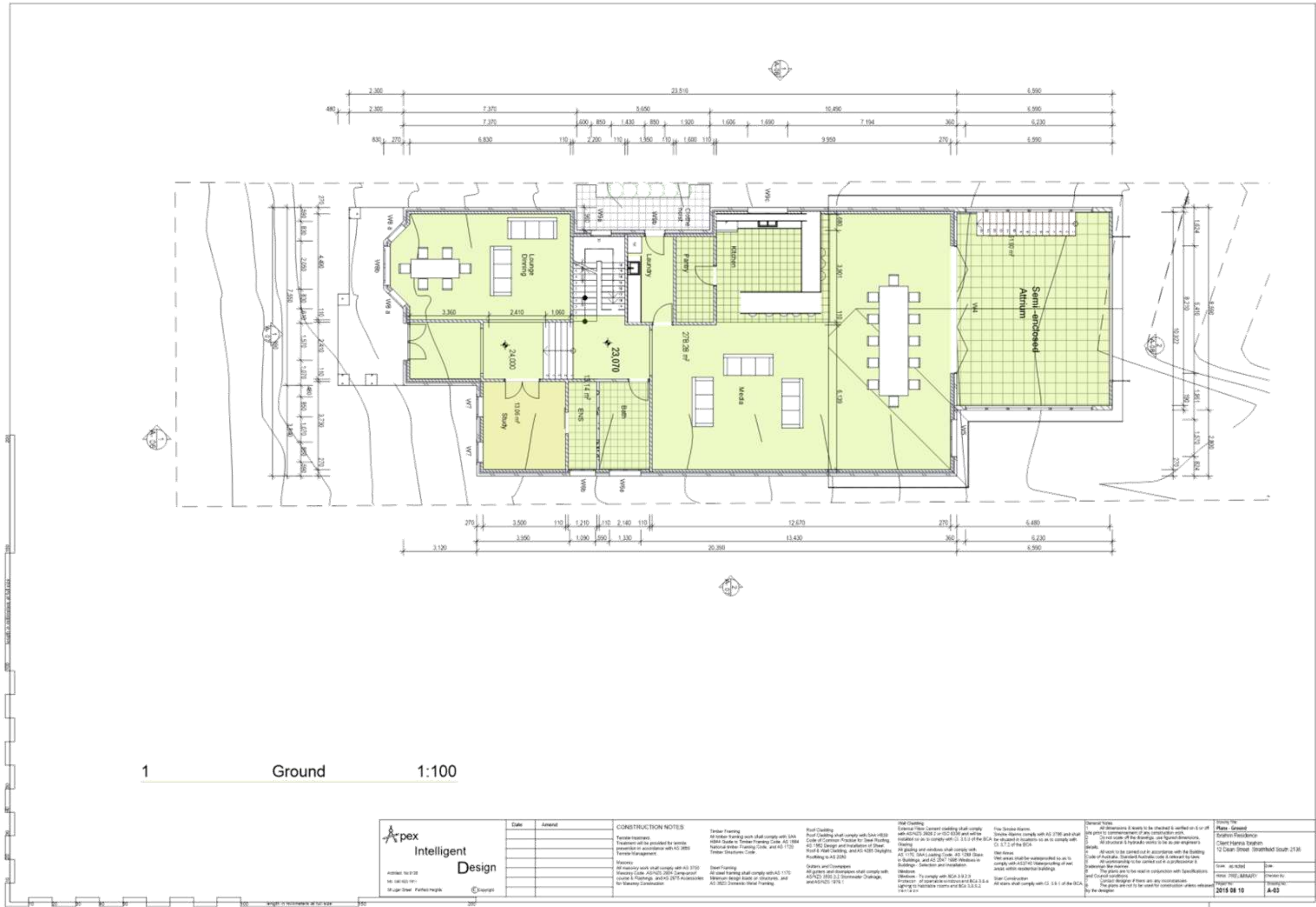
Star Construction
All stars shall comply with Cl. 3.6.1 of the BCA

General Notes
1. All dimensions & levels to be checked & verified on or off site prior to commencement of any construction work.
2. Detail scales of the drawings, use Approximate Dimensions, All structural & hydraulic works to be as per engineer's details.
3. All work to be carried out in accordance with the Building Code of Australia, Standard Australian code & relevant to other applicable standards.
4. All workmanship to be carried out in accordance with the Australian Standards.
5. The plans are to be used in conjunction with Specifications and Control conditions.
6. Certain drawings if there are any inaccuracies.
7. The plans are not to be used for construction unless released by the designer.

Issue No	Issue Date	Issue Description	Issue Status
1	2015 08 10	Issue No	A-01

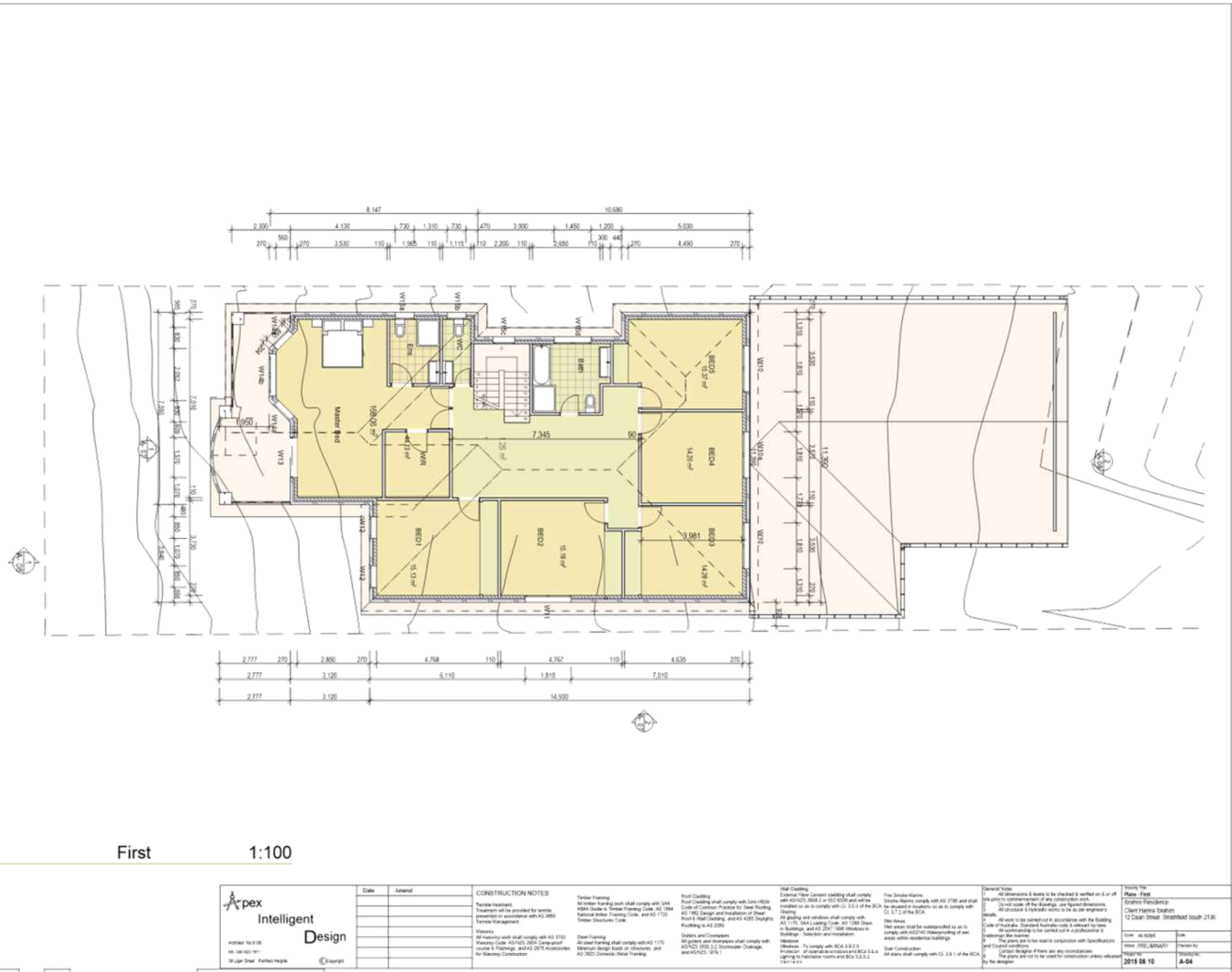


<p>Apex Intelligent Design</p> <p>Address: 16/2/22 160-180/400/1911 18/Upper Street, Parkside Heights</p>	<table border="1"> <thead> <tr> <th>Date</th> <th>Amendment</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Date	Amendment									<p>CONSTRUCTION NOTES</p> <p>Timber treatment: Treatment will be provided for veranda, pergola and enclosure with AS 2885 Timber Management.</p> <p>Masonry: All masonry work shall comply with AS 3700 Masonry Code, AS/NZS 2601 Compartment Course & Floorings, and AS 2875 Accessories for Masonry Construction.</p> <p>Steel Framing: All steel framing shall comply with AS 1170 Minimum design loads of structures, and AS 3601 Domestic Metal Framing.</p> <p>Roof Cladding: External fibre cement cladding shall comply with AS/NZS 2062 2 or ISO 6336 and will be installed as per to comply with CI 3.1.2 of the BCA Cladding. All glazing and windows shall comply with AS 1170, SAA Latching Code, AS 1288 Glass in Buildings, and AS 2047 1800 Windows in Buildings - Selection and Installation.</p> <p>Windows: To comply with BCA 3.9.2.3 Protection of operable windows and BCA 3.9.4.6 Lighting to habitable rooms and BCA 3.9.5.2 Ventilation.</p> <p>Fire Smoke Alarms: Smoke Alarms comply with AS 3786 and shall be situated in locations as per to comply with CI 3.7.2 of the BCA.</p> <p>Stair Areas: Stair areas shall be waterproofed to as to comply with AS 3740 Waterproofing of wet areas within residential buildings.</p> <p>Slab Construction: All slabs shall comply with CI 3.6.1 of the BCA.</p>	<p>General Notes</p> <p>1. All dimensions & levels to be checked & verified on or off site prior to commencement of any construction work.</p> <p>2. Detail scales of the drawings, not agreed dimensions. All structural & hydraulic works to be as per engineer's details.</p> <p>3. All work to be carried out in accordance with the Building Code of Australia, Standard Australian code & relevant to laws. All workmanship to be carried out by a professional & tradesman the relevant.</p> <p>4. The plans are to be used in conjunction with Specifications and Control conditions.</p> <p>5. *Consult designer if there are any discrepancies.</p> <p>6. The plans are not to be used for construction unless released by the designer.</p>	<p>Project Info</p> <p>Plan: Basement</p> <p>Strathfield Residence</p> <p>Client: Hanna Drabin</p> <p>12 Dean Street, Strathfield South 2135</p> <p>Date: as noted</p> <p>Drawn by: TREV LARAVY</p> <p>Checked by: TREV LARAVY</p> <p>2015 06 10</p> <p>A-02</p>
	Date	Amendment												



1 Ground 1:100

<p>Apex Intelligent Design 140/142 Pitt St Sydney NSW 2000</p>	Date	Amend	CONSTRUCTION NOTES Timber Framing All timber framing work shall comply with SAA NDS4 Guide to Timber Framing Code, AS 1884 National Timber Framing Code, and AS 1720 Timber Structures Code. Masonry All masonry work shall comply with AS 3700 Masonry Code, AS/NZS 3601 Comparison of Courses & Finishes, and AS 2875 Accessories for Masonry Construction. Steel Framing All steel framing shall comply with AS 1170 Minimum design loads of structures, and AS 3602 Domestic Metal Framing. Roof Cladding All gables and dormers shall comply with AS/NZS 2962 2 or ISO 8339 and will be installed as per AS 1542.1 of the BCA. All glazing and windows shall comply with AS 1170, SAA Loading Code, AS 1288 Glass in Buildings, and AS 2047 1880 Windows in Buildings - Selection and Installation. Windows - To comply with BCA 3.9.2.3 Protection of operable windows and BCA 3.8.4 Lighting in habitable rooms and BCA 3.8.5.2 Ventilation. Wall Cladding External fibre cement cladding shall comply with AS/NZS 2962 2 or ISO 8339 and will be installed as per AS 1542.1 of the BCA. Fire Smoke Alarms Smoke alarms shall comply with AS 2796 and shall be installed in locations as per AS 1542.1 of the BCA. Wet Areas Wet areas shall be waterproofed to AS 1542.1 of the BCA. Star Construction All stars shall comply with CS 3.6.1 of the BCA.
	General Notes 1. All dimensions & levels to be checked & verified on or off site prior to commencement of any construction work. 2. Do not scale off the drawings, use agreed dimensions. 3. All structural & hydraulic works to be as per engineer's details. 4. All work to be carried out in accordance with the Building Code of Australia, Standard Australian Code & relevant to laws, all workmanship to be carried out by a professional & tradesman the relevant. 5. The plans are to be used in conjunction with Specifications and Control conditions. 6. Contact designer if there are any inconsistencies. 7. The plans are not to be used for construction unless released by the designer.		
Project No: 150123 Date: 15/06/17 140/142 Pitt St, Parkes NSW			Project Name: Phase - Ground Client: Hanna Ibrahim 12 Dean Street, Strathfield NSW 2135 Date Issued: 2015 06 10 Drawn By: A-03



Date	Amend

CONSTRUCTION NOTES
 Timber treatment: Treatment will be provided for veranda, pergola or enclosure with AS 3685 Timber Management.

Masonry
 All masonry work shall comply with AS 3700 Masonry Code, AS/NZS 2601 Comparison of Course & Flights, and AS 2675 Accessories for Masonry Construction.

Steel Framing
 All steel framing shall comply with AS 1170 Minimum design loads of structures, and AS 2621 Domestic Metal Framing.

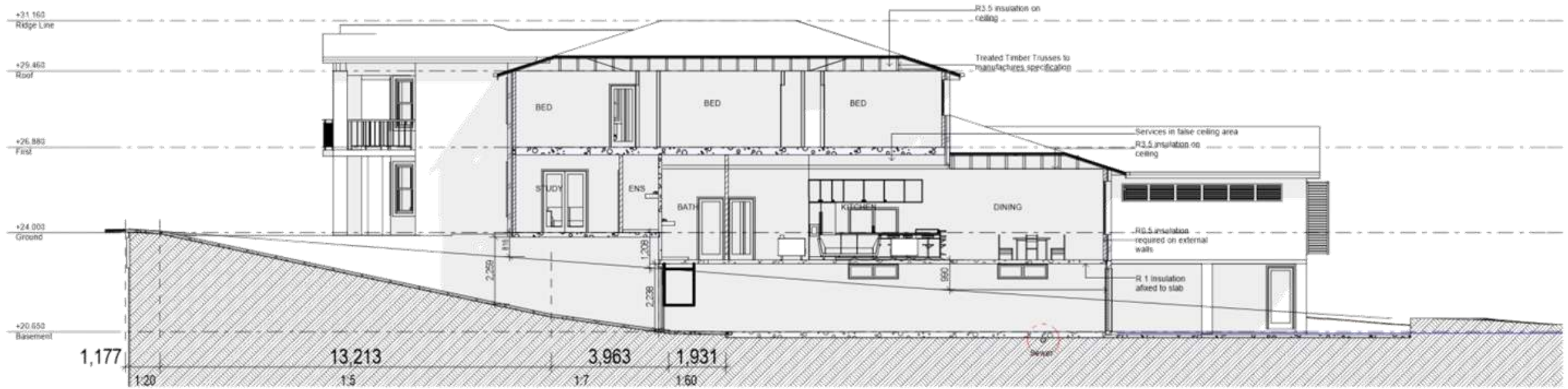
Roof Cladding
 Roof Cladding shall comply with SAA H830 Code of Construction Practice for Steel Roofing, AS 1562 Design and Installation of Steel Roof & Wall Cladding, and AS 4285 Skylights, Roofing to AS 2050.

Glazing and Windows
 All glazing and windows shall comply with AS 1170 SAA Loading Code, AS 1288 Glass in Buildings, and AS 2047 1800 Windows in Buildings - Selection and Installation.

Fire Smoke Alarms
 Smoke Alarms shall comply with AS 2796 and shall be situated in locations as to comply with Cl. 5.7.2 of the BCA.

General Notes
 1. All dimensions & levels to be checked & verified on & off site prior to commencement of any construction work.
 2. Do not scale off the drawings, use figure dimensions. All structural & hydraulic notes to be as per engineer's details.
 3. All work to be carried out in accordance with the Building Code of Australia, Standard Australian code & relevant by laws.
 4. All workmanship to be carried out by a professional & tradesman the tradesman.
 5. The plans are to be used in conjunction with Specifications and Control conditions.
 6. The plans are not to be used for construction unless released by the designer.

Project Name Strathfield Residence	
Client: Hansa Drishan	
12 Dean Street, Strathfield South 2135	
Date: as noted	Drawn:
Drawn: JRE, LBN, VAV	Checked by:
2015 08 10	JRE



1

Section

1:100

WINDOW SCHEDULE

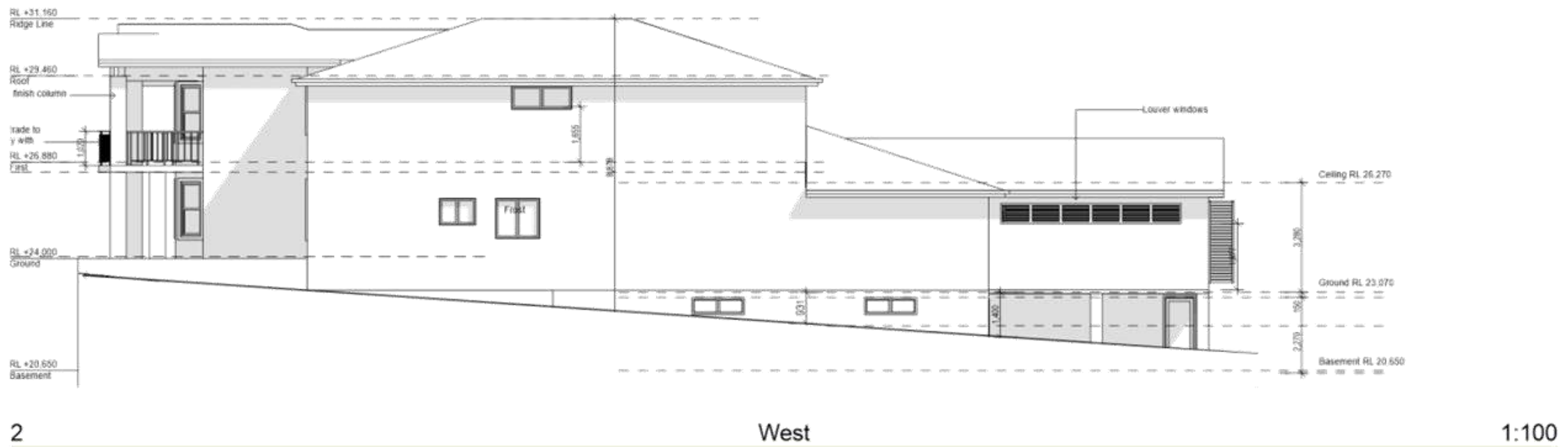
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s 1	W4	2340	5410	12.6594	AL single Glazed
s 1	W5	1800	1570	2.826	AL single Glazed
w 1	W6a	1200	1330	1.596	AL single Glazed
w 1	W6b	800	1090	0.872	AL single Glazed
n 2	W7	1650	850	2.805	AL single Glazed
n 2	W8b	1650	850	2.805	AL single Glazed
n 1	W8b	1650	1450	2.3925	AL single Glazed
e 1	W9a	1350	850	1.1475	AL single Glazed
e 1	W9b	2100	850	1.785	AL single Glazed
e 1	W9c	1000	1690	1.69	AL single Glazed
s 2	W10a	1200	1810	4.344	AL single Glazed
s 1	W10b	900	1810	1.629	AL single Glazed
w 1	W11	700	1810	1.267	AL single Glazed
n 2	W12	1350	850	2.295	AL single Glazed
n 1	W13	2100	1570	3.297	AL single Glazed
n 2	W14a	1650	850	2.805	AL single Glazed
n 1	W14b	1650	1450	2.3925	AL single Glazed
e 1	W15a	1200	730	0.876	AL single Glazed
e 1	W15b	1200	730	0.876	AL single Glazed
e 1	W15c	1200	850	1.02	AL single Glazed
e 1	W15d	1200	1450	1.74	AL single Glazed

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 180-182-184
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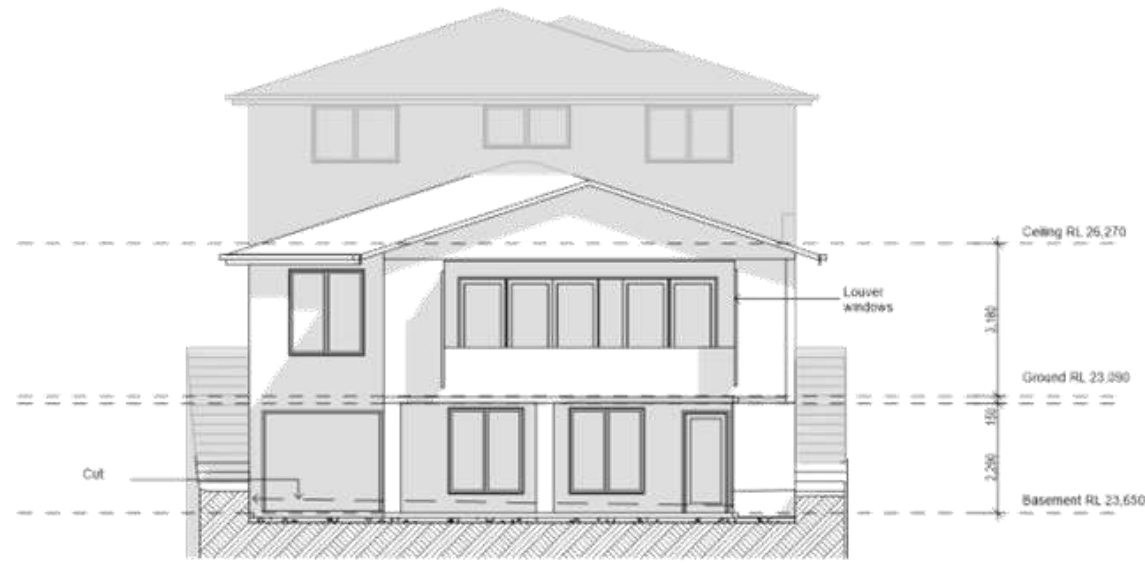
Date	Amend

CONSTRUCTION NOTES	
<p>Timber Framing All timber framing work shall comply with SAA NDS44 Guide to Timber Framing Code, AS 1884 National Timber Framing Code, and AS 1720 Timber Structures Code.</p> <p>Masonry All masonry work shall comply with AS 3700 Masonry Code, AS/NZS 2601 Compartment Course & Floorings, and AS 2875 Accessories for Masonry Construction.</p> <p>Steel Framing All steel framing shall comply with AS 1170 Minimum design loads of structures, and AS 2825 Domestic Metal Framing.</p> <p>Roof Cladding External Timber Cladding shall comply with AS/NZS 2962 2 or ISO 8339 and will be installed as per to comply with G1.1.1 of the BCA Cladding. All glazing and windows shall comply with AS 1170 SAA Loading Code, AS 1288 Glass in Buildings, and AS 2047 1800 Windows in Buildings - Selection and Installation. Windows - To comply with BCA 3.9.2.3 Protection of operable windows and BCA 3.9.4.4 Lighting to habitable rooms and BCA 3.9.5.2 Ventilation.</p> <p>Roof Cladding External Timber Cladding shall comply with AS/NZS 2962 2 or ISO 8339 and will be installed as per to comply with G1.1.1 of the BCA Cladding. All glazing and windows shall comply with AS 1170 SAA Loading Code, AS 1288 Glass in Buildings, and AS 2047 1800 Windows in Buildings - Selection and Installation. Windows - To comply with BCA 3.9.2.3 Protection of operable windows and BCA 3.9.4.4 Lighting to habitable rooms and BCA 3.9.5.2 Ventilation.</p> <p>Fire Smoke Alarms Smoke Alarms comply with AS 2796 and shall be situated in locations as per to comply with G1.8.1.2 of the BCA.</p> <p>Fire Areas Fire areas shall be waterproofed to as to comply with AS/NZS 1562 Waterproofing of wet areas within residential buildings.</p> <p>Slab Construction All slabs shall comply with G1.3.6.1 of the BCA.</p>	<p>General Notes 1. All dimensions & levels to be checked & verified on or off site prior to commencement of any construction work. 2. Do not scale off the drawings, use proper dimensions. 3. All structural & hydraulic works to be as per engineer's details. 4. All work to be carried out in accordance with the Building Code of Australia, Standard Australian code & relevant to laws. 5. All workmanship to be carried out by a professional E, P, or S. 6. The plans are to be used in conjunction with Specifications and Control conditions. 7. Certain drawings if there are any inaccuracies. 8. The plans are not to be used for construction unless released by the designer.</p>

Notes - Sections	
12 Clean Street, Strathfield South 2135	Client: Hanna Ibrahim
Drawn: JRE, LBN, AVY	Checked: JRE
2015 08 10	A-06



<p>Apex Intelligent Design</p> <p>Architect: 16/1/17 16/1/17 16/1/17 16/1/17</p>	<table border="1"> <thead> <tr> <th>Date</th> <th>Amend</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Date	Amend											<p>CONSTRUCTION NOTES</p> <p>Timber treatment: Treatment will be provided for veranda, pergola or enclosure with AS 3685 Timber Management.</p> <p>Masonry: All masonry work shall comply with AS 3700 Masonry Code, AS/NZS 3601 Compartment Course & Flashings, and AS 2575 Accessories for Masonry Construction.</p> <p>Steel Framing: All steel framing shall comply with AS 1170 Minimum design loads of structures, and AS 3601 Domestic Metal Framing.</p> <p>Roof Cladding: External fibre cement cladding shall comply with AS/NZS 2908 2 or ISO 6336 and will be installed in accordance with AS 1170 Code of Construction Practice for Steel Roofing, AS 1562 Design and Installation of Sheet, Roof & Wall Cladding, and AS 4285 Skylights. Roofing is AS 2200.</p> <p>Glazing and Windows: All glazing and windows shall comply with AS 1170, SAA Loading Code, AS 1288 Glass in Buildings, and AS 2047 1600 Windows in Buildings - Selection and Installation.</p> <p>Windows: To comply with BCA 3.9.2.3 Protection of operable windows and BCA 3.9.4.4 Lighting to habitable rooms and BCA 3.9.5.2 Ventilation.</p> <p>Wall Cladding: External fibre cement cladding shall comply with AS/NZS 2908 2 or ISO 6336 and will be installed in accordance with AS 1170 Code of Construction Practice for Steel Roofing, AS 1562 Design and Installation of Sheet, Roof & Wall Cladding, and AS 4285 Skylights. Roofing is AS 2200.</p> <p>Glazing and Windows: All glazing and windows shall comply with AS 1170, SAA Loading Code, AS 1288 Glass in Buildings, and AS 2047 1600 Windows in Buildings - Selection and Installation.</p> <p>Windows: To comply with BCA 3.9.2.3 Protection of operable windows and BCA 3.9.4.4 Lighting to habitable rooms and BCA 3.9.5.2 Ventilation.</p> <p>Fire Smoke Alarms: Smoke alarms comply with AS 3786 and shall be situated in locations as to comply with Cl. 5.7.2 of the BCA.</p> <p>Site Areas: Wet areas shall be waterproofed to suit, comply with AS/NZS 4455 Waterproofing of wet areas within residential buildings.</p> <p>Slab Construction: All slabs shall comply with Cl. 3.6.1 of the BCA.</p>	<p>General Notes:</p> <ol style="list-style-type: none"> All dimensions & levels to be checked & verified on or off site prior to commencement of any construction work. Do not scale off the drawings, use digital dimensions. All structural & hydraulic works to be as per engineer's details. All work to be carried out in accordance with the Building Code of Australia, Standard Australian code & relevant to date. All workmanship to be carried out by a professional & tradesman the relevant. The plans are to be used in conjunction with Specifications and Control conditions. Contract designer if there are any inconsistencies. The plans are not to be used for construction unless released by the designer. 	<p>Project: The Strathfield Residence</p> <p>Client: Hanna Ibrahim</p> <p>12 Dean Street, Strathfield South 2135</p> <p>Date: as noted</p> <p>Drawn by: [Signature]</p> <p>Checked by: [Signature]</p> <p>Project No: 2015 06 10</p> <p>Sheet No: A-07</p>
	Date	Amend														



2 South 1:100



1 East 1:100

Apex Intelligent Design
 Architects 16/2/16
 16/ 180-422 1911
 18 Upper Street, Parkside Heights

Date	Amend

CONSTRUCTION NOTES
 Timber treatment: Treatment will be provided for veranda, pergola or enclosure with AS 3685 Timber Management.
 Masonry: All masonry work shall comply with AS 3755 Masonry Code, AS/NZS 2601 Comparison of course & fixings, and AS 2675 Australian for Masonry Construction.

Timber Framing
 All timber framing work shall comply with SAA NDS4 Guide to Timber Framing Code, AS 1884 National Timber Framing Code, and AS 1720 Timber Structures Code.
Steel Framing
 All steel framing shall comply with AS 1170 Minimum design loads of structures, and AS 3602 Domestic Metal Framing.

Roof Cladding
 Roof Cladding shall comply with SAA H&S Code of Construction Practice for Steel Roofing, AS 1562 Design and Installation of Sheet, Roof & Wall Cladding, and AS 4285 Skylights, Roofing to AS 2200.
Gutters and Downpipes
 All gutters and downpipes shall comply with AS/NZS 1830 3.1 Stormwater Drainage, and AS/NZS 1874.1.

Wall Cladding
 External fibre cement cladding shall comply with AS/NZS 2608 2 or ISO 6336 and shall be installed as per AS/NZS 2608 2.1.1.1 of the BCA Cladding.
 All glazing and windows shall comply with AS 1170 SAA Loading Code, AS 1288 Glass in Buildings, and AS 2047 1880 Windows in Buildings - Selection and Installation.
Windows
 To comply with BCA 3.9.2.3 Protection of operable windows and BCA 3.9.4.4 Lighting to habitable rooms and BCA 3.9.5.2 Ventilation.

Fire Smoke Alarms
 Smoke Alarms comply with AS 2796 and shall be situated in locations as per AS 2796 Cl. 5.7.2 of the BCA.
Wet Areas
 Wet areas shall be waterproofed to AS 4, comply with AS/NZS 4450 Waterproofing of wet areas within residential buildings.
Slab Construction
 All slabs shall comply with Cl. 3.6.1 of the BCA.

General Notes
 1. All dimensions & levels to be checked & verified on or off site prior to commencement of any construction work.
 2. Do not scale off the drawings, use digital dimensions.
 3. All structural & hydraulic works to be as per engineer's details.
 4. All work to be carried out in accordance with the Building Code of Australia, Standard Australian code & relevant to laws.
 5. All workmanship to be carried out by a professional & tradesman the relevant.
 6. The plans are to be used in conjunction with Specifications and Control conditions.
 7. Certain designs if there are any inconsistencies.
 8. The plans are not to be used for construction unless referred by the designer.

Drawn By	Checked By
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