

Agenda

Strathfield Local Planning Panel Meeting

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

Thursday, 5 September 2019

Commencing at 10:00am for the purpose of considering items included on the Agenda

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

TABLE OF CONTENTS

Item	Page No.
SLPP AGENDA ITEMS	
SLPP - Report No. 1	
DA2019/064 - 12 Therry Street East Strathfield South Lot 2 & 3 DP 207560.....	3
SLPP - Report No. 2	
DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South Lot 2 DP 1009549 & Part Lot 1 DP 883526.....	45
SLPP - Report No. 3	
DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush Lots A, B, C DP 169298 & Lot 3 DP 312801	99
SLPP - Report No. 4	
DA2018/171 - 14 Marlborough Road, Homebush West Lot 10 Section 1 DP 827	191

TO: Strathfield Local Planning Panel Meeting - 5 September 2019
REPORT: SLPP – Report No. 1
SUBJECT: DA2019/064 - 12 THERRY STREET EAST STRATHFIELD SOUTH
 LOT 2 & 3 DP 207560
DA NO. DA2019/064

SUMMARY

Proposal:	Demolition of existing structures and construction of a pair of semi-detached dwellings and boundary adjustment.
Applicant:	Mounir El-Kaderi
Owner:	JST Wong & SP Hong
Date of lodgement:	02/05/2019
Notification period:	10/05/2019 – 24/05/2019
Submissions received:	One (1)
Assessment officer:	PF
Estimated cost of works:	\$810,273
Zoning:	R2 Low Density Residential - SLEP 2012
Heritage:	<ul style="list-style-type: none"> The site is not a heritage item or located within a heritage conservation area (SLEP 2012) The site is located in the vicinity of listed items (St Anne’s Church, Sydney Water Pressure Tunnel).
Flood affected:	No
Cl. 4.6 variation request:	Yes – 46.9% variation sought to the <i>minimum subdivision lot size</i> development standard (Clause 4.1 SLEP 2012).
Cl. 4.6 supported:	No
Peer review of Cl. 4.6:	<ul style="list-style-type: none"> Peer review of Clause 4.6 written request undertaken. Recommendation of refusal is supported.
RECOMMENDATION:	REFUSAL

EXECUTIVE SUMMARY

1. The proposal involves demolition of existing structures and construction of a pair of semi-detached dwellings and boundary adjustment.
2. The plans and documentation submitted with the application were notified from 10 May 2019 to 24 May 2019 in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005.
3. One (1) submission was received from the adjoining property at the rear. Concerns raised include stormwater runoff, impacts to vegetation resulting from excavation works, impacts on shared boundary, overlooking, and overdevelopment of the site.

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

4. On 28 May 2019, an 'Unsatisfactory DA' letter was issued to the applicant by the original Assessment Officer, raising a number of issues including tree removal of a *Eucalyptus scoparia* within the front setback, impact to a neighbouring tree (*Eucalyptus nicholii*), non-compliance with the landscaped area requirement under SDCP 2005, building design and siting (varying front setback requested to better align with the adjoining properties), height of ground floor finished floor level relative to the adjoining private open space area (height reduction requested), and insufficient details pertaining to RL heights on the architectural plans.
5. On 27 June 2019, amended plans and additional information was submitted to Council responding to the issues raised in the *Unsatisfactory DA* letter.
6. On 25 July 2019, the application was reallocated to a Consultant Assessment Officer. Following a preliminary review of the application, a Clause 4.6 written request to vary the *minimum subdivision lot size* development standard (46.9%), was requested. This was provided to Council on 25 July 2019.
7. The Clause 4.6 written request is not considered to be well founded.
8. The application is recommended for **REFUSAL**.

BACKGROUND

Application History	
Date	Action
02/05/2019	<ul style="list-style-type: none"> • DA2019/064 lodged
10/05/2019	<ul style="list-style-type: none"> • Application notified from 10/05/2019 – 24/05/2019
23/05/2019	<ul style="list-style-type: none"> • Site inspection undertaken
28/05/2019	<ul style="list-style-type: none"> • Unsatisfactory DA letter sent to the applicant
27/06/2019	<ul style="list-style-type: none"> • Amended plans and additional information submitted to Council
25/07/2019	<ul style="list-style-type: none"> • DA reallocated to replacement officer • Clause 4.6 requested to the minimum subdivision lot size development standard (Clause 4.1 of SLEP 2012), as the proposed boundary adjustment falls under the meaning of 'subdivision' under the Act.
Other relevant history	
<ul style="list-style-type: none"> • On 15/06/2018, a <i>Tree Removal Application</i> was lodged in respect of 5 (five) existing trees on the site, including four (4) within the front setback. • Tree 2 (<i>Eucalyptus scoparia</i>) was not supported for removal. This tree is required to be retained as part of this proposal. 	
Compliance History	
Nil	
LEC Appeals	
Nil.	

DESCRIPTION OF THE SITE AND LOCALITY

Application History	
Date	Action
02/05/2019	<ul style="list-style-type: none"> • DA2019/064 lodged
10/05/2019	<ul style="list-style-type: none"> • Application notified from 10/05/2019 – 24/05/2019
23/05/2019	<ul style="list-style-type: none"> • Site inspection undertaken
28/05/2019	<ul style="list-style-type: none"> • Unsatisfactory DA letter sent to the applicant
27/06/2019	<ul style="list-style-type: none"> • Amended plans and additional information submitted to Council
25/07/2019	<ul style="list-style-type: none"> • DA reallocated to replacement officer • Clause 4.6 requested to the minimum subdivision lot size development

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

	standard (Clause 4.1 of SLEP 2012), as the proposed boundary adjustment falls under the meaning of 'subdivision' under the Act.
Other relevant history	
<ul style="list-style-type: none"> On 15/06/2018, a <i>Tree Removal Application</i> was lodged in respect of 5 (five) existing trees on the site, including four (4) within the front setback. Tree 2 (<i>Eucalyptus scoparia</i>) was not supported for removal. This tree is required to be retained as part of this proposal. 	
Compliance History	
Nil	
LEC Appeals	
Nil.	

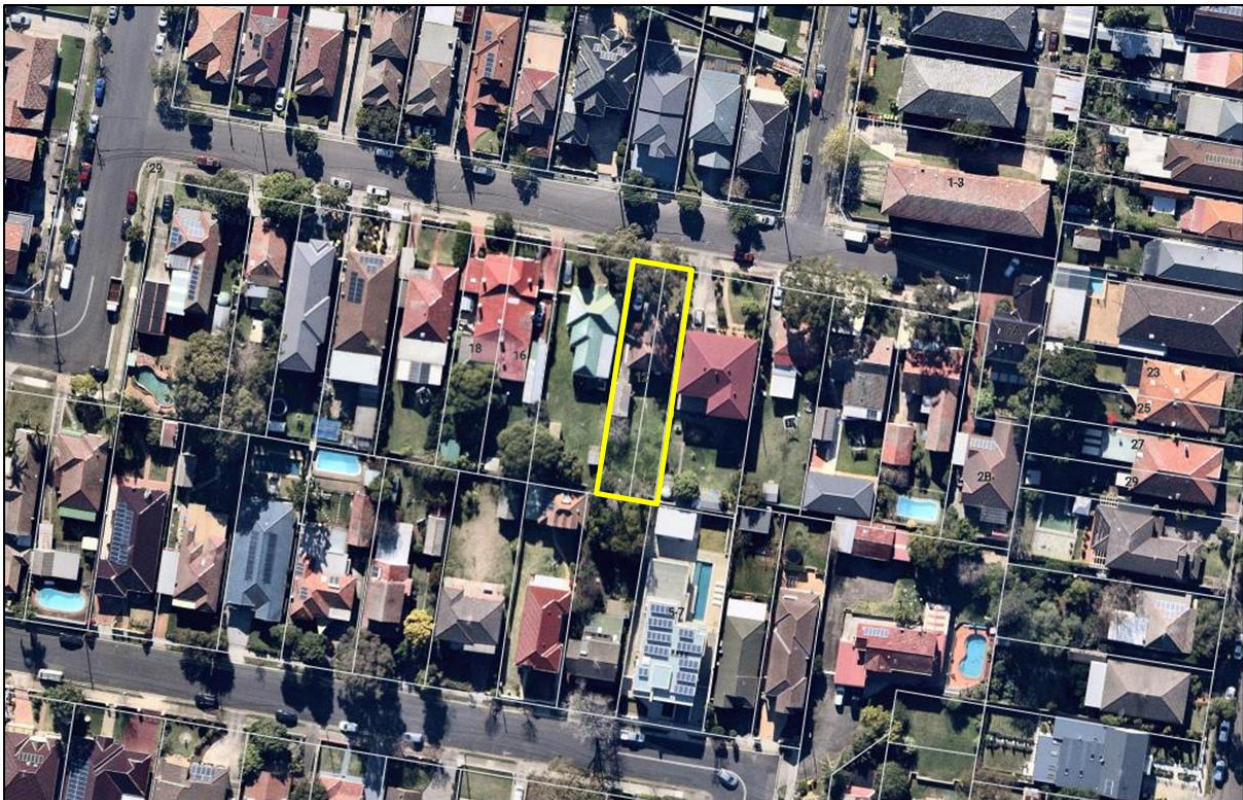


Figure 1: Aerial photograph of locality including subject site (highlighted in yellow). Source: Strathfield Council Maps).

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

Figure 2: Subject site as viewed from Therry Street East. The existing Eucalyptus within the front setback is to be retained and protected.



Figure 3: Existing semi-detached dwelling at 16-18 Therry Street East. No. 16 (left) has an area of 494m², and No. 18 has an area of 433m².

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)



Figure 4: The adjoining property to the east at 10 Therry Street East.



Figure 5: The adjoining property to the west at 14 Therry Street East.

PROPERTY BURDENS AND CONSTRAINTS

A State heritage listed *Pressure Tunnel and Shafts* (State Heritage Register Listing No. 01630) traverses the front setback of the site. Albeit, the physical boundary curtilage is taken to be a distance of 3m around the existing infrastructure, which is located at a depth ranging from 15m to 67m beneath high ground at Ashfield.

As no excavation is proposed beyond 400mm for the footings, the pressure tunnel would not constrain development of the site.

As such, there are no burdens or constraints that would preclude the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

Amended plans

27 June 2019

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

- Retention of an existing *Eucalyptus scoparia* tree within the front setback
- Tree protection measures to protect neighbouring tree (*Eucalyptus nicholii*) within the front setback of 14 Therry Street East to the west.
- Semi-detached dwelling on proposed Lot 2 relocated 500mm to the south.
- Semi-detached dwelling (excluding garage) on proposed Lot 3 relocated 500mm to the south.
- Adjustment to finished floor levels to reduce the height of the ground level living area relative to the rear yard:
 - entry level reduced by 500mm (FFL 23.55 to FFL 23.05);
 - ground level lounge and bathroom/laundry reduced by 500mm (FFL 23.60 to FFL 23.10);
 - rear kitchen/dining/living area reduced by 200mm (FFL 22.77 to FFL 22.57);
 - entry Rear ground floor alfresco area lowered 200mm (FFL 22.72 to FFL 22.52); and
 - first floor FFL reduced by 200mm (FFL 26.20 to FFL 26.00)
- Overall height reduced by 200mm (RL 29.45 to RL 29.25).

The proposal (as amended)

The proposal as amended involves demolition of the existing structures and construction of a pair semi-detached dwellings, and boundary adjustment, as follows:

Proposed Lot 2 (297.49m²) – Dwelling 1		Proposed Lot 3 (297.37m²) – Dwelling 2	
Ground floor		Ground floor	
<ul style="list-style-type: none"> • Single enclosed garage • Entry • Lounge • Bathroom/laundry • Open plan kitchen/living/dining room • Covered rear alfresco area with 2 x skylights and skillion roof • Internal stair 		<ul style="list-style-type: none"> • Single enclosed garage • Entry • Lounge • Bathroom/laundry • Open plan kitchen/living/dining room • Covered rear alfresco area with 2 x skylights and skillion roof • Internal stair 	
First floor		First floor	
<ul style="list-style-type: none"> • Main bedroom with private north facing balcony, ensuite and walk-in-robe • Internal stair • Bed 2, 3 and 4 with private covered south-facing balcony to Bed 4 • Bathroom 		<ul style="list-style-type: none"> • Main bedroom with private north facing balcony, ensuite and walk-in-robe • Internal stair • Bed 2, 3 and 4 with private covered south-facing balcony to Bed 4 • Bathroom 	
Roof		Roof	
<ul style="list-style-type: none"> • 5° Colorbond roof over dwelling and lower flat roof with 2 x skylights to rear ground floor alfresco area. 		<ul style="list-style-type: none"> • 5° Colorbond roof over dwelling and lower flat roof with 2 x skylights to rear ground floor alfresco area. 	
External works		External works	
<ul style="list-style-type: none"> • Demolition of all structures • 2 x new driveways and associated vehicular crossings • Landscaping works to the front setback and rear yards • 2500L rainwater tank in accordance with BASIX Certificate 1002881M, dated 10/04/2019 • Clothes drying line to rear yards in accordance with BASIX commitments • Lightweight aluminium fence (vertical panel infill) including 2 x vehicular entry gate and 2 x pedestrian entries (horizontal panel infill) ranging in height from 1.33m to 1.2m 		<ul style="list-style-type: none"> • Demolition of all structures • 2 x new driveways and associated vehicular crossings • Landscaping works to the front setback and rear yards • 2500L rainwater tank in accordance with BASIX Certificate 1002881M, dated 10/04/2019 • Clothes drying line to rear yards in accordance with BASIX commitments • Lightweight aluminium fence (vertical panel infill) including 2 x vehicular entry gate and 2 x pedestrian entries (horizontal panel infill) ranging in height from 1.33m to 1.2m 	
Boundary adjustment		Boundary adjustment	
Total site area: 594.9m²			
Existing Lot 2 size	Proposed Lot 2 size	Existing Lot 3 size	Proposed Lot 3 size

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

363.3m ² (by Survey)	297.49m ²	231.6m ² (by Survey)	297.37m ²
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A streetscape analysis has been submitted by the applicant and is shown at **Figure 6**.

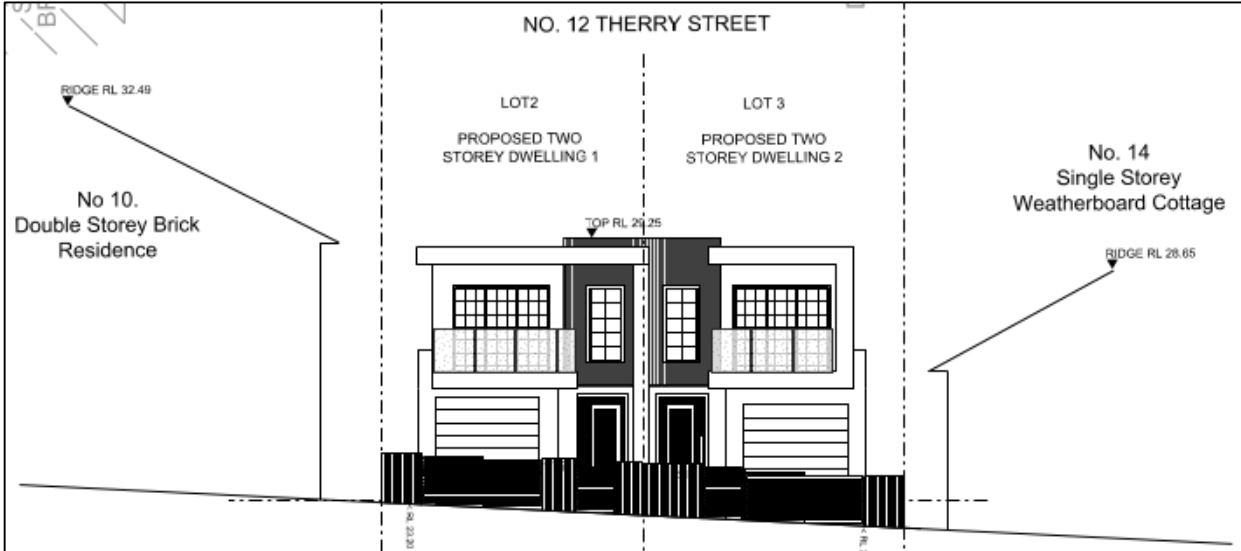


Figure 6. Supplied ‘Streetscape Analysis’ (Source: Drawing No. 12, Issue 02, dated 8/06/2019, prepared by Elkad Group Pty Ltd).

REFERRALS

Referral	Comments	Satisfactory
Engineering	<ul style="list-style-type: none"> No objections, subject to recommended conditions of consent. 	Yes
Heritage	<ul style="list-style-type: none"> No objections on heritage grounds. No recommended conditions of consent. <p>Key comments:</p> <ul style="list-style-type: none"> The site does not contain a heritage item and is not located within a heritage conservation area (SLEP 2012). The site is located in the vicinity of St Anne’s Church, which is a listed item of State and local significance. The proposal would not adversely impact upon the heritage significance of the Church. A state heritage listed ‘Sydney Water Pressure Tunnel’ traverses the front setback of the site. The tunnel is located some 15m-67m beneath high ground at Ashfield. The physical boundary curtilage of the Pressure Tunnel is to be taken as 3m around the existing infrastructure. As no excavation is proposed, there would be no impact to the significance of the tunnel. 	Yes
Landscaping	<ul style="list-style-type: none"> No objections to the amended landscape plan and Tree Management (Protection Plan), subject to recommended conditions of consent. <p>Key comments:</p> <ul style="list-style-type: none"> The amended landscape plan shows retention of the <i>Eucalyptus scoparia</i> tree on the proposed Lot 3 within the front setback, and protection of the neighbouring tree (<i>Eucalyptus nicholii</i>). 	Yes

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

The relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* include the following:

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

Clause 4.15(1):

(a) *the provisions of:*

- i) *any environmental planning instrument, and*
- ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- iii) *any development control plan, and*
- iii a) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- v) *(Repealed)*

that apply to the land to which the development application relates,

- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

4.15(1)(a)(i) The provisions of any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

SEPP (Building Sustainability Index: BASIX) 2004 applies to the proposed development. It relates to commitments within the proposed development in relation to thermal comfort, water conservation and energy efficiency sustainability measures.

A BASIX Certificate was submitted as part of the application demonstrating compliance with the SEPP.

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

Pursuant to Section 2(2) of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), the Policy:

“aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- a) *by specifying when consent is required, and when it is not required, for a remediation work;*
- b) *by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular; and*
- c) *by requiring that a remediation work meet certain standards and notification requirements.”*

Under Clause 7(1)(a) of SEPP 55 consideration has been given as to whether the subject site on which the development is occurring is contaminated.

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

As the site has a long history of residential use, it is considered that the land does not require further consideration under Clause 7(1)(b) and (c) of SEPP 55.

The proposal is therefore acceptable with regard to SEPP 55: Remediation of Land.

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

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

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The original application sought removal of an existing *Eucalyptus scoparia* within the front setback. This was not supported by Council's *Tree Management Officer*. As such, amended plans were submitted showing retention of the tree.

A Tree Protection Plan with regard to the neighbouring *Eucalyptus nicholii* tree (**Figure 7**) was also requested by Council's *Tree Management Officer*. This was provided to Council's satisfaction along with amended plans detailing tree protection measures.



Figure 7. Existing '*Eucalyptus scoparia*' to be retained on the subject site, and existing '*Eucalyptus nicholii*' to be retained and protected on the adjoining land at 14 Therry Street East.

No objections were raised to removal of an existing tree within the rear yard, subject to a replacement tree being planted. Should this application be approved, a condition to this effect is recommended.

Therefore, the retention of the high-value *Eucalyptus* within the front setback is consistent with the aims of the Policy.

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012 (SLEP 2012)

Aims of Plan

An assessment of the proposal against the aims of the *Strathfield Local Environmental Plan* (SLEP) 2012 is provided 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	No
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	N/A
(d)	To provide opportunities for economic growth that will enhance the local community	N/A
(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	N/A
(f)	To identify and protect environmental and cultural heritage	Yes
(g)	To promote opportunities for social, cultural and community activities	N/A
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	N/A

The proposal is inconsistent with aims (a) and (b) of the SLEP 2012, in the following manner:

- The proposed development including boundary adjustment does not accord with development planned for the site by virtue of the minimum subdivision lot size development standard (*Clause 4.1 of SLEP 2012*) and minimum subdivision lot width requirement for residential development (*Clause 3.1 of Part R of SCDCP 2005*). As such, the proposal is inconsistent with the desired future character of the neighbourhood.

Permissibility and zone objectives: Land use table

Zoning	
R2 Low density residential	
Permissibility	
<ul style="list-style-type: none"> • <i>Semi-detached dwellings</i> are permitted with consent. • The proposal complies with the definition of <i>semi-detached dwelling: means a dwelling that is on its own lot of land and is attached to only one other dwelling</i>". 	
Zone objectives	Complies
➤ To provide for the housing needs of the community within a low-density residential environment.	Yes
➤ To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.	Yes

Part 4: Principal development standards

Clause 4.1: Minimum subdivision lot size

Meaning of ‘subdivision’ of land: Section 6.2 of the Act

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

6.2 Meaning of "subdivision" of land:

- (1) For the purposes of this Act, **subdivision** of land means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:
- by conveyance, transfer or partition, or
 - by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.
- (2) Without limiting subsection (1), subdivision of land includes the procuring of the registration in the office of the Registrar-General of:
- a **plan of subdivision within the meaning of section 195 of the Conveyancing Act 1919**, or
 - a strata plan or a strata plan of subdivision within the meaning of the Strata Schemes Development Act 2015.
- (3) However, **subdivision** of land does not include:
- a lease (of any duration) of a building or part of a building, or
 - the opening of a public road, or the dedication of land as a public road, by the Crown, a statutory body representing the Crown or a council, or
 - the acquisition of land, by agreement or compulsory process, under a provision of an Act (including a Commonwealth Act) that authorises the acquisition of land by compulsory process, or
 - a division of land effected by means of a transaction referred to in section 23G of the Conveyancing Act 1919, or
 - the procuring of the registration in the office of the Registrar-General of:
 - a plan of consolidation, a plan of identification or a miscellaneous plan within the meaning of section 195 of the Conveyancing Act 1919, or
 - a strata plan of consolidation or a building alteration plan within the meaning of the Strata Schemes Development Act 2015.

Conveyancing Act 1919 No 6

Section 195

(1) In this Division:

Plan of subdivision means a plan that shows.....:

- the consolidation of 2 or more existing lots and their simultaneous redivision, along new boundaries, into 2 or more new lots.

Therefore, the proposed boundary adjustment falls under the meaning of 'subdivision of land' under the Act. As such, the minimum lot size development standard applies.

Minimum subdivision lot size: Clause 4.1 SLEP 2012

Total site area: 594.9m ²					
Proposed Lot	Control	Existing lot size	Proposed lot size	Complies	Variation
2	560m ²	363.3m ² (by Survey)	297.49m ²	No	46.9% (262.5m ²)
3	560m ²	231.6m ² (by Survey)	297.37m ²	No	46.9% (262.63m ²)

A Clause 4.6 written request has been submitted to vary the *minimum subdivision lot size* development standard.

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

An assessment of the written request including consideration of the proposal against the objectives of the standard is addressed in the Clause 4.6 appraisal.

Clause 4.3: Height of building

Cl.	Standard	Control	Proposed	Complies
4.3	Height of building	9.5m	7.25m (Dwelling 1) 7.4 (Dwelling 2)	Yes

1.	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

Clause 4.4: Floor space ratio

Cl.	Standard	Proposed Lot	Control	Proposed	Complies
4.4	Floor space ratio	2	0.65:1 (193.4m ²)	0.65:1 (192.9m ²)	Yes
		3	0.65:1 (193.3m ²)	0.65:1 (192.9m ²)	Yes

1.	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	No
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes

Comments

The proposal is considered to be contrary to *Objectives (a), (b), and (c)* for the *floor space ratio* development standard in the following manner:

- The proposed development is inconsistent with the prevailing built form character of the local area, which is characterised by detached dwelling houses. As such, the proposal is contrary to *Objective (a)*.
- The proposed semi-detached dwellings on undersized lots with 6.1 frontage to Therry Street East would create excessive bulk and scale that is contextually inappropriate. As such, the proposal does not achieve *Objective (b)*.
- The proposed side setbacks do not seek to minimise amenity impacts to neighbouring development in terms of privacy, visual intrusion and overshadowing. In this regard, the proposal does not satisfy *Objective (c)*.

Clause 4.6: Exceptions to development standards**Departure**

The proposal involves the following non-compliance with the Strathfield LEP 2012:

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

- Variation of 46.9% to the *minimum subdivision lot size* development standard (Clause 4.1) for proposed Lots 2 & 3.

Purpose

The objectives of Clause 4.6 are:

- to provide an appropriate degree of flexibility in applying certain development standards to particular development; and*
- to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Written request

Clause 4.6(3) requires the consent authority to consider a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- that compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and*
- that there are sufficient environmental planning grounds to justify contravening the development standard.*

The applicant has provided a written request to vary the *minimum subdivision lot size* development standard (Clause 4.1), as follows:

“Introduction

This is a clause 4.6 variation to support the development proposal submitted in relation to Development Application DA 2019/064 for a boundary adjustment and construction of 2 x semi-detached dwellings at 12 Therry Street East, Strathfield South. This clause 4.6 seeks variation to the 560m² minimum subdivision lot size development standard contained in clause 4.1 – Minimum subdivision lot size of the Strathfield Local Environmental Plan 2012.

In accordance with Council’s assessment and with reference to the proposed boundary adjustment and construction of 2 x semi-detached dwellings, this clause 4.6 variation seeks variation to the minimum subdivision lot size development standard contained in clause 4.1 of the Strathfield LEP 2012.

Council’s position is that the proposed boundary adjustment resulting in lot sizes under the minimum subdivision lot size result in a variation to the development standard and thus requires a clause 4.6 variation.

The site currently contains a single dwelling across two lots in an irregular subdivision pattern. The proposal does not seek the further subdivision of the lots, with the proposed boundary adjustment regularizing the subdivision pattern and resulting in two lots of 297.38m² and 297.49m², accordingly.

The EPA Act 1979 defines subdivision work as:

“6.2 Meaning of “subdivision” of land

- (1) *For the purposes of this Act, **subdivision of land means the division of land into 2 or more parts that**, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:

 - by conveyance, transfer or partition, or*
 - a strata plan or a strata plan of subdivision within the meaning of the Strata Schemes Development Act 2015.”**

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

Pursuant to the above definition, the proposal does not seek to divide the land, noting the site is already subdivided. As the proposal is for a boundary readjustment to regularize the existing pattern of subdivision, and does not seek the 'division of land into 2 or more parts', the provisions of Clause 4.1 of the LEP do not strictly apply to the proposed boundary adjustment.

Regardless, to address Council's position we submit this clause 4.6 variation without prejudice.

12 Therry Street East (the subject site) currently contains two lots in an irregular subdivision pattern. The application proposes a boundary adjustment that would retain two lots on the subject site. The existing and proposed lot areas and frontages are as follows:

Lot	Existing	Proposed
Lot 2 – DP207560	Area: 363.3m ² Frontage: 7.465m	Area: 297.38m ² Frontage: 6.095m
Lot 3 – DP207560	Area: 231.6m ² Frontage: 4.725m	Area: 297.49m ² Frontage: 6.095m

The proposed boundary adjustment presents a variation of 262.62m² & 262.51m² to the minimum subdivision lot size being a variation of 46.89% - 46.87%.

The application to vary the development standard – minimum subdivision lot size incorporates the relevant principles in the following judgements:

1. *Winten Property Group Limited v North Sydney Council (2001) 130 LGERA 79;*
2. *Wehbe v Pittwater Council (2007) 156 LGERA 446 ("Wehbe");*
3. *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009;* and
4. *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118.*

Matters required to be demonstrated under clause 4.6(3) of the LEP**Compliance with the development standard is unreasonable or unnecessary in this particular case**

Pursuant to clause 4.6(3)(a) of the LEP, the variation to the minimum subdivision lot size development standard is acceptable in the circumstances of this case and compliance with the development standard is considered unreasonable and unnecessary because the proposed boundary adjustment and semi-detached dwellings are consistent with the objectives of the R2 – Low Density Residential zone and the development meets the objectives of the minimum subdivision lot size standard.

Objectives of the R2 – Low Density Residential Zone

The objectives of the R2 – Low Density zone are as follows:

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

The proposed boundary adjustment and semi-detached dwellings meet the relevant objectives of the R2 – Low Density Residential zone regardless that the development results in a variation to the minimum lot size development standard based on the following assessment:

- The proposed development provides for increased housing choice within the local area, within a built form that is suitable for the low-density residential environment.

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

- *The proposal will not have an adverse impact upon the heritage significance of the nearby heritage items, noting the subject site is not within the direct visual catchment of the items – Potts Hill Reservoir Pressure Tunnel and Shafts located beneath the site, and Original St Anne's Catholic Church located 200m west of the subject site.*

Objectives of the Minimum subdivision lot size Development Standard

The objectives of the development standard are at clause 4.1(1) of the LEP as follows:

- to promote consistent subdivision and development patterns that reflect and reinforce the prevailing subdivision pattern of the area,*
- to ensure a variety of lot sizes are maintained of sufficient size and shape to accommodate a variety of development types,*
- to preserve large industrial lots in order to provide a range of large-scale sites suitable for industrial activities that require integrated and large floorplates.*

The proposed boundary adjustment and semi-detached dwellings meets the objectives of the minimum subdivision lot size development standard (notwithstanding non-compliance with the standard) based on the following assessment:

Objective (a) - The boundary adjustment will regularize the existing subdivision on the site and will be consistent with the established subdivision pattern noting similar subdivisions at 23 & 25 Brooklyn Street, Strathfield South and 27 & 29 Brooklyn Street, Strathfield South.

Objective (b) - The proposed boundary adjustment would allow for the provision of two lots that can sufficiently accommodate semi-detached dwellings therefore contributing to a variety of low-density dwelling types in the locality.

Objective (c) - This objective is not applicable to the proposal.

There are sufficient environmental planning grounds to justify contravening the development standard

Pursuant to clause 4.6(3)(b) of the LEP, there are sufficient environmental planning grounds to justify the variation to the minimum subdivision lot size development standard because:

- *The non-compliance with the minimum subdivision lot size standard is a result of the regularization of the existing subdivision of the land, to allow for two lots that can accommodate semi-detached dwellings.*
- *The proposed boundary adjustment would allow for the orderly development of a previously irregular subdivision of the land, to a form envisioned within the R2 Lot Density zone.*
- *The submitted architectural plans demonstrate that each lot is of a sufficient size to accommodate a semi-detached dwelling in accordance with the Strathfield LEP 2012 and Strathfield DCP.*

The proposed development is in the public interest

In relation to clause 4.6(4)(a)(ii) of the LEP, the proposed development is in the public interest because it is consistent with the objectives of the minimum subdivision lot size standard and the objectives for development in the R2 – Low Density Residential zone in accordance with the planning assessment provided above and the following reasons:

- *The proposed development provides for increased housing choice within the local area, within a built form that is suitable for the low-density residential environment.*

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

- *The proposal will not have an adverse impact upon the heritage significance of the nearby heritage items, noting the subject site is not within the direct visual catchment of the items – Potts Hill Reservoir Pressure Tunnel and Shafts located beneath the site, and Original St Anne's Catholic Church located 200m west of the subject site.*
- *The non-compliance with the minimum subdivision lot size standard is a result of the proposed regularization of the existing subdivision of the land, to allow for two lots that can accommodate semi-detached dwellings.*
- *The proposed boundary adjustment would allow for the orderly development of a previously irregular subdivision of the land.*

The concurrence of the Secretary

Clause 4.6(4)(b) of the LEP requires the concurrence of the Secretary (of the Department of Planning, Industry and Environment) before the consent authority can exercise the power to grant development consent for development that contravenes a development standard.

Under clause 64 of the Environmental Planning and Assessment Regulation 2000, the Secretary has given written notice dated 21 February 2018, attached to the Planning Circular PS 18-003 issued on 21 February 2018, to each consent authority, that it may assume the Secretary's concurrence for exceptions to development standards in respect of applications made under clause 4.6 of the LEP, subject to the conditions in the table in the notice.

Nevertheless, the matters in clause 4.6(5) of the LEP should still be considered when exercising the power to grant development consent for development that contravenes a development standard (Fast Buck\$ v Byron Shire Council (1999) 103 LGERA 94 at 100 and Wehbe at [41]).

In deciding whether to grant concurrence, the Secretary is required to consider the following:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) the public benefit of maintaining the development standard, and*
- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

The proposal is not likely to raise any matter of significance for State or regional environmental planning. As addressed above the non-compliance with the minimum subdivision lot size standard is considered to be in the public interest because the proposed development is consistent with the objectives of the standard and the objectives of the R2 – Low Density Residential zone.

The public benefit of maintaining the development standard is not considered significant because the land has already been subdivided in an irregular pattern, and the proposed boundary adjustment will regularize the subdivision and allow for the orderly development of each lot. Further, the proposal demonstrates that each lot is of a sufficient size to accommodate a semi-detached dwelling in accordance with the Strathfield LEP 2012 and Strathfield DCP.

Accordingly, the proposal is consistent with the matters required to be taken into consideration before concurrence can be granted under clause 4.6(5) of the LEP. The exceedance of the standard will not result in adverse visual privacy or overshadowing impacts and is in the public interest.

Conclusion

The development proposal has a variation to the 560m² minimum subdivision lot size control contained in Clause 4.1 of the Strathfield LEP 2012; notwithstanding, the proposal allows for the regularization of the existing irregular subdivision of the land and demonstrates that the resulting lot areas are capable of suitably accommodating semi-detached dwelling development.

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

The proposed boundary adjustment and semi-detached dwellings are suitable for this site and have been designed with a two-storey built form to the public domain that is consistent with the overall scale of dwellings within the visual catchment of the site. The development will regularize the existing subdivision on the site and will be consistent with the established subdivision pattern noting similar subdivisions at 23 & 25 Brooklyn Street, Strathfield South and 27 & 29 Brooklyn Street, Strathfield South.

The variation to the minimum subdivision lot size standard does not attempt to affect the planning outcomes for the broader locality; rather the resulting lots are consistent with the objectives of the control reflecting the scale and form of development planned for the low-density residential zone and broader locality.

In my opinion the application to vary the minimum subdivision lot size development standard is well founded and as addressed the proposed development meets the objectives of the development standard and achieves an acceptable outcome for the subject site that is in the public interest. In accordance with the environmental planning grounds addressed in this clause 4.6 variation, the proposed boundary adjustment and semi-detached dwellings can be supported."

Assessment

Clause 4.6(4) states that development consent must not be granted for development that contravenes a development standard unless:

(a) The consent authority is satisfied that:

- i) The applicants written request has adequately addressed the relevant matters required to be satisfied by subclause (3):**
 - a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and**
 - b) that there are sufficient environmental grounds to justify contravening the development standard.**
- 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.**

(b) The concurrence of the Secretary has been obtained.

The applicant’s written request to vary the minimum subdivision lot size development standard is assessed below against the accepted “5 Part Test” for the assessment of an objection to a development standard established by the NSW Land and Environment Court in *Wehbe v Pittwater Council [2007] NSWLEC 827*.

Under *Wehbe*, the applicant must demonstrate that compliance is unreasonable or unnecessary in one or more of the following ways:

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard

Clause 4.1 Minimum subdivision lot size (1) The objectives of this clause are as follows:	Comments	Complies
(a) <i>To promote consistent subdivision and development patterns that reflect and reinforce the</i>	<ul style="list-style-type: none"> • The proposed development does not accord with the prevailing subdivision pattern of the area, which is characterised by single detached dwelling houses on standard sized allotments. The average 	No

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

<p><i>prevailing subdivision pattern of the area.</i></p>	<p>allotment size of land fronting Therry Street East is 585.43m² (Figures 8 & 9), which complies with the minimum subdivision lot size standard of 560m².</p> <ul style="list-style-type: none"> The 'prevailing subdivision pattern' is defined under Clause 3.1 of 'Part R: Subdivision' of SCDCP 2005, "to be the typical characteristic of up to ten allotments on either side of the subject site and corresponding number of allotments directly opposite the subject site. Properties located in the surrounding streets do not usually form part of the streetscape character and are therefore not taken into consideration when determining the prevailing subdivision pattern". The 'prevailing subdivision' catchment is outlined in blue in Figure 8. All sites are developed with detached dwelling houses, except for 16 and 18 Therry Street East, which contain semi-detached dwellings. Albeit, the lot sizes are considerably larger at 494m² and 433m², respectively. The average lot size to the east (680.5m²) and west (602.88m²) of the site exceeds the prescribed minimum subdivision lot size development standard of 560m². The average size of lots opposite the site (472.9m²), whilst less than the standard, is approximately 59% (176m²) larger than the lot sizes proposed of 297.49m² (Lot 2) and 297.37m² (Lot 3). 	
<p>(b) <i>To ensure a variety of lot sizes are maintained of sufficient size and shape to accommodate a variety of development types.</i></p>	<ul style="list-style-type: none"> The new lot boundaries would not relate appropriately to the existing subdivision pattern in Therry Street East. As such, the undersized lots are of insufficient size to accommodate a variety of development types. The minimum lot width for residential development resulting from subdivision is 15.24m in the R2 low density residential zone (<i>Control 2, Clause 3.1 of Part R: Subdivision, Strathfield Consolidated DCP 2005</i>) 	<p>No</p>
<p>(c) <i>To preserve large industrial lots in order to provide a range of large-scale sites suitable for industrial activities that require integrated and large floorplates.</i></p>	<p>Not applicable</p>	<p>Not applicable</p>

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)



Figure 8. Locality Plan showing the existing site and prevailing subdivision pattern surrounding the site. The 'prevailing subdivision' catchment, as defined under Clause 3.1 of 'Part R: Subdivision' of SDCDP 2005, is outlined in blue. All sites are developed with detached dwelling houses, except for 16 and 18 Therry Street East, which contain semi-detached dwellings. Albeit, the lot sizes are considerably larger at 494m² and 433m², respectively.

Adjoining to the east (Therry Street East)	Area	Adjoining to the west (Therry Street East)	Area	Opposite (Therry Street East)	Area
No. 10	829m ²	No. 14	694	No. 5	343m ²
No. 8	605m ²	No. 16	494	No. 7	368m ²
No. 6	676m ²	No. 18	433	No. 9	386m ²
No. 4	658m ²	No. 20	620	No. 11	575m ²
No. 2A	882m ²	No. 22	613	No. 13	483m ²
No.2B	433m ²	No. 24	492	No. 15	493m ²
		No. 26	486	No. 17	605m ²
		No. 28	991	No. 19	590m ²
				No. 21	443m ²
No. 23	443m ²				
Average size of lots to the east:	680.5m²	Average size of lots to the west:	602.88m²	Average size of lots opposite:	472.9m²

Figure 9. Approximate areas of allotments within the prevailing subdivision catchment (Source: RP Data). All existing sites that are less than the minimum lot size of 560m² (except for 16 and 18 Therry Street East), are developed with detached dwelling houses. The average lot size to the east and west of the site exceeds the prescribed minimum subdivision lot size development standard of 560m². The average size of lots opposite the site (472.9m²), whilst less than the standard, is approximately 59% (176m²) larger than the lot sizes proposed of 297.49m² (Lot 2) and 297.37m² (Lot 3).

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

Therefore, the proposal does not achieve the objectives of the *minimum subdivision lot size* development standard.

2. *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary*

The underlying objective and purpose of the *minimum subdivision lot size* development standard is relevant to the development.

The clause 4.6 written request does not rely on this consideration.

3. *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable*

Compliance with the *minimum subdivision lot size* development standard would not defeat the objective of the standard.

The clause 4.6 written request does not rely on this consideration.

4. *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.*

The applicant's written request does not rely on this consideration to justify contravention of the standard.

5. *The compliance with the development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.*

The *R2 Low Density Residential* zoning of the land is appropriate for the site.

The clause 4.6 written request does not rely on this consideration.

The applicant relies on *Test 1* of the five-part test to demonstrate that compliance with the standard is unreasonable or unnecessary in the circumstances of the case by seeking to show that the objectives of the standard are achieved notwithstanding non-compliance with the standard.

As shown above, the proposal does not achieve objectives (a) and (b) of the standard. As such, the applicant has not satisfactorily demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (*Clause 4.6[3][a]*).

With regard to Clause 4.6(3)(b), the applicant is not considered to have satisfactorily demonstrated that there are sufficient environmental grounds to justify contravening the development standard. The proposed lots are of insufficient size to accommodate residential development planned for the site by virtue of the minimum subdivision lot size standard of 560m² (*Clause 4.1(2), SLEP 2012*), and minimum lot frontage standard of 15.24m (*Control 2, Clause 3.1 of Part R Subdivision, SCDCP 2005*). In addition, the proposed boundary adjustment would be inconsistent with the prevailing subdivision pattern of the area. Consolidation of the allotments to facilitate the construction of a detached dwelling house would be a more appropriate outcome for the site.

As such, the written request has not satisfactorily demonstrated the matters required by demonstrated by subclause (3), and is therefore unacceptable with regard to Clause (4)(a)(i).

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

Clause 4.6(4)(a)(ii) provides that development consent must not be granted for development that contravenes a development standard unless the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The proposal meets the relevant objectives of the zone, as demonstrated previously.

The proposed development does not meet the objectives of the standard as addressed above. In this regard, the proposal is not considered to be in the public interest, and is therefore unacceptable with regard to Clause 4.6(4)(a)(ii).

In relation to Clause (4)(b), the Strathfield Local Planning Panel (exercising the Council's functions as a consent authority) may assume the Secretary's concurrence for exceptions to development standards made under Clause 4.6 of the Standard Instrument (*Planning Circular PS 18-003, dated 21/02/2018*).

Therefore, the variation sought to the *minimum subdivision lot size* development standard is not considered to be in the public interest as the objectives of the standard have not been satisfied.

Conclusion:

Therefore, the Strathfield Local Planning Panel, exercising the functions of Council as the consent authority, cannot be satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3) and that the proposal would be in the public interest, as required by Clause 4.6(4)(a) in order to grant development consent for development that contravenes a development standard.

As such, the variation sought to the *minimum subdivision lot size* development standard is not considered to be well founded. The application is therefore recommended for refusal.

Part 5: Miscellaneous Provisions***Clause 5.10: Heritage Conservation***

Pursuant to SLEP 2012 *Heritage Map*, the site does not contain a heritage item and is not located within a heritage conservation area.

The site is located in the vicinity of two heritage items, as follows:

Item	Address	Local significance	State significance
St Anne's Roman Catholic Church (former)	St Anne's Square, Strathfield South	Item 143 Schedule 5 of the SLEP 2012	State Heritage Register (SHR) Item No. 00508
Pressure Tunnel and Shafts	Potts Hill (Bankstown LGA). Tunnel traverses the front setback of the site.	Nil	SHR Item No. 01630

Council's Heritage Officer has undertaken an assessment of the extent to which the carrying out of the proposed development would affect the heritage significance of the listed items, and determined that:

- the proposal would not adversely impact upon the heritage significance of the Church; and
- there would be no impact to the significance of the tunnel.

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

As such, the proposal satisfies objectives (a) and (b) under subclause (1):

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

Therefore, the proposal is acceptable with regard to clause 5.10 of the SLEP 2012.

Part 6: Local Provisions***Acid sulfate soils: Clause 6.1***

Clause 6.1 requires Council to consider any potential acid sulfate soil affectation so that it does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The subject site is within a Class 5 area as specified in the Acid Sulfate Soils Map. The subject works are unlikely to lower the water table below 1.0m AHD on any land within 500m of a Class 1, 2 and 3 land classifications. Accordingly, preliminary assessment is not required and there is unlikely to be any acid sulfate affectation.

The proposal is therefore acceptable with regard to Clause 6.1.

Earthworks: Clause 6.2

Part 6.2(1) requires Council to ensure that any earthworks would not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposal involves excavation up to 400mm to accommodate the footings of the proposed semi-detached dwellings.

No objections are raised to the proposed excavation by Council's Engineer.

As such, the proposal is acceptable with regard to Clause 6.2 of the SLEP 2012.

Flood planning: Clause 6.3

The site is not subject to flood related development control.

Essential services: Clause 6.4

The site is serviced by essential services in accordance with Clause 6.4 of the Strathfield LEP 2012.

4.15(1)(a)(ii) The provisions of any draft environmental planning instruments

None.

4.15(1)(a)(iii) The provisions of any development control plan**STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN 2005 (SCDCP 2005)**

There are no specific objectives/controls contained in SCDCP 2005 to assess development for the purpose of semi-detached dwellings.

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

Whilst not strictly applicable, the most relevant provisions are those contained in *Part A: Dwelling houses and ancillary structures*. A cautionary assessment is provided below against the key relevant building envelope and amenity controls contained in Part A of the SCDCP 2005. This is to be used as a guide only.

General introduction***Purpose of this Plan: Clause 1.4***

The proposed development is contrary to the following listed purposes of the SCDCP 2005:

- *'Promote development that protects and enhances the natural and built environment;*
- *Encourage high quality development that contributes to the existing desired future character of the area...; and*
- *Protect and enhance the public domain to improve the liveability of the Strathfield LGA.'*

The proposed built form does not seek to maximise landscaping and minimize amenity impacts to surrounding development in terms of privacy, visual intrusion and overshadowing.

The proposal would not contribute to the desired future character of the area by virtue of non-compliance with the prescribed minimum subdivision lot size under SLEP 2012, and required lot width for subdivided residential land (Part R, SCDCP 2005).

The cumulative bulk and scale of the pair of semi-detached dwellings would have a detrimental impact on the streetscape and public domain, and would be inconsistent with the prevailing streetscape character.

Part A: Dwelling houses and ancillary structures

An assessment of the proposal against the key building envelope controls, and amenity considerations for *dwelling houses*, is provided below:

Control	Required	Proposed	Complies
Minimum deep soil soft landscaping	50% front setback Lot 2 – 54.8m ² Lot 3 – 54.8m ²	Lot 2 – 13.2m ² (76% variation) Lot 3 - 17.98m ² (67% variation)	No
Min solar access for new dwellings	4 hours to habitable rooms and 50% of private open space between 9am and 3pm on 21 June	Dwelling 1 (Lot 2) on the eastern side would not achieve compliance with the solar access requirements.	No – Lot 2
Max floor space ratio	0.65:1	0.65:1 (Dwelling 1) 0.65:1 (Dwelling 2)	Yes
Max building height	9.5m (SLEP 2012)	7.25m (Dwelling 1) 7.4m (Dwelling 2)	Yes
Min landscaped area	35% site area Lot 2 – 104.12m ² Lot 3 – 104.08m ²	Lot 2 – 65.53m ² (37% variation) Lot 3 – 74.75m ² (28% variation)	No
Min front setback	9m	Lot 2 – 10m Lot 3 – 9.32m	Yes
Min side setback	25% of block width Min 1.5m setback to each side	Lot 2 – 900mm – 1.25m (eastern boundary) (Lot width – 6.093m)	No
		Lot 3 – 900mm – 1.2m (western boundary) (Lot width – 6.095m)	No

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

Min rear setback	6m excluding outbuildings	Lot 2 – 8.59m Lot 3 – 9.31m	Yes
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Control	Required	Proposed	Complies
Streetscape	<ul style="list-style-type: none"> Development respects the height, scale, character and architectural qualities of the surrounding neighbourhood. Ensure the dominant rhythm of the streetscape is reflected in building design. At least two (2) canopy trees within the front setback (10m height) at maturity) Roof form similar to those in immediate streetscape. 	<ul style="list-style-type: none"> The proposed development does not accord with the prevailing subdivision pattern and would have a detrimental impact on the prevailing streetscape character. The front setback of the proposed Lots is grossly deficient in deep soil landscaped area due to the provision of a driveway on each lot of approximately 6m width. The non-compliant setback of 900mm at the property frontage results in excessive bulk and scale that is contextually inappropriate. The flat roof form is inconsistent with the typical pitched roof form which is characteristic of the streetscape. 	No
Privacy	<ul style="list-style-type: none"> Be offset from windows opposite on adjoining land by 0.5m. Have a sill height of at least 1.7m or have fixed, obscure glazing. 	<ul style="list-style-type: none"> The proposed west and east facing first floor window to the stair raises privacy concerns to the adjoining properties. This could be addressed by imposing a condition of consent requiring the window to be reduced in size, and/or made translucent, and/or fitted with fixed external screening. Bathroom windows to the side elevations should be obscured. 	Yes – subject to amendments.
Vehicle access and parking	<ul style="list-style-type: none"> Area of access driveways is minimised to allow for maximum landscaping. Garages recessed behind the main front façade of the dwelling so as not to dominate the appearance of the building or streetscape. 	<ul style="list-style-type: none"> The garage structures are considered to dominate the façade of the pair of semi-detached dwellings. The proposed pair of semi-detached dwellings on an undersized lot with narrow width intensifies the domination of the building on the streetscape. 	No

Streetscape objectives: Clause 3.2

The proposal is considered to be inconsistent with the following objectives for *streetscape* under Clause 3.2 of Part A of SCDP 2005, as follows:

- The proposed development fails to respect to the scale, and character of the surrounding neighbourhood, contrary to *Objective A*.
- The proposed side setbacks do not seek to minimise overshadowing impacts to the adjoining properties, contrary to *Objective B*.
- The proposed garage structures are considered to dominate the buildings presentation to the streetscape, thereby encouraging the use of non-responsive streetscape elements, contrary to *Objective C*.

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

- The cumulative bulk and scale of the pair of semi-detached dwellings does not respect the prevailing bulk and scale of existing residential development in the immediate vicinity, contrary to *Objective D*.
- The proposal does not accord with the dominant building rhythm of the streetscape, which is characterised by detached dwelling-houses, contrary to *Objective E*.
- The proposed semi-detached dwellings do not retain a feeling of openness and space between built elements and setbacks by maintaining landscaped setbacks, contrary to *Objective F*.
- The proposed garage structures and driveways on proposed Lots 2 and 3 are considered to dominate the building façade and have an adverse impact on the public domain, contrary to *Objectives G and I*.
- The proposal does not preserve the appearance of dwellings set in tree-lined streets and park-like environment, contrary to *Objective H*.

Clause 10.2.1: Stormwater Management

No objections are raised to the concept stormwater management plans by Council's Engineer, subject to conditions.

Conclusion

The assessment above serves as a guide only. It is apparent that the proposed undersized lots with lot width of 6.1m at the frontage precludes the ability to accommodate residential development in a manner that aligns with Part A of SCDP 2005, in terms of streetscape, landscaping within the front setback, and side setbacks.

Albeit, as *Part A* does not apply to the proposal, these cannot be used as reasons for refusal of the application.

Part R: Subdivision**Part 2: General**

2.1	Objectives for the subdivision of all land within Strathfield LGA	Complies
A.	<i>To ensure that subdivision and amalgamation reflects the prevailing subdivision pattern, including the lot size, lot width, dimensions, shape and orientation.</i>	No
B.	<i>To prevent the fragmentation of land and maintain a variety of lot sizes that are of sufficient size and shape to accommodate a variety of development types that comply with all other relevant DCP controls.</i>	No
C.	<i>To ensure a site's characteristics (features and constraints) are considered.</i>	No
D.	<i>To protect the setting of heritage items and the streetscape character of heritage conservation areas.</i>	Yes
E.	<i>To minimise any likely impact of subdivision and development on the amenity of neighbouring properties.</i>	No

2.2 Controls			
2.2.1 Minimum Lot Size			
Control	Required	Proposed	Complies
1	The size of any lot resulting from the subdivision of land must not be less than the minimum size on the Lot Size Map of SLEP 2012 – 560m ²	Lot 2 – 297.49m ² Lot 3 – 297.37m ²	No
3	Size of the lots may need to be greater than the area prescribed to the minimum setbacks required from significant	The proposed undersized lots are of insufficient size to facilitate the proposed pair of semi-detached dwellings	No

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

	landscape features and/or site constraints.		
2.2.2 General Controls			
1	Demonstrated consideration of site constraints and features	The proposed subdivision and construction of a pair of semi-detached dwellings on undersized lots does not respect the prevailing subdivision pattern.	No
2	Subdivision must not compromise streetscape character.	The proposed development does not accord with the prevailing streetscape character.	No
3	Subdivision must not result in the creation of lots that render the land unable to be developed such as land burdened with easements.	The proposed subdivision would reinforce an existing non-compliance with the LEP prescribed lot size and would constrain future development of the land in a manner that is consistent with that intended for the site by virtue of the minimum subdivision lot size and minimum lot frontage standards for residential development.	No
4	Subdivision applications should demonstrate conceptual compliant development schemes.	The proposed subdivision application includes the construction of a pair of semi-detached dwellings. The proposed development is inconsistent with SLEP 2012 and SCDCP 2005.	No
5	Subdivision must not result in the creation of irregularly shaped allotments that would prevent the orderly economic development of land.	The proposed development does not facilitate the orderly development of land.	No
6	Stormwater from any new lots should be gravity drained to Council's stormwater system.	No objections are proposed by Council's Engineer to the concept stormwater plans, subject to recommended conditions should this application be approved.	Yes

Part 3: Residential Subdivision

3.1 Controls			
1	The size of any allotment shall be consistent with the minimum prescribed subdivision lot size under SLEP 2012 – 560m ²	Lot 2 – 297.49m ² Lot 3 – 297.37m ²	No
2	Subdivision in residential zones are to maintain a minimum lot width (frontage) that is compatible with the existing subdivision pattern, measured at the building line, adjacent to the primary street frontage. Minimum lot width requirement of 15.24m applies.	Lot 2 – 6.093m Lot 3 – 6.095m	No
3	The proposed subdivision must have characteristics similar to the prevailing subdivision patterns of lots fronting the same street, in terms of lot width, area, dimensions, shape and orientation. The ' <i>prevailing subdivision pattern</i> ' is the typical characteristic of up to ten		No

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

	allotments on either side of the subject site and corresponding number of allotments directly opposite. Properties in the surrounding streets do not form part of the streetscape character and are therefore not taken into consideration.		
3	Lots must be oriented to maximise solar access for future dwellings	The north-south orientation of the lot is existing. The width of the lot constrains any future development to a north-south orientation.	Yes

Conclusion:

The table above indicates that the proposal does not meet the requirements for subdivision under Part R of SCDCP 2005.

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, which is satisfactory.

4.15(1)(a)(iia) The provisions of any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 of the *Environmental Planning and Assessment Act 1979*.

4.15(1)(a)(iv) The provisions of the regulations

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

The proposed development does involve the demolition of a building. Should this application be approved, appropriate conditions of consent may be imposed to ensure compliance with the requirements of the above standard.

4.15(1)(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposed development is inconsistent with the prevailing subdivision pattern and would have a detrimental impact upon the prevailing streetscape character. In particular, inadequate side setbacks, unsympathetic roof form, insufficient landscaping within the front setback, and visually dominant garages and associated driveways would dominate the buildings presentation to the public domain.

In addition, the proposed side setbacks do not seek to maximise landscaping and minimise amenity impacts to adjoining development in terms of privacy, visual intrusion, and overshadowing.

As such, the proposal is considered to have a detrimental impact on the surrounding natural and built environments.

4.15(1)(c) The suitability of the site for the development

The proposed boundary adjustment in order to facilitate development for the purpose of semi-detached dwellings is unsuitable to the site. The proposed lot sizes of 297.49m² (Lot 2) and 297.37m² (Lot 3) do not meet the minimum subdivision lot size of 560m².

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

In addition, the proposed lot width of 6.1m for each lot does not achieve the minimum lot width requirement of 15.24m for subdivision in residential zones, and compatibility with the existing subdivision pattern.

As such, the site is considered to be unsuitable for the development.

4.15(1)(d) Any submissions made in accordance with this Act or the regulations

The application was publicly notified from 10th May 2019 to 24th May 2019 in accordance with the provisions of Part L of SCDCP 2005.

One (1) submission was received from Patrick O’Carrigan on behalf of his mother of 9 Gregory Street, South Strathfield. The following issues are raised:

Issue	Comments	Assessing officer’s comments
Stormwater run-off	<ul style="list-style-type: none"> Increased runoff from the subject site to 9 Gregory Street from the increased collection area and provision of soakage pits at the rear of Lots 2 & 3. 	<ul style="list-style-type: none"> Council’s Engineer has raised no objections to the proposal with regards to the proposed method of stormwater management, subject to conditions.
Impact to vegetation	<ul style="list-style-type: none"> No arborist assessment has been undertaken of the impact of the proposed development on existing Poplar plants at the rear of 9 Gregory Street, adjacent the shared boundary with the subject site. 	<ul style="list-style-type: none"> Council’s Tree Management Officer has assessed the impact of the proposed development on adjoining land. The proposal is unlikely to have any adverse impact on existing vegetation at 9 Gregory Street.
Impact to shared boundary fence	<ul style="list-style-type: none"> If the ground levels are to be built up, then a retaining wall adjacent the shared boundary should be constructed with the cost borne by the applicant. 	<ul style="list-style-type: none"> The level of land at the rear is unchanged as per the Survey plan. As such, there is unlikely to be any adverse impact to the structural integrity of the shared boundary fence.
Overlooking	<ul style="list-style-type: none"> Loss of privacy to 9 Gregory Street from rear facing windows. 	<ul style="list-style-type: none"> The proposed dwellings are setback between 8.59m and 9.31m from the rear boundary, which exceeds the 6m requirement for dwelling houses (guide). The proposed rear setback is considered to provide adequate separation to the adjoining property at 9 Gregory Street to maintain acceptable privacy amenity.
Overdevelopment of the site	<ul style="list-style-type: none"> The proposed buildings are too long and high. A four (4) bedroom dwelling is unrealistic on lots of only 297m² 	<ul style="list-style-type: none"> The variation sought to the minimum subdivision lot size development standard in order to facilitate construction of a pair of semi-detached dwellings on the proposed Lots 2 and 3 is not supported.

4.15(1)(e) The public interest

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

In determining whether or not the proposal is in the public interest, both the wider public interest and sectionalized public interest (protecting residential amenity or surrounding residential properties) must be taken into consideration.

With regard to the wider public interest, approval of the variation sought to the minimum subdivision lot size development standard in order to facilitate the construction of a pair of semi-detached dwellings, would create an undesirable precedent for the area.

With regard to the sectionalized public interest, the impacts associated with the proposal, mainly inconsistency with the prevailing subdivision pattern and non-compliance with the minimum lot width requirement for residential subdivision, would have a detrimental impact on the character of the streetscape.

As such, the proposal is not considered to be in the public interest.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

Should this application be approved, a condition requiring payment of a monetary contribution in accordance with *Strathfield Direct Development Contributions Plan 2010-2030* is to be imposed as part of any consent.

CONCLUSION

Having regard to the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, the proposed development is not considered to be satisfactory for approval.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

In consideration of the applicant's written request to vary the *minimum subdivision lot size* development standard under Clause 4.1 of the SLEP 2012, the Strathfield Local Planning Panel, exercising the functions of Council as consent authority, is not satisfied that the matters required to be addressed under Clause 4.6(4) of the SLEP 2012 have been demonstrated, and that consent may be granted to Development Application No. 2019/064.

AND

That the Strathfield Local Planning Panel, exercising the functions of Council as consent authority, **REFUSE** Development Application No. 2019/064 for demolition of existing structures and construction of a pair of semi-detached dwellings and boundary adjustment on land at 12 Therry Street East, Strathfield South, for the following reasons:

1. Inconsistency with Objects of EP&A Act, 1979 – Clause 1.3: Objects of Act

The proposed development should be refused because it is inconsistent with Objects (c) and (g) under Clause 1.3 of the Act, as follows:

Clause 1.3:

- **Object (c):** To promote the orderly and economic use and development of

DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)

land.

- **Objective (g):** *To promote good design and amenity of the built environment.*

2. Inconsistency with aims of Strathfield Local Environmental Plan 2012 – Clause 1.2: Aims of plan (SLEP 2012)

The proposed development including boundary adjustment does not accord with development planned for the site by virtue of the minimum subdivision lot size development standard (*Clause 4.1 of SLEP 2012*) and minimum subdivision lot width requirement for residential development (*Clause 3.1 of Part R of SCDCP 2005*). In this regard, the proposal is inconsistent with the desired future character of the neighbourhood. In addition, the proposal is inconsistent with the prevailing subdivision pattern and character of development fronting Therry Street East.

As such, the proposal is contrary to Aims (a) and (b) under Clause 1.2 of SLEP 2012, as follows:

Clause 1.2(2):

- **Objective (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.*
- **Objective (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.*

3. Breach of minimum subdivision lot size development standard and objectives – Clause 4.1: Minimum subdivision lot size (SLEP 2012)

The proposal should be refused because it contravenes the *minimum subdivision lot size* development standard under Clause 4.1(3) of SLEP2012, and does not satisfy Objectives (a) and (b) under Clause 4.1(1) of SLEP 2012, as follows:

Clause 4.1(1):

- **Objective (a):** *To promote consistent subdivision and development patterns that reflect and reinforce the prevailing subdivision pattern of the area.*
- **Objective (b):** *To ensure a variety of lot sizes are maintained of sufficient size and shape to accommodate a variety of development types.*

4. Inconsistency with objectives of the floor space ratio development standard – Clause 4.4: Floor space ratio

The proposal is inconsistent with objectives (a), (b), and (c) of the floor space ratio development standard, as follows:

Clause 4.4(1):

- **Objective (a) –** *To promote consistent subdivision and development patterns that reflect and reinforce the prevailing subdivision pattern of the area.*
- **Objective (b) –** *To ensure a variety of lot sizes are maintained of sufficient size and shape to accommodate a variety of development types.*

5. Inconsistent with purpose of SCDCP 2205 – Clause 1.4: Purpose of Plan

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

The proposed development should be refused because it is contrary to the following listed purposes under Clause 1.4 of the SCDCP 2005:

- *'Promote development that protects and enhances the natural and built environment;*
- *Encourage high quality development that contributes to the existing desired future character of the area...; and*
- *Protect and enhance the public domain to improve the liveability of the Strathfield LGA.'*

The proposed built form does not seek to maximise landscaping and minimize amenity impacts to surrounding development in terms of privacy, visual intrusion and overshadowing.

The proposal would not contribute to the desired future character of the area by virtue of non-compliance with the prescribed minimum subdivision lot size under SLEP 2012 (*Clause 4.1*), and required lot width for subdivided residential land (*Clause 3.1 under Part R of SCDCP 2005*).

The cumulative bulk and scale of the pair of semi-detached dwellings would have a detrimental impact on the streetscape and public domain, and would be inconsistent with the prevailing streetscape character.

6. Inconsistency with SCDCP 2005 – Part R: Subdivision

The proposed boundary adjustment should be refused because it does not reflect the prevailing subdivision pattern of lots fronting the same street, in terms of lot width and area.

The proposal is contrary to the following provisions contained in *Part R: Subdivision* of SCDCP 2005:

Part 2: General***Clause 2.1: Objectives***

- ***Objectives (a), (b), (c), and (e).***

Clause 2.2: Controls

- ***2.2.1: Minimum lot size***
 - ***Controls 1 and 3.***
- ***2.2.2: General controls***
 - ***Controls 1, 2, 3, 4, and 5.***

Part 3: Residential***Clause 3.1: Controls***

- ***Controls 1, 2 and 3.***

7. The proposed development would give rise to unacceptable environmental impacts - Section 4.15(1)(b) of the EP&A Act, 1979.

The proposed development should be refused because it would have a detrimental impact on

**DA2019/064 - 12 Therry Street East Strathfield South
Lot 2 & 3 DP 207560 (Cont'd)**

the surrounding natural and built environments.

The proposed development is inconsistent with the prevailing subdivision pattern and would have a detrimental impact on the streetscape character. In particular, inadequate side setbacks, unsympathetic roof form, insufficient landscaping within the front setback, and visually dominant garages and associated driveways would dominate the buildings presentation to the public domain.

In addition, the proposed side setbacks do not seek to maximise landscaping and minimise amenity impacts to adjoining development in terms of privacy, visual intrusion, and overshadowing.

8. The proposed development is unsuitable to the site – Section 4.15(1)(c) of the EP&A Act, 1979.

The proposed development should be refused because it is unsuitable to the site. The proposed lot sizes of 297.49m² (Lot 2) and 297.37m² (Lot 3) do not meet the minimum subdivision lot size of 560m² (*Clause 4.1[3] of SLEP 2012*). In addition, the proposed lot width of 6.1m for each lot, does not achieve the minimum lot width requirement of 15.24m for subdivision in residential zones and compatibility with the existing subdivision pattern (*Control 2, Clause 3.1, Part R: Subdivision of SCDCP 2005*). In this regard, the proposed boundary adjustment in order to facilitate development of the proposed semi-detached dwellings is considered to be unsuitable to the site

9. The proposal development is not in the public interest - Section 4.15(1)(e) of the EP&A Act, 1979.

The proposal should be refused because it is not in the public interest.

With regard to the wider public interest, approval of the variation sought to the minimum subdivision lot size development standard in order to facilitate the construction of a pair of semi-detached dwellings, would create an undesirable precedent for the area.

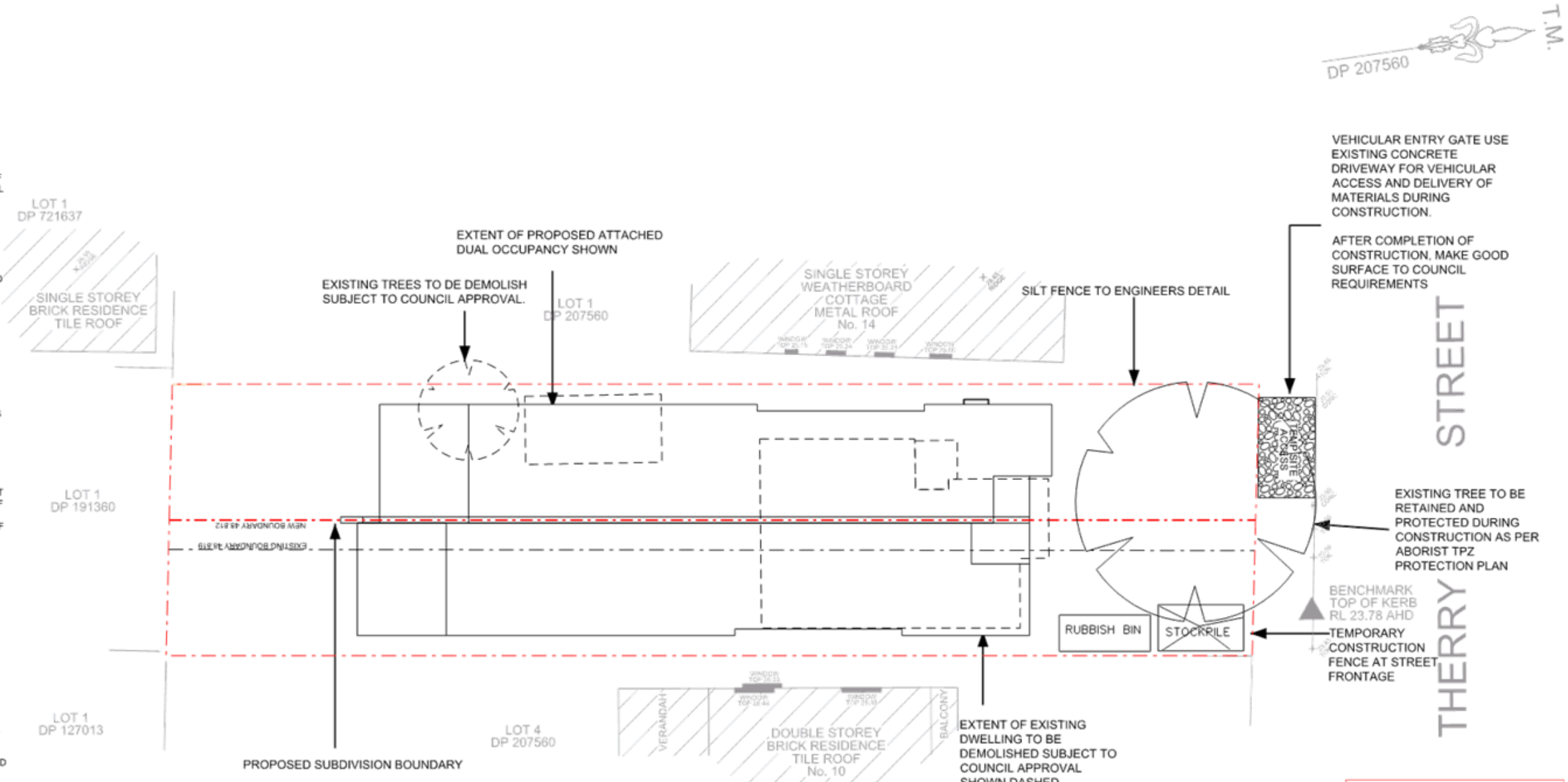
With regard to the sectionalized public interest, the impacts associated with the proposal, mainly inconsistency with the prevailing subdivision pattern and non-compliance with the minimum lot width requirement for residential subdivision, would have a detrimental impact on the character of the streetscape.

ATTACHMENTS

1. [↓](#) Architectural Plans (Amended)

EROSION & SEDIMENT CONTROL MEASURES:

1. ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSTALLED PRIOR TO SITE DISTURBANCE AND TO BE INSPECTED AND MAINTAINED DAILY BY SITE MANAGER.
2. DISTURBED AREAS TO BE MINIMISED WHERE POSSIBLE.
3. BEFORE THE COMMENCEMENT OF GROUNDWORK, SILT FENCING SHALL BE PLACED AROUND ALL DISTURBED AREAS, MATERIAL STOCKPILES AND DESIGNATED RUBBISH PILES.
4. THE SILT FENCE IS TO BE MADE OUT OF A GEOTEXTILE FILTER FABRIC AND TO BE EMBEDDED APPROX. 200mm INTO THE GROUND AND EXTEND APPROX. 600mm MAX ABOVE THE GROUND.
5. KERB INLET TRAPS SHALL BE INSTALLED AROUND PITS, FABRIC SILT BAGS (SAUSAGES) 100mm IN DIAMETER SHALL BE LAYED ACROSS THE KERB INLET TO ALLOW SEDIMENT FILTRATION.
6. DRAINAGE TO BE INSTALLED AND CONNECTED TO STORMWATER AS SOON AS POSSIBLE.
7. ANY EXCESS MATERIALS SUCH AS PAINT WASTE AND CONCRETE OR BRICK SLURRY WILL NOT BE WASHED INTO THE STORMWATER SYSTEM, BUT DISPOSED OFF ON SITE AS APPROPRIATE, WHILST SOLID MATERIAL, SUCH AS CEMENT AND BRICKS, WILL BE DISPOSED OFF IN LANDFILL OR SENT TO A BUILDING MATERIAL RECYCLER IF POSSIBLE OR A SKIP BIN ON SITE.
8. STOCK PILES OF MATERIALS WILL BE STORED AWAY FROM THE DRAINAGE LINES, GUTTERS & FOOTPATH. THE MATERIAL WILL BE COVERED WHEN NOT IN USE.
9. ROAD AND FOOTPATH TO BE WESPT DAILY.
10. ALL SEDIMENT CONTROL STRUCTURES TO BE INSPECTED AFTER EACH RAINFALL EVENT FOR STRUCTURAL DAMAGE AND ALL TRAPPED SEDIMENT TO BE REMOVED TO A NOMINATED SOIL STOCKPILE.
11. VEHICLE ACCESS TO THE SITE WILL BE VIA A SINGLE ENTRY POINT, THAT IS STABILISED TO PREVENT TO PREVENT THE SPREADING OF SEDIMENT ONTO THE FOOTPATH AND ROAD.
12. SILT FENCES AND GRAVEL DRAINS ARE NOT TO BE REMOVED UNTIL CONSTRUCTION IS COMPLETE AND GARDEN HAS BEEN FULLY RE-VEGETATED.
13. A COPY OF THE SOIL AND WASTE MANAGEMENT PLAN MUST BE KEPT ON-SITE AT ALL TIMES AND MADE AVAILABLE TO COUNCIL OFFICERS ON REQUEST.



DP 207560
T.M.

VEHICULAR ENTRY GATE USE EXISTING CONCRETE DRIVEWAY FOR VEHICULAR ACCESS AND DELIVERY OF MATERIALS DURING CONSTRUCTION.

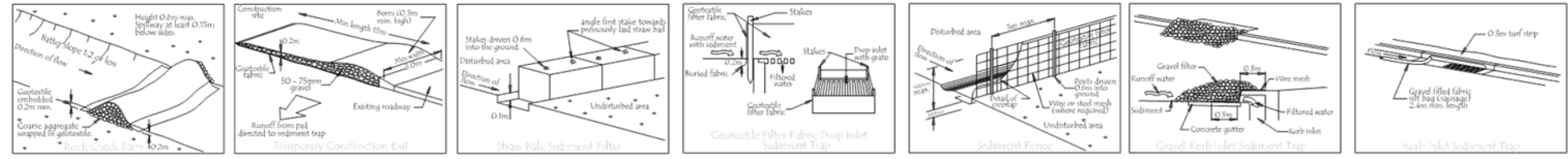
AFTER COMPLETION OF CONSTRUCTION, MAKE GOOD SURFACE TO COUNCIL REQUIREMENTS

EXISTING TREE TO BE RETAINED AND PROTECTED DURING CONSTRUCTION AS PER ARBORIST TPZ PROTECTION PLAN

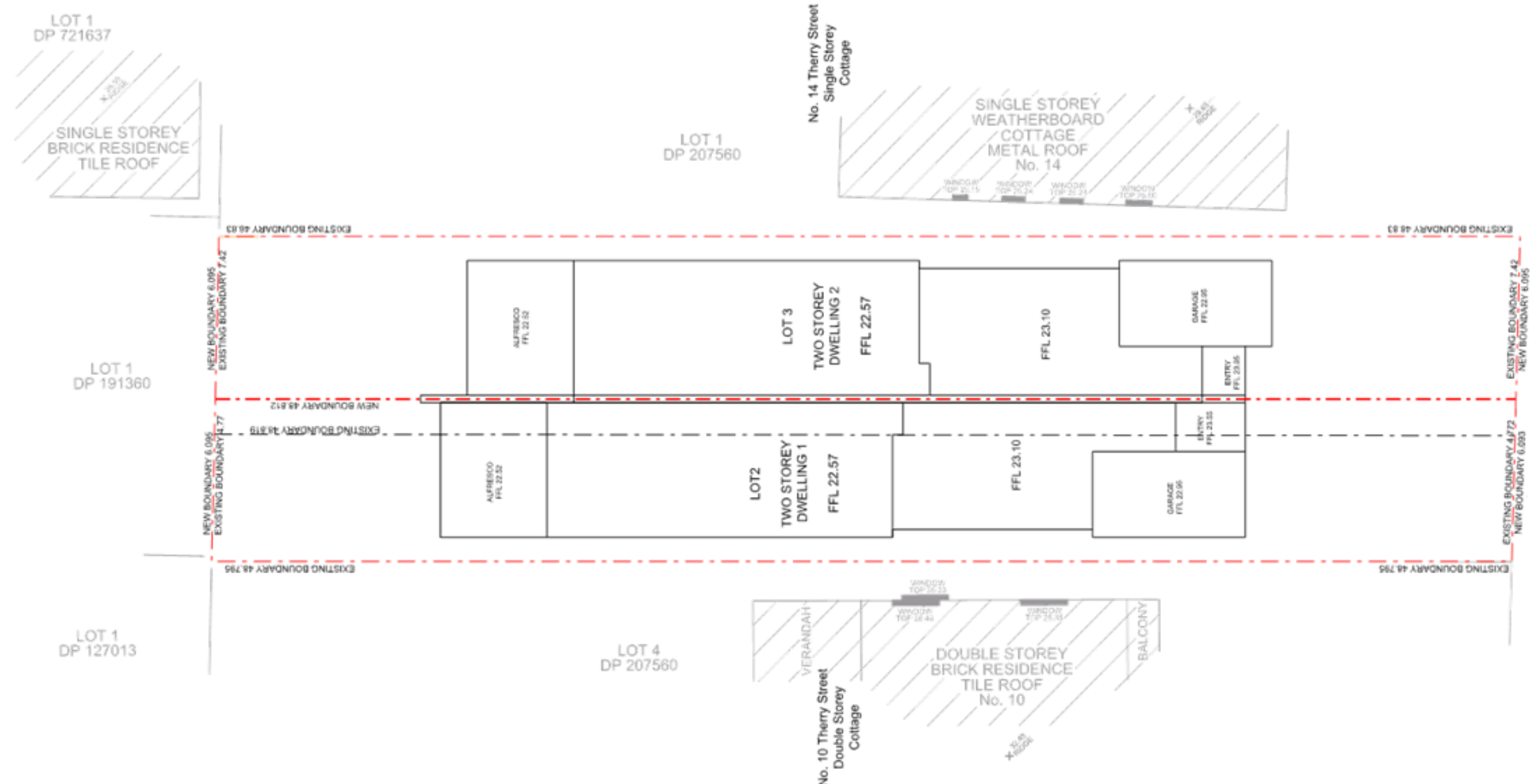
BENCHMARK TOP OF KERB RL 23.78 AHD

TEMPORARY CONSTRUCTION FENCE AT STREET FRONTAGE

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THERRY STREET

BENCHMARK
TOP OF KERB
RL 23.78 AHD

PROPOSED LOT DESCRIPTION	
LOT 2	297.49 sqm
LOT 3	297.37 sqm
SITE AREA TOTAL	594.87 sqm

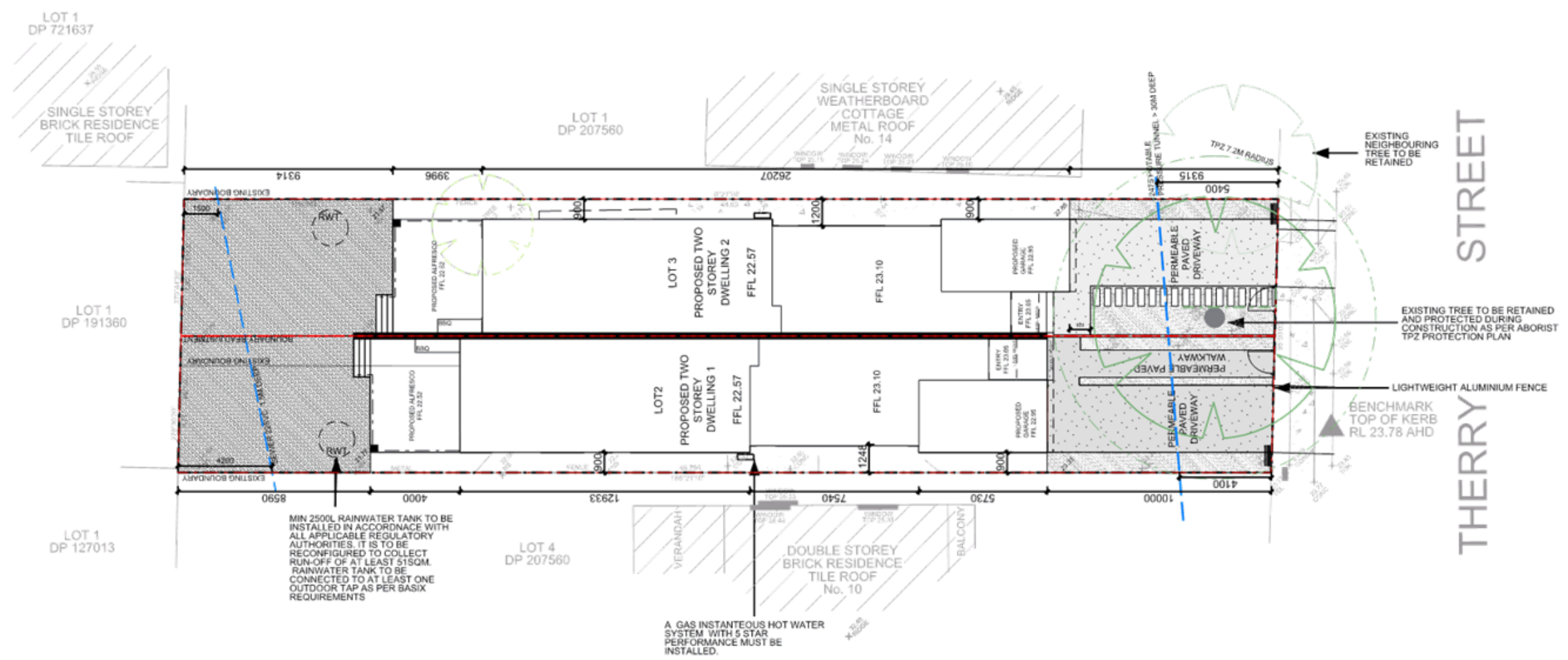
- NOTES**
- ALL BUILDING WORKS TO BE CONSTRUCTED IN ACCORDANCE WITH BCA, BUILDING SPECIFICATIONS AND ENGINEERS REQUIREMENTS
 - ALL RELATIVE LEVELS (RL), FLOOR LEVELS (FFL), CEILING HEIGHTS (FCL), GUTTER RL AND RIDGE HEIGHTS MUST BE CONFIRMED ON SITE.
 - ALL DIMENSIONS ARE SHOWN IN MILLIMETERS UNLESS OTHERWISE NOTED. TAKE FIGURED DIMENSION IN PREFERENCE TO SCALE.
 - STORMWATER DRAINAGE, WASTE WATER DRAINAGE AND OTHER HYDRAULIC SERVICES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH LOCAL AUTHORITY AND ENGINEERS REQUIREMENTS AND BCA.
 - PLANS ARE TO BE READ IN CONJUNCTION WITH COUNCIL APPROVAL, BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS.
 - ALL FENCING AND BALUSTRADES TO COMPLY WITH COUNCIL REQUIREMENTS, BCA AND AUSTRALIAN STANDARDS.
 - ALL INSULATION MUST BE INSTALLED IN ACCORDANCE WITH PART 3.12.11 OF BUILDING CODE OF AUSTRALIA AND AS PER BASIX REQUIREMENTS.
 - MIN 3000L RAINWATER TANK TO BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REGULATORY AUTHORITIES. IT IS TO BE RECONFIGURED TO COLLECT RUN-OFF OF AT LEAST 51SQM. RAINWATER TANK TO BE CONNECTED TO AT LEAST ONE OUTDOOR TAP AS PER BASIX REQUIREMENTS
 - TERMITE PROTECTION TO BE INSTALLED IN ACCORDANCE WITH BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS AS3660.1

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27 June 2019

<small>Date Description</small> 07.08.18 ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE APPROVAL 08.09.19 REVISED PLANS AS PER COUNCIL CONDITIONS, TP2 ZONE ADDED		Do not scale drawings. Use figured dimensions only. Check & verify levels and dimensions on site prior to the commencement of any work, the preparation of shop drawings or the fabrication of components. This drawing is the copyright of ELKAD GROUP PTY LTD and is protected under the Copyright Act 1968. Do not alter, reproduce or transmit in any form, or by any means without the express permission of ELKAD.	DEVELOPMENT APPLICATION Drawing Status: NOT FOR CONSTRUCTION	DESIGNER: ELKAD GROUP PTY LTD BANQA EL-KADERI PH 0403 200 820 CLIENT:	Engineer: SDS ENGINEERING Surveyor:	Project: 12 THERRY STREET STRATHFIELD SOUTH PROPOSED BOUNDARY READJUSTMENT AND CONSTRUCTION OF 2 X SEMI DETACHED DWELLINGS	Drawing Title: SUBDIVISION PLAN Project Number:	Scale: 1:200 Drawing No: DA 10 Issue: 02
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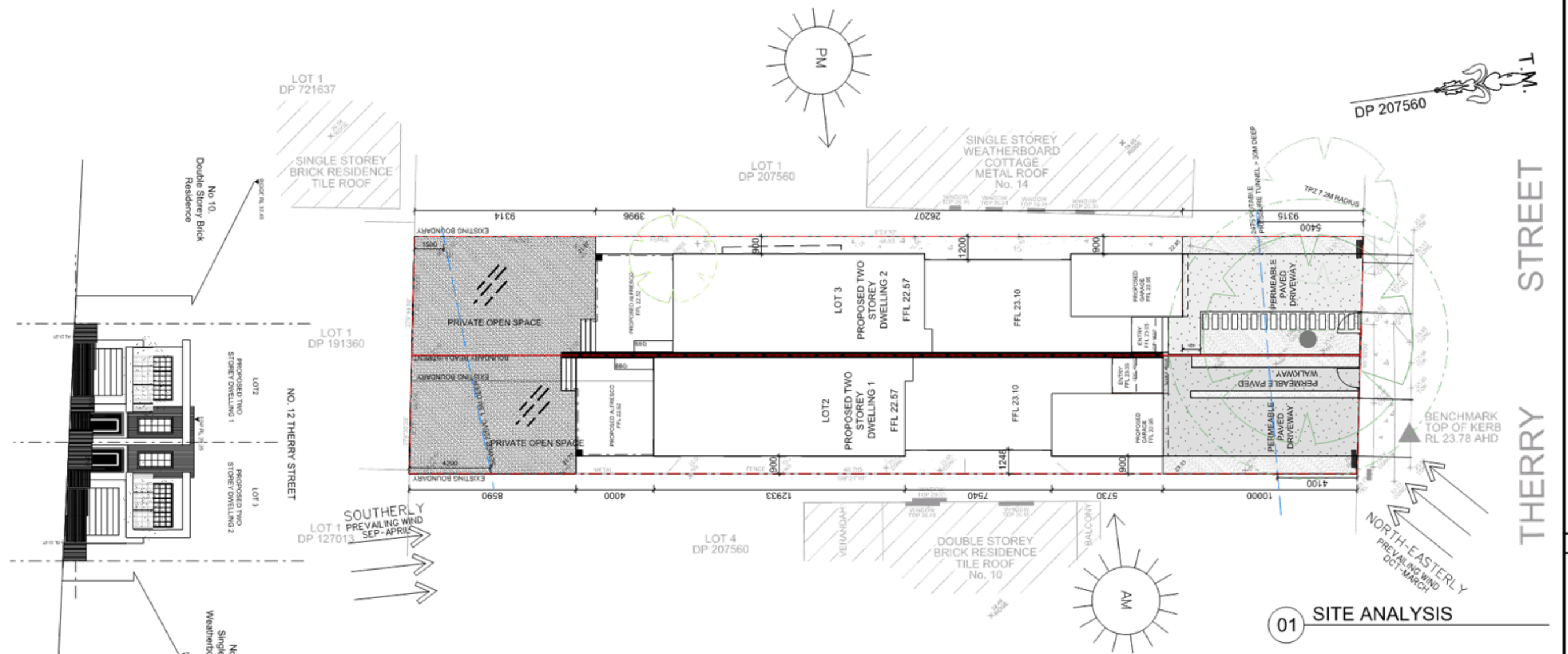
LOT 2 DWELLING 1		LOT 3 DWELLING 2		TOTAL SITE CALCULATIONS		GENERAL NOTES	
297.49 sqm	SITE AREA	297.37 sqm	SITE AREA	594.8 sqm	SITE AREA	- ALL BUILDING WORKS TO BE CONSTRUCTED IN ACCORDANCE WITH BCA, BUILDING SPECIFICATIONS AND ENGINEERS REQUIREMENTS	
100 sqm	GROUND FLOOR	100 sqm	GROUND FLOOR	43.2 %	SITE COVERAGE	- ALL RELATIVE LEVELS (RL), FLOOR LEVELS (FFL), CEILING HEIGHTS (FCL), CUTTER RL AND RIDGE HEIGHTS MUST BE CONFIRMED ON SITE.	
92.9 sqm	UPPER FLOOR	92.9 sqm	UPPER FLOOR	284.87 sqm	ROOF AREA	- ALL DIMENSIONS ARE SHOWN IN MILLIMETERS UNLESS OTHERWISE NOTED. TAKE FIGURED DIMENSION IN PREFERENCE TO SCALE.	
16.5 sqm	GARAGE	16.5 sqm	GARAGE	385.8 sqm	GROSS FLOOR AREA	- STORMWATER DRAINAGE, WASTE WATER DRAINAGE AND OTHER HYDRAULIC SERVICES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH LOCAL AUTHORITY AND ENGINEERS REQUIREMENTS AND BCA.	
20.23 sqm	ALFRESCO	20.23 sqm	ALFRESCO	0.648 1	FLOOR SPACE RATIO	- PLANS ARE TO BE READ IN CONJUNCTION WITH COUNCIL APPROVAL, BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS.	
13.3 sqm	UPPER BALCONY	13.3 sqm	UPPER BALCONY	224.1 sqm	GARDEN/LAWN	- ALL FENCING AND BALUSTRADES TO COMPLY WITH COUNCIL REQUIREMENTS, BCA AND AUSTRALIAN STANDARDS.	
111.3 sqm	GARDEN/LAWN	112.8 sqm	GARDEN/LAWN			- ALL INSULATION MUST BE INSTALLED IN ACCORDANCE WITH PART 3.12.11 OF BUILDING CODE OF AUSTRALIA.	
						- TERMITE PROTECTION TO BE INSTALLED IN ACCORDANCE WITH BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS AS3660.1	

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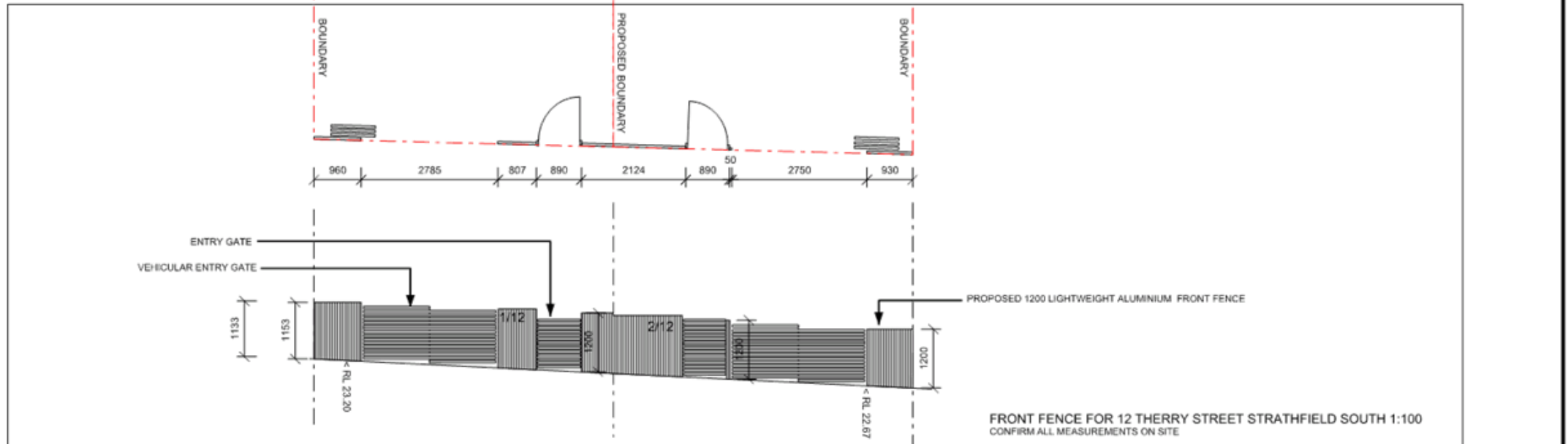
DA2019/064
27 June 2019

<p>07 09 18 ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE APPROVAL</p> <p>08 09 19 REVISED PLANS AS PER COUNCIL CONDITIONS, TPZ ZONE ADDED</p>	<p>inspiration to creation</p>	<p>Do not scale drawings. Use figured dimensions only.</p> <p>Check & verify levels and dimensions on site prior to the commencement of any work, the preparation of shop drawings or the fabrication of components.</p> <p>This drawing is the copyright of ELKAD GROUP PTY LTD and is protected under the Copyright Act 1968. Do not alter, reproduce or transmit in any form, or by any means without the express permission of ELKAD.</p>	<p>DEVELOPMENT APPLICATION</p> <p>Project Status: NOT FOR CONSTRUCTION</p>	<p>DESIGNER: ELKAD GROUP PTY LTD BANKA EL-KADERI PH 0403 200 823</p> <p>CLIENT:</p>	<p>Engineer: SDS ENGINEERING</p> <p>Surveyor:</p>	<p>Project: 12 THERRY STREET STRATHFIELD SOUTH</p> <p>PROPOSED BOUNDARY READJUSTMENT AND CONSTRUCTION OF 2 X SEMI DETACHED DWELLINGS</p>	<p>Drawing Title: PROPOSED SITE PLAN</p> <p>Project Number:</p>	<p>Scale: 1:200</p> <p>Drawing No: DA 10</p> <p>Sheet: 02</p>
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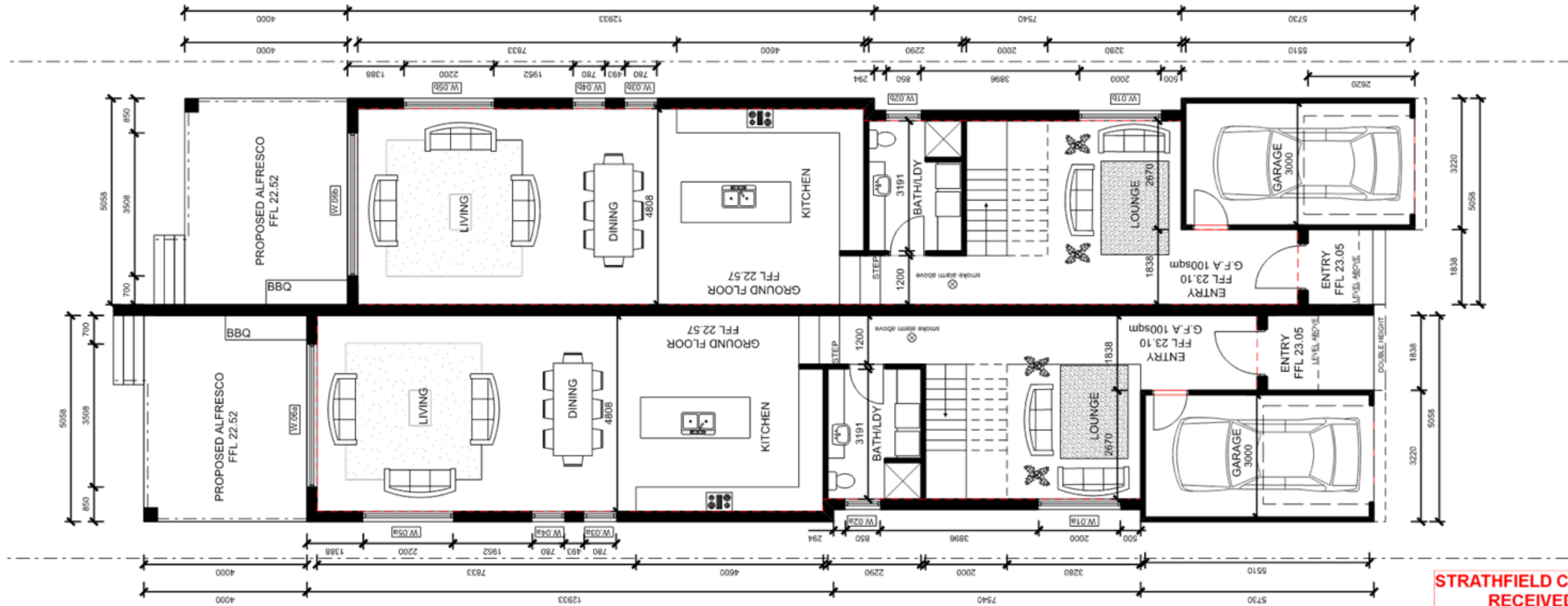


01 STREETSCAPE ANALYSIS

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27 June 2019



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DA2019/064
27 June 2019

NOTES	GENERAL NOTES	BASIS REQUIREMENTS		
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Date	Description	By
07.09.18	ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE APPROVAL	RE
08.09.18	REVISED PLANS AS PER COUNCIL CONDITIONS. TP2 ZONE ADDED	RE

elKad design
inspiration to creation

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DEVELOPMENT APPLICATION

Client: **NOT FOR CONSTRUCTION**

DESIGNER: **ELKAD GROUP PTY LTD**
BANDA EL-KADERI PH 0403 201 823

CLIENT:

Engineer: **SDS ENGINEERING**

Surveyor:

Project: **12 TERRY STREET STRATHFIELD SOUTH**

PROPOSED BOUNDARY READJUSTMENT AND CONSTRUCTION OF 2 X SEMI DETACHED DWELLINGS

Drawing Title: **GROUND FLOOR PLAN**

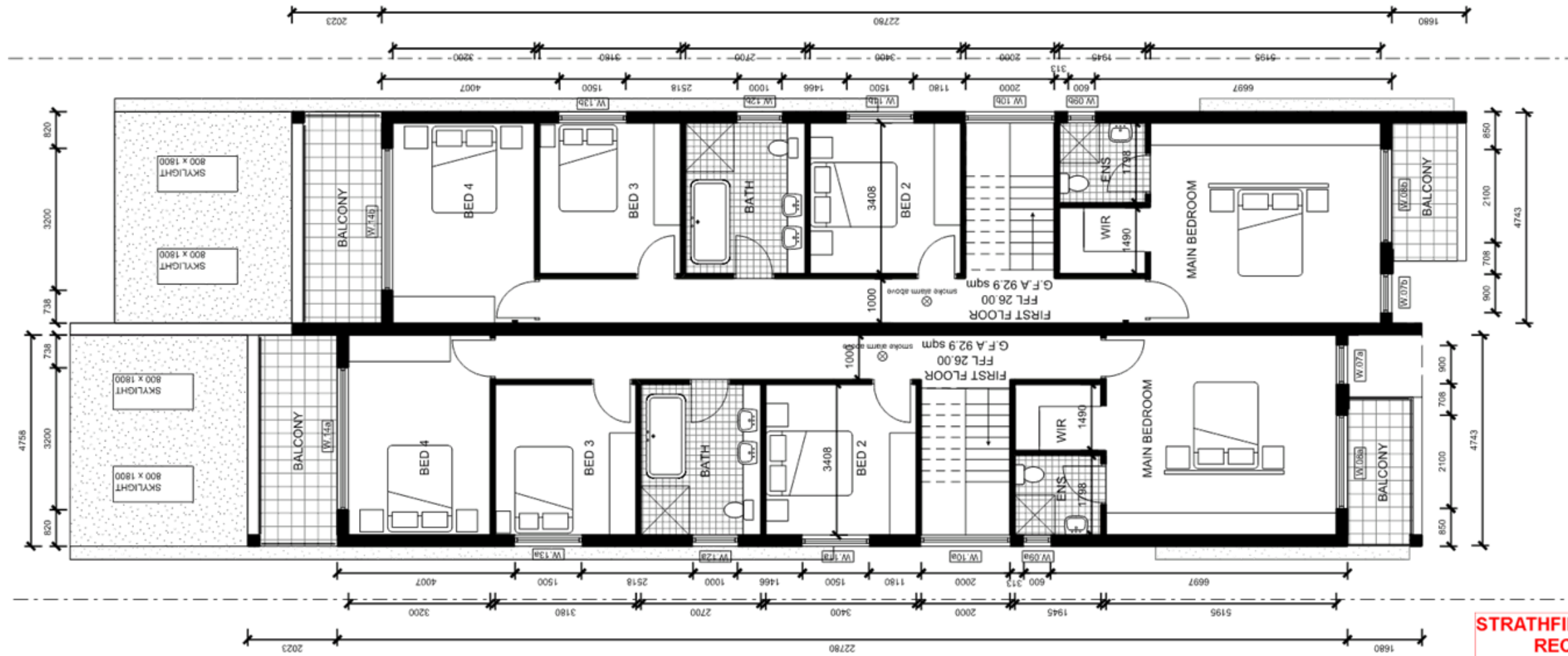
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Scale: **1:100**

Drawing No: **DA 20**

Sheet: **02**

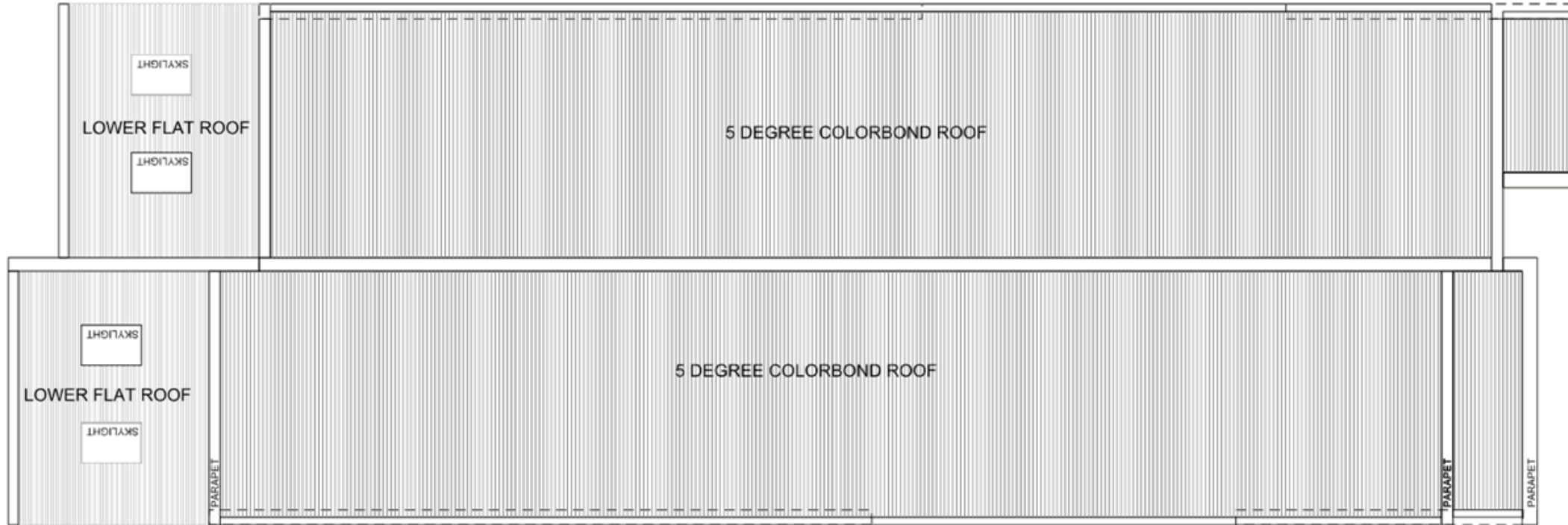
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<p>07 08 18 ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE APPROVAL</p> <p>08 08 19 REVISED PLANS AS PER COUNCIL CONDITIONS. TP2 ZONE ADDED</p>	<p>Do not scale drawings. Use figured dimensions only.</p> <p>Check & verify levels and dimensions on site prior to the commencement of any work, the preparation of shop drawings or the fabrication of components.</p> <p>This drawing is the copyright of ELKAD GROUP PTY LTD and is protected under the Copyright Act 1968. Do not alter, reproduce or transmit in any form, or by any means without the express permission of ELKAD</p>	<p>DEVELOPMENT APPLICATION</p> <p>Client: ELKAD GROUP PTY LTD BANDA EL-KADERI PH 0403 303 833</p> <p>Designing State: NSW FOR CONSTRUCTION</p>	<p>Designer: ELKAD GROUP PTY LTD</p> <p>Engineer: SDS ENGINEERING</p> <p>Project: 12 TERRY STREET STRATHFIELD SOUTH</p> <p>Proposed: PROPOSED BOUNDARY READJUSTMENT AND CONSTRUCTION OF 2 X SEMI DETACHED DWELLINGS</p>	<p>Scale: 1:100</p> <p>Drawing No: DA 21</p> <p>Sheet: 02</p>



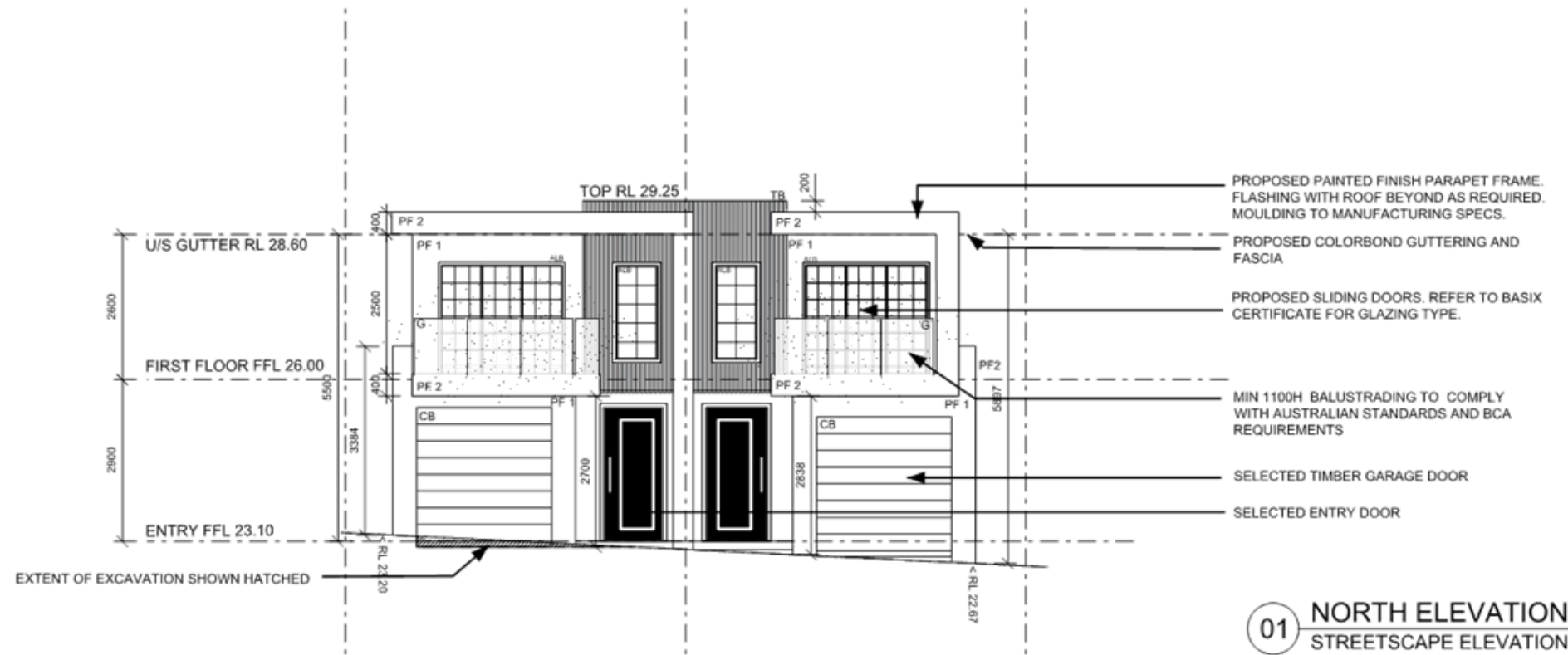


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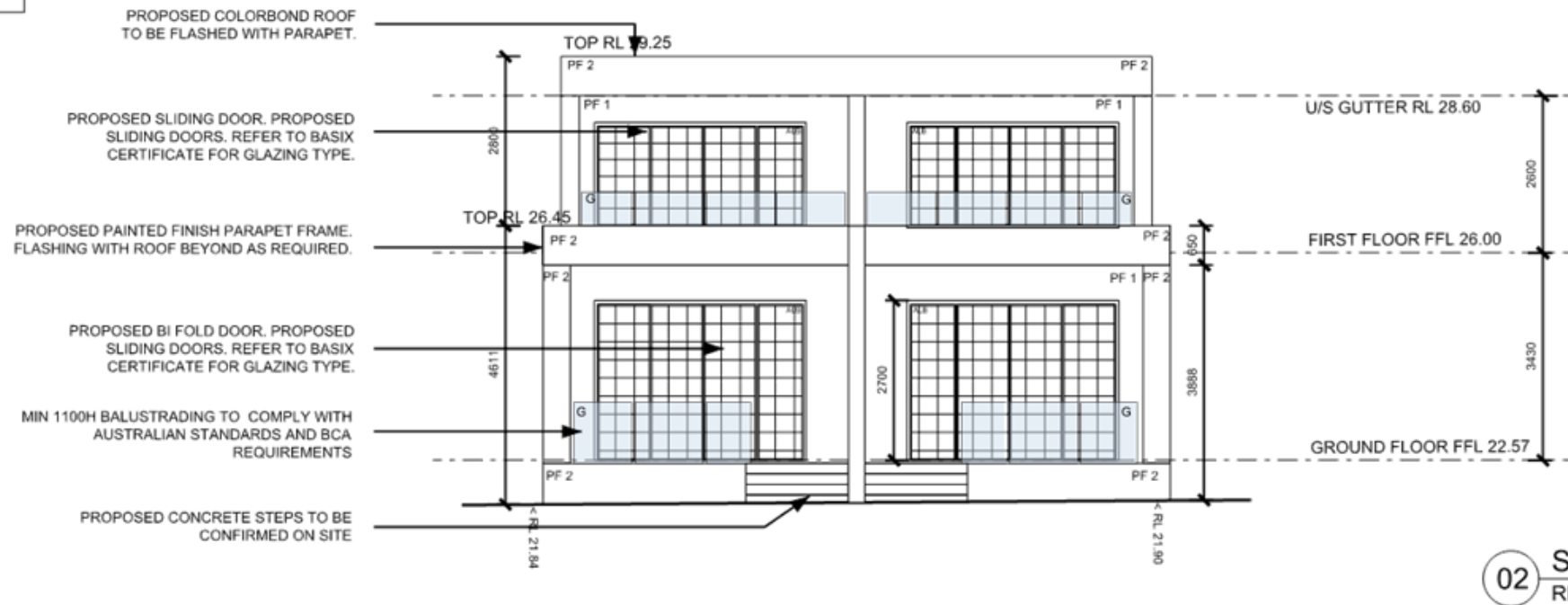
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SCHEDULE OF EXTERNAL FINISHES	
SELECTED PAINT FINISH 1	PF 1
SELECTED PAINT FINISH 2	PF 2
SELECTED BLACK FRAMED WINDOW AND/OR BIFOLD	ALB
GLASS BALUSTRADE	G
COLOURBOND	CB
TIMBER CLADDING	TB

01 NORTH ELEVATION
STREETSCAPE ELEVATION



02 SOUTH ELEVATION
REAR ELEVATION

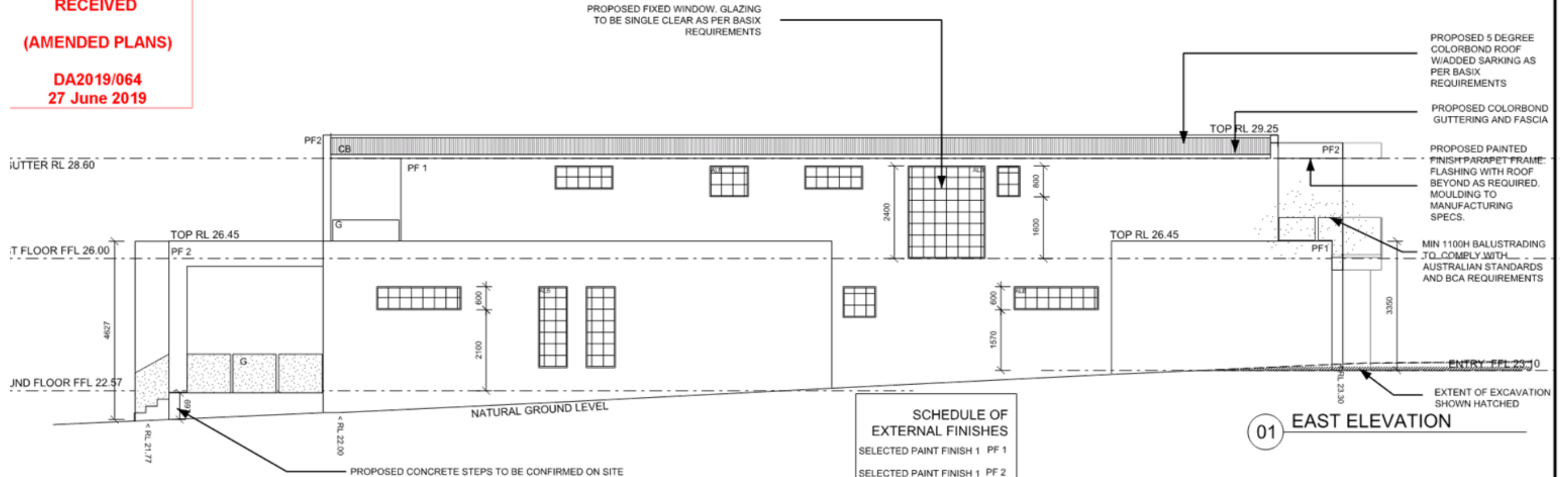
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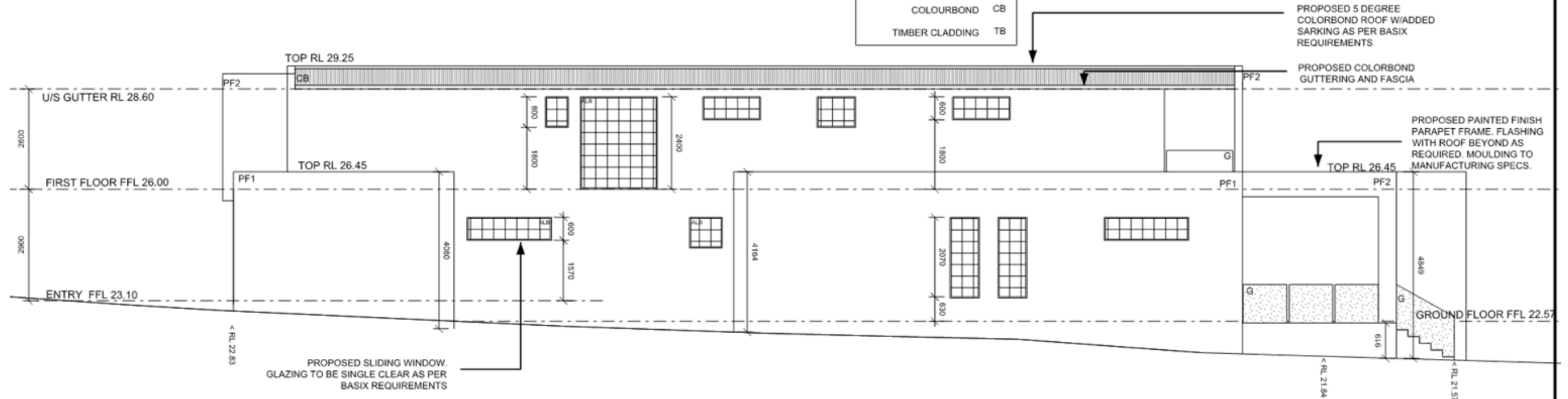
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SCHEDULE OF EXTERNAL FINISHES

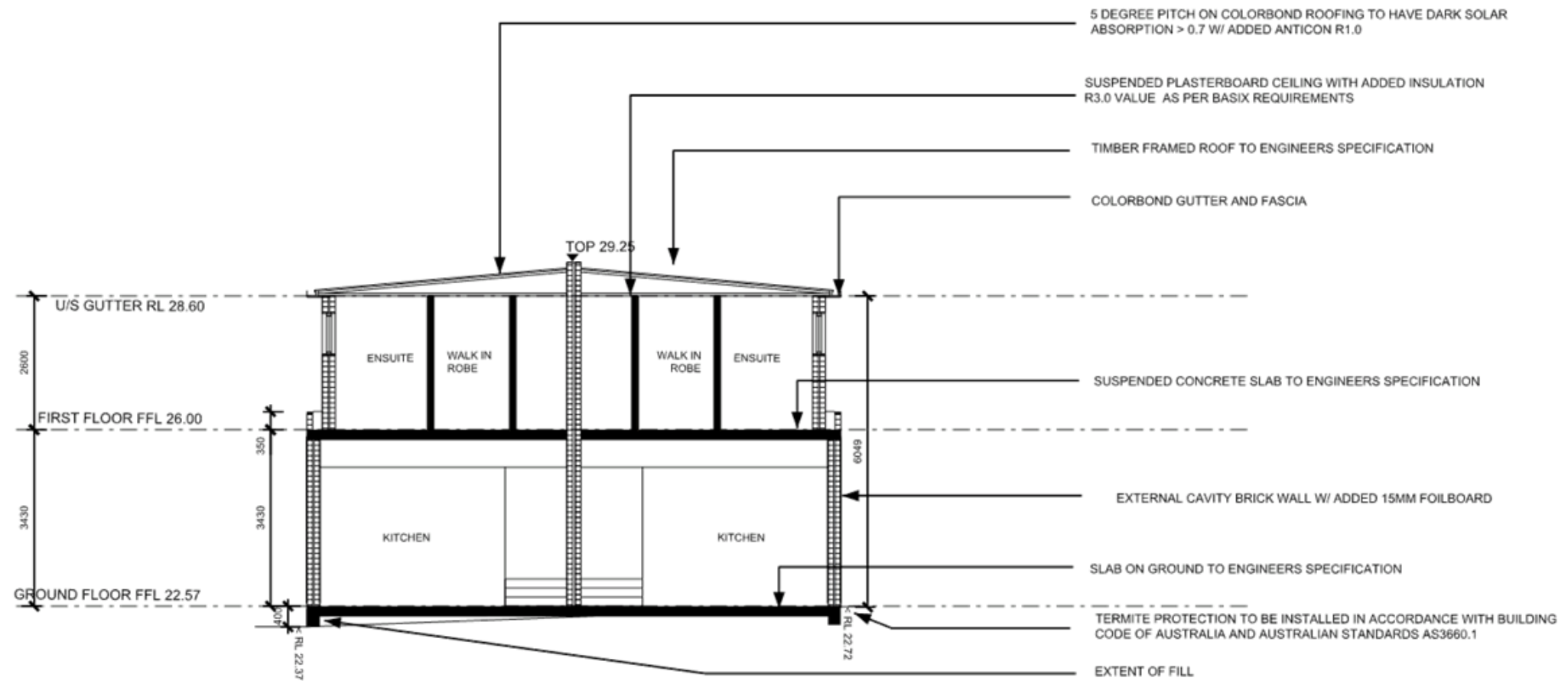
- SELECTED PAINT FINISH 1 PF 1
- SELECTED PAINT FINISH 1 PF 2
- SELECTED BLACK ALB
FRAMED WINDOW AND/OR
BIFOLD
- GLASS BALUSTRADE G
- COLOURBOND CB
- TIMBER CLADDING TB

01 EAST ELEVATION



02 WEST ELEVATION

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01 CROSS SECTION
TERRY ST

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DA2019/064
27 June 2019**

<p>07.08.18 ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE APPROVAL</p> <p>08.08.18 REVISED PLANS AS PER COUNCIL CONDITIONS</p>	<p>inspiration to creation</p>	<p>Do not scale drawings. Use figured dimensions only.</p> <p>Check & verify levels and dimensions on site prior to the commencement of any work, the preparation of shop drawings or the fabrication of components.</p> <p>This drawing is the copyright of ELKAD GROUP PTY LTD and is protected under the Copyright Act 1968. Do not alter, reproduce or transmit in any form, or by any means without the express permission of ELKAD.</p>	<p>DEVELOPMENT APPLICATION</p>	<p>DESIGNER ELKAD GROUP PTY LTD NANDA EL-KADERI PH 0493 330 833</p>	<p>Engineer SDS ENGINEERING</p>	<p>Project 12 TERRY STREET STRATHFIELD SOUTH PROPOSED BOUNDARY READJUSTMENT AND CONSTRUCTION OF 2 X SEMI DETACHED DWELLINGS</p>	<p>Drawing Title CROSS SECTION</p>	<p>Scale 1:100</p>	<p>Drawing No DA 32</p>	<p>Sheet 02</p>
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TO: Strathfield Local Planning Panel Meeting - 5 September 2019
REPORT: SLPP – Report No. 2
SUBJECT: DA2019/054 - 27 DAVIDSON STREET, GREENACRE & LIVERPOOL ROAD,
STRATHFIELD SOUTH
LOT 2 DP 1009549 & PART LOT 1 DP 883526
DA NO. DA2019/054

SUMMARY

Proposal: To extend the existing landscape supply business partly onto adjoining vacant land owned by RailCorp.

Applicant: Harvest Scientific Services Pty Ltd

Owner: Rail Corporation of NSW

Date of lodgement: 12 April 2019

Notification period: 18 April 2019 to 13 May 2019

Submissions received: One (1) written submission and one (1) petition containing 62 signatures.

Assessment officer: ER

Estimated cost of works: \$140,000.00

Zoning: IN1 General Industrial - SLEP 2012

Heritage: N/A

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 This application seeks to extend and intensify the existing landscape supply business (Materials in the Raw) over the adjoining RailCorp owned land. The intensification involves the construction of 15 new bins and extending an acoustic wall along the northern boundary.
- 2.0 The application was notified 18 April 2019 to the 13 May 2019 in accordance with the provisions of Part L of Strathfield Consolidated Development Control Plan 2005. One (1) individual submission and one (1) petition including 62 signatories (all in objection) were received as a result. Key issues raised in the submissions and petitions included:
 - Previous non-compliance with DA9900/156/03,
 - Noise and air pollution,
 - Dust nuisance and
 - Traffic congestion associated with the increased truck movements both within and to and from the site.
- 3.0 The principal matters of consideration involve the additional noise and traffic generated by the intensification of the business operation, the Acoustic Report, Stormwater Management, identification of environmental factors on site, proximity to Ausgrid power lines, Waste Management Report and overall traffic management.

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

- 4.0 Amended reports were submitted to Council which provided additional information within the Waste Management Report and updated the Acoustic Report to include current on site noise testing. Additional information was received from Sydney Water approving the location of the new bins and supported the stormwater management plan for the development.
- 5.0 The proposed extension to the existing landscape supply business is considered acceptable and can be appropriately conditioned to manage and control dust, noise, parking and traffic across the site during operation.

The subject application is referred to the Strathfield Local Planning Panel on the 5 September 2019 due to the contentious nature of the development and significant community interest given the large number of submissions received as a result of notification.

BACKGROUND

22 December 1999

Consent was granted to DA9900/156 to erect a storage shed and bins on 27 Davidson Street, Greenacre (Lot 2 DP 1009549). Ten (10) off street parking spaces were required prior to Construction Certificate (Figure 1).

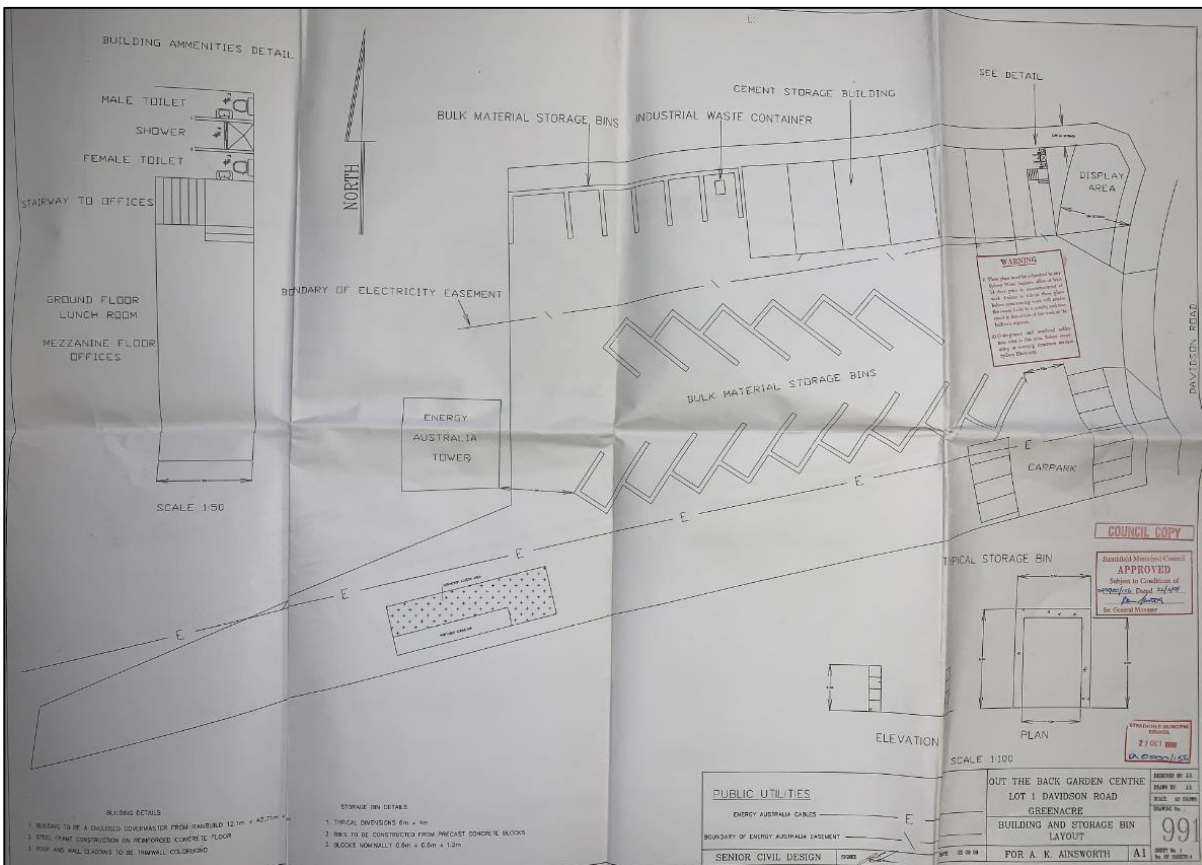


Figure 1: Stamped approved plans of DA9900/156.

28 July 2000

A modification (DA9900/156/01) for the building to be relocated 150mm away from the northern boundary and erecting of advertising signage was approved by Strathfield Council.

12 June 2012

Strathfield Council received a modification (DA9900/156/03) to extend the hours of operation of the existing landscape supplies business to

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

6.30am to 5.30pm Monday to Friday and 8am to 6pm Saturday to Sunday. The application was approved on 12 June 2012 with modified the hours of operation being 7am to 5.30pm Monday to Saturday and 8am to 3pm Sundays and public holidays.

- 19 July 2018 A Pre-Development Application Meeting was held at Council regarding advancing the existing operations of the site. Guidance on the documentation required for lodgement was discussed.
- 12 April 2019 The current application (DA2019/054) was lodged at Council.
- 18 April 2019 The application was notified until the 13 May 2019. One submission and one petition containing 62 signatures was received.
- 6 May 2019 A site inspection was conducted at the subject site (Materials in the Raw). A meeting was also held with the land owner of the adjoining residential property at 33-35 Marlene Crescent with a land owner. The following matters of interest were noted including height of the proposed acoustic fence, noise and dust from the business and generated traffic. It was obvious that the parcel of land, and the subject of this application had been cleared of vegetation.
- 9 May 2019 The application was referred to Ausgrid through the Planning Portal. A letter requesting additional information was issued, which raised concerns to the application which raised concerns relating to the Stormwater Management Plan, Acoustic Plan and Waste Management Plan.
- 9 July 2019 Additional noise testing on *Materials in the Raw* occurred at 33-35 Marlene Crescent.
- 21 August 2019 Amended Acoustic report was submitted addressing the current Noise Policy for Industry 2017.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 2 DP 1009549 and is commonly known as 27 Davidson Street, Greenacre. The land directly to the north-west is legally described as Part Lot 1 DP 883529 and is commonly known as Liverpool Road, Strathfield South. The site is located on the western side of Davidson Street and has an area of 5566m² with the extension having an approximate area of 3817m². The site is irregular in shape and has a frontage of 54m to the east and an approximate site length 152m along the southern boundary. The site is relatively flat and has a large fall beyond the western boundary.

Existing development on the site comprises a landscape supply business (Materials in the Raw) including an industrial warehouse and internal office facility. Acoustic fencing exists along the northern boundary accompanied by large open bins (approximately 30) for storage, gardening and tile display area and car parking for 13 spaces. It appears that the landscape supply business has already expanded its operations onto a leasehold with RailCorp at Lot 1 DP 883526, despite only having Council consent to operate on 27 Davidson Street (Lot 2 DP 1009549). Vehicular access is provided to the site via an existing driveway from Davidson Street located on the eastern boundary. The site currently contains two (2) Ausgrid electricity towers located in the centre and on the south-western corner of the lot. The land north west of the business has been observed to be recently cleared and fenced.

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

The current streetscape is characterised by a nursery business directly opposite the subject site. A vacant industrial warehouse exists north of the nursery. The northern boundary of the subject site adjoins R3 Medium Density Residential zoned land. The adjoining development located in Marlene Crescent comprises a three (3) storey brick apartment building with onsite parking. To the west of the subject site are rail tracks and the Centre for Excellence in Rail Training owned by Rail Corp. To the south is Liverpool Road. A Sydney Water asset buffers the subject site and the road.



Figure 2: Aerial photograph of wider locality and the subject site outlined in yellow (dated 4 March 2019)



Figure 3: Westerly view of the subject site (Materials in the Raw) from Davidson Street.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)



Figure 4: North-easterly view of the existing bins, warehouse and acoustic wall.



Figure 5: North-easterly view of the parcel of land to accommodate the business extension.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)



Figure 6: Easterly view of the nursery at 36 Davidson Street.



Figure 7: Norther view of the existing residential apartments at 29-31 and 33-35 Marlene Crescent.

PROPERTY BURDENS AND CONSTRAINTS

Two (2) Ausgrid towers are located on the western half of the site. Overhead power lines bisect the property from north to west and north to east. There are two (2) easements acquired by Ausgrid for 132,000-volt transmission lines and their towers. The application was referred to Ausgrid for comments who provided conditional approval of the proposal.

South of the subject site is Davidson Bushland Reserve (an enclosure of a Sydney Water asset), which is a known location of various rare reptiles including Bearded Dragon lizards, Bluetongue & Weasel Skinks, Wood Geckoes and invertebrates such as the only known record of a *Peripatus* in Western Sydney. It is possible these species are in the proposed RailCorp leasehold and adjoining rail land and surrounding bushland. A site visit was conducted on 6 May 2019, which determined that the land had already been cleared. Given the significant clearing it is unlikely habitat of significance remains at this location. The Flora and Fauna Assessment supporting the application states that “*the proposed DA will not involve the removal or modification of any locally indigenous native vegetation within the Subject Site or adjoining lands*”.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval to extend the existing landscape supply business partly onto adjoining vacant land owned by RailCorp.

The specific elements of the proposal are:

- Enlargement of the existing facility and intensification of the existing operations and use on the site;
- Construction of 15 new concrete bins, similar to those that already exist on the site. Constructed from vertical reinforced concrete panels, 150mm thick, heights varying between 1.5-2m and lengths varying between 3-5m (45 in total). The bins are to be used to store landscaping and gardening supplies including:
 - Sand
 - Soil
 - Gravel
 - Sawdust
 - Wood chips
- Extension of bin access road from the existing concrete road with the site;
- Extension of existing colorbond acoustic and dust barrier (171.6m in length) to north-western boundary edge of area with a height of 5.5m; and
- Minor drainage works across the site with the red hatched slab (Figure 8) allows access to points to the OSD Tanks.



Figure 8: Proposed extension plan to the facility.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

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

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

"I have referred to the development application referenced above and with respect to the stormwater drainage concept plan prepared by Broadcrest Engineering and Environmental Consultants rev A project no. 0177 sheet no. 1-9 of 9 dated 27.08.2018, I can advise the following:

- In accordance with section 4.9 of Council's stormwater management code all developments other than single residential dwellings are required to connect directly to a Council pipe or channel system.*

As the site discharges to adjacent lands owned by Rail Corporation and Sydney water, please advise applicant to refer stormwater drainage plans to Sydney Water and Rail Corporation for approval and evidence of approval submitted to Council."

The applicant submitted Stormwater Plans approved by Sydney Water as a result, however to date has not submit an approval from RailCorp. Council's Engineer raised no objections to the proposal, subject to the imposition of recommended conditions of consent to gain approval from Sydney Water and RailCorp prior to a Construction Certificate being issued.

Waste Comments

Council's Waste Officer has commented on the submitted Waste Management Report (Council received 21 May 2019), which was missing in-depth information regarding measurements of garden organics, concrete and details about the ongoing operation of the business. An amended Waste Management Plan was submitted on the 26 June 2019 that did not answer all of the waste issues, however further information is sort prior to the Occupation Certification. Council's Waste Officer has outlined the following standard requirements:

- Ensure that proper waste materials storage and recycling licences are held by facility.
- Written evidence of valid contracts for the regular collection and disposal of waste and generated on the site by a licensed waste contractor must be provided.
- Ensure that dust control measures are in place such as sprinklers due to close proximity to houses.
- Ensure that no waste material is discharged onto neighbouring land or road, drain, pipeline or watercourse.
- Ensure collection must only occur between 6.00 am and 8.00 pm weekdays and 9.00 am and 5.00 pm on weekends and public holidays, to avoid noise disruption to the surrounding area.

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

Landscaping Comments

Council's Tree Coordinator offered no objections to the proposal as the subject area had already been cleared of vegetation.

Biodiversity Comments

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

"Council are in favour of the proposal. The adjoining Davidson bushland reserve (an enclosure of a Sydney Water asset – see attached) is a known location of various rare (for Strathfield) reptiles including Bearded Dragon lizards, Bluetongue & Weasel Skinks, Wood Geckoes and invertebrates such as the only known record of a Peripatus in Western Sydney. It's therefore possible these species are in the proposed leasehold extension of Materials in the Raw into the adjoining rail land. I'm assuming the presence, or potential presence, of these species

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

alone would be not be sufficient to stop the proposed expansion but I believe the proposed site should be inspected with a view to surveying the site for fauna then possibly relocating any fauna present. The site may also contain native plant species of interest to the nursery.

From a natural resource perspective, it's very unlikely anything of significance remains at this location (site visit occurred in 6 May 2019). Whether there was anything prior to the clearance that has evidently occurred at the site is difficult to say."

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

Traffic Comments

"I refer to DA 2019/054 for the extension of bins at Davidson Road. The Traffic Report submitted with the DA is not a comprehensive report, rather it is just an indication derived from the Traffic Counts. The summary provided is also assumption based indicating the production/increase in raw material is 33%. Notwithstanding, the increase in vehicle volume is bound to cause traffic problems in the area given the vicinity to the State Road and traffic signals."

Special Conditions are recommended for the applicant to submit a Traffic Management Plan prior to a Construction Certificate and for heavy vehicles/traffic relating to this development to not go past the driveway of this development. All entry and exit arrangements are to be confined within the boundaries of the development.

Environmental Health Comments

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

First comments - 5 August 2019:

"I have read and reviewed the above development application, including the updated acoustic reported submitted and received by Council on 1 August 2019. I have considered environmental health aspects for this proposal - Protection of the Environment Operations Act 1997, corresponding regulations, EPA Noise Policy for Industry 2017 (NPI), and Local Government Act 1993.

Acoustic Report – Updated (1 August 2019)

The surrounding properties of the development are zoned R3- Medium density residential, which is classified as a "suburban residential" receiver category in accordance with the Noise Policy for Industry 2017.

Background noise monitoring was conducted over 18th-24th of February 2012 at 30 Marlene Crescent. Pre and post calibration reading were taken. The report has acknowledged that Monday 20th and Tuesday 21st had high wind and rain effected data, this has been excluded from the survey results. During this time, the ambient noise level was recorded at 60dB LAeq and the rating background level was recorded at 49dB LA90.

A more recent noise survey was conducted in July 2019; the results of the rating background level was 50dB LA90 which is compliant with the recommended amenity noise level of 55dB during the day for a suburban residential receiver as stated in the NPI.

Table 2 of the acoustic report identifies the "area classification" as urban – however, the surrounding residential areas are zoned R3 which is suburban as explained above. The report will need to be changed to reflect the correct residential receiver category.

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

The common noise generated from the site has been identified as "small delivery" trucks being loaded with landscaping materials from 8am onwards and trucks delivering materials, noise modelling has included noise generated from 2 trucks entering/ existing the site and being loaded with materials OR noise generated from 2 trucks entering/ exiting the site delivering materials over a 15-minute period. The acoustic consultant has used the simulation CadnaA to predict the noise levels of the above mentioned sources in relation to receiver points from sound power levels, source-receiver distances, the presence of any acoustic shielding objects, and the effects of the acoustic absorption. Three locations within the site have been chosen within the site for the noise simulation to fully define the potential noise impacts; site location 2 has been used and is situated in the proposed site expansion area. However, the report has not included the area on the northern boundary fence for loading/ deliveries – I will assume that no loading or deliveries is to occur in the area.

As the acoustic report did not survey the area on the northern side of the site at the boundary fence, there is to be no loading or deliveries in relation to the stockpiles in the storage bays in this location.

The CadnaA simulator has used the noise source of loading/ delivering of aggregate/ pebble material as this generates significantly higher noise levels than other sand/ soil products.

The assessed receiver location properties are the following;

- 37-39 Marlene Crescent,*
- 33-35 Marlene Crescent, and*
- 29-31 Marlene Crescent.*

The similar also assumes the extension of the noise barrier to the new area. The predicted noise receiver levels of the above mentioned residential premises are all the below recommended amenity noise level of 55dB(A) as stated in the NPI.

The report concludes that the noise generated by the site operation is in compliance with the NPI.

Statement of Environmental Effects

The site is used as a landscaping and gardening supply business and the applicant proposes to expand their current site to include the following;

- Construction of 15 new concrete bins, identical to the existing site bins,*
- Extension of bin access road,*
- Extension of existing colourbond acoustic and dust barrier to western edge of the area, and*
- Minor drainage works.*

The materials which are stored on-site include:

- Sand,*
- Soil,*
- Gravel,*
- Sawdust, and*
- Woodchips.*

Adjacent to the site and the proposed expansion onto the Railcorp site are multiple residential properties. Previous amendments to the proposal highlighted that residents directly next to the premises lodged complaints and concerns regarding dust nuisances – the business installed sprinklers in 2018 to alleviate dust nuisances to adjoining residential properties. The acoustic report mentioned in the SEE has outlined that noise generated by the facility is mainly from trucks, loaders, deliveries, forklifts and other plants. The acoustic report concluded that with the extension of the acoustic barrier there should not be any excessive noise affecting neighbouring properties."

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Outcome:

The Acoustic Report (1 August 2019) was required to be amended because the report classifies the nearest residential receivers as “urban” for the purpose of setting the amenity criteria. However, the nearest receivers are zoned as R3, and as such the “suburban” classification applies. The acoustic report needs to be resubmitted with the correct amenity criteria and any subsequent changes to the noise trigger levels, acoustic assessment and recommendations.

Upon receipt of additional Acoustic Report – 22 August 2019

“I have read and reviewed the above development application and updated documents. I have considered environmental health aspects for this proposal - Protection of the Environment Operations Act 1997, corresponding regulations, and Local Government Act 1993.

Recommendation

Environmental Services has read the above application and supporting documents, and supports the following development, subject to the recommended conditions.”

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

EXTERNAL REFERRALS

Ausgrid

The application was referred to Sydney Trains. The following comments have been received.

“This letter is Ausgrid’s response under clause 45(2) of the State Environmental planning Policy (Infrastructure) 2007. The assessment and evaluation of environmental impacts for a new development consent (or where a development consent is modified) is undertaken in accordance with requirements of Section 79C of the Environmental Planning and Assessment Act 1979. One of the obligations upon consent authorities, such as local councils, is to consider the suitability of the site for the development which can include a consideration of whether the proposal is compatible with the surrounding land uses and the existing environment. In this regard, Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.

With Regard to: To extend the existing landscape supply business partly onto adjoining vacant land owned by RailCorp. at 27 Davidson St, Greenacre

• Architectural Plans - 29/11/2018

Ausgrid consents to the above mentioned development subject to the following conditions:-

Proximity to Existing Network Assets

Overhead Powerlines

There are existing overhead electricity network assets in Within Proposed Development. Safework NSW Document–Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

The “asconstructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220Overhead Design Manual. This document can be sourced from Ausgrid’s website, www.ausgrid.com.au

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

For Activities Within or Near to the Electricity Easement:

Purpose Of Easement

This easement was acquired for the 132,000 volt transmission assets currently owned and operated by Ausgrid. The purpose of the easement is to protect the transmission assets and to provide adequate working space along the route of the lines for construction and maintenance work. The easement also assists Ausgrid in controlling works or other activities under or near the transmission lines which could either by accident or otherwise create an unsafe situation for workers or the public, or reduce the security and reliability of Ausgrid’s network.”

Ausgrid offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

SECTION 4.15 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 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

State Environmental Planning Policy No 55 – Remediation of Land

Clause 7(1) of SEPP 55 prescribes as follows, with respect to consideration of contamination and remediation in determining development applications:

A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The RailCorp site is not currently used and is undeveloped. The current operation is not a contaminating use and a search of the site’s history found no evidence the site was contaminated, or that the site had previously been used for a contaminating purpose.

The proposal is considered to be acceptable with regards to requirement of the SEPP 55.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation).

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

The proposal was referred to Council's Tree Management Officer who stated that there was no tree removal as a part of the proposal as the leasehold area had previously been cleared of any vegetation. Specific conditions have been imposed with any development consent in order to ensure the protection of trees on adjoining sites.

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>	No
(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>	N/A
(g)	<i>To promote opportunities for social, cultural and community activities</i>	N/A
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Comments: The proposal is not inconsistent with the aims of the Plan following able to be following recommended conditions for the extension of the existing landscape supply business.

Permissibility

The current use of the site may be defined as development for the purpose of 'landscaping material supplies' defined by SLEP 2012 as 'a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.'

The site is zoned 'IN1 General Industrial' under the provisions of SLEP 2012. Development for the purposes of 'landscaping material supplies' is a permissible form of development with consent in the general industrial zone.

Zone Objectives

An assessment of the proposal against the objectives of the IN 1 Zone is included below:

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Objectives	Complies
➤ To provide a wide range of industrial and warehouse land uses.	Yes
➤ To encourage employment opportunities.	Yes
➤ To minimise any adverse effect of industry on other land uses.	No
➤ To support and protect industrial land for industrial uses.	Yes
➤ To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.	Yes

Comments: The proposal to extend and intensify the existing landscape supply business is acceptable on land zoned IN1 General Industrial. The proposal will continue to provide industrial land uses, support local employment opportunities and protect existing industrial land. The proposal is not inconsistent with the type of use anticipated on industrial land. Recommended conditions aimed to minimising any adverse impacts on adjoining R3 Medium Density Residential zones including noise, dust and traffic.

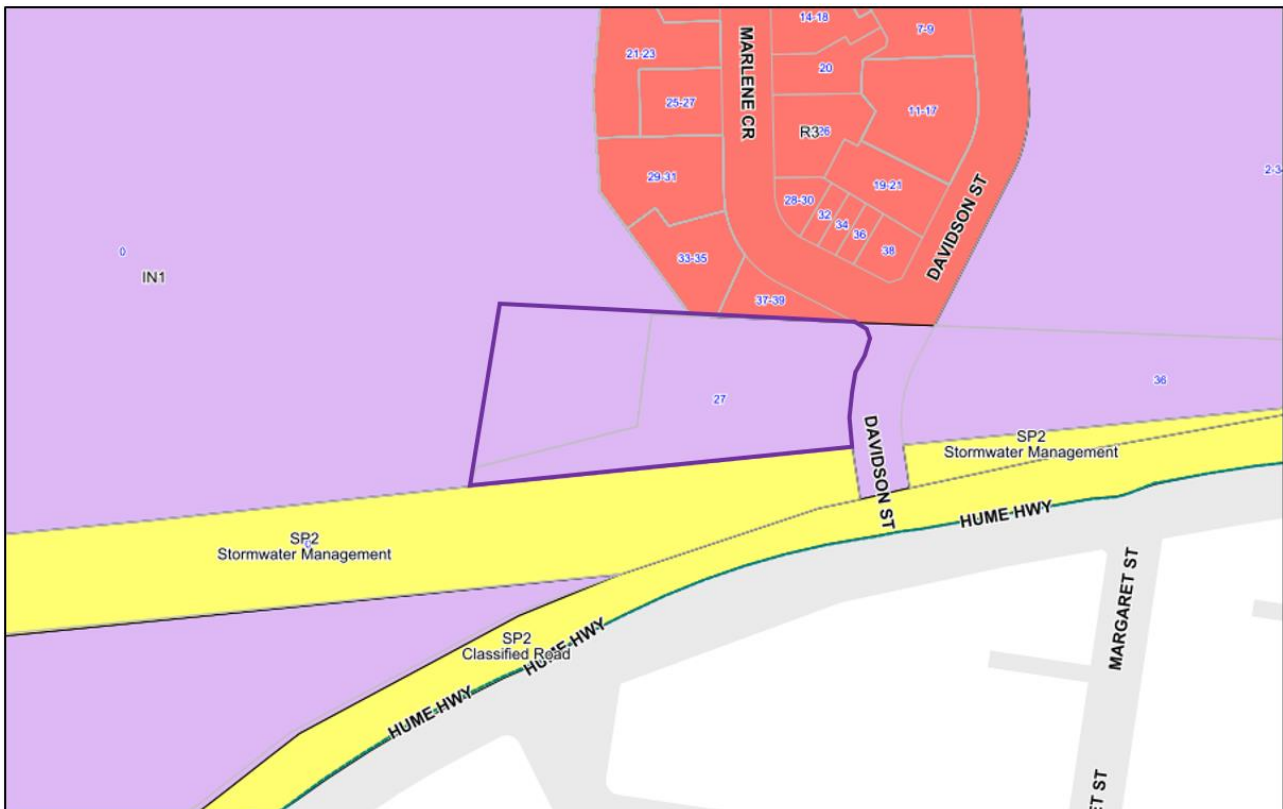


Figure 9: Zoning Map SLEP 2012 and Locality.

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	12m	5.5m (Acoustic fencing)	Yes

Objectives	Complies
(a) To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

(b)	<i>To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area</i>	Yes
(c)	<i>To achieve a diversity of small and large development options.</i>	Yes

Comments: The extension of the 5.5m high acoustic wall complies with the height control contained within the Plan.

Part 5: Miscellaneous Provisions

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

5.3 Development near zone boundaries

The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. There is a buffer zone between the residential properties and the expansion area, allowing for a satisfactory interface between the IN1 General Industrial zone and R3 Medium Density Residential zone.

Part 6: Local Provisions

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

6.1 Acid sulfate soils

The subject site is identified as affected by Class 5 soils and is not within the vicinity Class 4 soils. Given the proposal does not involve any significant excavation works, the development is not anticipated to lower the water table below 1 metre AHD. The proposal did not require an Acid Sulfate Soils Management Plan and is considered to satisfy the requirements of Clause 6.1 of the SLEP 2012.

6.2 Earthworks

The proposed development does not involve any significant earthworks which are likely to cause disruption of, or any detrimental effect on, drainage patterns, soil stability in the locality of the development. The site is not located within close proximity of waterways and drinking water catchments. The subject site is located near environmentally sensitive areas, however the leasehold area is already cleared of vegetation and the proposal is not expected to impact on adjoining bushland. The extent of earthworks is unlikely to have adverse impacts on the amenity of adjoining properties.

The proposal has satisfied the requirements of Clause 6.2.

6.3 Flood planning

The application demonstrates that it minimises flood risk to life and property associated with the use of the land, is compatible with the land's flood hazard and avoids significant adverse impacts on flood behaviour and the environment through an appropriate Stormwater Management Plan. Council's Development Engineer has assessed the submitted Stormwater Plans and deems them acceptable.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

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 subject site is located within a well serviced area and features existing water and electricity connection and access to Council's stormwater drainage system.

The subject site is considered to be adequately serviced for the purposes of the proposed development.

4.15 (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.

4.151)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

An assessment of the proposed modification against the relevant provisions of Part D of SCDCP 2005 relating to development of land in industrial zones is as follows.

1.2: Objectives of Part D

1.2	Objectives	Satisfactory
A.	To improve the quality of industrial development within the Strathfield Municipality	Yes
B.	To ensure the orderly development of industrial sites to minimise their environmental impact while maximising their functional potential	Yes
C.	To ensure development is consistent with the principles of Ecologically Sustainable Development	N/A
D.	To encourage high quality building design and industrial streetscape aesthetics	N/A
E.	To ensure that new industrial development is of a type, scale, height, bulk and character that is compatible with the streetscape characteristics of the surrounding area	N/A
F.	To promote high quality landscape areas which complement the overall development of the site and which assist in enhancing streetscape quality	N/A
G.	To ensure that development will not unreasonably impact upon the amenity of any residential area in the vicinity;	No
H.	To ensure that traffic generated by industrial development does not adversely impact upon local or regional traffic movements	No
I.	To ensure that each development has adequate on-site parking and manoeuvring areas for vehicles	No
J.	To encourage employee amenity within industrial developments.	N/A

Comments: The proposal will increase "in/out" truck movements by 20% as determined by the submitted Statement of Environmental Effects. However, the increase is not considered to unreasonably impact upon the amenity of the residential areas immediately adjacent to and in the vicinity of the site, as the businesses located near the junction to Liverpool Road. Condition 8 recommends all heavy vehicles/traffic relating to this development are not to pass the driveway of

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

the subject site. Further, condition 2 will restrict the number of truck movements “in/out” of the site to two (2) movements every 15 minutes in order to mitigate the noise and traffic impacts as a result of the intensified use.

2.4: Development Adjoining Residential Zones

2.4	Objectives	Satisfactory
A.	<i>To ensure industrial development does not unreasonably impact or intrude upon any adjoining residential area(s).</i>	To be conditioned
2.4	Guidelines	Complies
1	The proposed building is sympathetic to the height, scale, siting and character of existing adjoining and/or nearby residential development.	No
4	Goods, plant equipment and other materials are to be stored within the proposed industrial building or suitably screened from residential development.	Yes
5	Noise associated with the premises including plant and equipment will be subject to the NSW Environmental Protection Authority's Environmental Noise Control Manual and Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.	Yes
6	Noise generated from fixed sources or motor vehicles associated with the proposed industrial development will be effectively insulated or otherwise minimised.	Yes
7	The operating noise level of plant and equipment shall generally not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises between the hours of 7.00am and 10.00pm.	Yes – By Condition
8	If operating noise levels of plant and equipment are proposed outside the hours of 7.00pm and 10.00pm, the applicant may be subject to a merit based assessment which may need to be supported by an Acoustical Engineers' report.	N/A
9	The development shall not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting and the like.	No – To be Conditioned

Comments:The subject site adjoins land zoned 'R3 Medium Density Residential' along its northern periphery. The adjoining sites are residentially developed and occupied by dwelling houses or apartment buildings. Marlene Crescent is a cul-de-sac and intersects with Davidson Street and accommodates residential developments on both sides. The interface between the site and adjoining residential developments on Marlene Crescent is illustrated in Figures 10 and 11. The proposed increase in truck movements and associated loading/unloading operations as a result of the proposal will not end in an unacceptable noise level for that reasonably anticipated on industrial land. Conditions are recommended to control the quantum of truck movements on site through the day. The proposal extends the existing 5.5m tall acoustic fence, to act as a buffer of noise and dust along the northern boundary. The proposed extension area does have a natural separation buffer, the closest end of the proposed fence extension is 47m from the closest property and existing vegetation screening is located between the residential properties and the business. The impact of the extension is not considered to intrude upon the adjoining residential areas by virtue of associated visual amenity particularly from the substantive buffering and physical screening from the acoustic wall.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)



Figure 10: Southerly view of the interface between the site and adjoining dwelling house and apartment building on Marlene Cr.



Figure 11: Southerly view of the interface between the site and the rear yard of 33-35 Marlene Cr.

The 'Industrial Noise Policy 2000' as referred to in the above guidelines is outdated and has since been updated and replaced by the 'Noise Policy for Industry 2017'. Based on the specialist advice, the revised acoustic assessment was prepared to address the most recent policy and is in accordance with Noise Policy for Industry 2017 it claims the noise created by the proposed intensification would will not be intrusive or have an adverse impact on the amenity of surrounding

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

residential areas. Condition 3 details procedures for environmental investigation to be implemented in the event Council receives complaints relating to dust or odour from the premises. Condition 6 ensures the landscape supply bins are not filled with material above the top rim. This will minimise dust and debris from blowing off the site.

2.6: Setbacks

2.6	Objectives	Satisfactory
A.	<i>To ensure setbacks for industrial buildings provide adequate space for landscaping to soften the built form and enhance the amenity of the streetscape</i>	Yes
B.	<i>To ensure setbacks from watercourses and bushland are adequate to provide protection to those areas and an opportunity for the restoration/establishment of native vegetation</i>	Yes
C.	<i>To reduce the visual and/or acoustic impacts of industrial development on surrounding non-industrial land uses</i>	Yes
D.	<i>To ensure frontage setbacks are consistent with surrounding industrial development</i>	N/A
2.6	Guidelines and Requirements	Complies
4	If nearby existing industrial buildings have setbacks less than the above, a variation on setback requirements may be considered.	Yes
5	Side and rear boundary setbacks for proposals adjoining non-industrial uses shall be subject to an individual merit based assessment.	Yes
6	Side and rear boundaries adjoining industrial development may not require a setback; this will depend on the individual situation.	Yes
7	Setbacks shall not contain any buildings or storage areas but may contain car parking and manoeuvring areas (and landscaping).	No – Discussed below

Comments:The proposed acoustic wall extension continues from the existing acoustic wall, maintaining the existing setback to the northern boundary and the setback from the north-eastern properties. The side and rear setbacks contain the proposed bin storage areas. The new bins are positioned along the boundary to allow for vehicle access to each bin and increase the existing road into this area.

2.9: Parking, Access and Manoeuvring**2.9.1 Parking**

2.9.1	Objectives	Satisfactory
A.	<i>To ensure sufficient car parking spaces are provided on-site for employees and visitors;</i>	To be conditioned
B.	<i>To ensure the effective design of car parking areas;</i>	To be conditioned
C.	<i>To encourage the provision of parking areas that will integrate with proposed the building(s) and be suitably landscaped to reduce large expanses of hard paving</i>	N/A
D.	<i>To ensure car parking areas are accessible for persons with a disability and safe for all pedestrians to use</i>	To be conditioned
2.9	Guidelines and Requirements	Complies
.1.	<i>Parking</i>	

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

1	The design of off-street parking areas meet the requirements of Australian Standard (AS) 2890.1-1993 – Off-street car parking, AS2890.2-1989 – Commercial vehicles and Strathfield Part I - Provision of Off-Street Parking Facilities.	Yes
2	Provision of spaces:	
	(i) Industry: 1 space per 50m ² GFA where any office component is under 20%. If the office component is greater than 20% that additional area will be assessed at a rate of 1 space per 40m ² GFA.	See discussion
	(ii) Warehouses: 1 space per 300m ² GFA	See discussion
	(iii) Delivery and service vehicles associated with a development: 1 space per 800m ² GFA up to 8,000m ² GFA plus 1 space per 1,000m ² GFA thereafter.	To be conditioned
3	Car parking areas located in the front setback for easy access.	Yes
4	Loading/unloading and parking areas are separated so as not to cause conflict.	Yes
5	Car parking areas are suitably landscaped which should include trees for shading. (Refer to Section 2.10.13 and 2.10.14 for landscaping requirements)	Yes
6	No parking shall be located within any proposed buildings (not including underground car parking).	Yes
7	Pedestrian thoroughfares provided to separate vehicular from pedestrian traffic in large parking areas.	Yes

Comments: The site currently accommodates 13 parking spaces in the south-western corner of the lot. It was observed that these spaces were occasionally used for storage of tiles delivered to the business. The proposed extension to the landscape supply business does not propose to increase the car parking on site. The guidelines for provision of parking correlates with the amount of Gross Floor Area on the site. The proposal is to expand the business operations and increase overall production and storage area by 33%, however there is not an increase in Gross Floor Area as the storage bins remain open. Council's interpretation of this control uses the additional site area (3,855.267sqm) to calculate the required additional spaces. The nature of the land use is for delivery and service vehicles accessing the area to load and unload landscaping materials, resulting in 1 space per 800sqm of additional site area. Therefore, the additional parking spaces required is five (5) rounding up from 4.8 (condition 9) and the business is to have 18 parking spaces altogether.

The existing car parking in the south-eastern corner of the site is to be retained and an additional five (5) parking spaces are to be located adjacent to the existing spaces along the southern boundary. The existing landscaping surrounding the car park will not to be altered. The pedestrian thoroughfares on site remain unchanged.

2.9.2 Access and Manoeuvring

2.9.2	Objectives	Satisfactory
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DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

A.	To ensure that provision is made for safe vehicular ingress and egress having regard to the nature of vehicles likely to patronise the site;	Yes
B.	To ensure satisfactory on-site manoeuvring for vehicles, including the loading/unloading of goods;	No - To be conditioned
C.	To minimise potential for congestion or hazard on adjoining roads at points of ingress/egress;	No - To be conditioned
D.	To ensure that traffic generated by industrial development does not adversely affect local or regional traffic movements	No - To be conditioned
E.	To ensure that any traffic generated by the development will not impact unreasonably upon the amenity of any residential areas in the vicinity	No - To be conditioned

2.9.2 Guidelines and Requirements **Complies**

2.9.2 Guidelines and Requirements		Complies	
<i>Site Design</i>			
.4.	1	All vehicles are to enter and leave the site in a forward direction	Yes
	2	Driveways and manoeuvring areas are designed so that all vehicles entering and leaving the site can do so with minimum interference to traffic on adjoining roads.	Yes
	3	Where specific service vehicles are proposed to visit the site, the design/layout of a site provides access for loading and unloading of such vehicles.	Yes
	4	All servicing, including waste collection, is carried out wholly within the site with suitable collection points at convenient locations.	Yes
	5	Entrance and exit points and car parking areas are designed in order to ensure safety for pedestrians within and outside the site.	Yes
	6	Vehicular manoeuvring not permitted within any buildings.	Yes

Unloading and Loading

.5.	1	All loading and unloading shall take place within the curtilage of the site.	Yes
	2	If loading areas are undercover, no stormwater pits shall be located in the area and all surface drainage shall be diverted away from the area.	Yes
	3	The design considerations for service vehicles set out in Appendix C of Part I - Provision for Off-street Parking Facilities, applies to all loading and unloading facilities.	Yes
	4	All loading and unloading facilities screened from the street (refer to section 2.10 for landscaping requirements).	Yes

Comments: The location of the driveway from Davidson Street is not affected by the proposal. A Traffic Management Plan (TMP) is required prior to issue of a Construction Certificate (Condition 7) detailing that all the above controls have been met. All entry and exit arrangements are to be

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

confined within the boundaries of the development. A detailed plan on how many vehicles will enter and exit the site will be accounted for in Traffic Management Plan.

2.10: Landscaping and Fencing

2.10	Objectives	Satisfactory
A.	<i>To provide landscaping within developments that enhances the surrounding neighbourhood and streetscape aesthetics and character of the Council area;</i>	Yes
B.	<i>To provide landscaping within developments that softens and screens the visual impact of industrial structures, infrastructure, storage areas and large expanses of hard paved surfaces;</i>	Yes
C.	<i>To provide robust and low maintenance landscaping within developments that contributes to biodiversity, sustainability, water efficiency and reduction of airborne pollutants;</i>	Yes
D.	<i>To promote landscape and outdoor amenity within developments particularly for employees in terms of views, aesthetics, microclimate and recreational outdoor areas</i>	N/A
E.	<i>To protect and maintain existing trees including street trees and trees on private land and reserves within the Council area</i>	Yes

2.10	Guidelines and Requirements	Complies
.2.	<i>Fencing</i>	
	1 Solid fences above 1m in height not permitted along street frontages; security fencing (up to 1.8m) is permissible	N/A
	2 Side or rear boundary fencing shall be a minimum height of 1.8m and can be made of brick, masonry, wood planking and/or landscaping. Note: Boundary fences are subject to the provisions of the Dividing Fences Act 1991.	Yes
	3 Security fencing on main or secondary frontages is encouraged to be powder-coated steel post/picket fencing and security fencing on side or rear boundaries can also consist of steel post/picket fencing or black or dark green coloured plastic coated wire fencing. Landscaping immediately behind these types of fences is encouraged to soften their impact.	N/A

Comments: This application does not change the existing landscaping or front façade of the landscape supply business. The proposed 5.5m high colourbond acoustic fence located along the northern boundary, is not visible from the street. The proposed extension replicates the existing fence and the design is consistent with the development controls.

2.12: Site Drainage and Water Management

2.12	Objectives	Satisfactory
A.	<i>To ensure that potable water use and stormwater quantities are reduced whilst stormwater quality is improved.</i>	Yes

2.12	Guidelines and Requirements	Complies
1	A stormwater drainage concept plan (SDCP) has been submitted demonstrating the feasibility of the proposed drainage system(s) within	Yes

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

	the site and connection to Council's system. This plan shows the surface flow path treatment, extent of roof and paved areas, any easements required, on site detention (OSD) storages as well as existing and proposed piped systems.	
2	Development proposals that exceed 2,500m ² of impermeable surface required to submit a comprehensive water cycle strategy.	No
3	Excess roof stormwater runoff (after being directed to the rainwater tank(s)) and stormwater runoff from all paved surfaces has been connected to the proposed (OSD) system and then discharged by means of a gravity pipe system to Council's drainage system.	N/A
4	Where gravity disposal of stormwater is not available to Council's street drainage system, an easement in favour of the development site/lot shall be obtained over any downstream properties traversed by the gravity drainage line connecting to Council's drainage system.	N/A
5	A Positive Covenant under Section 88E of the Conveyancing Act 1919 shall be created on the title of the property detailing the: surface flow path, finished pavement and ground levels, prevention of erection of structures or fencing and the OSD system incorporated in the development.	N/A
6	All costs associated with providing any additional capacity of stormwater and drainage services are in accordance with Council's requirements.	Yes
7	In accordance with Council's Stormwater Management Code, temporary measures shall be provided and regularly maintained during construction to prevent sediment and polluted waters discharging from the site.	N/A

Comments:The subject site has a natural fall to the OSD tank and disposal by means of gravity is attainable.

2.14: Air Noise and Water Pollution

2.14	Objectives	Satisfactory
A.	<i>To ensure industrial developments do not create a pollution problem by the discharge of an unacceptable level of air, noise and/or water emissions.</i>	Yes
2.14	Guidelines and Requirements	Complies
	<i>General</i>	
.1.	1 The emission of any air impurities including offensive odours, the discharge of any waste into any waters or the emission of noise associated with any development shall not contravene the Protection of the Environment Operations Act 1997.	Yes
	<i>Noise</i>	
.2.	2 The proximity of the proposal to residential areas will influence the type of land use or machinery that will be permissible.	Yes
	3 The proposed building(s) are designed to inhibit the transmission of noise.	Yes

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

	Note: Council may require an acoustic report from a suitably qualified acoustic consultant where a proposed development may create excessive noise.	
4	The use of the premises including plant and equipment will be subject to strict compliance with the NSW Environmental Protection Authority's Environmental Noise Control Manual and the Industrial Noise Policy 2000.	Yes

Comments: The existing operation of the landscape supply business does not include a restriction on the type of land use or machinery. The current business has a mixture of permanent equipment such as front loaders, street sweepers and forklifts and delivery trucks and cars loading and unloading material. Condition 2 recommends the total number of truck movements in and out of the premises is a maximum of 2 in, 2 out per 15 minutes or a maximum of 8 in, 8 out per hour to limit the generated noise during operation.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The application was accompanied by a Waste Management Plan detailing the collection/disposal arrangements for waste generated during excavation, construction and the ongoing operation of the intensified landscape supply operation. The existing bin storage area located on site is adequate for the proposed extension and all material on site is to be loaded and delivered to customers. A condition of consent is recommended which requires the Waste Management Plan to be updated and include such details prior to the Construction Certificate being issued (Condition 30).

4.15 (1)(a)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 of the *Environmental Planning and Assessment Act 1979*.

4.15 (1)(a)(iv) matters prescribed by the regulations

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

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

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

4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposal is designed to ensure residential amenity is not unduly impacted by the intensification of the existing operation or extension of the acoustic fence. The enlarged area is to be used for storage of landscaping materials and the extension of an access road for delivery vehicles.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Acoustic Impacts

The revised acoustic assessment was prepared in accordance with the most recent industrial noise policy and demonstrates that the noise created by the proposed extension is unlikely to be intrusive or have adverse impacts on the amenity of the surrounding residential area. The proposed increase in truck movements and associated loading/unloading operations is not deemed to result in an acceptable noise generating level. Recommended conditions of consent aim to control the maximum truck movements on site per hour. The extended acoustic fence will also act as a buffer for noise and dust along the northern boundary. Condition 4 details procedures for environmental investigation to be implemented in the event Council receives complaints relating to noise pollution from the premises.

Dust Impacts

The generated dust on site is considered to be satisfactory managed through the extension of the existing 5.5m high fence and the additional sprinklers on the sealed road. Condition 3 details procedures for environmental investigation to be implemented in the event Council receives complaints relating to dust or odour from the premises. Condition 6 ensures the landscape supply bins are not filled with material above the top rim. This will minimise dust and debris from blowing off the site.

Traffic Impacts

Traffic Management Plan (TMP) as Condition 7 requires all movements to be planned and monitored in accordance with Australian Standards and Council controls. The Traffic Report submitted with the proposal is not a comprehensive report, rather it is just an indication derived from the Traffic Counts. A Pre-Application meeting was held before lodgement and the applicant was aware of the required documentation including a comprehensive Traffic Management Report.

4.15 (1)(c) the suitability of the site for the development

The proposed development is considered to be suitable to the site in that the proposal seeks to extend the existing landscape supply business to facilitate the growing demand and supply of landscape materials within an industrial precinct. The land is zoned for general industrial activities and the site is located within close proximity to Liverpool Road for direct access to the site. The separation distance between the enlarged site and the residential area provides satisfactory buffer between opposing zones. Accordingly, the proposed development is considered suitable for the subject site.

4.15 (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 **18 April 2019** to **13 May 2019**, with one (1) written submission and one (1) petition containing 62 signatures were received. On the 6 May 2019, a site visit with the head petitioner occurred at 33-35 Marlene Crescent. Discussions relating to the previous development consent, ongoing use of the site, noise, dust and traffic safety issues on the residential street. The following concerns were raised:

1. *Adverse noise resulting from the extension and intensification of the business.*

Comments:

The proposed extension to the acoustic fence along the northern boundary will satisfactorily mitigate the noise and dust generated from the business expansion. The separation distance of the site from residential land in combination with the vegetation buffer is considered adequate. The amended Acoustic Report supports the expansion of the business operations can be accommodated without generating excessive noise impacting on neighbouring residential properties.

2. *The original Acoustic Report was dated 2012 and is not current.*

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Comments:

Council's Environmental Health Officer initially raised issues with the submitted Acoustic Report relying on background noise data from 2012. Additional noise testing was requested on site and from nearby residential balcony at 33-35 Marlene Crescent. Kiokas Acoustics conducted the noise logging survey in 2012 and maintain the measured background noise levels apply until 2022.

The original consent (DA9900/156/03) provides Condition 78(g) requiring "*the tenant of the site to conduct annual acoustic monitoring to ensure full compliance with the NSW Industrial Noise Policy*". Council records did not reveal annual acoustic monitoring details which indicate the condition had been satisfied. Testing has recommended that on-site truck movements are limited to two (2) "in/out" movements per 15 minutes to maintain a suburban noise level. Council support this migration measure and Condition 2 is recommended.

3. *Traffic issues and safety concerns as a result in the increase of material storage and trucks in and out of the site.*

Comments:

The proposed expansion of land will increase the amount of raw materials by 33% and increase vehicle volume on site and its surrounding roads. Condition 7 recommends a Traffic Management Plan (TMP) be submitted prior to a Construction Certificate being issued and a copy of TMP maintained on site at all the times. Condition 8 recommends that all heavy vehicles relating to this development must not pass the entrance of the site. All entry and exit arrangements are to be confined within the boundaries of the development. A detailed plan on how many vehicles will enter and exit the site must part of the Traffic Management Plan and account for the noise limitations on the business during operating hours.

4. *Extending the site would increase dust and pollution issues faced by the residence.*

Comments:

It is unclear if the subject site is the single source of dust pollution. The site is zoned for industrial uses. The surrounding land uses are of similar general industrial operations and the railway yards to the west and Liverpool Road to the south of the site contribute to dust and pollution around the site. Conditions 3 and 4 recommend procedures to follow in the event of Council receiving complaints about air pollution, dust or odour from the premises which requires for an environmental investigation to be carried out by a suitably qualified and experienced person. Condition 6 recommends for the storage bins to never be filled with material above the top rim to contain dust and debris to the site.

5. *Non-compliance with the original development consent specifically annual noise testing and operating outside the approved hours.*

Comments:

This matter has been raised with Council's Compliance Unit for investigation.

6. *The flora and fauna was cleared prior to the development application being lodged.*

Comments:

Council Officers observed the area for expansion had been cleared. The matter is referred to Council's Compliance Unit for further investigation.

7. *The proposed Acoustic Fence should be extended along the western boundary to stop the spread of dust and noise around that edge of the business.*

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Comments:

Council's Environmental Health Officer is satisfied the proposed extent of the acoustic fence is sufficient. Condition 6 recommends the storage bins are never to be filled with material above the top rim to contain dust and debris on site.

4.15 (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 7.11 CONTRIBUTIONS

Section 7.11 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 7.11 CONTRIBUTIONS PLAN

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

Provision of Community Facilities	\$ -
Provision of Major Open Space	\$216,667.77
Provision of Local Open Space	\$49,056.7
Provision Roads and traffic Management	\$ -
Administration	\$4,088.06
TOTAL	\$269,812.25

Council has considered that the following areas should be included to calculate the industrial component with respect to the s7.11 contributions. The proposed development does not include any calculated GFA as the storage bins are open and the proposed extension is on adjoining vacant land totaling 3,855.267sqm. Although this area is not included as GFA, it is considered reasonable to include the area identified on the plans as landscape supply storage area (15 bins) situated on Lot 1 DP 883526 owned by RailCorp.

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval on land zoned for General Industrial operations, subject to the recommended conditions of consent.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

That Development Application No. DA2019/054 to extend the existing landscape supply business partly onto adjoining vacant land owned by RailCorp at 27 Davidson Street, Greenacre (Lot 2 DP 1009549) and Liverpool Road, Strathfield South (Part Lot 1 DP 883529) be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. SEALED AREA AND SPRINKLER SYSTEM (SC)

The newly acquired area for the business operation expansion must be sealed to reduce dust nuisances. A water sprinkler dust suppression system for this area must be installed to reduce dust nuisances to neighbouring properties. Council shall be provided with dust control mitigation measures prior to the issue of an Occupation Certificate.

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

2. TRUCK MOVEMENTS (SC)

The total number of truck movements in and out of the premises is limited to a maximum of 2 in, 2 out per 15 minutes.

(Reason: To control noise impacts.)

3. COMPLAINTS REGARDING AIR POLLUTION, DUST OR ODOUR (SC)

In the event of Council receiving complaints regarding air pollution, dust or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out by a suitably qualified and experienced person and submit a report to Council specifying the proposed methods for the control of pollution, dust or odour emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

(Reason: Air pollution, dust and odour control and amenity.)

4. COMPLAINTS REGARDING NOISE POLLUTION (SC)

In the event of Council receiving complaints regarding noise pollution, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out by a suitably qualified and experienced person and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

(Reason: Noise control and amenity)

5. PLAN OF MANAGEMENT (SC)

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Prior to the issue of a Construction Certificate, the applicant must submit, for Council approval, a Plan of Management for the Operation of the site. The Plan of Management must detail how operation of the premises controls noise pollution, dust and air pollution, water pollution and sediment control generated through the operation of the business.

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

6. **STORAGE OF SEDIMENT MATERIALS (SC)**

Stockpiles of sediment materials must only be stored within storage bays in such a manner that they do not become air born or a source of dust or air pollution.

(Reason: Dust Control measures.)

7. **TRAFFIC MANAGEMENT PLAN (SC)**

A Traffic Management Plan (TMP) must be submitted to and approved by Council prior to the issue of a Construction Certificate. The business is required to operate in accordance with the approved TMP. A copy of TMP approved by Councils' officer must be maintained at site at all times.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period and ongoing use of the site.)

8. **VEHICLE PATHWAYS BEYOND THE SITE (SC)**

Heavy vehicles relating to this development must not pass the entry or the driveway of the site. All entry and exit arrangements are to be confined within the boundaries of the development.

(Reason: Safety and traffic management.)

9. **ADDITIONAL PARKING SPACES ON SITE (SC)**

Five (5) additional parking spaces shall be provided onsite. A total of 18 parking spaces must be accommodated on site. The design of off-street parking areas is to be guided by and meet the requirements of Australian Standard (AS) 2890.1-1993 – Off-street car parking, AS2890.2-1989 – Commercial vehicles and Strathfield Part I - Provision of Off-Street Parking Facilities.

(Reason: To ensure sufficient car parking spaces are provided on-site for employees and visitors.)

10. **RAILCORP LAND (SC)**

Further approval from RailCorp's agent Sydney Trains is to be obtained prior to commencement of works on RailCorp land.

(Reason: Compliance with RailCorp requirements.)

11. **ACTIVITIES WITHIN THE AUSGRID ELECTRICITY EASEMENT (SC)**

The applicant must follow the following procedures as stated by Ausgrid:

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

- i. All construction works on or near the easement and/or powerlines must adhere to the Safework NSW – Work Near Overhead Powerlines: Code of Practice, 2006
- ii. Ausgrid is not responsible for the reinstatement of any finished surface within the easement site.
- iii. Ausgrid requires 24 hour access along the easement for plant and personnel. For the purpose of exercising its rights under the easement, Ausgrid may cut fences and/or walls and install gates in them. Where the easements on a site do not provide practical access to all of Ausgrid's infrastructure, a suitable right of access at least 5m wide must be provided to each asset.
- iv. Access driveways shall withstand the weight of a heavy rigid truck when fully laden weighing 30 tonne.
- v. Access gates, minimum 4.5 metres wide, may be required in all fences crossing the transmission line easement.
- vi. No vehicles, plant or equipment having a height exceeding 4.6 metres are to be brought into the easement site without written approval from Ausgrid.
- vii. Vehicles brought into the easement, with a height less than 4.6m but having an extension capable of extending greater than 4.6m above ground, must not have that extension operated at all whilst within the easement.
- viii. Adequate removable protection must be installed to prevent vehicles inadvertently colliding with the transmission tower. This proposed form of protection must be forwarded to Ausgrid for review and consent.
- ix. All metal work within the easement site including metallic fencing, are to be locally earthed by a qualified electrician via a 50 sq. mm stranded copper, insulated earthwire bonded to a copper-clad earthstake driven at least 1.6 metres into the ground.
- x. No obstruction of any type shall be placed within 10 metres of any part of a transmission line structure except where installed to protect transmission structure from vehicle impacts when Ausgrid has approved such structures.
- xi. Care must be taken to prevent any damage to underground metalwork which can extend up to 15 metres away from the transmission line structure.
- xii. The storage of non-flammable materials is allowable provided access is maintained along the easement and subject to height limitations of 2.5 metres if climbable or 4.6 metres if not climbable. Lifting of materials within the easement area must consider the clearance requirements given in Safework NSW Code of Practice.
- xiii. The flying of kites, model aircraft etc. is not permitted within the easement site.
- xiv. Trees, shrubs, or plants which have a mature height of greater than 3.0m, or climbable portions greater than 2.5m above ground, are not permitted within the easement. The planting of other vegetation is to ensure Ausgrid's access and maintenance requirements are maintained.

(Reason: Safety and protection of Ausgrid's infrastructure.)

GENERAL CONDITIONS (GC)**12. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)**

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2019/054:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
01	Site Overview	Broadcrest	Revision 1	12 April 2019

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

		Engineering and Environmental Consultants	29/11/18	
02	Proposed extension	Broadcrest Engineering and Environmental Consultants	Revision 1 29/11/18	12 April 2019
03	Column Design	Broadcrest Engineering and Environmental Consultants	Revision 1 29/11/18	12 April 2019
04	Acoustic Wall Design	Broadcrest Engineering and Environmental Consultants	Revision 1 29/11/18	12 April 2019
05	Slab Type A & B	Broadcrest Engineering and Environmental Consultants	Revision 1 29/11/18	12 April 2019
06	Slab Type C & Hardstand Design	Broadcrest Engineering and Environmental Consultants	Revision 1 29/11/18	12 April 2019
07	Block Wall Design	Broadcrest Engineering and Environmental Consultants	Revision 1 29/11/18	12 April 2019
Sheet No. 1 of 9	Stormwater Management Notes	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019
Sheet No. 2 of 9	Stormwater Management Plan	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019
Sheet No. 3 of 9	Schedules	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019
Sheet No. 4 of 9	Long Sections	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019
Sheet No. 5 of 9	Tank Detail	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019
Sheet No. 6 of 9	General Details	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019
Sheet No. 7 of 9	Quality Treatment Notes (1)	Broadcrest Engineering and Environmental	Revision 2 27/08/18	12 April 2019

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

		Consultants		
Sheet No. 8 of 9	Quality Treatment Notes (2)	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019
Sheet No. 9 of 9	Maintenance Schedule	Broadcrest Engineering and Environmental Consultants	Revision 2 27/08/18	12 April 2019

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2019/054:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Stormwater quantity and quality management – Design summary	Broadcrest Engineering and Environmental Consultants	Revision 1 & 28 August 2018	12 April 2019
Flora and Fauna Assessment	Narla Environmental	Final v1 & September 2018	12 April 2019
Acoustical Report	Kiokas Acoustics Pty Ltd	Revision 3 & 21 August 2019	21 August 2019
Waste Management Plan	Harvest Scientific Services	Revision 3 & 26 June 2019	26 June 2019

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

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

13. CONSTRUCTION HOURS (GC)

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

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

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

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

14. CONSTRUCTION WITHIN BOUNDARIES (GC)

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

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

15. ENVIRONMENTAL PROTECTION – TREE (GC)

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

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 Section 4, Tree protection measures, and Appendix C Tree Protection Zone Sign, of Australian Standard AS4970 - 2009, 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.

In this regard the street tree and all protected trees on or adjacent to the site will be protected as described below;

- i. A Tree Protection (Management) Plan prepared by a AQF Level 5 Arborist is to be available on site at all times prior to the issue of the Constriction Certificate, for all demolition and site works. This Tree Protection (Management) Plan must be shown on the demand of Authorised Council staff.
- ii. Protective perimeter fencing must be consistent with AS 4687, using metal fence posts greater than 20mm diameter and solid or chain wire mesh 2 metres in height supported on concrete pads/feet at 2-2.5 metre spacing. Fencing placement should not be closer than 2.5 metres from the trunk of each protected tree, or at a distance as specified by the approved Tree Protection (Management) Plan and approved by Council's Tree Management Officer. Shade cloth is to be used to prevent entry of dust and contaminated liquids into the root protection area.
- iii. Signs must be placed on the Fencing. These signs must comply with AS1319. The signs must state the purpose of the fencing and the name and contact details of the builder and the appointed AQF Level 5 consultant arborist.
- iv. Root protection is to be provided in the form of mulching to a depth of 50-100mm, inside of the fenced tree protection zone.
- v. Ground (Root) Trunk and Branch Protection must comply with the diagram of Figure 4 of AS4970 – 2009. Ground protection within the tree protection zone and drip line should be in the form of heavy steel plates or timber rumble boards over mulch or aggregate. Trunk and branch protection should be to a minimum height of 2 metres and must include measures to protect the tree/s against damage from the movement of trucks, plant equipment and materials at greater heights above ground level.
- vi. Temporary signs, cables, wires must not be attached to, or suspended, on any street tree or protected tree.
- vii. Above ground utilities must not be placed within the canopy of an existing protected tree, or create the future need for clearance pruning.
- viii. Below ground utilities/services must not be located inside the fenced tree protection zone.
- ix. Scaffolding must not be located in the fenced tree protection zone unless authorised by the approved Tree Protection (Management) Plan and Council's Tree Management Officer
- x. Council must be notified in writing within 24 hours, for all temporary removal of the tree protection fencing ground (root) trunk and branch protection within the root protection area.
- xi. Pruning of a street tree is prohibited without the written consent of Council.

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

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

16. **LIGHTING (GC)**

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

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

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

17. **PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)**

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

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

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

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

(Reason: Statutory requirement.)

18. **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. Protection pads are to be installed to the kerb, gutter and nature strip where trucks and vehicles enter the site.
- 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.

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

- 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) A site plan including temporary waste storage locations, construction material storage areas and vehicular access to and from the site must be included with application.
- xii) 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.
- 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 and must be presented to Council and/or Principal Certifying Authority upon request.
- xiv) 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.
- xv) 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.
- xvi) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- xvii) 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.
- xviii) 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.
- xix) Any work must not prohibit or divert any natural overland flow of water.
- xx) 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.)

19. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

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

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

20. SYDNEY WATER - TAP IN™ (GC)

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

The approved plans must be submitted to a Sydney Water Tap in™ to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap in™ agent has appropriately stamped the plans prior to the issue of the Construction Certificate.

(Reason: Compliance with Sydney Water requirements.)

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

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

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

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

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

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

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

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

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

23. 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 4.19 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.)

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

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Works Permit

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

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

Standing Plant Permit

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding/Fencing Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement.)

25. **EROSION AND SEDIMENTATION CONTROL PLAN (CC)**

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

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

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

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

(Reason: Environmental protection.)

26. NOISE – VIBRATION (CC)

The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

(Reason: Noise attenuation.)

27. SECTION 7.11 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 7.13 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	\$ -
Provision of Major Open Space	\$ 216,667.42
Provision of Local Open Space	\$ 49,056.77
Provision Roads and Traffic Management	\$ -
Administration	\$ 4,088.06
TOTAL	\$ 269,812.25

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

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 7.11 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.)

28. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

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

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

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

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

- 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.)

29. SPECIALISED WASTE EQUIPMENT (CC)

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

(Reason: To ensure compliance with legislation.)

30. 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, all proposals to re-use, recycle or dispose of the waste and designs of the waste storage and collection areas. The WMP is to be submitted to council for comment prior to approval by the Principal Certifying Authority, approval must be provided prior to the issuing of the Construction Certificate.

Full compliance must be given to the endorsed Waste Management Plan submitted for the proposed development. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.

(Reason: To ensure appropriate management of waste.)

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

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

(Reason: To promote Water Sensitive Urban Design.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (PCW)**32. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)**

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

**DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

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

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

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

(Reason: Statutory requirement.)

33. NOTICE OF COMMENCEMENT (CW)

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

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

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DBW)**34. PUBLIC INFRASTRUCTURE AND SERVICES (DW)**

The applicant must comply with the requirements (including financial costs) of any relevant

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Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

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.)

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

35. ENGINEERING WORKS (CERTIFICATION OF)

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

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

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

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

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

(Reason: Asset management.)

36. OCCUPATION OF BUILDING (OC)

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

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

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

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

(Reason: Statutory requirement.)

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

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Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

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.)

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

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

Where any drainage line or service conduit is to traverse any property other than that which it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88E and/or the 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

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

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

39. **HOURS OF OPERATION AND DELIVERY TIMES (OU)**

The extended area shall operate in accordance with development consent DA9900/156/03. In the event of an inconsistency, the conditions contained in the consent prevail.

(Reason: To control noise impacts.)

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

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

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

(Reason: Noise control and amenity.)

41. **NOISE - COMPLIANCE WITH ACOUSTIC ASSESSMENT REPORT (OU)**

All recommendations contained in the approved Acoustic Assessment Report by Koikas

DA2019/054 - 27 Davidson Street, Greenacre & Liverpool Road, Strathfield South
Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)

Acoustics dated 21 August 2019 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.)

42. NOISE - REQUIREMENTS FOR INDUSTRIAL PREMISES (OU)

The use of the premises shall comply with the requirements of the NSW Environment Protection Authority Industrial Noise Policy 2000 and shall not give rise to the transmission of offensive noise as defined in the Protection of the Environment Operations Act 1997 (NSW).

(Reason: Noise control and amenity.)

43. POLLUTION - COMPLIANCE WITH PEOA 1997 GENERALLY (OU)

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection.)

44. WASTE AND RECYCLING COLLECTION (COMMERCIAL AND INDUSTRIAL) (OU)

- i) The collection of commercial and industrial waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm on weekends and public holidays, to avoid noise disruption to the surrounding area.
- ii) Commercial and industrial garbage and recycling must be collected on site unless expressly agreed to in OC.
- iii) Where consent is given for commercial and industrial garbage and recycling to be placed kerbside for collection bins must not be placed on the kerbside more than one hour before the scheduled collection time. Bins and containers are to be removed from the kerbside within one (1) hour of collection and returned to the designated garbage storage area(s).
- iv) The garbage and recyclable storage area and bins must be adequate to contain the volume and type of garbage and recyclable matter of the food premises.
- v) All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.
- vi) Recycling options must be provided for all commercially recyclable waste products including but not limited to paper, cardboard, oil, food waste, plastics, metals, chemicals etc.

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

45. INDUSTRIAL WASTE MATERIALS (OU)

- i) The applicant shall ensure that industrial waste materials must not be discharged

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Lot 2 DP 1009549 & Part Lot 1 DP 883526 (Cont'd)**

- onto the site, or onto neighbouring land or into any road, drain, pipeline or watercourse.
- ii) Storage tanks, fuelling areas, product mixing, filling and preparation areas, and the like and wash bays provided for cleaning and maintenance of vehicles, machinery, equipment and the like, must be bunded and all waste water collected and discharged to the sewer in accordance with the requirements of Sydney Water and the EPA.
 - iii) Documentary evidence of compliance with the Sydney Water's requirements must be submitted to the Principal Certifying Authority, prior to use or occupation of the building/additions. Vehicles, machinery, equipment or the like, must not be washed or steam cleaned or the like, except in areas provided especially for the purpose in accordance with this condition.
 - iv) Where the approval of Sydney Water, in accordance with the requirements of this condition, is not forthcoming, some other method of treatment and removal of wastes must be installed and/or implemented to the satisfaction the Principal Certifying Authority.
 - v) Any overflow or spillage of fuel, oil, solid or liquid chemicals, or the like, must be dealt with in accordance with the requirements for treatment of waste materials as set out in (i) and (ii) of this condition.

(Reason: Manage industrial waste in the LGA.)

46. PLANT NOISE FROM INDUSTRIAL PREMISES (OU)

Noise emissions from plant and equipment operating on the site shall be minimised by installing and regularly maintaining efficient silencers, low noise mufflers (residential standard) and by replacing reversing alarms with alternative silent measures, such as flashing lights (subject to occupational health and safety requirements). All reverse alarms fitted to equipment on site are to be of low decibel broadband smart alarms (quacker type).

(Reason: To minimise the noise disturbance during construction and operation of the premise)

ATTACHMENTS

1. [↓](#) Architectural Plans



GENERAL NOTES:

- A. These drawings shall be read in conjunction with all architectural and other consultants drawings and specifications and with such other written instruction as may be issued during the contract. All discrepancies shall be referred to the architect for decision before proceeding with work.
- B. Dimension shall not be obtained by scaling the structural drawings.
- C. Setting out dimensions shown on the drawings shall be verified by the builder.
- D. During construction the structure shall be maintained in a stable condition and no part shall be overstressed.
- E. Design suitable for the proposed development only, given the site constraints, including ground conditions and activities.

DESIGN REFERENCES:

- F. Orange and Red hatch slabs TYPE A
- G. Yellow hatched slabs TYPE B
- H. Green hatched slabs TYPE C
- I. Blue Line - New Acoustic Fence

ON SITE DETENTION TANKS

- J. Red hatched slab will require access points to OSD Tanks. The openings in the concrete slab shall be positioned between columns, at least 1000mm away from the nearest column.

SHEETS IN SERIES

1. Site Overview
2. Proposed Extension
3. Column Design
4. Wall Design
5. Slab type A and B Design
6. Slab Type C and Hardstand Design
7. Block Wall Design

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TITLE	SITE OVERVIEW
PROJECT DESCRIPTION	PROPOSED EXTENSION TO FACILITY
LOCATION	27 DAVIDSON STREET, GREENACRE NSW

CLIENT	MATCOLL PTY LTD
DESIGNED BY	Matt Collins matt@mcollins.com.au

PROJECT NUMBER	0177-STR	REVISION	01-A
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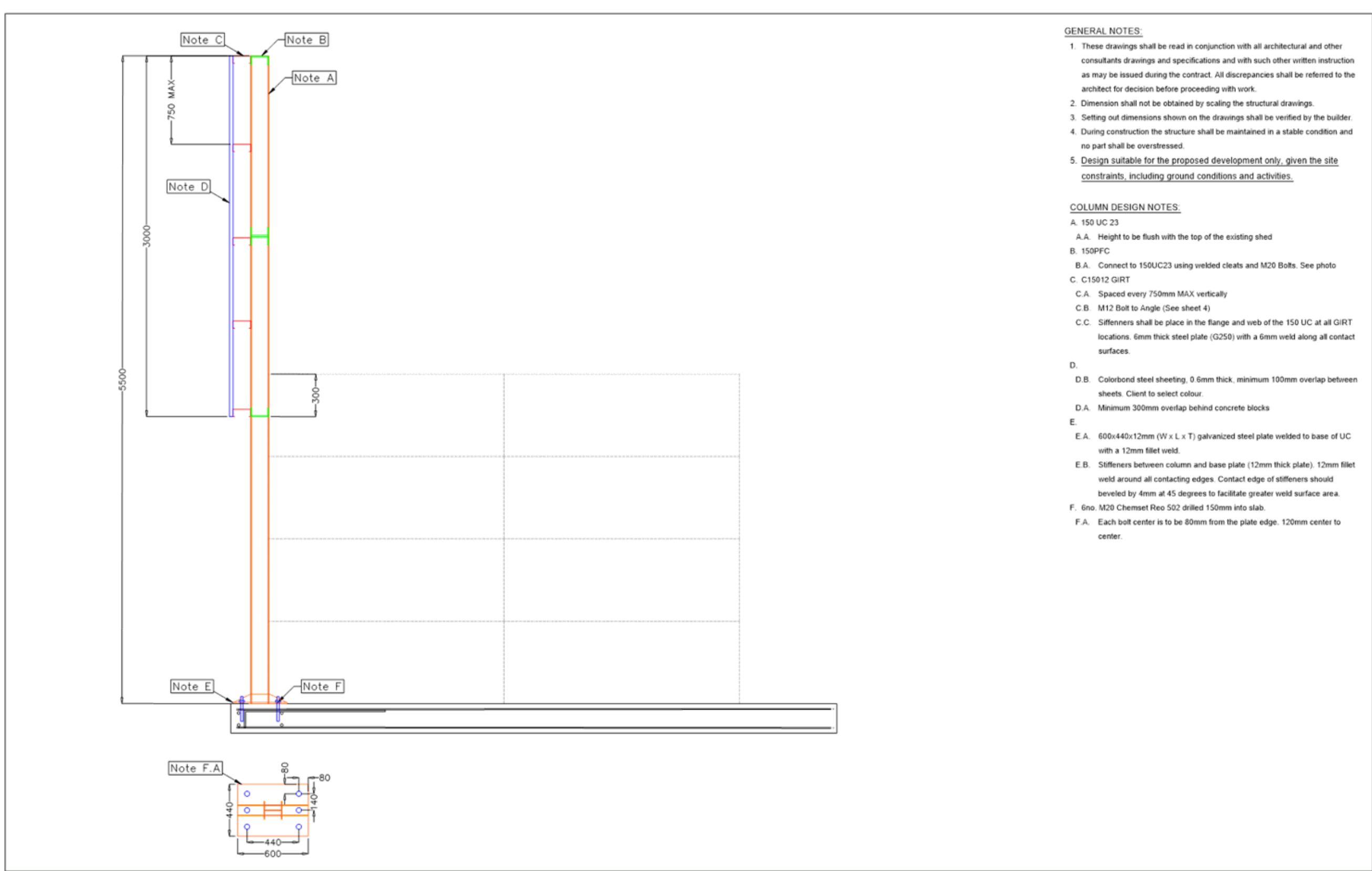
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TITLE: PROPOSED EXTENSION
PROJECT DESCRIPTION: PROPOSED EXTENSION TO FACILITY
LOCATION: 27 DAVIDSON STREET, GREENACRE NSW

CLIENT: MATCOLL PTY LTD
DRAWN BY: Matt Collins
matt@mcollins.com.au

PROJECT NUMBER	0177-STR	REVISION	01-A
PROPOSED NUMBER	02	DATE	29.11.18
SCALE	1:250	PAPER SIZE	A3
SHEET No.	2	OF	7





GENERAL NOTES:

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2. Dimension shall not be obtained by scaling the structural drawings.
3. Setting out dimensions shown on the drawings shall be verified by the builder.
4. During construction the structure shall be maintained in a stable condition and no part shall be overstressed.
5. Design suitable for the proposed development only, given the site constraints, including ground conditions and activities.

COLUMN DESIGN NOTES:

- A. 150 UC 23
- A.A. Height to be flush with the top of the existing shed
- B. 150PFC
- B.A. Connect to 150UC23 using welded cleats and M20 Bolts. See photo
- C. C15012 GIRT
- C.A. Spaced every 750mm MAX vertically
- C.B. M12 Bolt to Angle (See sheet 4)
- C.C. Siffeners shall be place in the flange and web of the 150 UC at all GIRT locations. 6mm thick steel plate (G250) with a 6mm weld along all contact surfaces.
- D.
- D.B. Colorbond steel sheeting, 0.6mm thick, minimum 100mm overlap between sheets. Client to select colour.
- D.A. Minimum 300mm overlap behind concrete blocks
- E.
- E.A. 600x440x12mm (W x L x T) galvanized steel plate welded to base of UC with a 12mm fillet weld.
- E.B. Stiffeners between column and base plate (12mm thick plate). 12mm fillet weld around all contacting edges. Contact edge of stiffeners should beveled by 4mm at 45 degrees to facilitate greater weld surface area.
- F. 6no. M20 Chemset Reo 502 drilled 150mm into slab.
- F.A. Each bolt center is to be 80mm from the plate edge. 120mm center to center.

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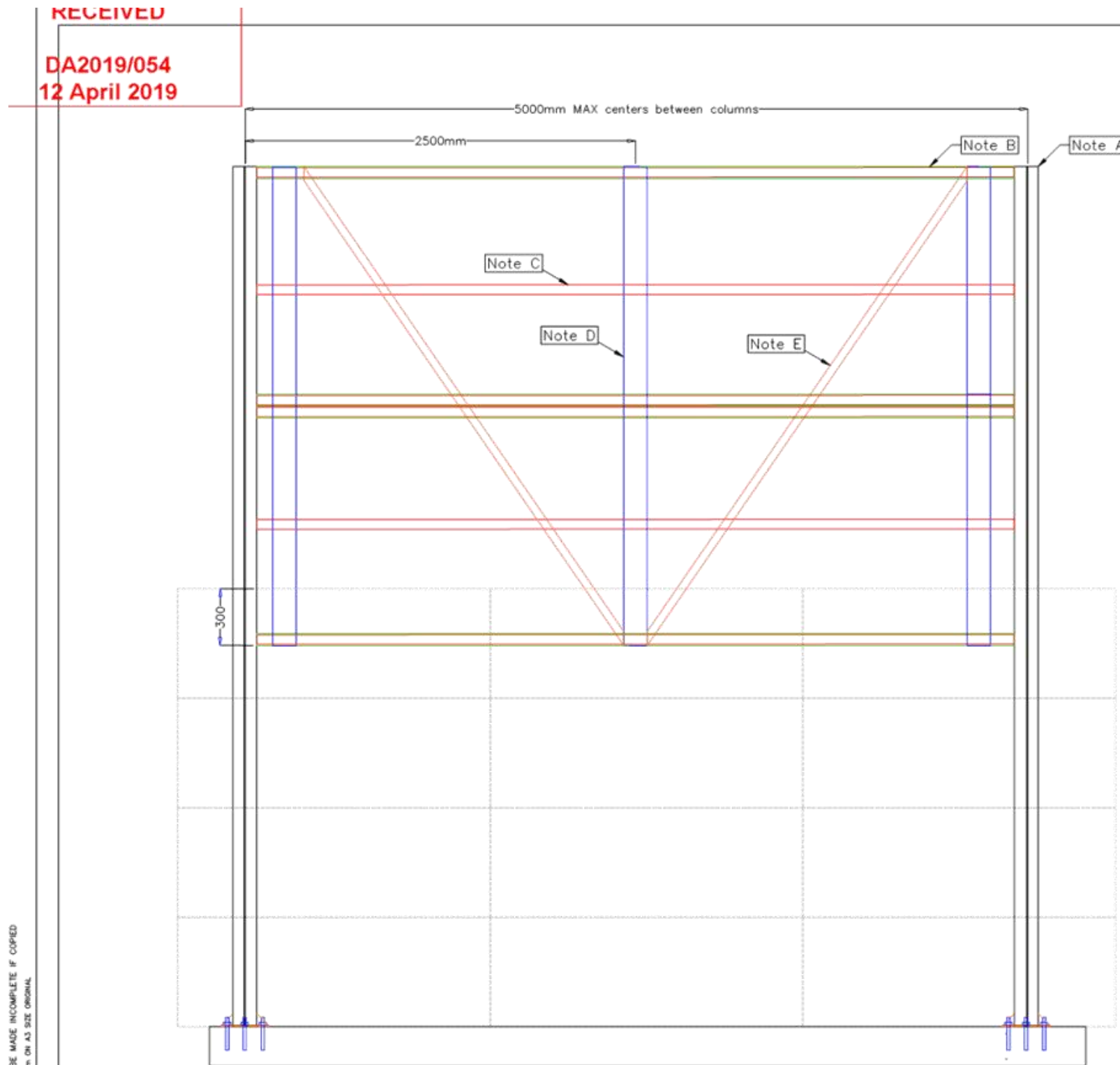
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TITLE: COLUMN DESIGN
 PROJECT DESCRIPTION: PROPOSED EXTENSION TO FACILITY
 LOCATION: 27 DAVIDSON STREET, GREENACRE NSW

CLIENT: MATCOLL PTY LTD
 DRAWN BY: Matt Collins
 matt@mcollins.com.au

PROJECT NUMBER	REVISION
0177-STR	02-A
PROJWNO NUMBER	DATE
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3	7





GENERAL NOTES:

1. These drawings shall be read in conjunction with all architectural and other consultants drawings and specifications and with such other written instruction as may be issued during the contract. All discrepancies shall be referred to the architect for decision before proceeding with work.
2. Dimension shall not be obtained by scaling the structural drawings.
3. Setting out dimensions shown on the drawings shall be verified by the builder.
4. During construction the structure shall be maintained in a stable condition and no part shall be overstressed.
5. Design suitable for the proposed development only, given the site constraints, including ground conditions and activities.

WALL DESIGN NOTES:

- A. 150 UC 23
- B. 150PFC
- B.A. Connect to 150UC23 using welded cleats and M20 Bolts.
- C. C15012 GIRT
- C.A. Spaced every 750mm MAX vertically
- C.B. M12 Bolt to Angle (Note D)
- C.C. Siffeners shall be place in between the flange and web of the 150 UC at all GIRT locations. 6mm thick steel plate (G250) with a 6mm weld along all contact surfaces.
- D. 150x90x8 UA
- D.A. Long leg parallel with wall
- D.B. Weld to all member contact surfaces (8mm fillet)
- E. 90x90x8EA
- E.A. Cut to size to ensure tight fit with other members
- E.B. Welded to all member contact surfaces (8mm fillet)
- F. Colorbond steel sheeting to be fastened by builder to C15012 GIRT
- G. For walls shorter than 5.0m;
 - G.A. <1000mm, No 150x90x8UA or 90x90x8EA required
 - G.B. 1000mm - 2500mm, Provide one single 90x90x8EA cross member
 - G.C. 2500mm - 5000mm, Adjust design maintaining a 150x90x8UA in the centre and 90x90x8EA cross members as per Note E.
 - G.D. To be secured to UC as per Note B



Figure 1 - Existing wall illustrating the final construction goals

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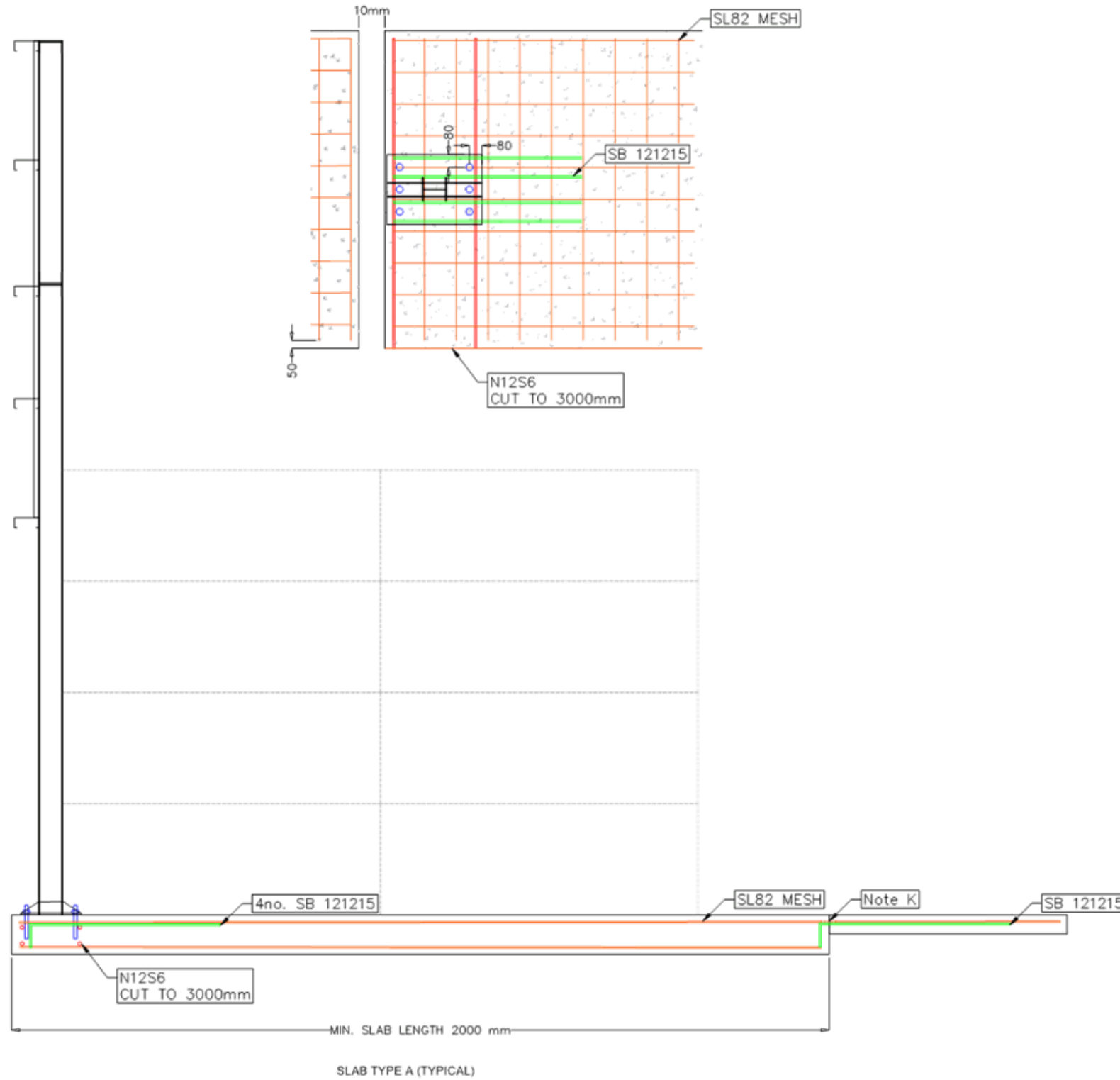
TITLE: ACOUSTIC WALL DESIGN
 PROJECT DESCRIPTION: PROPOSED EXTENSION TO FACILITY
 LOCATION: 27 DAVIDSON STREET, GREENACRE NSW

CLIENT: MATCOLL PTY LTD
 DRAWN BY: Matt Collins
 matt@mcollins.com.au

PROJECT NUMBER	0177-STR	REVISION	02-A
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GENERAL NOTES:

- These drawings shall be read in conjunction with all architectural and other consultants drawings and specifications and with such other written instruction as may be issued during the contract. All discrepancies shall be referred to the architect for decision before proceeding with work.
- Dimension shall not be obtained by scaling the structural drawings.
- Setting out dimensions shown on the drawings shall be verified by the builder.
- During construction the structure shall be maintained in a stable condition and no part shall be overstressed.
- Design suitable for the proposed development only, given the site constraints, including ground conditions and activities.

SLAB TYPE A DESIGN NOTES:

- A. 250mm slab depth (does not include any surface finishings)
- B. SL82 Mesh. 200mm Overlap between Mesh sheets.
- C. 45mm cover to base, edges and top of slab
- D. N12 Round Bar (300mm) between SL82 Mesh, beside bolts (See sheet 3 for bolt/anchor details)
- E. SB 121215 to be placed on outside of chemset anchors
- F. Expansion joint 10mm. Filled with appropriate medium.
- G. All top soil and organic matter shall be removed prior to compaction of the underlying soil layer.
- H.
- H.A. Compaction shall be completed to a minimum allowable bearing pressure of 200Kpa by a suitably qualified and experienced contractor.
- H.B. Due to the clay and shale content, a pad foot roller should be use
- I. It is assumed that the soil is non-aggressive. This should be confirmed by the contractor prior to selecting an appropriate concrete mixture.
- J. A waterproof membrane shall be installed beneath the concrete slab.
- K. Once a slab length of 2000mm from the wall has established, the slab may transition into Slab Type C (see sheet 7):
- K.A. SB 121215 starter bars should be installed @ 200mm centers
- K.B. The top SL82 Mesh shall be continuous between slab types

SLAB TYPE B DESIGN NOTES:

- L. If existing slab is <250mm thick, a new slab shall be poured on top of the existing to a minimum of 2.0m from the edge of the wall to the specification of Slab Type B.
- M. If the existing slab is equal to or greater than 250mm:
- M.A. The N12S6 and SV 121215 reinforcement should be epoxy grouted into the existing slab as per Slab Type A
- M.B. The column should be fixed to the slab as per the column design specifications in sheet 3.

MATERIAL NOTES:

- N. Concrete to be minimum F'c 25Mpa (AS3600) Slump 80 Agg 20mm Cement type A.
- O. Steel grades:
Reo: 500SL minimum
Other: G250 minimum

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TITLE: SLAB TYPE A & B DESIGN
PROJECT DESCRIPTION: PROPOSED EXTENSION TO FACILITY
LOCATION: 27 DAVIDSON STREET, GREENACRE NSW

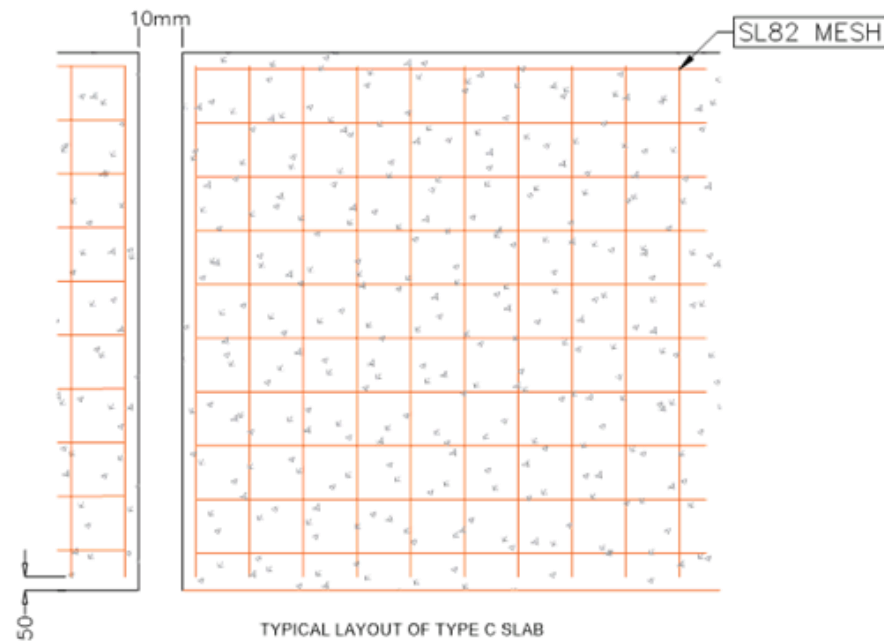
CLIENT: MATCOLL PTY LTD
DRAWN BY: Matt Collins
matt@mcollins.com.au

PROJECT NUMBER	0177-STR	REVISION	02-A
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CROSS SECTION OF TYPE C SLAB



TYPICAL LAYOUT OF TYPE C SLAB

GENERAL NOTES:

1. These drawings shall be read in conjunction with all architectural and other consultants drawings and specifications and with such other written instruction as may be issued during the contract. All discrepancies shall be referred to the architect for decision before proceeding with work.
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3. Setting out dimensions shown on the drawings shall be verified by the builder.
4. During construction the structure shall be maintained in a stable condition and no part shall be overstressed.
5. Design suitable for the proposed development only, given the site constraints, including ground conditions and activities.

SLAB TYPE C DESIGN NOTES:

- A. 120mm slab depth (does not include any surface finishings)
- B. SL82 Mesh. 200mm Overlap between Mesh sheets.
- C. 45mm cover to base of slab (ground).
- D. Expansion joint 10mm. Filled with appropriate medium.
- E. All top soil and organic matter shall be removed prior to compaction of the underlying soil layer.
- F. Compaction shall be completed to a minimum allowable bearing pressure of 200Kpa by a suitably qualified and experienced contractor.
- F.A. Due to the clay and shale content, a pad foot roller should be use
- G. It is assumed that the soil is non-aggressive. This should be confirmed by the contractor prior to selecting an appropriate concrete mixture.
- H. A waterproof membrane shall be installed beneath the concrete slab.

MATERIAL NOTES:

- I. Concrete to be minimum F'c 25Mpa (AS3600) Slump 80 Agg. 20mm Cement type A.
- J. Steel grades:
SL Square fabric grade (500SL)

HARDSTAND SPECIFICATIONS:

- K. Trafficable areas surrounding the new bins are considered to be the new general hardstand area
- K.A. The general hardstand area should be compacted as per NOTE F prior to the placement of gravel.
- L. A gravel base with particle sizes of 5 - 20mm (well graded) should be placed to a depth of 400mm.
- M. Consolidation and compaction of the gravel base will occur naturally with use
- N. Short term and long term settlement is expected to cause minor rutting of the gravel surface. The client should evenly spread gravel using on-site equipment to level the hardstand area as these ruts occur

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SLAB TYPE C AND HARDSTAND DESIGN
PROJECT DESCRIPTION: **PROPOSED EXTENSION TO FACILITY**
LOCATION: **27 DAVIDSON STREET, GREENACRE NSW**

CLIENT: **MATCOLL PTY LTD**
DRAWN BY: **Matt Collins**
matt@mcollins.com.au

PROJECT NUMBER	0177-STR	REVISION	01-A
DRAWING NUMBER	06	DATE	29.11.18
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Figure 2: Typical stockpile



CONCRETE BLOCK PLAN VIEW (TYPICAL)

GENERAL NOTES:

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3. Setting out dimensions shown on the drawings shall be verified by the builder.
4. During construction the structure shall be maintained in a stable condition and no part shall be overstressed.
5. Design suitable for the proposed development only, given the site constraints, including ground conditions and activities.

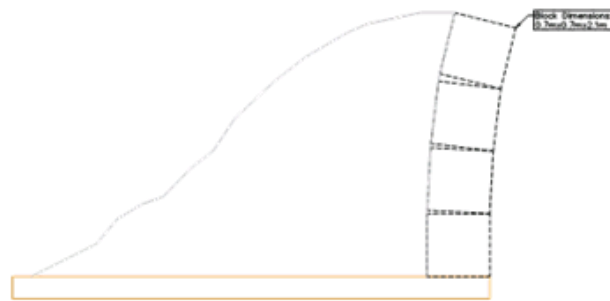
CONCRETE BLOCK DESIGN

A. Factor of Safety:

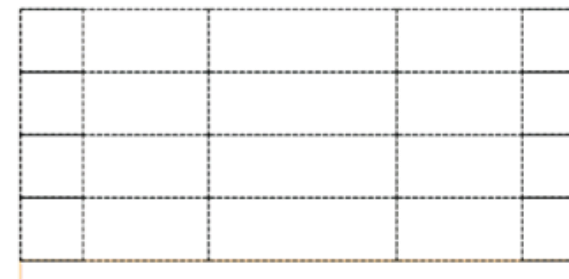
- A.A. Overturn: 1.75 based on
 - A.A.A. Bulk density of 18.5kN/m³
 - A.A.B. No hydrostatic pressure (free draining)
 - A.A.C. Ka of 0.28 (Stock pile granular, Angle of friction 30deg)

A.B. Sliding: >2.0 based on

- A.B.A. Concrete to concrete surface friction
- A.B.B. Stacked blocks are interlocked horizontally



STOCK PILE CROSS SECTION (TYPICAL) - OVERTURN ANALYSIS DEPICTION



CONCRETE BLOCK ELEVATION VIEW (TYPICAL)

**STRATHFIELD COUNCIL
RECEIVED**

**DA2019/054
12 April 2019**

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REV	DATE	DES.	DRN.	APP.	REVISION DETAILS
01-A	29.11.18	K.F	K.F	LS	For Release



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TITLE: **BLOCK WALL DESIGN**
 PROJECT DESCRIPTION: **PROPOSED EXTENSION TO FACILITY**
 LOCATION: **27 DAVIDSON STREET, GREENACRE NSW**

CLIENT: **MATCOLL PTY LTD**
 DRAWN BY: **Matt Collins**
 matt@mcollins.com.au

PROJECT NUMBER	0177-STR	REVISION	01-A
DRAWING NUMBER	07	DATE	29.11.18
SCALE	AS SHOWN	PAPER SIZE	A3
SHEET No.	7	OF	7



TO: Strathfield Local Planning Panel Meeting - 5 September 2019
REPORT: SLPP – Report No. 3
SUBJECT: DA2018/152 - 11, 13, 15 & 17 SMALLWOOD AVENUE, HOMEBUSH
LOTS A, B, C DP 169298 & LOT 3 DP 312801
DA NO. DA2018/152

SUMMARY

Proposal: Demolition of existing dwellings and construction of a 5-7 storey residential flat building comprising 52 residential units over two (2) levels of basement parking.

Applicant: Landpearl Pty Ltd
11 & 17 Smallwood Avenue: Sydney Markets

Owner: 13 Smallwood Avenue: Sharon and Sydney Mercer
15 Smallwood Avenue: Elson and Rane Chan

Date of lodgment: 29 October 2018

Notification period: First notification period: 1 November - 19 November 2018
Second notification period: 25 June – 23 July 2019
First notification period: Two (2) objections

Submissions received: Second notification period: One (1) support (previous objection)

Assessment officer: RG

Estimated cost of works: \$15,828,120.00

Zoning: B4 – Mixed Use - SLEP 2012

Heritage: N/A

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL (subject to receipt of Water NSW General Terms of Approval)**

EXECUTIVE SUMMARY

- 1.0 Development consent is sought for the demolition of existing dwellings and construction of a 5-7 storey residential flat building comprising 52 residential units over two (2) levels of basement parking.
- 2.0 The site forms Key Site 38 under the Strathfield Local Environmental Plan (SLEP) 2012 and the proposal follows the desired amalgamation pattern of SLEP 2012, and is generally consistent with the built form sought by DCP 20 – Parramatta Road Corridor. The proposal complies with the maximum height and floor space ratio development standards prescribed by Clause 4.3A and 4.4A of SLEP 2012.

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

- 3.0 The application is identified as Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979 as the application is deemed an aquifer interference activity requiring authorisation under the Water Management Act 2000. Whilst Council have not received the General Terms of Approval, Water NSW have advised that they are likely to provide a response prior to the Local Planning Panel meeting date. The officer's recommendation is made based on the receipt of the General Terms of Approval prior to the determination of the application.
- 4.0 Two (2) submissions of objection were received during the first notification period however, one (1) of these objectors indicated their support during the second notification period. The outstanding objection related to traffic and parking impacts from the demolition and construction period and this has been addressed by a recommended condition of consent requiring a Traffic Management Plan to be approved prior to the issue of a Construction Certificate.
- 5.0 Overall, the proposal is considered satisfactory for approval, subject to receiving Water NSW's General Terms of Approval and including these in the conditions of consent, as well as the imposition of other conditions of consent including but not limited to, additional acid sulfate soil testing and management provisions, provision of an amended Acoustic Report and deletion of the roof over the open communal area on Level 06.

BACKGROUND

- 5 October 2017** Development consent (DA2017/90) was granted by SLPP for the *Demolition of existing structures and construction of a part seven (7), part five (5) storey residential flat building over two (2) levels of basement parking* at 19, 21 and 23 Smallwood Avenue (adjoining site).
- 29 October 2018** The subject development application (DA2018/152) was lodged with Council.
- 1 November –
19 November 2018** The application was neighbour notified in accordance with the requirements of Part L of SCDP 2005. Two (2) submissions were received where the main objections related to traffic and parking impacts during the demolition and construction period, acoustic and privacy impacts from the adjoining Sydney Markets on the proposed development, the proposal does not comply with FSR development standards and ADG.
- 21 November 2018** A deferral letter was sent to the applicant requesting an Acoustic Report and Stage 1 Preliminary Site Investigation report to be submitted.
- 16 January 2019** The application was presented to the Design Review Panel and their advice is summarised in the referral section of this report.
- 12 February 2019** The advice of the Design Review Panel was forwarded to the applicant and they were requested to revise the proposal to address these matters.
- 20 May 2019** The applicant submitted revised architectural plans where the main changes are summarised as follows:
- Deletion of 4 units (including 2 x 1 bed units and 2 x 3 bed units) from levels 04/05 and this area is allocated as communal open space (increase in communal open space by 254sq.m)
 - Reduced FSR to comply with development standards

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

- Provision made for the location of future solar panels for all communal areas
- Deletion of the proposed public domain works.

14 June 2019

An email was sent to the applicant outlining the outstanding matters which are summarised as follows:

- Acoustic Report is required
- Amended landscape required to reflect the amended proposal
- The roof over the common open space on Level 06 is to be deleted to reduce the bulk of the building and to increase access to sunlight
- Confirm that the proposal complies with ADG guidelines in respect to maximum number of apartments which do not receive direct sunlight between 9am and 3pm at mid-winter
- Relocate bedroom window for apartment G01 so that it does not directly overlook the driveway access ramp – improve outlook for this bedroom
- The entry accessibility ramp is to be setback from the bedroom window of apartment G04 to improve outlook for this bedroom
- Air-conditioning units are not to be located on balconies, or if located on balconies the area of the balconies used for storing the air conditioning units is not to be counted towards the minimum sizes for balconies
- The building entrance is to be more legible within the street
- Amended BASIX, SEPP 65 Verification Statement and Accessibility Report is required.
- Preliminary Site Investigation Report required.

18 June 2019

A further email was sent to the applicant outlining that whilst the submitted Geotechnical Report (desk-top assessment) states that 'groundwater is not expected to be encountered' there is concern that an aquifer interference license may be required given that the finished level of basement level 02 is RL 4.0 (AHD) and the site is in a flood affected area. Therefore, the application was required to be advertised as Integrated Development.

The applicant was also requested to submit an Acid Sulfate Soils Management Plan (in accordance with Clause 6.1 of SLEP 2012).

**25 June –
23 July 2019**

Pursuant to Clause 4.46 of the Environmental Planning & Assessment Act 1979, the proposed development was identified as Integrated Development and requires general terms of approval (GTA) of the NSW Office of Water under the Water Management Act 2000. Therefore, the application was re-notified to include the description that the proposed development is Integrated Development.

1 August 2019

Amended plans and additional information was submitted, including an Acid Sulfate Assessment, Preliminary Site Investigation, Acoustic Report, amended BASIX Certificate, amended SEPP 65 verification Statement and stormwater plans.

27 August 2019

Correspondence with Water NSW indicated that a referral response is likely to be provided before the Local Planning Panel meeting.

DESCRIPTION OF THE SITE AND LOCALITY

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

The subject site comprises four (4) lots and is legally described as lot A, B and C in DP 16298 and lot 3 in DP 312801 and is commonly known as 11, 13, 15 and 17 Smallwood Avenue, Homebush. The subject site is located on the north-western side of Smallwood Avenue and is bound but Hudson Street to the north-east and north-west and a single storey dwelling house to the south west (which is subject to development consent DA2017/090 for Demolition of existing structures and construction of a part seven (7), part (5) storey residential flat building over two (2) levels of basement parking).

The site is relatively rectangular in shape and comprises a primary frontage to Smallwood Avenue which is 40.645m in width and a secondary street frontage (north-eastern side boundary) to Hudson Street of 50.315m in depth. The site has an area of 1,996.967m².

The site slopes from the front boundary (south-east) to the rear boundary (north-west) and has a cross-fall of approximately 2.24m.

Existing development on the site comprises four (4) single-storey detached dwelling houses and a number of detached garages and outbuildings to the rear of each lot. Vehicular access is provided to the site via three (3) existing driveways from the north-west side of Hudson Street (rear access) and one (1) existing vehicle crossing from the north-eastern side of Hudson Street (secondary frontage).

Smallwood Avenue is undergoing change where single storey detached dwelling houses are being redeveloped for buildings predominately 5 to 7 storeys in height and comprising predominately residential flat buildings and mixed use developments. Sydney Markets is located to the rear of the site on the opposite side of Hudson Street.



Figure 1: Locality plan with the subject site outlined in yellow.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)



Figure 2: Northerly view of the subject site from Smallwood Avenue (including the Significant Tree to be retained.)



Figure 3: South-westerly view of Smallwood Avenue showing the mixture of single storey dwelling houses and more recently constructed residential flat buildings.

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

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

The application originally sought council approval for the Demolition of existing dwelling and construction of a seven (7) storey residential flat building containing 56 residential units and basement level parking for 62 vehicles.

Amended plans and additional information was received during the course of the assessment period, where the main amendments are as follows:

- Deletion of a total of four (4) residential units located at Levels 5 and 6;
- Reduction in the proposed FSR to comply with the development standard;
- Increase in the amount of communal open space from 550sq.m to 804sq.m
- Reduction in building height to the southern boundary;
- Increase in screen planting to the southern boundary;
- Deletion of public domain works relating to the road layout and connections on Hudson Street located to the north of the site.

The amended proposal which is subject to the assessment of this report is for the *Demolition of existing dwelling and construction of a five (5) to seven (7) storey residential flat building containing 52 residential units above two (2) levels of basement parking.*

The specific elements of the amended proposal are:

- Demolition of existing dwelling and structures;
- Removal of twelve (12) trees
- Construction of two (2) levels of basement accessed from the north-eastern side of Hudson Street and comprises 62 car parking spaces including eight (8) accessible spaces, 20 bicycle parking spaces, 3 motorbike parking spaces, storage spaces and a waste store room;
- Construction of a part five (5) part seven (7) storey residential flat building comprising 52 residential units including:
 - 5 x 1-bed units
 - 45 x 2-bed units; and
 - 2 x 3-bed units.
- Provision of communal open space at ground floor level, Level 05 and Level 06;
- Fencing parallel to the primary and secondary street boundary;
- Associated landscaping.

A photomontage of the proposed residential flat building is below.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)



Figure 4: Photomontage of the proposed residential flat building

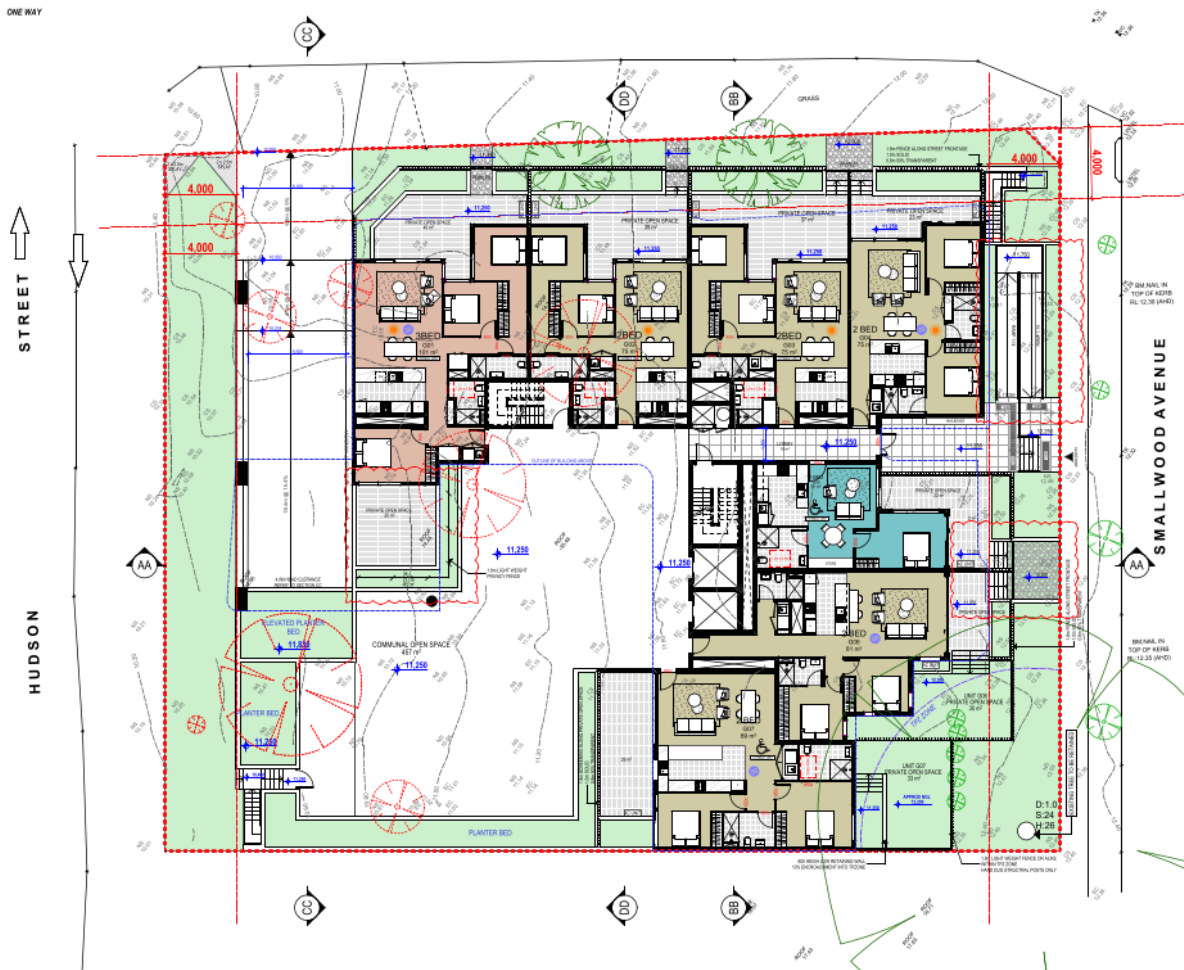


Figure 5: Extract of the proposed ground floor plan

REFERRALS

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

INTERNAL REFERRALS

Hydraulic Engineering Comments

Council's Development Control Engineer advised that the stormwater concept plan is feasible, and they raised no objection to the proposal subject to the imposition of recommended conditions of consent. This includes the requirement for a crest of 300mm be provided to the basement access ramp to mitigate the flood risk and associated damage to the basement levels.

Waste Comments

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

- *"No updated copy of waste management plan presented as per previous waste comments*
- Amended architectural plans indicate Bin Holding Room on Basement 1 with five (5) x green bins (which must be managed by private contractor), twelve (12) x 240L yellow bins and eighteen (18) x 240L red bins.
- For 52 units, bin requirement are:
 - a. Recycling bins
 - 60L per unit per week
 - 26 (twenty-six) x 240L Recycling Bins (to be collected fortnightly)
 - b. Garbage Bins
 - 120L per unit per week
 - 26 (twenty-six) 240L Garbage Bins or 10 (ten) 660L Garbage Bins
- Plans and waste management plan need to be updated, see below points:
 - Bulk collection area must be provided at a rate of 4sq.m per 10 units
20.8sq.m required for 52 units
 - Waste bin storage area must be provided which accommodated easy access to all waste bins at a rate of 1.1sq.m per 240L bin and 2.03sq.m per 660L bin
- Site plans including bin locations must be provided for the demolition and construction period.
- Specifications of loading zone height must be provided.
- Bins and waste room need to be maintained.

Council's Waste Officer offered no objections to the proposal, subject to the abovementioned matters being addressed and imposition of conditions.

Tree Comments

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

"The site contains large number of protected trees. The Arborist Report by TALC dated 17 October 2018 is noted.

The report identifies 17 trees. Trees numbered 7, 8, 9 and 10 are street trees. The street trees 7, 8, 9 and 10 are to be retained and protected. The bond will be \$6,600.00 for each of the 4 trees.

Tree number 1 is also proposed to be retained and protected. This tree is significant and the proposed TPZ is appropriate and reasonable. The removal of the trees numbered #2-6 and 11- 17 is reasonable and is supported.

The landscape design shows significant and appropriate replacement tree planting. I have no objection to its approval.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

The Arborist report is to be adopted as a condition of the development consent."

Council's Tree Coordinator offered no objections to the proposal, subject to the imposition of recommended conditions of consent relating to protection of retained trees, tree bonds and maintenance of landscaped areas.

Traffic Comments

Council's Traffic Engineer has commented on the proposal as their advice is summarised as follows:

- RMS is to be consulted as the property is within 100m of Great Western Highway
- The functionality of Smallwood Avenue around the subject site is under review and the Traffic Committee is strongly looking to opening Smallwood Avenue to have direct access to Parramatta Road. Therefore, further traffic assessment is to be submitted to Council
- The dimensions of off-street parking spaces are to comply with the relevant Australian Standards
- The driveway ramp and grades are to comply with Australian Standards
- Redundant driveways to be removed, and the dropped kerb is to be reinstated
- During the construction period, trucks associated with the development are not to travel through any active school zones.

Council's Traffic Engineer offered no objections to the proposal, subject to the above matters being addressed and the imposition of recommended conditions of consent.

Environmental Health Comments

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

"Acoustic Report

The Acoustic Report was reviewed for compliance with the Noise Policy for Industry 2017 ("The NPI"), AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors,

I concur it is suitable to use a different area for background noise readings. The background noise levels were not taken at the site due to construction noise at adjacent building site. However, the substitute location was located approximately 64 metres from the M4 motorway. Given the similarity between the Evening and Day averages listed in table 6, it is feasible and likely noise readings at this site were impacted by noise from the motorway. The Acoustic Report does not make any adjustment or acknowledgement of this.

The Acoustic Report presents the daily weather observations from the Bureau of Meteorology as monitoring of noise influencing weather. However, the data presented does not allow determination of which periods are influenced by weather. The rainfall data presented is the total rainfall for the 24 hours of the day, and does not show at what time of day, evening or night the rain fell. The Acoustic Report omits "day" monitoring data from the report, due to the rainfall. However, the rainfall may have impacted the evening and night periods as well. Any rain impacted period must be excluded from the assessment.

Similarly, the wind observations presented only show 20 minutes of each day – the 10 minutes from 8:30am to 9:00am, and the 10 minutes from 2:50pm to 3:00pm. The Acoustic Report fails to identify the wind on the afternoon of 3/07/2019, at 19km/h this should be

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

excluded for exceeding 5m/sec. The acoustic report needs to show detailed weather observations with sufficient detail to allow averaging into 15 minute periods.

Measurement of noise from the Sydney Markets was undertaken between 5:00am and 7:30am. The unattended noise measurements contained within the report indicate a steep increase in noise from 5:00am onwards. By 6:00a, the noise much the same as the daily average. As the Sydney Markets are a 24-hour operation it would be more appropriate to undertake unattended noise measurements between 2:00am and 5:00am, when the increasing road traffic will not influence measurements and the impact of the noise from Sydney Markets can be accurately captured, allowing for suitable attenuation measures.

Given amendments to the Acoustic Report required, the input data for the project specific noise criteria may change, requiring reassessment of the project specific noise criteria.

Likewise, measurement of the noise from Sydney Markets at an earlier time may require reassessment of the predicted Sydney Markets noise impacts and associated noise attenuation recommendations.

Acoustic Report Recommendations

The Acoustic Report must be amended and resubmitted with the following information:

- 1. Background readings taken at a location that is similar to the proposed location that is not impacted by noise from the motorway; OR demonstration that the noise from the motorway did not impact on the unattended noise readings.*
- 2. Provision of the weather monitoring observations, in 15 minute averages for the monitoring period. Note, daily weather observations averaged at 1 minute intervals is available for purchase from the Bureau of Meteorology.*
- 3. Omission of all noise measurements that have been impacted by noise influencing weather.*
- 4. Attended measurements of the noise originating from Sydney Markets must be undertaken at times when the background noise from traffic will not impact readings.*
- 5. Project specific noise criteria to be reassessed if there are any changes to the input data.*
- 6. Attenuation measures and recommendations may need to be reassessed if there are changes to the input data.*

Preliminary Acid Sulfate Soils Investigation Report

The site is classified as Class 5 under the Strathfield LEP. As the Preliminary Acid Sulfate Soils Investigation Report ("the PASSIR") the site is within 500m of Class 3 and Class 2 lands.

In this situation, the SLEP requires an acid sulfate soils management plan, unless a PASSIR is submitted and accepted by Council and the PASSIR states a management plan is not necessary.

After reviewing, I cannot accept the PASSIR as the field results indicate potential acid sulfate soils may be present. Every sample collected from the borehole with only exception shows a drop in pH of greater than one unit between the AASS pH test and the PASS test.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

This result indicates potential acid sulfate soils may be present, as per Step 3 (i) and table 2.4 of the Preliminary Assessment Guidelines of the Acid Sulfate Soils Manual.

The PASSIR does not explain these results or support their conclusion that acid sulfate soils are not likely. It is anticipated that further testing and laboratory of all boreholes would be undertaken to justify a conclusion that ASS or PASS are not present.

Preliminary Acid Sulfate Soils Investigation Report Recommendation

The Preliminary Acid Sulfate Soils Investigation Report must be reviewed with regards to the results of the soil field tests.

Recommendation

I cannot recommend approval of the application till the recommendations detailed in the report for acoustic and acid sulfate soils are met."

EXTERNAL REFERRALS

Water NSW

The application was identified as Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979 as it requires general terms of approval (GTA) from Water NSW under Section 91(3) of the Water Management Act 2000. The application was referred to Water NSW via the Planning Portal for concurrence on 15 June 2019 however, the General Terms of Approval (GTA) has not yet been received. Correspondence with WaterNSW has indicated that a referral response and General Terms of Approval are likely to be received before the date of the Local Planning Panel meeting. Therefore, the officer's recommendation is made based upon receipt of the General Terms of Approval prior to determination of the application, and subject to the inclusion of any conditions/ terms of the General Terms of Approval received. It is not considered suitable to include this as a Deferred Commencement condition, as General Terms of Approval are required before any consent can be issued.

Design Review Panel

The application was referred to a Design Review Panel. The following advice has been received:

Key Issues and Recommendations

1. Building Envelope and Siting

1.1 The Panel considers that the L-shaped form is appropriate on the basis that it has been designed to align and connect with the approved development to the south.

1.2 The Panel is generally supportive of the overall aesthetic approach and architectural character of the building. Its strong horizontality helps to reduce the overbearing sense of scale within the street corridor and its relative formal simplicity and coloration offers a calmer counterpoint to the nearby new apartment blocks.

1.3 Whilst it is acknowledged the overall design intent is to minimise the exposure of units to the Sydney Markets site to the rear, further setback and reorientation of the west facing units closest to the western boundary should be introduced to further improve acoustic amenity and outlook for these units.

1.4 Part 4J of the ADG contains guidelines for development in hostile noisy environments that have impact on residential amenity. The Panel considers that the western interface with Sydney Markets represents this type of condition and that all units located at the rear or

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

facing the rear should incorporate design solutions to mitigate noise in accordance with the design guidance in Part 4J. Redesign is required to address this issue.

1.5 The Panel notes that the maximum FSR for the site is 2:1 including an uplift "bonus" from 1.2:1 based on the identification of the land as part of Key Site 38 under Strathfield LEP 2012. The proposed FSR based on the applicant's calculation is 2.17:1, equivalent to an 8% non-compliance.

1.6 The Panel does not support any FSR exceedance above 2:1 for the following reasons:

1.5.1 Units are proposed at ground floor level that are partially submerged below the street and natural ground. These units have poor amenity and streetscape relationships, and should be deleted.

1.5.2 The GFA calculations are queried. Corridors with walls on 2 sides contribute to the bulk of the building and should be included in GFA. This relates to the eastern section of the T-shaped access corridor on multiple levels.

1.5.3 The Panel queries the extent of internal allowance for ducts shown on the plans and the potential for these areas to ultimately be converted to GFA. Given the FSR exceedance being sought this needs to be resolved at DA stage.

2. Public Domain Improvements

2.1. Due to the density of new development in the precinct this proposal needs to make a significant contribution to improve the public domain on all three street frontages as follows:

2.1.1 Through the provision of substantial trees within the setbacks, in deep soil zones on the site and on Council land. Screening using large trees is required mitigate the proximity to the development under construction to the north, soften the dense urban form and improve privacy. To achieve the desired outcome successfully, consideration should be given to setting the building back further from the northern boundary.

2.1.2 Similarly, to the west large screen trees are required to provide a buffer between the site and the noisy activities and industrial character of the buildings to the west (Sydney Markets). Additionally, consideration should be given to introducing tree planting interspersed with parking bays along Hudson Street adjacent to the rear (western boundary) of the site.

2.1.3 The applicant has suggested initiatives to provide a better public domain outcome including upgrading Hudson Street (providing footpath, kerb, gutter, street parking and turning space) and reviewing existing traffic management devices between Hudson Street, Dalton Avenue and Smallwood Avenue. The Panel encourages the applicant to continue negotiations with Council to achieve appropriate public domain improvements around the site.

3. Communal Open Space and Landscaping

3.1 The Panel supports retention of the significant tree (as proposed) in the south-eastern corner of the site and acknowledges that the siting of the building and extent of basement excavation allow for its retention. However, a management plan should be submitted to confirm that there is an appropriate methodology to ensure its successful retention, protection, and long-term health.

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

3.2 *The landscape plan for the ground floor communal open space should be clarified and refined to ensure a good balance of open and more intimate, quiet spaces. Consider the need for a BBQ/entertainment facility and a small lawn area to allow for informal play for young children.*

3.3 *Similarly, the roof top open on Level 5 needs further refinement to clarify access, provision of shade and review the balance of active and passive spaces and soft surfaces.*

3.4 *The ground floor communal open space is exposed on its western side to a very noisy industrial environment and noise attenuation measures such as walls and trees need to be incorporated into the design to create better acoustic and visual privacy for the space.*

3.5 *Plants shown cascading from balconies in the photo-montage have not been followed through into the design details on the architectural plans. Plans should be amended to demonstrate how this landscaping is designed and supported, through provision of well drained planter boxes, irrigation, and ongoing maintenance (preferably by the owner's corporation to ensure longevity and plant health).*

4. Unit Layout and Building Materials

The following units require further consideration to improve layout and/or amenity:

4.1 *Units 108,209, 309 have shallow balconies and awkward front door placement.*

4.2 *Unit G01 has bedroom windows overlooking the driveway ramp, which compromises amenity. Similarly, Unit G04 has a bedroom window adjacent to the accessible entry ramp.*

4.3 *Units 602,603 and 604 should be provided with operable skylights to provide cross ventilation instead of or in addition to the proposed ventilation louvres above the front doors.*

4.4 *Units that have front doors opening into the laundry access corridor should be redesigned to remove this conflict.*

4.5 *Units 201,301 and 401 have no bedroom doorway opening.*

4.6 *The location of screening elements to the façade and balconies is questioned, including clarification of the screen density in front of bedrooms, rationale for screen placement and materials to be used. To allow a proper assessment of the façade design and materials in accordance with SEPP 65, key sections through the building facades at a scale of 1:20 should be provided to Council. Materials should be clearly annotated on the elevations and sections.*

4.7 *The roof plan needs further detail, with ballast or other topping, rain water outlets, appropriate falls and edge conditions shown and clearly annotated. Rainwater pipework is to be thoughtfully designed and integrated into the building fabric.*

5. Other Matters

5.1 *Clarify with Council head height clearance required for servicing the building by Council for waste collection and check that swept paths are adequate.*

5.2 *Individual air-conditioning condensers on balconies are not supported. The Panel prefers these facilities aggregated on the roof or within dedicated service enclosures.*

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Service access to the roof will need to be considered. If equipment is located on private balconies, additional area above ADG minimums should be provided.

5.3 It was noted that the ADG recommends floor to floor height of 3.1 metres whilst the development provides 3.05 metres which could impact provision for services.

5.4 Double check and confirm the solar access table and calculations for ADG compliance.

SECTION 4.15 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 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(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.

An amended 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, 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 Geotechnical Consultants Australia which indicates that the four (4) allotments which comprise the subject site have remained mostly residential in nature. The Phase 1 assessment concludes that the site can be made suitable for the proposed development subject to recommendations including:

- *Any soils requiring excavation, onsite reuse and/or removal must be classified in accordance with Waste Classification Guidelines Part 1: Classifying Waste;*
- *All structures on the site should have a HMS conducted by a qualified occupational hygienist and/or environmental consultant for the site prior to any demolition or renovation works in accordance with relevant Australian Standards, SafeWork NSW codes of practice and any other applicable requirements;*
- *The demolition of any structures and excavation activity onsite be undertaken in accordance with relevant Australian Standards, SafeWork NSW codes of practice and any other applicable requirements; Any areas of the site suspected of containing ACM including soil and/or fill material are to be handled in accordance with relevant Australian Standards, SafeWork NSW codes of practice and any other applicable requirements; and*
- *A site specific 'Unexpected Finds Protocol' is to be made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.*

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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 and recommendations 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, subject to the imposition of conditions of consent requiring compliance with the recommendations of the Phase 1 Report.

Accordingly, the provisions of SEPP 55 have been satisfied.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation).

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

The proposal involves the removal of eleven (11) trees (T2, T3, T4, T5, T6, T11, T12, T13, T14, T15 and T16), the retention of one (1) tree located on the subject site (T1) and the retention of four (4) street trees (T7, T8, T9 and T10) located adjacent to the site along Smallwood Avenue. It is noted that trees labelled T1 and T2 are trees identified in Council's Significant Tree Register.

The proposal was referred to Council's Tree Management Officer who reviewed the submitted Arborist Report and agreed with the recommendations contained within the report including the proposed tree removal, subject to compliance with the submitted landscape plan and protection of tree T1 and the street trees.

Significant Tree T1 is considered to be of greater significance than Significant Tree T2, and the retention of both of these trees would greatly constrain the proposed development. The loss of Significant Tree T2 is located within a reasonable footprint of the redevelopment on the site, the proposed basement footprint is not considered to be excessive or unreasonable and it provides adequate setbacks to Significant Tree T1 for protection. Council's Tree Management Officer raised no objection to the loss of this tree.

Overall, the proposal is considered to comply with the objectives of this SEPP.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT

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 utilises the services of a Design Review Panel formed at Canada Bay Council. 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	<i>Responding to context involves identifying the desirable elements of</i>	The proposed development responds to the high density, mixed use, urban context of the

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Principle	Objective	Proposed
character	<p><i>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>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 scale	<p><i>Good design achieves a scale, bulk 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>The development is informed by the draft 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 Smallwood Avenue.</p> <p>The private and public domain is well defined through the use of fencing and separate entrances.</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 building height and FSR development standards of SLEP 2012. 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 livability 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</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>

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Principle	Objective	Proposed
	<p><i>materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i></p>	
<p>Landscape</p>	<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 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, coordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbors' amenity and provides for practical establishment and long term management.</i></p>	<p>The subject application is accompanied by a landscape plan that is considered suitable for the scale of development. An amended landscape plan is required by condition to ensure that it reflects the amended design.</p> <p>Whilst it is regretted that the proposal results in the removal of a Significant Tree (T2) located within the western corner of the site, this allows for the retention and protection of the Significant Tree (T1) located along the Smallwood Avenue frontage which is a better specimen and more prominent within the streetscape. The location of T2 if within the reasonable development footprint of the site and therefore, its removal is supported.</p> <p>Good quality landscaping has been provided along the street frontages and within the communal open space areas which softens the appearance of the building within the streetscape, and provides good quality amenity for the communal areas.</p> <p>The communal open space areas are located at ground floor, Level 05 and Level 06. A condition of consent is recommended to delete the roof over the communal open area at Level 07. The roof is considered to add additional bulk to the building and there is already sufficient sheltered communal open space within the development. The removal of the roof will provide better opportunities for access to sunlight and daylight to this space.</p>
<p>Amenity</p>	<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 with all units attaining an easterly, northerly and/or westerly orientation.</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, subject to conditions of consent.</p> <p>A condition of consent requires an amended</p>

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Principle	Objective	Proposed
		Acoustic Report to be prepared in accordance with the advice of Council's Environmental Health Officer. This is to ensure appropriate attenuation measures are incorporated in the development to protect amenity of future occupiers from the noise of the adjoining Sydney Markets and Parramatta Road.
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>	The proposed building has a secure and readily identifiable entry. The majority of the balconies, as well as the communal open space at Level 05 and 06 are orientated to overlook the public domain This will optimise safety and security within the development.
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 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>	<p>The proposal provides an acceptable mixture of unit types including five (5) x 1-bed, forty-five (45) x 2-bed and two (2) x 3-bedroom units. Eight (8) or 15% of the proposed units are adaptable units and eleven (11) of the units are livable units.</p> <p>The proposal is provided with accessible and well-considered areas of communal open space on the western side of the ground floor and additional rooftop open space area is proposed on the eastern side of the building (orientated to the Smallwood Avenue frontage). These spaces are practical and provide suitable facilities to support social interaction.</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 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 either the street, the central portion of the site or to the rear portion of the site facing Hudson Street.</p> <p>The proposal incorporates a mixture of face bricks, Dulux 'Blue Linen' and 'Cinnamon sand' and Dulux 'Summer Cloud' render with aluminum windows and doors.</p> <p>The schedule of external finishes is of a neutral colour palette which will integrate well with both the natural as well as built form characteristics and colours in the streetscape.</p>

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Apartment Design Guide

Design Criteria	Required	Proposed	Compliance
2E - Building Depth	12m – 18m	15-35m	No, but acceptable as the part of the building which is 35m in depth addresses the secondary street frontage to Hudson Street.
3B – Orientation	<p>Responsive to streetscape and site</p> <p>Designed to optimise solar access and minimise overlooking</p> <p>Shall not further reduce solar access by more than 20%</p>	<p>The proposal is responsive to the dual street frontage 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. However, it is noted that this site has development consent for redevelopment for a residential flat building.</p>	Yes.
3C – Public Domain Interface	<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 ground floor apartments fronting Smallwood Avenue is provided.</p> <p>Balconies and windows are orientated to overlook the public domain and rear area of private open space.</p> <p>The front fence is comprised of lower solid element and with a permeable upper element. This softens the built form of the residential flat building yet retains permeability between the public/private domains.</p> <p>Services and access ramp concealed and access ramps minimised and vegetation to reduce visual dominance.</p>	<p>Yes.</p> <p>Yes.</p> <p>Yes</p> <p>Yes.</p>
3D – Communal Open Space	<p>Min. 25%</p> <p>Min 2h to 50% communal open space at mid-winter Consolidated area</p>	804m ² or 32.51% of the site is dedicated as communal open space.	Yes.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

	<p>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>The areas of communal open space upon the ground level, level 05 and Level 06 are consolidated, well landscaped and accessible.</p> <p>The rooftop area and ground floor 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. However, a condition of consent is recommended to delete the roof over the communal open space on Level 06 in order to improve the extent of solar access to this space.</p> <p>The landscape plan is supported with several canopy trees to provide shade.</p>	
3E – Deep Soil Zones	<p>Min. 7% (107.31m²) Greater than 1,500m² 6m min. dimension</p>	<p>The proposal provides 308m² or 15.4% of consolidated deep soil landscaping attaining a minimum dimension of 6m.</p>	<p>Yes.</p>
3F – Visual Privacy	<p>Up to 4 storeys: 6-12m</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>5-8 storeys: 9-18m</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>Portions of the southern elevation provide a nil side setback. However, the nil setback is considered acceptable as it will adjoin the side wall of the approved development (DA2017/090) at 19, 21 and 23 Smallwood Avenue (which also comprises a nil setback to this side boundary).</p> <p>All remaining portions achieve the minimum separation distances internally within the site, and also to the approved neighbouring development.</p>	<p>No, refer to discussion.</p>
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>The vehicle and pedestrian ramps are separated and suitable integrated into the</p>	<p>Yes.</p>

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

		building.	
3H – Vehicle Access	<p>Integrated into façade Visual impact minimised Entry behind the building line or from secondary frontage Clear sight lines</p> <p>Garbage collection screened Pedestrian and vehicle access separated</p>	<p>Vehicle access is integrated into the secondary frontage along Hudson Street 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: <u>20 or more units:</u></p> <p>1 bedroom: 0.6 spaces (5 x 0.6 = 3 spaces) 2 bedroom: 0.9 spaces (45 x 0.9 = 40.5 spaces) 3 bedroom: 1.4 spaces (2 x 1.4 = 2.8 spaces) Visitor 1 per 5 units (52 / 5 = 10.4 Spaces)</p> <p>Total requirement = (46.3) resident spaces and (10.4) visitor spaces (57) spaces total</p> <p>Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.</p>	<p>(62) parking spaces in total are provided. However, given the overprovision of parking spaces and under provision of waste storage area, a condition of consent is recommended to redesign the basement to provide the minimum number of parking spaces and minimum space required for the waste store.</p> <p>Bicycle parking provided within basement level 1.</p>	<p>Yes</p> <p>Yes</p>
4A – Solar and Daylight Access	<p>Min. 70% (31 units) receive 2 hours solar access.</p> <p>Max. 15% units have no solar access Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited Design incorporates shading and glare control.</p>	<p>A minimum of 70% of the units receive a minimum 2 hours solar access daily</p> <p>A maximum of 15% of the units have no solar access and these are the southern units located at ground floor level fronting Smallwood Avenue.</p>	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>A minimum of 60% of the units are cross ventilated.</p>	Yes.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

	Single aspect units have limited depth to maximise ventilation.		
4C – Ceiling Heights	Habitable: 2.7m Non-habitable: 2.4m 2 storey apartments: 2.7m main living area, 2.4m mezzanine Mixed Use: 3.3m ground floor.	The floor to ceiling height of habitable floors meet the minimum 2.7m and the floor to ceiling height of non-habitable floors meet the minimum 2.4m.	Yes.
4D – Apartment Size and Layout	1 bed: 50m ² 2 bed: 70m ² 3 bed: 90m ² Additional bathrooms +5m ² Each habitable room must have a window > 10% floor area of the room. If open plan layout =max 8m from a window Master bed: min 10m ² Other bedroom: min 9m ² Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m.	The proposed apartments comply with the minimum size requirements.	Yes
4E – Private Open Space and Balconies	Studio: 4m ² 1 bed: 8m ² , min depth 2m 2 bed: 10m ² , min depth 2m 3 bed: 12m ² , min depth 2.4m	All units are provided with an area of private open space with a minimum dimension of 2m which meets the minimum area requirements.	Yes.
4F – Common Circulation and Spaces	Max 8 apartments off a single core	No more than eight (8) 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 and Sydney Markets which presents as a potential noise source. An Acoustic Report prepared by Acoustic Works accompanied the application. Council's Environmental Health Officer reviewed the report and has recommended that the report be amended and resubmitted to address concerns with the methodology. This matter is	Yes, refer to conditions.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

		considered to be able to be addressed by condition and this has been included in the recommended 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; Five (5) x 1-bedroom, forty-five (45) x 2- bedroom and Two (2) 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 with horizontal and vertical articulation with varying materials 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.	Yes.
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 at Level 05 and 06 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 15% of adaptable units throughout the building.	Yes.
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation	The proposal achieves compliant cross ventilation outcomes.	Yes.
4V – Water Management and Conservation	Efficient fixtures/fittings WSUD integrated Rainwater storage and reuse	Refer to BASIX Certificate commitments.	Yes.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

4W – Waste Management	Minimise impact on streetscape, building entry and amenity	The proposal provides a waste storage room in the basement. The proposal also allows for the underground collection of waste to ensure that there is no disruption to Smallwood Avenue and Hudson Street 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 future development in the street. The proposed schedule of external finishes will include a mixture of face brickwork and neutral coloured render finishes. The selected materials are suitable for the scale of the development and are relatively durable to reduce the ongoing maintenance costs of the building.	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

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes
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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. The proposal has positively responded to the flood affectation of the site.

Permissibility

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

Residential flat buildings are permissible within the B4 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 and is permissible within the B4 – Mixed Use Zone with consent.

Zone Objectives

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

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

Comments: The proposed development is for the purposes of a residential flat building which is compatible with the future development envisaged for the area.

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.

4.1A Minimum lot sizes for residential flat buildings

Clause 4.1A sets out that the minimum lot size for residential flat buildings on land zoned B4 – Mixed Use is 1,000m². The site meets the minimum area requirements and accords with the planned residential density in the zone, in accordance with the objective and controls of this Clause.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

4.3 Height of building and 4.3A Exceptions to height of buildings (Parramatta Road Corridor)

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	16m	22m	Yes
4.3A	Exceptions to height of buildings (Parramatta Road Corridor)	22m		

Cl	Objectives	Complies
4.3		
(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 subject site is identified as Key Site 38 under Clause 4.3A. As the proposal is redeveloping all of the lots within Key Site 38, the proposal is subject to a maximum building height of 22m, presenting an uplift of an additional 4m in building height (additional to the maximum height permitted under Clause 4.3).

The proposal complies with the objectives of Clause 4.3 in that it achieves a height that is generally compatible with the surroundings area and follows the desired consolidation pattern in the Parramatta Road Corridor.

4.4 Floor space ratio and 4.4A Exceptions to floor space ratio (Parramatta Road Corridor)

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	1.2:1 (2,396.36m ²)	2:1	Yes
4.4A	Exceptions to floor space ratio (Parramatta Road Corridor)	2:1 (4,004m ²)	(4,003m ²)	

Cl	Objectives	Complies
4.4		
(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 	N/A
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor	Yes

Comments: The subject site is identified as Key Site 38 under Clause 4.4A. As the proposal is redeveloping all of the lots within Key Site 38, the proposal is subject to a maximum floor space ratio of 2:1, presenting an uplift of an additional 0.8:1 (1,607.64m²) in floor space ratio (additional to the maximum floor space ratio permitted under Clause 4.4).

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

The proposal complies with the objectives of Clause 4.4 in that the built form is in keeping with the newly constructed developments in the surrounding area, and follows the desired consolidation pattern in the Parramatta Road Corridor.

Part 5: Miscellaneous Provisions

The provisions contained within Part 5 of the SLEP 2012 are not relevant to the subject proposal.

Part 6: Local Provisions

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

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is located within 500m of Class 2 and 3 soils. However, the lowest part of the development is not lower than RL 5.0 (AHD). Nevertheless, the application was accompanied by a Preliminary Acid Sulfate Soils Investigation Report prepared by Geotechnical Consultants Australia. The report has concluded that:

Based on laboratory testing (SPOCAS) carried out on the selected sample from borehole BH1, as discussed above, it is inferred that the shale bedrock underlying the is not affected by ASS, but is rather moderately to strongly acidic. It is therefore recommended that the proposed building foundation system be designed in accordance with AS 2870-2011, and other appropriate standards and guidelines, based on the laboratory testing results, in particular for (not limited to) the minimum exposure classification for concrete, minimum concrete strength and curing requirements, and minimum reinforcement cover.

GCA also recommends that following demolition of the existing dwellings and infrastructures within the site, a preliminary aggressivity and salinity assessment be carried out by a suitably qualified geotechnical engineer, in order to determine pH, chloride and sulphate content, and electrical conductivity of the underlying soils.

Council's Environmental Health Officer reviewed the Investigation Report and they raised concerns with the Report as follows:

After reviewing, I cannot accept the PASSIR as the field results indicate potential acid sulfate soils may be present. Every sample collected from the borehole with only exception shows a drop in pH of greater than one unit between the AASS pH test and the PASS test. This result indicates potential acid sulfate soils may be present, as per Step 3 (i) and table 2.4 of the Preliminary Assessment Guidelines of the Acid Sulfate Soils Manual.

The PASSIR does not explain these results or support their conclusion that acid sulfate soils are not likely. It is anticipated that further testing and laboratory of all boreholes would be undertaken to justify a conclusion that ASS or PASS are not present.

Preliminary Acid Sulfate Soils Investigation Report Recommendation

The Preliminary Acid Sulfate Soils Investigation Report must be reviewed with regards to the results of the soil field tests.

As the proposal is located on land affected by Class 5 Acid sulfate soils, the proposal is not lower than RL 5m (A.H.D), and the proposal has been accompanied by a Preliminary Acid Sulfate Soils Investigation Report, it is considered that the matters identified by Council's Environmental Health Officer can be addressed by condition. Subject to the imposition of these conditions of consent, the proposal is considered to meet the objectives of this Clause.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

6.2 Earthworks

The proposal involves earthworks including excavation to accommodate two (2) levels of basement. The proposed is considered to be Integrated Development under Clause 4.46 of the EP&A Act 1979 as an aquifer interference licence is required under Clause 91(3) of the Water Management Act 2000. As previously advised in the report, Water NSW's General Terms of Approval have not yet been received. The recommendation of this report is based upon the General Terms of Approval being received prior to the determination of the application, and in the inclusion of the approval terms in the conditions of consent.

Appropriate conditions of consent to be imposed to ensure compliance with the sediment and erosion control plan as well as conditions of consent which include preparation of a dilapidation report to protect structural adequacy of neighbouring buildings.

Overall, the proposal is considered to comply with the objective of this Clause, subject to the imposition of recommended conditions of consent.

6.3 Flood planning

The subject site is located within the 1% AEP overland extent. Council's Hydraulic Engineer has reviewed the proposal and raised no objection subject to the imposition of a condition requiring a crest of 300mm to the basement access ramp be provided to mitigate flood risk and associated damage. Subject to the imposition of this condition, the proposal is considered to comply with the objectives of this Clause.

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 subject site is located within a well serviced area and features existing water and electricity connection and access to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development.

6.9 Additional provisions for development in Parramatta Road Corridor

The site forms Key Site 38 and the proposal conforms to the amalgamation pattern required by Key Site 38. 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 this Clause.

4.15 (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.

4.15(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.

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.

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

Clause 6(1) 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,
- (h) storage,
- (i) parking.

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 form/footprint	Proposal to conform to the building footprint shown in figure 9.	The building footprint generally accords with the Draft Key Sites Map.	N/A
	Land Consolidation	Proposal to conform to the consolidation pattern identified in figure 12.	Conforms with consolidation pattern of SLEP 2012 (Key Site 38)	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 not be visible from the street.	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	Human scale is maintained through the provision of individual entries to	Yes.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
		scale to the street by incorporating appropriate architectural features.	the ground floor apartments as well as a separate pedestrian access way.	
		Materials and finishes should blend together with min. 30% to incorporate face brickwork.	Materials and finishes comprise face brick, and rendered cladding and whilst 30% of the façade is not facebrick, the proposed external finishes and colours are considered to accord with the emerging character of the surrounding area.	Acceptable.
		Consider the use of glass in facades on northern and western elevations in terms of glare impacts.	The extent of glazing on the north and western elevations is considered acceptable and the glazed elements are predominately setback behind the front balconies,	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
		Acoustic privacy must be considered in relation to proposal and surrounding environment.	Acoustic report submitted. Further testing and explanation of methodology is required to inform proposed attenuation from Sydney Markets and Parramatta Road.	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 and by conditions of consent.	Yes, subject to condition.
		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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
		Retain and protect existing significant trees.	<p>The proposal involves the removal of eleven (11) trees (T2, T3, T4, T5, T6, T11, T12, T13, T14, T15 and T16), the retention of one (1) tree located on the subject site (T1) and the retention of four (4) street trees (T7 T8, T9 and T10) located adjacent to the site along Smallwood Avenue. It is noted that trees labelled T1 and T2 are trees identified in Council's Significant Tree Register.</p> <p>The proposal was referred to Council's Tree Management Officer who reviewed the submitted Arborist Report and agreed with the recommendations contained within the report including the proposed tree removal, subject to compliance with the submitted landscape plan and protection of tree T1 and the street trees.</p> <p>Significant Tree T1 is considered to be of greater significance than Significant Tree T2, and the retention of both of these trees would greatly constrain the proposed development. The loss of Significant Tree T2 is located within a reasonable footprint of the redevelopment on the site, the proposed basement footprint is not considered to be excessive or unreasonable and it provides adequate setbacks to Significant Tree T1 for protection. Council's Tree Management Officer raised no objection to the loss of this tree.</p>	Acceptable.
		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.
		<p>Proposal to provide common open space to the following dimensions:</p> <p>10% of site or 100m² (whichever is greater);</p>	ADG prevails	N/A

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
		<p>Min dimensions of 7m;</p> <p>Positioned to receive 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	Stormwater assessed to comply with Council's Stormwater Management Code.	Yes.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
		Council's Stormwater Management Code.		
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.
		15% of units designed to allow occupation by older people and people with disabilities.	The proposal provides (8) 15% 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	Letter boxes are provided adjacent to the main building entry.	Yes.
		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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
				way of condition of consent.

PART H - WASTE MANAGEMENT (SCDCP 2005)

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 is required to provide the following:

- 26 x 240L general waste bins or 10 x 660L general waste bins; and
- 26 x 240L recycling bins

Whilst the proposal includes a waste collection area within basement level 1 of the site, only 18 x 240L waste bins, and 12 x 240L recycling bins have been provided contrary to be abovementioned requirement. A further 5 x 240L bins have been provided and it appears that these are for garden waste.

Part H of SCDCP also require a bulky/storage space that is a minimum 20.8m² in area to be provided for bulky waste however, this has not been included.

In light of these departures, a condition of consent is recommended to ensure that the garbage room size is increased or reconfigured so as to provide adequate storage space for the additional bins required. Given the proposal provides an additional 4 car parking spaces beyond the minimum requirement, a condition of consent is recommended to redesign the basement levels to provide a bulky waste store that is a minimum 20.8m² whilst retaining car, bicycle and motorbike parking spaces in accordance with the ADG requirements.

Furthermore, the proposal provides sufficient clearance to allow for Council's truck to access the basement area to permit the on-site collection of waste to occur.

Overall, the management of waste from the site is acceptable subject to the imposition of conditions.

4.15 (1)(a)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 of the *Environmental Planning and Assessment Act 1979*.

4.15 (1)(a)(iv) 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 it 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 included within the recommended to ensure compliance with any relevant regulations.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

4.15(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

Acid Sulfate Soils

The subject site is identified as having Class 5 soils and is located within 500m of Class 2 and 3 soils. The application was accompanied by a Preliminary Acid Sulfate Soils Investigation Report prepared by Geotechnical Consultants Australia. The report has concluded that:

Based on laboratory testing (SPOCAS) carried out on the selected sample from borehole BH1, as discussed above, it is inferred that the shale bedrock underlying the is not affected by ASS, but is rather moderately to strongly acidic. It is therefore recommended that the proposed building foundation system be designed in accordance with AS 2870-2011, and other appropriate standards and guidelines, based on the laboratory testing results, in particular for (not limited to) the minimum exposure classification for concrete, minimum concrete strength and curing requirements, and minimum reinforcement cover. GCA also recommends that following demolition of the existing dwellings and infrastructures within the site, a preliminary aggressivity and salinity assessment be carried out by a suitably qualified geotechnical engineer, in order to determine pH, chloride and sulphate content, and electrical conductivity of the underlying soils.

Council's Environmental Health Officer reviewed the Investigation Report and they raised concerns with the Report as follows:

After reviewing, I cannot accept the PASSIR as the field results indicate potential acid sulfate soils may be present. Every sample collected from the borehole with only exception shows a drop in pH of greater than one unit between the AASS pH test and the PASS test. This result indicates potential acid sulfate soils may be present, as per Step 3 (i) and table 2.4 of the Preliminary Assessment Guidelines of the Acid Sulfate Soils Manual.

The PASSIR does not explain these results or support their conclusion that acid sulfate soils are not likely. It is anticipated that further testing and laboratory of all boreholes would be undertaken to justify a conclusion that ASS or PASS are not present.

Preliminary Acid Sulfate Soils Investigation Report Recommendation

The Preliminary Acid Sulfate Soils Investigation Report must be reviewed with regards to the results of the soil field tests.

As the proposal is located on land affected by Class 5 Acid sulfate soils, the proposal is not lower than RL 5m (A.H.D), and the proposal has been accompanied by a Preliminary Acid Sulfate Soils Investigation Report, it is considered that the matters identified by Council's Environmental Health Officer can be addressed by condition. Subject to the imposition of these conditions of consent, the proposal is considered to meet the objectives of this Clause.

Acoustic Impacts

The subject site is adjoined by Sydney Markets to the west, and Parramatta Road is located approximately 65m to the north of the site. It is noted that the Design Review Panel advised that a greater separation should be provided between Sydney Markets and the proposed development. However, this was not included in the amendments made by the applicant.

An Acoustic Report (ref: 1019048 R01D) dated 16 July was submitted with the application. The Acoustic Report assesses the impact of external noise sources on the proposed development

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

however, Council's Environmental Health Officer has identified a number of concerns with the methodology of the report, where the following matters are to be included:

- Background readings taken at a location that is similar to the proposed location that is not impacted by noise from the motorway; OR demonstration that the noise from the motorway did not impact on the unattended noise readings.
- Provision of the weather monitoring observations, in 15 minute averages for the monitoring period. Note, daily weather observations averaged at 1 minute intervals is available for purchase from the Bureau of Meteorology.
- Omission of all noise measurements that have been impacted by noise influencing weather.
- Attended measurements of the noise originating from Sydney Markets must be undertaken at times when the background noise from traffic will not impact readings.
- Project specific noise criteria to be reassessed if there are any changes to the input data.
- Attenuation measures and recommendations may need to be reassessed if there are changes to the input data.

A condition of consent is recommended requiring an amended Acoustic Report to be prepared to address the abovementioned matters, and the recommendations of this Report are to be incorporated in the design of the proposal. This is to ensure compliance with Noise Policy for Industry 2017, AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors and provide a good level of acoustic amenity for future occupiers of the site. It is noted that only one (1) apartment has a balcony with a single orientation to Sydney Markets but this is considered acceptable given that the apartment is dual aspect and is generously sized, so overall it provides good quality accommodation.

Solar Access

The east-west orientation of the site results in an unavoidable degree of overshadowing to the southern adjoining site contrary to Section 3B of the ADG. Development consent (DA2017/90) was granted at the southern adjoining site (19, 21 and 23 Smallwood Ave) for the construction of a part seven, part 5 storey residential flat building over two (2) levels of basement parking. It is noted that the approved built form for the development provides a nil setback to the northern side boundary of the site and accordingly windows and openings are orientated to the east or west rather than to the north. Overshadowing of the proposed development will therefore result in negligible impacts to solar access to units of the approved development. With regard to overshadowing to the landscaped spaces of the southern adjoining site, the shadow diagrams demonstrate that whilst the landscaped area of the southern adjoining site will be cast in shadow at 9am, the shadow continues to move east throughout the day with the landscaped space receiving direct solar access from 12pm onwards. This is considered acceptable and will allow green spaces to receive an acceptable level of solar access throughout the day.

Tree Removal

The proposal involves the removal of eleven (11) trees (T2, T3, T4, T5, T6, T11, T12, T13, T14, T15 and T16), the retention of one (1) tree located on the subject site (T1) and the retention of four (4) street trees (T7, T8, T9 and T10) located adjacent to the site along Smallwood Avenue. It is noted that trees labelled T1 and T16 are trees identified in Council's Significant Tree Register.

The proposal was referred to Council's Tree Management Officer who reviewed the submitted Arborist Report and agreed with the recommendations contained within the report including the

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

proposed tree removal, subject to compliance with the submitted landscape plan and protection of tree T1 and the street trees.

Significant Tree T1 is considered to be of greater significance than Significant Tree T16, and the retention of both of these trees would greatly constrain the proposed development. The loss of Significant Tree T2 is therefore considered acceptable as it is located within a reasonable footprint of the redevelopment on the site, the proposed basement footprint is not considered to be excessive or unreasonable and it provides adequate setbacks to Significant Tree T1 for protection. Council's Tree Management Officer raised no objection to the loss of this tree.

The loss of Significant Tree T16 is balanced by the retention and protection of Significant Tree T1 and adequate landscaping and replacements planting across the site which has been set out in the landscape plan and imposed by conditions of consent.

Traffic and Road Access

The subject site is bound by Smallwood Avenue to the south-east, and Hudson Street to the north-east and south-east. The portion of Smallwood Avenue adjoining the site is disconnected from the portion of Smallwood Avenue north of the site where it intersects with Parramatta Road, by a landscaped island and metal guard rails. Whilst Hudson Street is currently two-directional, its width only accommodates a single vehicle. It is also noted that Hudson Street is a dead-end.

The applicant originally included public domain works in the proposal which included the improvement of the connectivity of the surrounding roads, and increase in the width of Hudson Street. However, at the assessment officer's request, these works were removed from the application. This is because Council is undergoing its own investigations to improve the road layout and widths in this portion of Hudson Street and Smallwood Avenue and the wider area. DA2019/072 was granted development consent by the Local Planning Panel on 4 July 2019 for the removal of two (2) trees from the garden bed/ traffic island separating Smallwood Avenue (located adjacent to 4-8 Smallwood Avenue).

The proposal involves vehicle access from the north-eastern portion of Hudson Street. Whilst it is acknowledged that the width of Hudson Street only accommodates one (1) vehicle, this is considered acceptable in this instance as the distance from the proposed vehicle access on Hudson Street is only approximately 35m from the intersection of Hudson Street and Smallwood Avenue, and thereby it would be possible for vehicles accessing and exiting the site to see vehicles turning onto Hudson Street from Smallwood Avenue and waiting for them to pass, and vice versa. Furthermore, this is considered to be an interim measure before Council makes the public works improvements.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)



Figure 6: The north-eastern corner of the site, and the intersection of Smallwood Avenue and Hudson Street

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

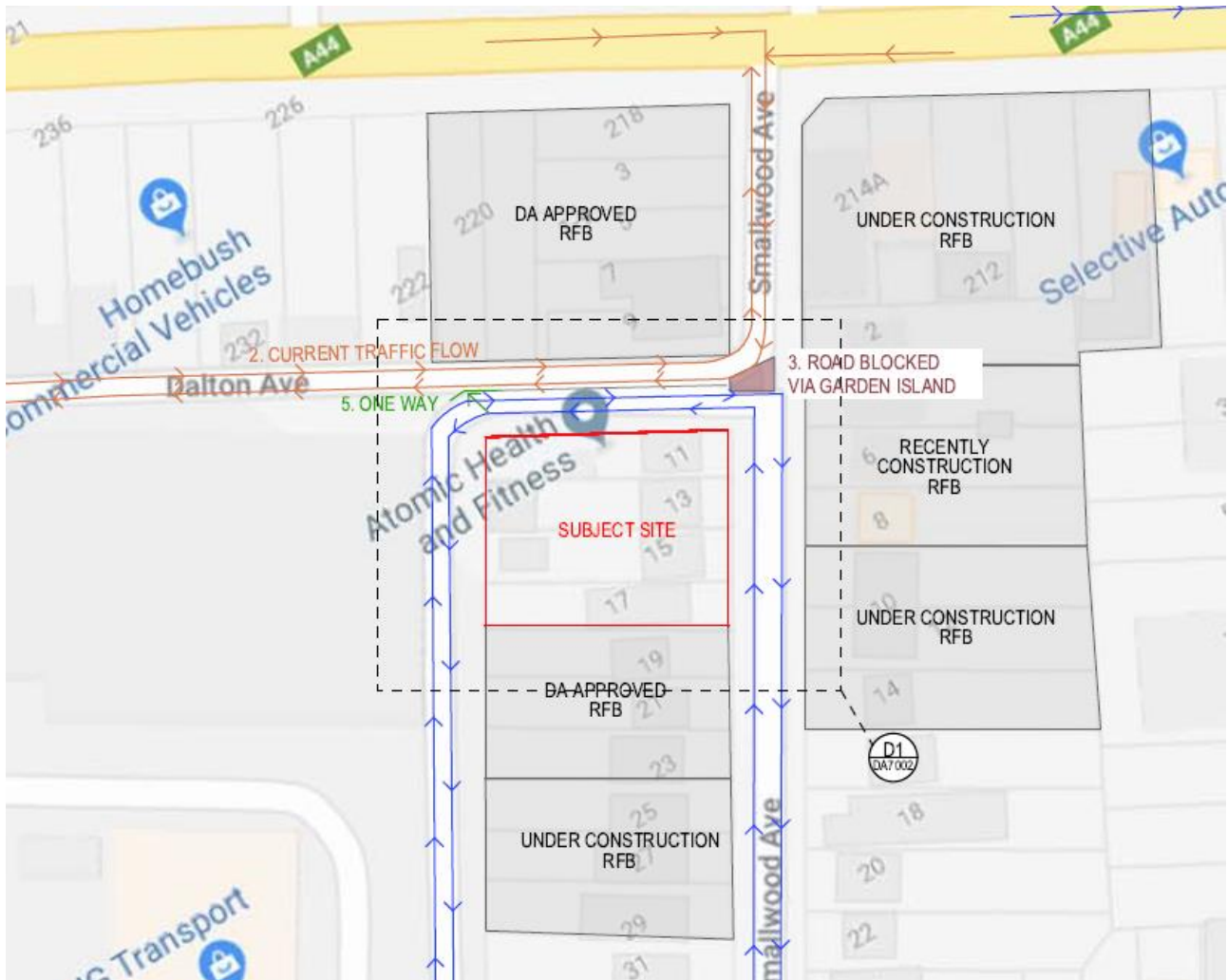


Figure 7: Extract of the current road connection and directions of the surrounding roads.

4.15 (1)(c) the suitability of the site for the development

The subject site is considered suitable for the proposed development in that residential flat buildings are a permissible use in the B4 zone with consent, the proposal is generally consistent with the amalgamation and built form layouts intended for the site, as set out in SLEP 2012 and SCDCP 2005. The proposal is generally consistent with the aims of SLEP 2012 and the objectives of the B4 zone. The density of the proposal is in character with other similar development which have been recently constructed in the surrounding area, or been granted development consent.

Whilst the site is identified as being affected by Class 5 Acid Sulfate Soils and is located within 500m of Class 2 and 3 Acid Sulfate Soils, it is considered that this is an environmental constraint which can be managed and addressed by condition (Deferred Commencement condition D1).

The proposal has successfully been designed to respond to the flood affectation of the site, subject to the imposition of a condition requiring a crest to the basement to be provided to restrict flooding of the basement level.

The site is in close proximity to Sydney Markets and Parramatta Road, thereby resulting in potential noise impacts to the sensitive use – residential flat building which is proposed on the site. However, the proposal has been designed to respond to this and a condition of consent is recommended to ensure that the Acoustic Report methodology is accurate and the

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

recommendations of the report ensure that the proposal would comply with the industry standards for noise levels and attenuation.

There are no other constraints which would render the site unsuitable for the proposed development.

4.15 (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. The application was subject to two (2) notification periods where the first was from **1 November to 19 November 2018**. During the first notification period two (2) objections were received. The second notification period was from **25 June to 23 July 2019** and was required as the proposal was identified as Integrated Development requiring the consent of the NSW Office of Water under the Water Management Act 2000. During the second notification period one (1) submission was received which was from a previous objector confirming that they no longer objected to the proposal. The outstanding objection raised the following concerns:

1. Traffic impacts from construction

Assessing officer's comments: Impacts from the demolition and construction phase will be temporary. Nevertheless, a condition of consent is recommended which requires a Construction Management Plan which includes traffic management provisions to be submitted to and approved by the Principal Certifying Authority prior to the issue of the construction certificate.

4.15 (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 7.11 CONTRIBUTIONS

Section 7.11 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 7.11 CONTRIBUTIONS PLAN

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

Provision of Community Facilities	\$102,977.45
Provision of Major Open Space	\$468,516.57
Provision of Local Open Space	\$305,479.22

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

Provision Roads and traffic Management	\$27,107.18
Administration	\$8,879.49
TOTAL	\$912,959.91

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

That Development Application No. 2018/152 for Demolition of existing dwellings and construction of a 5-7 storey residential flat building comprising 52 residential units over two (2) levels of basement parking at 11, 13, 15 & 17 Smallwood Avenue, Homebush be **APPROVED**, subject to:

- The receipt of Water NSW's General Terms of Approval;
- The inclusion of Water NSW's General Terms of Approval in the conditions of consent; and
- the following conditions:

SPECIAL CONDITIONS (SC)**1. ROOF OVER COMMON OPEN SPACE LEVEL 06**

The roof over the common open space on Level 06 is to be deleted. Amended plans 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 remove unnecessary bulk to the building and to improve the quality of this common open space by increasing access to sunlight and daylight.)

2. ACCESS REPORT

An amended Accessibility Report is to be prepared which reflects the amended approved development and is to demonstrate that the development is capable of comply with the applicable BCA accessibility requirements. The amended Accessibility Report is to be submitted to, and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

A copy of the approved Accessibility Report is to be submitted to the Council prior to the issue of the Construction Certificate.

(Reason: To ensure that the development is accessible.)

3. ACOUSTIC REPORT

The Acoustic Report is to be amended as follows:

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

- Inclusion of background readings taken at a location that is similar to the proposed location that is not impacted by noise from the motorway; OR demonstration that the noise from the motorway did not impact on the unattended noise readings.
- Inclusion of the weather monitoring observations, in 15 minute averages for the monitoring period. Note, daily weather observations averaged at 1 minute intervals is available for purchase from the Bureau of Meteorology.
- Omission of all noise measurements that have been impacted by noise influencing weather.
- Attended measurements of the noise originating from Sydney Markets must be undertaken at times when the background noise from traffic will not impact readings.
- Project specific noise criteria to be reassessed if there are any changes to the input data.

The recommendations of the amended Acoustic Report are to be incorporated in the design of the development to ensure compliance with Noise Policy for Industry 2017, AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors.

The amended Acoustic Report is to be submitted to, and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate. A copy of the approved Acoustic Report is to be submitted to the Council prior to the issue of the Construction Certificate.

(Reason: To ensure adequate acoustic attenuation from nearby noise sources including Parramatta Road and Sydney Markets and to improve the acoustic amenity for future occupiers.)

4. ACID SULFATE SOILS

The following document is to be submitted to, and approved by the Principal Certifying Authority prior to any works commencing on the site:

- The submitted Preliminary Acid Sulfate Soils Investigation Report ('PASSIR') is to be revised to adequately demonstrate that acid sulfate soils or preliminary acid sulfate soils are not present on the site; or
- In the instance that acid sulfate soils are present on the site, an Acid Sulfate Soils Management Plan is to be prepared in accordance with the Acid Sulfate Soils Manual.

The development is to be constructed entirely in accordance with the recommendations of the Preliminary Acid Sulfate Soils Investigation Report or Acid Sulfate Soils Management Plan that is approved by the Principal Certifying Authority.

(Reason: To ensure that the development does not disturb, expose or drain acid sulfate soils and cause environmental damage.)

5. BULK WASTE STORAGE AREA (SC)

The basements levels are to redesigned to accommodate a bulky waste store that is a

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

minimum 20.8m² in size.

Amended plans demonstrating this as well as amended waste management plan reflecting this shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: To achieve compliance with Council's Waste Management requirements and to maintain a good streetscape appearance.)

6. WASTE BINS (SC)

The proposal shall achieve compliance with the following minimum bin rates:

- 26 x 240L general waste bins or 10 x 660L; and
- 26 x 240L recycling bins or 10 x 660L

Amended plans demonstrating this as well as amended waste management plan reflecting this shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

(Reason: To achieve compliance with Council's Waste Management requirements)

7. FLOODING AND OVERLAND FLOW (SC)

The subject site is in the 1% AEP overland extent and a crest of 300mm to the basement access ramp is required. Amended plans 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 mitigate flood risk and associated damage.)

GENERAL CONDITIONS (GC)**8. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)**

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2018/152:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA0001	Cover	Urban Link	C	1 August 2019
DA2000	Floor Plans Basement 02	Urban Link	A 9 August 2018	1 August 2019
DA2001	Floor Plans Basement 01	Urban Link	B 18 June 2019	1 August 2019
DA2002	Floor Plans Ground Floor Plan	Urban Link	B 18 June 2019	1 August 2019
DA2003	Floor Plans Level 01	Urban Link	B 18 June 2019	1 August 2019
DA2004	Floor Plans	Urban Link	B	1 August 2019

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

	Level 02		18 June 2019	
DA2005	Floor Plans Level 03	Urban Link	B 18 June 2019	1 August 2019
DA2006	Floor Plans Level 04	Urban Link	B 18 June 2019	1 August 2019
DA2007	Floor Plans Level 05	Urban Link	C 1 August 2019	1 August 2019
DA2008	Floor Plans Level 06	Urban Link	C 1 August 2019	1 August 2019
DA2009	Floor Plans Roof Plan	Urban Link	C 1 August 2019	1 August 2019
DA3001	Elevations East & West Elevation	Urban Link	C 1 August 2019	1 August 2019
DA3002	Elevations North & South Elevation	Urban Link	C 1 August 2019	1 August 2019
DA4001	Sections Section AA & CC	Urban Link	C 1 August 2019	1 August 2019
DA4002	Sections Section BB & DD	Urban Link	B 20 May 2019	1 August 2019
A8372- Cover	General Notes	Alpha Engineering & Development	C 8 July 2019	1 August 2019
A8372- SW01	Sediment and Erosion Control Plan	Alpha Engineering & Development	C 8 July 2019	1 August 2019
A8372- SW02	Basement 2 Drainage Plan	Alpha Engineering & Development	C 8 July 2019	1 August 2019
A8372- SW03	Basement 1 Drainage Plan	Alpha Engineering & Development	C 8 July 2019	1 August 2019
A8372- SW04	Ground Floor Drainage Plan	Alpha Engineering & Development	C 8 July 2019	1 August 2019
A8372- SW05	Stormwater Sections and Details	Alpha Engineering & Development	C 8 July 2019	1 August 2019
LS00	Existing Trees	Melissa Wilson	B 26 October 2018	29 October 2018
LS01	Landscape Plan Ground Floor	Melissa Wilson	B 26 October 2018	29 October 2018
LS02	Landscape Plan Level 5	Melissa Wilson	B 26 October 2018	29 October 2018

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2018/152:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
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**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

Design Verification Statement	Urban Link	17 June 2019	1 August 2019
Preliminary Site Investigation	GCA	E1938-1 31 July 2019	1 August 2019
BASIX Certificate No. 968829M_02	Building & Energy Consultants Australia	11 July 2019	1 August 2019
Acoustic Report	Acoustic Works	R01D 16 July 2019	1 August 2019
Statement of Environmental Effects Addendum	Planning Ingenuity	14 August 2019	15 August 2019
Arboricultural Assessment Report	Tree and Landscape Consultants	17 th October 2018	29 October 2018
Geotechnical Desk Top Study	STS GeoEnvironmental Pty Ltd	22238/1114D October 2018	29 October 2018
Waste Management Plan	Urban Link	-	29 October 2018
Traffic and Parking Assessment Report	Varga Traffic Planning Pty Ltd	18630 29 October 2018	29 October 2018

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

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

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

The height of the building measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 33.65m (AHD) to the roof ridge of the lift overrun of the building.

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

10. CONSTRUCTION HOURS (GC)

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

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

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

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

11. CONSTRUCTION WITHIN BOUNDARIES (GC)

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

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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

12. DEMOLITION – GENERALLY (GC)

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

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

13. DEMOLITION - SITE SAFETY FENCING (GC)

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

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

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

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

(Reasons: Statutory requirement and health and safety.)

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

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

(Reason: To ensure appropriate landscape maintenance.)

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

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

<u>Tree No.</u>	<u>Tree</u>	<u>Height (m)/ Spread (m)</u>	<u>Location</u>
2	<i>Chamaecyparis obtusa</i> Cypress	2.5/ 1 x 1	Front Yard
3	<i>Chamaecyparis obtusa</i> Cypress	2.5/ 1 x 1	Front Yard
4	<i>Chamaecyparis obtusa</i> Cypress	2.5/ 1 x 1	Front Yard

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

5	<i>Chamaecyparis obtusa</i> Cypress	2.5/ 1 x 1	Front Yard
6	<i>Chamaecyparis obtusa</i> Cypress	2.5/ 1 x 1	Front Yard
11	<i>Liquidamber straciflua</i> Liquidamber	18/ 9 x 9	Centrally
12	<i>Celtis australis</i> Nettle Tree	12/ 7.7	Rear Yard
13	<i>Mangifera indica</i> Mangoe	5/ 2 x 2	Rear Yard
14	<i>Mangifera indica</i> Mangoe	5/ 2 x 2	Rear Yard
15	<i>Olea sp.</i> Olive	3/ 3 x 3	Rear Yard
16	<i>Corymbia citriodora</i> Lemon Scented Gum	17/ 12 x 12	Rear Yard
17	<i>Mangifera indica</i> Mangoe	5/ 5 x 5	Rear Yard

(Reason: To reasonably accommodate the proposed development.)

16. ENVIRONMENTAL PROTECTION – TREE (GC)

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

All healthy trees and shrubs identified for retention on the approved drawings are to be suitably protected in accordance with Section 4, Tree protection measures, and Appendix C Tree Protection Zone Sign, of Australian Standard AS4970 - 2009, 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.

The trees to be protected on the subject site and the street trees are as follows:

<u>Tree No.</u>	<u>Tree</u>	<u>Height (m)/ Spread (m)</u>	<u>Location</u>
1	<i>Corymbia citriodora</i> Lemon Scented Gum	18/ 15 x 15	Front Yard (adjacent to Smallwood Avenue frontage)
7	<i>Tristaniopsis laurina</i> Watergum	3/ 2 x 2	
8	<i>Tristaniopsis laurina</i>	3/ 2 x 2	Street Tree
9	Watergum	3/ 2 x 2	Street Tree
10	<i>Tristaniopsis laurina</i>	3/ 2 x 2	Street Tree

In this regard the street tree and all protected trees on or adjacent to the site will be protected as described below;

- i. A Tree Protection (Management) Plan prepared by a AQF Level 5 Arborist is

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

- to be available on site at all times prior to the issue of the Constriction Certificate, for all demolition and site works. This Tree Protection (Management) Plan must be shown on the demand of Authorised Council staff.
- ii. Protective perimeter fencing must be consistent with AS 4687, using metal fence posts greater than 20mm diameter and solid or chain wire mesh 2 metres in height supported on concrete pads/feet at 2-2.5 metre spacing. Fencing placement should not be closer than 2.5 metres from the trunk of each protected tree, or at a distance as specified by the approved Tree Protection (Management) Plan and approved by Council's Tree Management Officer. Shade cloth is to be used to prevent entry of dust and contaminated liquids into the root protection area.
 - iii. Signs must be placed on the Fencing. These signs must comply with AS1319. The signs must state the purpose of the fencing and the name and contact details of the builder and the appointed AQF Level 5 consultant arborist.
 - iv. Root protection is to be provided in the form of mulching to a depth of 50-100mm, inside of the fenced tree protection zone.
 - v. Ground (Root) Trunk and Branch Protection must comply with the diagram of Figure 4 of AS4970 – 2009. Ground protection within the tree protection zone and drip line should be in the form of heavy steel plates or timber rumble boards over mulch or aggregate. Trunk and branch protection should be to a minimum height of 2 metres and must include measures to protect the tree/s against damage from the movement of trucks, plant equipment and materials at greater heights above ground level.
 - vi. Temporary signs, cables, wires must not be attached to, or suspended, on any street tree or protected tree.
 - vii. Above ground utilities must not be placed within the canopy of an existing protected tree, or create the future need for clearance pruning.
 - viii. Below ground utilities/services must not be located inside the fenced tree protection zone.
 - ix. Scaffolding must not be located in the fenced tree protection zone unless authorised by the approved Tree Protection (Management) Plan and Council's Tree Management Officer
 - x. Council must be notified in writing within 24 hours, for all temporary removal of the tree protection fencing ground (root) trunk and branch protection within the root protection area.
 - xi. Pruning of a street tree is prohibited without the written consent of Council.

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

17. LIGHTING (GC)

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

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

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

18. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

(Reason: To ensure compliance with this consent.)

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

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

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

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

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

(Reason: Statutory requirement.)

20. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- iv) No blasting is to be carried out at any time during construction of the building.
- v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- vii) Any demolition and excess construction materials are to be recycled wherever practicable.
- viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- x) All waste must be contained entirely within the site.
- xi) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- xii) All materials on site or being delivered to the site are to generally be contained within

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

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

21. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

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

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

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

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

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

(Reason: Compliance with Sydney Water requirements.)

23. UTILITIES AND SERVICES - PROTECTION OF (GC)

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

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.)

24. DRYING FACILITIES

Outdoor drying facilities are to be provided which are located behind the front building line, is adequately screened from the public domain and the common open space areas.

Amended plans 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 provide adequate outdoor drying facilities, to reduce energy consumption and improve the amenity of units by providing alternative spaces for drying).

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

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

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

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

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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

26. ARBORIST REPORT – INITIAL (CC)

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

- i) *Primary root zone = 10 x trunk diameter 1400mm from ground level (measured as a radius from the centre of the trunk).

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

27. BASIX COMMITMENTS (CC)

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

Where a change or changes are proposed in the BASIX commitments, the applicant must submit a new BASIX Certificate to the Principal Certifying Authority and Council. If any proposed change in the BASIX commitments is inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 4.55 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.)

28. BICYCLE STORAGE PROVISION (CC)

On-site provision for bicycle storage facilities shall be in accordance with the Strathfield Consolidated Development Control Plan 2005. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance with SCDCP 2005 and to encourage sustainable transport options.)

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

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

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

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

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

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

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

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

(Reason: To ensure suitable development.)

31. CAR PARKING - REQUIREMENTS FOR MULTIPLE USE BUILDINGS (CC)

The following minimum car parking and service vehicle requirements apply:-

- i) 58 car spaces shall be provided on the development site which include a minimum 8 accessible spaces. This shall consist of:
 - 47 residential spaces
 - 11 visitor spaces
- ii) All car spaces shall be allocated and marked according to this requirement.
- iii) 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.
- iv) Under no circumstances shall parking spaces be sold, let or otherwise disposed of for use other than in accordance with this condition.
- v) 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.
- vi) The parking bays shall be delineated by line marking.
- vii) 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.
- viii) The following traffic control measures shall be implemented on site:-
 - Warning lights are to be installed on the ramp to indicate that a truck is entering/leaving the site

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.)

32. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

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

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

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

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

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

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

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

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

Vehicular maneuvering 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 maneuvering, access and parking of vehicles.)

35. 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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

36. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

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

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

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

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

37. COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)Works Permit

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

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

Standing Plant Permit

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

Skip Bin Permit

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

Temporary Full or Part Road Closure Permit

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

Hoarding Permit

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

Work Zone Permit

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

Ground Anchoring Permit

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

(Reason: Council requirement)

38. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

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

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

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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.)

39. DRIVEWAY WIDTH - MULTI-UNIT DEVELOPMENT (CC)

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.)

40. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

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

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

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

(Reason: Environmental protection.)

41. EXCAVATION - AFFECTING ADJOINING LAND (CC)

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

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

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

(Reason: Structural safety.)

42. EXCAVATION – DEWATERING (CC)

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

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

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

43. LANDSCAPING - LANDSCAPE PLAN REQUIRED (CC)

An amended landscape plan reflecting the amended approved development, prepared by a qualified landscape architect or landscape consultant to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent is to be submitted to the satisfaction of the Principal Certifying Authority with the Construction Certificate application.

The plan must include all landscaped areas and must provide the following information:

- i) details demonstrating compliance with SCDP 2005 in relation to landscaping requirements;
- ii) location of all existing and proposed landscape features including materials to be used;
- iii) all trees to be retained, removed or transplanted;

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

- iv) existing and proposed finished ground levels;
- v) top and bottom wall levels for both existing and proposed retaining and free standing walls; and
- vi) a detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity. A minimum of 25% of species shall be locally sourced indigenous species. Species shall be predominantly selected from Council's Recommended Tree List.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

(Reason: Landscape quality.)

44. LANDSCAPING - MAINTENANCE STRATEGY (CC)

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

(Reason: Ensure landscape survival.)

45. LANDSCAPING ON SLAB (CC)

To ensure the site landscaping thrives, the on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees; and 300mm for grass and ground covers. Adequate drainage provision and a permanent, automatic irrigation system conforming to Sydney Water requirements shall be included. Details demonstrating compliance shall be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: Ensure landscape survival.)

46. SECTION 7.11 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$102,977.45
Provision of Major Open Space	\$468,516.57
Provision of Local Open Space	\$305,479.22
Provision Roads and traffic Management	\$27,107.18
Administration	\$8,879.49
TOTAL	\$912,959.91

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.

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

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

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

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

**47. BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)
SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)**

A security (damage deposit) of **\$33,000** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

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

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

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

(Reason: Protection of Council infrastructure.)

48. STORMWATER DRAINAGE (CC)

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

(Reason: To ensure the site is drained appropriately and does not interfere with the natural flow of flood waters.)

49. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

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

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

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

50. TREE BONDS (CC)

A tree bond of **\$26,400.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

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

51. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY SUBSTATION (CC)

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

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

(Reason: Access to utility.)

52. VEHICULAR CROSSINGS – MAJOR DEVELOPMENT

The following vehicular crossing and road frontage works will be required to facilitate access to and from the proposed development site:

- a) Construct a 1.5-metre-wide concrete footpath for the full length of the frontage of the site along Smallwood Avenue and Hudson Street (northern-end – side frontage) and full width concrete paving between the new kerb and gutter and boundary in Hudson Street across the rear of the subject site, in accordance with Council's specifications applying at the time construction approval is sought.
- b) A six (6) metre wide heavy duty concrete driveway shall be constructed off the northern end of Hudson Street (side frontage) in accordance with Council's specifications for driveways applying at the time construction approval is sought.
- c) The thickness and design of the driveway shall be in accordance with Council's Specifications applying at the time construction approval is sought.
- d) Construct a new 150mm high concrete kerb with 450mm wide gutter for the full frontage(s) of the site along Smallwood Avenue and both frontages of Hudson Street, in accordance with Council's Specifications for kerb and guttering applying at the time construction approval is sought.
- e) Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant. The work shall be carried out in accordance with Council's specification, applying at the time construction approval is sought.
- f) The installation of turf as required along the Smallwood and Hudson Street (northern end – side boundary) and any other associated bitumen/asphalt works as required.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

Constructing a vehicular crossing and/or footpath requires separate approval under Section 138 of the Roads Act 1993, prior to the commencement of those works.

(Reason: To ensure appropriate access to the site can be achieved.)

53. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

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

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

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

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

54. WASTE MANAGEMENT PLAN (CC)

A revised 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.)

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

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

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

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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

(Reason: Council requirement.)

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

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

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

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

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

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

(Reason: Statutory requirement.)

57. NOTICE OF COMMENCEMENT (CW)

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

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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

(Reason: Statutory requirement.)

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

58. CONTAMINATED LAND UNEXPECTED FINDS (DW)

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

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

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

(Reason: To ensure compliance with statutory requirements.)

59. FILL MATERIAL (DW)

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

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

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

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

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

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

(Reason: To maintain public access and safety.)

61. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

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

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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

62. SITE REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

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

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

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

to the local area.)

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

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

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

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

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

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

64. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)

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

(Reason: Maintenance of public infrastructure.)

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

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

(Reason: Adequate access and egress.)

66. DRAINAGE SYSTEM - MAINTENANCE OF EXISTING SYSTEM (OC)

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

(Reason: Maintenance and environment.)

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

67. 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.)

68. FIRE SAFETY CERTIFICATION (OC)

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

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

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

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

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

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

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

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

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

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

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

70. LANDSCAPING – CERTIFICATION OF COMPLETED LANDSCAPEING AND TREE PLANTING (OC)

Prior to the issue of the Occupation Certificate an AQF Level 5 Landscape Designer, or Landscape Architect, is to certify that all landscape works and tree planting has been carried out in accordance with the approved landscape design and conditions of development consent. Additionally, the certification is to include a statement that all plants are healthy and that the landscaped areas are well maintained, safe and free of biosecurity issues (pests, diseases and weeds).

(Reason: Tree preservation and environmental amenity.)

71. OCCUPATION OF BUILDING (OC)

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

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

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

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

(Reason: Statutory requirement.)

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

72. RAINWATER TANKS (OC)

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

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

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

(Reason: To protect public health and amenity.)

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

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

(Reason: Adequate stormwater management.)

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

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

Where any drainage line or service conduit is to traverse any property other than that which it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

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

75. VENTILATION SYSTEMS – MECHANICAL (OC)

The mechanical ventilation system is to comply with the following:

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

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

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

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

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

76. SUBDIVISION - EVIDENCE OF CONSOLIDATION (OC)

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.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (POC)**77. CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)**

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

(Reason: Maintenance of public infrastructure.)

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

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

(Reason: Adequate access and egress.)

79. 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, conditions of consent and any relevant Standards and Council policies/specifications.

DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)

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.)

80. SYDNEY WATER - SECTION 73 CERTIFICATE (OC)

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 to release of the Subdivision Certificate /any occupation of the premises.

(Reason: To comply with the statutory requirements of Sydney Water.)

81. UTILITIES - ELECTRICITY SUBSTATION DEDICATION AS ROAD AND/OR EASEMENT FOR ACCESS (OC)

Where an electricity substation is provided on the site adjoining the road boundary, the area within which the electricity substation is located must be dedicated as public road, free of cost to Council. The size and location of the electricity substation is to be in accordance with the requirements of the appropriate energy authority and Council. The opening of any access doors shall not intrude onto any public road (footway or road pavement).

Where access to the electricity substation is required from a public place and across the site, an easement for access across the site from the public place must be created upon the final plan of subdivision burdening the subject site and benefiting the Crown in right of New South Wales and any Statutory Corporation requiring access to the electricity substation.

The above details must be included on the final plan of subdivision, prior to the release of the Subdivision Certificate.

(Reason: Formalisation of access to utility.)

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

82. FIRE SAFETY ANNUAL STATEMENT (OU)

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

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

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

(Reason: Fire safety)

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

All recommendations contained in the approved Acoustic Assessment Report required by Condition 3 of this consent 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.)

84. VISITOR PARKING RESTRICTION (OU)

All visitor parking spaces must not at any time be allocated sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation.

(Reason: Compliance with approved visitor parking provision.)

85. MAINTENANCE AND PROTECTION OF LANDSCAPING AND SOFT LANDSCAPED AREAS (OU)

The applicant and property owner/s are to maintain and enhance the completed landscape works in all private and strata areas, in accordance with the approved landscape design and conditions of development (inclusive of the maintenance and protection of all retained and planted trees).

In this regard the applicant is to provide an annual statement to Council, on or by the 1 July of each calendar year, for the first 5 years after the issue of the occupation certificate, from an AQF Level 5 Landscape Designer or Landscape Architect certifying that;

- All plants (including planted and retained trees) are in a healthy safe condition.
- The turf areas are well maintained.
- The landscaped area is free of all notifiable weeds, pests and diseases as detailed in the NSW Biosecurity Act 2015.
- The landscaped area is free of hazards.
- The mulched areas are well maintained.
- The irrigation systems, sub soil drainage and lighting systems are in a good

**DA2018/152 - 11, 13, 15 & 17 Smallwood Avenue, Homebush
Lots A, B, C DP 169298 & Lot 3 DP 312801 (Cont'd)**

condition and operating according to both design and manufacturers specifications.

- That all missing plants have been replaced and are establishing well.

This annual statement shall also include reports and information from relevant expert consultants, in support of the statements made and as evidence of proof, in the annual statement.

(Reason: To protect landscape amenity and community environmental values).

ATTACHMENTS

1. [↓](#) DA2018/152- Architectural Plans - 11, 13, 15 & 17 Smallwood Avenue, Homebush



DRAWING SCHEDULE

Layout ID	Revision	Layout Name
DA0001	C	COVER
DA1001	A	SITE LOCATION & ANALYSIS
DA1002	A	SITE ANALYSIS
DA2000	A	BASEMENT 02
DA2001	B	BASEMENT 01
DA2002	B	GROUND FLOOR PLAN
DA2003	B	LEVEL 01
DA2004	B	LEVEL 02
DA2005	B	LEVEL 03
DA2006	B	LEVEL 04
DA2007	C	LEVEL 05
DA2008	C	LEVEL 06
DA2009	C	ROOF PLAN
DA2901	B	GFA DIAGRAMS
DA2902	B	2D SOLAR ACCESS DIAGRAMS
DA2902.1	B	2D SOLAR ACCESS DIAGRAMS
DA2903	B	3D SOLAR ACCESS DIAGRAMS
DA2903.1	B	3D SOLAR ACCESS DIAGRAMS
DA2906	B	CROSS FLOW DIAGRAMS
DA2907	A	DEEP SOIL & LANDSCAPE
DA2908	A	ADAPTABLE/ LIVABLE UNITS
DA3001	C	EAST & WEST ELEVATION
DA3002	C	NORTH & SOUTH ELEVATION
DA3003	B	STREETSCAPE ANALYSIS
DA4001	C	SECTION AA & CC
DA4002	B	SECTION BB & DD
DA5001	A	FINISHES SCHEDULE
DA6001	A	DEMOLITION PLAN
DA7001	A	PROPOSED WORKS
DA7002	A	PROPOSED WORKS
DA7003	A	PROPOSED WORKS
DA8001	A	MONTAGE

BUSINESS - THERMAL COMFORT SUMMARY

Room	Activity	Personnel	Equipment	Lighting	Climate Control	Notes
Office	Office work	1	Low	Low	AC	
Meeting Room	Meeting	2	Low	Low	AC	
Reception	Reception	1	Low	Low	AC	
Common Area	Common Area	1	Low	Low	AC	
Garage	Garage	1	Low	Low	AC	

BASIC COMMITMENTS NOTES

Item	Requirement	Compliance
Water	All Water Heats - All Water Heating systems - All Water Heats - All Water Heats	Compliant
Fire	Fire Protection - Fire Protection - Fire Protection - Fire Protection	Compliant
Energy	Energy - Energy - Energy - Energy	Compliant
Accessibility	Accessibility - Accessibility - Accessibility - Accessibility	Compliant

Site Area : 2,002 m²

CONTROL	ALLOWED	PROPOSED	COMPLIES
Floor Space Ratio	2.00 : 1	2.00 : 1	✓
Gross Floor Area	4,004.0 m ²	4,003.0 m ²	✓
Building Height	21 m	21.00 m	✓
Carparking	56.7 MIN	62.0	✓
Motorcycle Parking (1/15units)	3.47 MIN	4.0	✓
Bicycle Parking (20% resi & 15% visitor)	19.60 MIN	20.0	✓
Solar Access (> 2hours)	70% (36.4 units)	39 75%	✓
Cross Ventilation	60% (31.2 units)	31 60%	✓
Adaptable Units			
Adaptable	15% (7.8 units)	8 15%	✓
Livable Housing Silver Level	20% (10.4 units)	11 21%	✓
Communal Open Space (DCP)	min. 25% (440.44sqm)	804 m ² 40.2%	✓
Unit Storage			
1Bed	6 m ³ MIN	6 m ³	✓
2Bed	8 m ³ MIN	8 m ³	✓
3Bed	10 m ³ MIN	10 m ³	✓
Deep Soil Zone	7% (140.14sqm)	308 m ² 15.4%	✓

GROSS FLOOR AREA

Ground	560.0 m ²
Level 1	641.0 m ²
Level 2	684.0 m ²
Level 3	684.0 m ²
Level 4	684.0 m ²
Level 5	375.0 m ²
Level 6	375.0 m ²
TOTAL	4,003.0 m²

UNIT MIX

1Bed	2Bed	3Bed	TOTAL
1	5	1	7
1	6	1	8
1	8		9
1	8		9
1	8		9
	5		5
	5		5
Total	52		

ADG CALCS

Solar Access	Cross Vent
4	4
5	5
6	5
7	5
7	5
5	2
5	5
39	31
75%	60%

CARPARKING AS PER ADG

5	45	2	
x0.6	x0.9	x1.4	
3.0	40.5	2.8	46.3
visitors 1/5			10.4
Total	56.7		

LEP CONTROLS

ZONE	B4
FSR	2:1 (CL 4.4A)
HEIGHT	22m (CL 4.3A)
KEY SITE	38



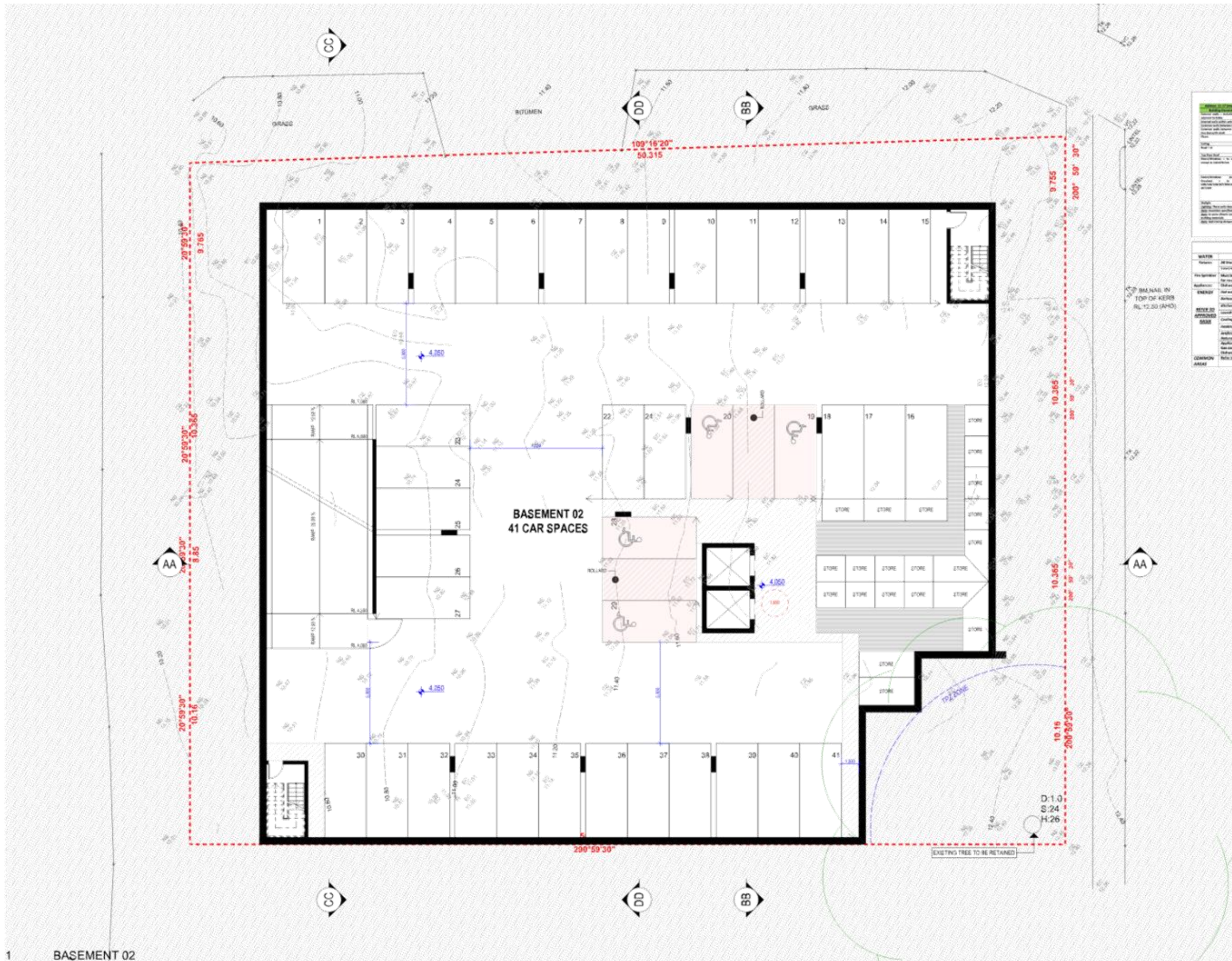
STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
DA2018/152
1 August 2019

URBAN LINK

Project: **11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING**
11-17 SMALLWOOD AVE
HOMEBUSHNSW2134AUSTRALIA

Plan Number: 18-100
Revision: C

DEVELOPMENT APPLICATION



Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
 2. DO NOT SCALE DRAWING.
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAL, BEFORE YOU DIG. IF DAL, SECURE YOU DO NOT DISRUPT OR PROVIDE WITH THE DOCUMENTATION SHALL BE ALLOWED NOT TO BE CURRENT AND CONTRACTOR SHALL HAVE THEIR OWN ENGINEER.

NUMERICAL CHECKSUM SUMMARY

Item	Description	Value
1	Area	100.00
2	Perimeter	100.00
3	Volume	100.00
4	Weight	100.00
5	Length	100.00
6	Width	100.00
7	Height	100.00
8	Temperature	100.00
9	Pressure	100.00
10	Speed	100.00
11	Acceleration	100.00
12	Angular Velocity	100.00
13	Angular Acceleration	100.00
14	Displacement	100.00
15	Velocity	100.00
16	Acceleration	100.00
17	Force	100.00
18	Moment	100.00
19	Power	100.00
20	Energy	100.00
21	Entropy	100.00
22	Information	100.00
23	Probability	100.00
24	Statistics	100.00
25	Optimization	100.00
26	Simulation	100.00
27	Modeling	100.00
28	Analysis	100.00
29	Design	100.00
30	Manufacturing	100.00
31	Assembly	100.00
32	Testing	100.00
33	Validation	100.00
34	Verification	100.00
35	Deployment	100.00
36	Operation	100.00
37	Maintenance	100.00
38	Support	100.00
39	Upgrade	100.00
40	Replacement	100.00
41	Disposal	100.00

BASIC COMMITMENTS NOTES

1. ALL WORK TO BE COMPLETED WITHIN APPROVED TIME FRAME.

WATER
 All water work to be completed within 14 days of start of work.
 All water work to be completed within 14 days of start of work.
 All water work to be completed within 14 days of start of work.

ENERGY
 All energy work to be completed within 14 days of start of work.
 All energy work to be completed within 14 days of start of work.
 All energy work to be completed within 14 days of start of work.

SEWER
 All sewer work to be completed within 14 days of start of work.
 All sewer work to be completed within 14 days of start of work.
 All sewer work to be completed within 14 days of start of work.

COMMON
 All common work to be completed within 14 days of start of work.
 All common work to be completed within 14 days of start of work.
 All common work to be completed within 14 days of start of work.

Certificate no: 6004016140
 Assessor Name: Thomas Ruck
 Accreditation no: YIC/DA/12/14
 Certificate date: 11 July 2019
 Issuing Address:
 11-17 Smallwood Ave
 Homebush, NSW
 2140
 www.nathers.gov.au

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
DA2018/152
1 August 2019

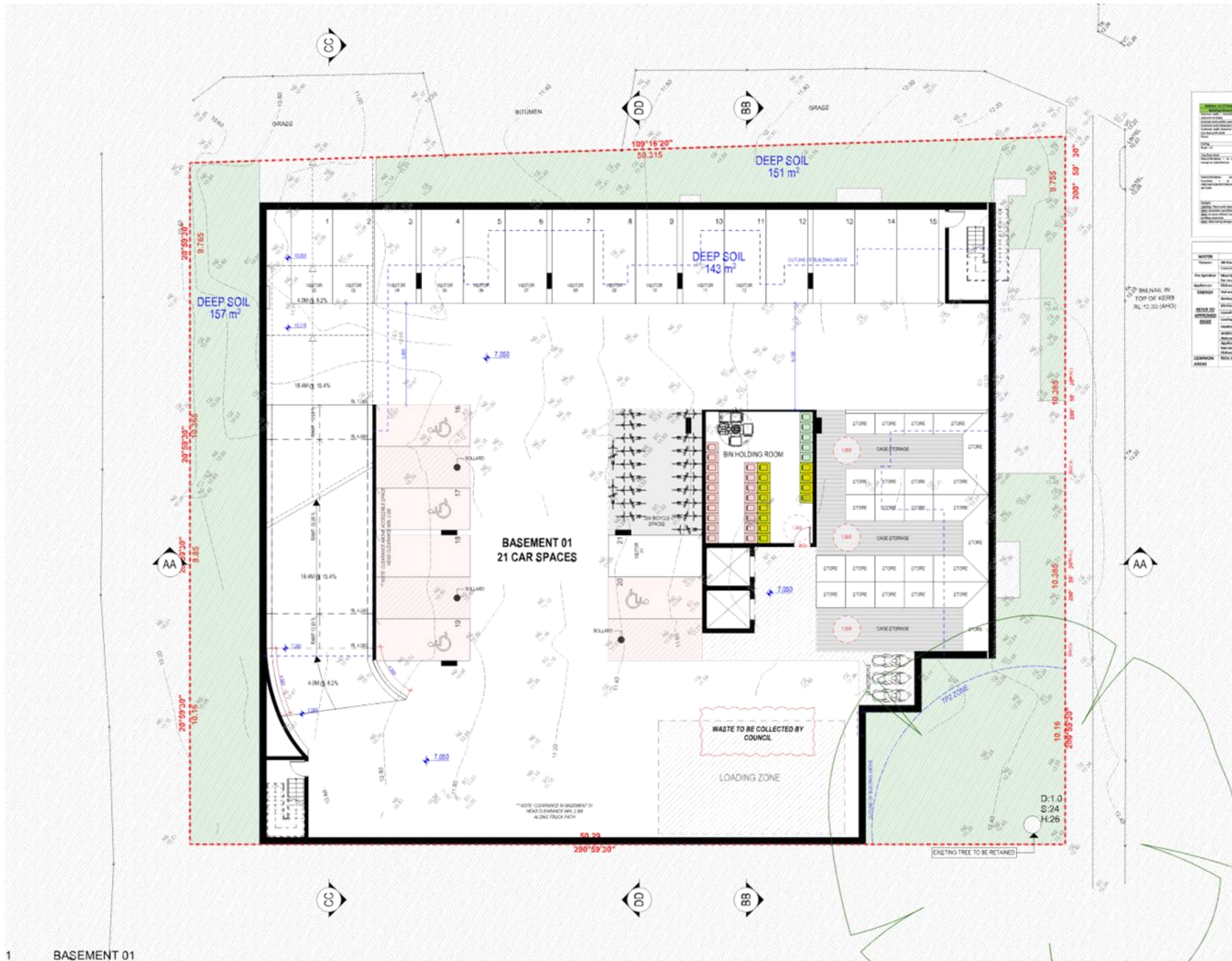
NO AMENOMENTS

A FORDA 2010018 ZB
 Rev Description Date April
 Project
 11-17 SMALLWOOD
 RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMEBUSH NSW 2134 AUSTRALIA

URBAN LINK
 Business Address: Level 10, 11-13 Green Street, Sydney NSW 2124
 Public Address: PO BOX 1222 Newtown NSW 2124
 Phone Number: +61 (0)2 9550 9914
 Website: www.urbanlink.com.au
 Zet Surveys Pty Ltd
 Zet Surveys Pty Ltd
 Zet Surveys Pty Ltd

Drawing Title
FLOOR PLANS
BASEMENT 02
 Date of Issue: 19/07/2019
 Drawn: CH, FK
 Checked: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2000 A
 Date: DEVELOPMENT APPLICATION

1 BASEMENT 02



Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
 2. DO NOT SCALE DRAWING.
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAL, BEFORE YOU DIG. IF DAL, SECURE YOUR OWN INFORMATION PROVIDED WITH THE DOCUMENTATION SHALL BE ALLOWED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRY.

GENERAL TECHNICAL COMMENT SUMMARY

Item	Description	Resolution
1	Check all dimensions on site before commencing work or preparing shop drawings.	Contractor to verify on site.
2	Do not scale drawing.	Contractor to verify on site.
3	Check underground services before commencing work by contacting DAL.	Contractor to contact DAL before digging.
4	Secure your own information provided with the documentation shall be allowed not to be current and contractor shall make their own enquiry.	Contractor to verify on site.

BASIC COMMITMENTS NOTES

System	Requirement	Specification
WATER	All fixtures must be installed in accordance with the relevant standards.	AS/NZS 3548:2010
WATER	All hot water systems must be installed in accordance with the relevant standards.	AS/NZS 3548:2010
WATER	All hot water systems must be installed in accordance with the relevant standards.	AS/NZS 3548:2010
WATER	All hot water systems must be installed in accordance with the relevant standards.	AS/NZS 3548:2010
WATER	All hot water systems must be installed in accordance with the relevant standards.	AS/NZS 3548:2010

NATIONWIDE HOUSE
 Certificate no.: 0054018140
 Assessor Name: Thomas Ruck
 Accreditation no.: VIC/BOA/12/1447
 Certificate date: 11 July 2019
 Drawing Address: 11-17 Smallwood Ave, Homebush, NSW 2140
 www.nathans.gov.au

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
 DA2018/152
 1 August 2019

11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMEBSH NSW 2140 AUSTRALIA

URBAN LINK
 Building Address: Level 10, 11-15 Green Street, Sydney NSW 2154
 Postal Address: PO Box 1222, Neutral Bay NSW 2154
 Phone Number: +61 2 9594 2014
 Website: www.urbanlink.com.au

FLOOR PLANS
BASEMENT 01
 Date of Issue: 13/07/2019
 Drawn: CH, FK
 Approved: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2001 B
 Date: DEVELOPMENT APPLICATION

1 BASEMENT 01

ONE WAY

STREET

HUDSON

SMALLWOOD AVENUE



Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS
 2. DO NOT SCALE DRAWING
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAJ, BEFORE YOU DIG. IF DAJ, SECURE YOUR OWN INFORMATION PROVIDED WITH THE DOCUMENTATION SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRY.

SUMMARY - TECHNICAL COMPLIANCE SUMMARY	
Item	Compliance
1.1	Compliance
1.2	Compliance
1.3	Compliance
1.4	Compliance
1.5	Compliance
1.6	Compliance
1.7	Compliance
1.8	Compliance
1.9	Compliance
1.10	Compliance
1.11	Compliance
1.12	Compliance
1.13	Compliance
1.14	Compliance
1.15	Compliance
1.16	Compliance
1.17	Compliance
1.18	Compliance
1.19	Compliance
1.20	Compliance
1.21	Compliance
1.22	Compliance
1.23	Compliance
1.24	Compliance
1.25	Compliance
1.26	Compliance
1.27	Compliance
1.28	Compliance
1.29	Compliance
1.30	Compliance
1.31	Compliance
1.32	Compliance
1.33	Compliance
1.34	Compliance
1.35	Compliance
1.36	Compliance
1.37	Compliance
1.38	Compliance
1.39	Compliance
1.40	Compliance
1.41	Compliance
1.42	Compliance
1.43	Compliance
1.44	Compliance
1.45	Compliance
1.46	Compliance
1.47	Compliance
1.48	Compliance
1.49	Compliance
1.50	Compliance

BASIC COMPLIANCE NOTES	
WATER	Water supply system: All water supply systems must be installed in accordance with AS/NZS 3548:2010. All water supply systems must be installed in accordance with AS/NZS 3548:2010. All water supply systems must be installed in accordance with AS/NZS 3548:2010.
ENERGY	Energy efficiency: The building must be designed to meet the energy efficiency requirements of the Building Code of Australia (BCA) Part 3.6.1. The building must be designed to meet the energy efficiency requirements of the Building Code of Australia (BCA) Part 3.6.1. The building must be designed to meet the energy efficiency requirements of the Building Code of Australia (BCA) Part 3.6.1.
ACCESS	Accessibility: The building must be designed to meet the accessibility requirements of the Building Code of Australia (BCA) Part 3.9.1. The building must be designed to meet the accessibility requirements of the Building Code of Australia (BCA) Part 3.9.1. The building must be designed to meet the accessibility requirements of the Building Code of Australia (BCA) Part 3.9.1.
COMMON	Common areas: The building must be designed to meet the common area requirements of the Building Code of Australia (BCA) Part 3.10.1. The building must be designed to meet the common area requirements of the Building Code of Australia (BCA) Part 3.10.1. The building must be designed to meet the common area requirements of the Building Code of Australia (BCA) Part 3.10.1.

AC UNIT LOCATION OF AC UNIT ON BALCONIES WILL BE SCREENED AND NOT VISIBLE FROM STREET (<1.8m HIGH)

NATIONAL HOUSE
 Certificate no.: 0004018140
 Assessor Name: Thomas Rack
 Accreditation no.: NSC/DAV1121456
 Certificate date: 11 July 2019
 Diving address: 11-17 Smallwood Ave, Homebush, NSW 2140
 www.nathouse.gov.au

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
 DA2018/152
 1 August 2019

11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMEBUSH NSW 2140 AUSTRALIA

URBAN LINK
 Business Address: Level 10, 11-15 Green Street, Sydney NSW 2014
 Public Address: PO BOX 1222 Neutral Bay NSW 2014
 Phone Number: +61 (0)2 9550 2014
 Fax Number: +61 (0)2 9550 2014
 Website: www.urbanlink.com.au

Drawing Title
FLOOR PLANS
GROUND FLOOR PLAN
 Date of Issue: 13/07/2019
 Drawn: CH, FK
 Appointed: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2002 B
 Date: DEVELOPMENT APPLICATION



Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
 2. DO NOT SCALE DRAWING.
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DA, BEFORE YOU DIG. IF DA, SECURE YOU DO NOT OBTAIN DA, PROVIDED WITH THE DOCUMENTATION SHALL BE ALLOWED NOT TO BE CURRENT AND CONTRACTOR SHALL HAVE THEIR OWN ENGINEER.

NUMERICAL CHECKSUM SUMMARY

Item	Description	Value
1	Overall Area	10,365.00
2	Overall Perimeter	109.16
3	Overall Volume	109.16
4	Overall Mass	109.16
5	Overall Weight	109.16
6	Overall Length	109.16
7	Overall Width	109.16
8	Overall Height	109.16
9	Overall Depth	109.16
10	Overall Thickness	109.16
11	Overall Density	109.16
12	Overall Stiffness	109.16
13	Overall Strength	109.16
14	Overall Durability	109.16
15	Overall Reliability	109.16
16	Overall Maintainability	109.16
17	Overall Repairability	109.16
18	Overall Replaceability	109.16
19	Overall Reusability	109.16
20	Overall Recyclability	109.16
21	Overall Compostability	109.16
22	Overall Biodegradability	109.16
23	Overall Non-toxicity	109.16
24	Overall Non-flammability	109.16
25	Overall Non-corrosivity	109.16
26	Overall Non-pollutivity	109.16
27	Overall Non-harmfulness	109.16
28	Overall Non-irritancy	109.16
29	Overall Non-sensitization	109.16
30	Overall Non-mutagenicity	109.16
31	Overall Non-carcinogenicity	109.16
32	Overall Non-reproductive toxicity	109.16
33	Overall Non-developmental toxicity	109.16
34	Overall Non-immunotoxicity	109.16
35	Overall Non-endocrine disruption	109.16
36	Overall Non-neurotoxicity	109.16
37	Overall Non-ocular toxicity	109.16
38	Overall Non-dermal toxicity	109.16
39	Overall Non-inhalation toxicity	109.16
40	Overall Non-ingestion toxicity	109.16
41	Overall Non-injection toxicity	109.16
42	Overall Non-implantation toxicity	109.16
43	Overall Non-intracranial toxicity	109.16
44	Overall Non-intravitreal toxicity	109.16
45	Overall Non-intraocular toxicity	109.16
46	Overall Non-intrathecal toxicity	109.16
47	Overall Non-intracerebral toxicity	109.16
48	Overall Non-intracerebellar toxicity	109.16
49	Overall Non-intracranial toxicity	109.16
50	Overall Non-intracerebral toxicity	109.16

BASIC COMMITMENTS NOTES

1. TO BE USED IN CONNECTION WITH APPROVED DEVELOPMENT

System	Requirement	Approved Solution
WATER	All fixtures must be connected to the water supply.	All fixtures must be connected to the water supply.
WASTE	All fixtures must be connected to the sewerage system.	All fixtures must be connected to the sewerage system.
PLUMBING	All plumbing must be installed in accordance with the Plumbing Code of Australia.	All plumbing must be installed in accordance with the Plumbing Code of Australia.
ELECTRICAL	All electrical must be installed in accordance with the Australian Standard AS/NZS 3000.	All electrical must be installed in accordance with the Australian Standard AS/NZS 3000.
MECHANICAL	All mechanical must be installed in accordance with the relevant Australian Standard.	All mechanical must be installed in accordance with the relevant Australian Standard.
HEATING	All heating must be installed in accordance with the relevant Australian Standard.	All heating must be installed in accordance with the relevant Australian Standard.
Cooling	All cooling must be installed in accordance with the relevant Australian Standard.	All cooling must be installed in accordance with the relevant Australian Standard.
VENTILATION	All ventilation must be installed in accordance with the relevant Australian Standard.	All ventilation must be installed in accordance with the relevant Australian Standard.
AC	All air conditioning must be installed in accordance with the relevant Australian Standard.	All air conditioning must be installed in accordance with the relevant Australian Standard.
GLAZING	All glazing must be installed in accordance with the relevant Australian Standard.	All glazing must be installed in accordance with the relevant Australian Standard.
SAFETY	All safety must be installed in accordance with the relevant Australian Standard.	All safety must be installed in accordance with the relevant Australian Standard.
ACCESS	All access must be installed in accordance with the relevant Australian Standard.	All access must be installed in accordance with the relevant Australian Standard.
DISABILITY	All disability must be installed in accordance with the relevant Australian Standard.	All disability must be installed in accordance with the relevant Australian Standard.
ENVIRONMENT	All environment must be installed in accordance with the relevant Australian Standard.	All environment must be installed in accordance with the relevant Australian Standard.
ENERGY	All energy must be installed in accordance with the relevant Australian Standard.	All energy must be installed in accordance with the relevant Australian Standard.
COMFORT	All comfort must be installed in accordance with the relevant Australian Standard.	All comfort must be installed in accordance with the relevant Australian Standard.
HEALTH	All health must be installed in accordance with the relevant Australian Standard.	All health must be installed in accordance with the relevant Australian Standard.
WELL-BEING	All well-being must be installed in accordance with the relevant Australian Standard.	All well-being must be installed in accordance with the relevant Australian Standard.
QUALITY	All quality must be installed in accordance with the relevant Australian Standard.	All quality must be installed in accordance with the relevant Australian Standard.
DURABILITY	All durability must be installed in accordance with the relevant Australian Standard.	All durability must be installed in accordance with the relevant Australian Standard.
RELIABILITY	All reliability must be installed in accordance with the relevant Australian Standard.	All reliability must be installed in accordance with the relevant Australian Standard.
MAINTAINABILITY	All maintainability must be installed in accordance with the relevant Australian Standard.	All maintainability must be installed in accordance with the relevant Australian Standard.
REPAIRABILITY	All repairability must be installed in accordance with the relevant Australian Standard.	All repairability must be installed in accordance with the relevant Australian Standard.
REPLACEMENT	All replacement must be installed in accordance with the relevant Australian Standard.	All replacement must be installed in accordance with the relevant Australian Standard.
RECYCLABILITY	All recyclability must be installed in accordance with the relevant Australian Standard.	All recyclability must be installed in accordance with the relevant Australian Standard.
COMPOSTABILITY	All compostability must be installed in accordance with the relevant Australian Standard.	All compostability must be installed in accordance with the relevant Australian Standard.
BIODEGRADABILITY	All biodegradability must be installed in accordance with the relevant Australian Standard.	All biodegradability must be installed in accordance with the relevant Australian Standard.
NON-TOXICITY	All non-toxicity must be installed in accordance with the relevant Australian Standard.	All non-toxicity must be installed in accordance with the relevant Australian Standard.
NON-FLAMMABILITY	All non-flammability must be installed in accordance with the relevant Australian Standard.	All non-flammability must be installed in accordance with the relevant Australian Standard.
NON-CORROSIVITY	All non-corrosivity must be installed in accordance with the relevant Australian Standard.	All non-corrosivity must be installed in accordance with the relevant Australian Standard.
NON-POLLUTIVITY	All non-pollutivity must be installed in accordance with the relevant Australian Standard.	All non-pollutivity must be installed in accordance with the relevant Australian Standard.
NON-HARMFULNESS	All non-harmfulness must be installed in accordance with the relevant Australian Standard.	All non-harmfulness must be installed in accordance with the relevant Australian Standard.
NON-IRRITANCY	All non-irritancy must be installed in accordance with the relevant Australian Standard.	All non-irritancy must be installed in accordance with the relevant Australian Standard.
NON-SENSITIZATION	All non-sensitization must be installed in accordance with the relevant Australian Standard.	All non-sensitization must be installed in accordance with the relevant Australian Standard.
NON-MUTAGENICITY	All non-mutagenicity must be installed in accordance with the relevant Australian Standard.	All non-mutagenicity must be installed in accordance with the relevant Australian Standard.
NON-CARCINOGENICITY	All non-carcinogenicity must be installed in accordance with the relevant Australian Standard.	All non-carcinogenicity must be installed in accordance with the relevant Australian Standard.
NON-REPRODUCTIVE TOXICITY	All non-reproductive toxicity must be installed in accordance with the relevant Australian Standard.	All non-reproductive toxicity must be installed in accordance with the relevant Australian Standard.
NON-DEVELOPMENTAL TOXICITY	All non-developmental toxicity must be installed in accordance with the relevant Australian Standard.	All non-developmental toxicity must be installed in accordance with the relevant Australian Standard.
NON-OCULAR TOXICITY	All non-ocular toxicity must be installed in accordance with the relevant Australian Standard.	All non-ocular toxicity must be installed in accordance with the relevant Australian Standard.
NON-DERMAL TOXICITY	All non-dermal toxicity must be installed in accordance with the relevant Australian Standard.	All non-dermal toxicity must be installed in accordance with the relevant Australian Standard.
NON-INHALATION TOXICITY	All non-inhalation toxicity must be installed in accordance with the relevant Australian Standard.	All non-inhalation toxicity must be installed in accordance with the relevant Australian Standard.
NON-INGESTION TOXICITY	All non-ingestion toxicity must be installed in accordance with the relevant Australian Standard.	All non-ingestion toxicity must be installed in accordance with the relevant Australian Standard.
NON-INJECTION TOXICITY	All non-injection toxicity must be installed in accordance with the relevant Australian Standard.	All non-injection toxicity must be installed in accordance with the relevant Australian Standard.
NON-IMPLANTATION TOXICITY	All non-implantation toxicity must be installed in accordance with the relevant Australian Standard.	All non-implantation toxicity must be installed in accordance with the relevant Australian Standard.
NON-INTRACRANIAL TOXICITY	All non-intracranial toxicity must be installed in accordance with the relevant Australian Standard.	All non-intracranial toxicity must be installed in accordance with the relevant Australian Standard.
NON-INTRACEREBRAL TOXICITY	All non-intracerebral toxicity must be installed in accordance with the relevant Australian Standard.	All non-intracerebral toxicity must be installed in accordance with the relevant Australian Standard.
NON-INTRACEREBELLAR TOXICITY	All non-intracerebellar toxicity must be installed in accordance with the relevant Australian Standard.	All non-intracerebellar toxicity must be installed in accordance with the relevant Australian Standard.
NON-INTRACRANIAL TOXICITY	All non-intracranial toxicity must be installed in accordance with the relevant Australian Standard.	All non-intracranial toxicity must be installed in accordance with the relevant Australian Standard.
NON-INTRACEREBRAL TOXICITY	All non-intracerebral toxicity must be installed in accordance with the relevant Australian Standard.	All non-intracerebral toxicity must be installed in accordance with the relevant Australian Standard.

AC UNIT LOCATION OF AC UNIT ON BALCONIES WILL BE SCREENED AND NOT VISIBLE FROM STREET (<1.0m HIGH)



STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
 DA2018/152
 1 August 2019

11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMELUSH NSW 2144 AUSTRALIA

URBAN LINK
 Building Address: Level 10, 11-15 Green Street, Sydney NSW 2154
 Postal Address: PO BOX 1222, Smallwood NSW 2144
 Phone Number: +61 (0)294 2014
 National Building: 2nd Floor, Regis NSW
 Yeppan Engineering Regis NSW
 Website: UrbanLink.com.au

Drawing Title: **FLOOR PLANS LEVEL 01**
 Date of Issue: 13/07/2019
 Drawn: CH, FK
 Approved: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2003 B
 Date: DEVELOPMENT APPLICATION





Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
 2. DO NOT SCALE DRAWING.
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAL, BEFORE YOU DIG, IF DAL, BEFORE YOU DIG INFORMATION PROVIDED WITH THE DOCUMENTATION SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRY.

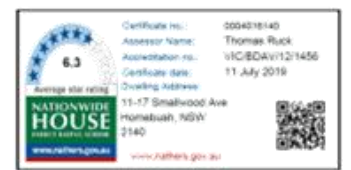
NAMES, TITLES AND CONTACT SUMMARY

NAME	TITLE	CONTACT
ARCHITECT	DESIGNER	URBAN LINK
ENGINEER	DESIGNER	URBAN LINK
PLUMBER	DESIGNER	URBAN LINK
ELECTRICIAN	DESIGNER	URBAN LINK
MECHANICAL ENGINEER	DESIGNER	URBAN LINK
STRUCTURAL ENGINEER	DESIGNER	URBAN LINK
CIVIL ENGINEER	DESIGNER	URBAN LINK
LANDSCAPE ARCHITECT	DESIGNER	URBAN LINK
CONTRACTOR	CONTRACTOR	URBAN LINK
CLIENT	CLIENT	URBAN LINK

BASIC COMMITMENTS NOTES

SYSTEM	COMMITMENT
WATER	All fixtures must comply with AS/NZS 3548. All fixtures must be tested to AS/NZS 3548 before use.
WASTE	All fixtures must comply with AS/NZS 3548. All fixtures must be tested to AS/NZS 3548 before use.
PLUMBING	All plumbing work must comply with AS/NZS 3548. All plumbing work must be tested to AS/NZS 3548 before use.
ELECTRICAL	All electrical work must comply with AS/NZS 3000. All electrical work must be tested to AS/NZS 3000 before use.
MECHANICAL	All mechanical work must comply with AS/NZS 3548. All mechanical work must be tested to AS/NZS 3548 before use.
STRUCTURAL	All structural work must comply with AS/NZS 3548. All structural work must be tested to AS/NZS 3548 before use.
CIVIL	All civil work must comply with AS/NZS 3548. All civil work must be tested to AS/NZS 3548 before use.
LANDSCAPE	All landscape work must comply with AS/NZS 3548. All landscape work must be tested to AS/NZS 3548 before use.

AC UNIT LOCATION OF AC UNIT ON BALCONIES WILL BE SCREENED AND NOT VISIBLE FROM STREET (<1.0m HIGH)



STRATHFIELD COUNCIL RECEIVED
 AMENDED PLANS
 DA2018/152
 1 August 2019

11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMEBUSH NSW 2140 AUSTRALIA

URBAN LINK
 Building Address: Unit 10, 11-15 Green Street, Strathfield NSW 2154
 Postal Address: PO BOX 3222, Strathfield NSW 2154
 Phone Number: +61 02 9516 2514
 Fax Number: +61 02 9516 2514
 ABN: 61 951 625 141
 VAT Registered
 Yellow Card Number: 181852

FLOOR PLANS LEVEL 03
 Level of Issue: 13/07/2019
 Drawn: CH, FK
 Approved: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2005 B
 Date: DEVELOPMENT APPLICATION



Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
 2. DO NOT SCALE DRAWING.
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAIR, BEFORE YOU DIG. IF DAIR, BEFORE YOU DIG INFORMATION PROVIDED WITH THE DOCUMENTATION SHALL BE PROVIDED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRY.

SUMMARY - TECHNICAL COMPLIANCE SUMMARY	
Code	AS/NZS 1546.1:2011
Code	AS/NZS 1546.2:2011
Code	AS/NZS 1546.3:2011
Code	AS/NZS 1546.4:2011
Code	AS/NZS 1546.5:2011
Code	AS/NZS 1546.6:2011
Code	AS/NZS 1546.7:2011
Code	AS/NZS 1546.8:2011
Code	AS/NZS 1546.9:2011
Code	AS/NZS 1546.10:2011
Code	AS/NZS 1546.11:2011
Code	AS/NZS 1546.12:2011
Code	AS/NZS 1546.13:2011
Code	AS/NZS 1546.14:2011
Code	AS/NZS 1546.15:2011
Code	AS/NZS 1546.16:2011
Code	AS/NZS 1546.17:2011
Code	AS/NZS 1546.18:2011
Code	AS/NZS 1546.19:2011
Code	AS/NZS 1546.20:2011
Code	AS/NZS 1546.21:2011
Code	AS/NZS 1546.22:2011
Code	AS/NZS 1546.23:2011
Code	AS/NZS 1546.24:2011
Code	AS/NZS 1546.25:2011
Code	AS/NZS 1546.26:2011
Code	AS/NZS 1546.27:2011
Code	AS/NZS 1546.28:2011
Code	AS/NZS 1546.29:2011
Code	AS/NZS 1546.30:2011
Code	AS/NZS 1546.31:2011
Code	AS/NZS 1546.32:2011
Code	AS/NZS 1546.33:2011
Code	AS/NZS 1546.34:2011
Code	AS/NZS 1546.35:2011
Code	AS/NZS 1546.36:2011
Code	AS/NZS 1546.37:2011
Code	AS/NZS 1546.38:2011
Code	AS/NZS 1546.39:2011
Code	AS/NZS 1546.40:2011
Code	AS/NZS 1546.41:2011
Code	AS/NZS 1546.42:2011
Code	AS/NZS 1546.43:2011
Code	AS/NZS 1546.44:2011
Code	AS/NZS 1546.45:2011
Code	AS/NZS 1546.46:2011
Code	AS/NZS 1546.47:2011
Code	AS/NZS 1546.48:2011
Code	AS/NZS 1546.49:2011
Code	AS/NZS 1546.50:2011

BASIC COMMITMENTS NOTES	
WATER	All fixtures must be installed in accordance with AS/NZS 1546.1:2011 and AS/NZS 1546.2:2011. All fixtures must be installed in accordance with AS/NZS 1546.3:2011 and AS/NZS 1546.4:2011. All fixtures must be installed in accordance with AS/NZS 1546.5:2011 and AS/NZS 1546.6:2011. All fixtures must be installed in accordance with AS/NZS 1546.7:2011 and AS/NZS 1546.8:2011. All fixtures must be installed in accordance with AS/NZS 1546.9:2011 and AS/NZS 1546.10:2011. All fixtures must be installed in accordance with AS/NZS 1546.11:2011 and AS/NZS 1546.12:2011. All fixtures must be installed in accordance with AS/NZS 1546.13:2011 and AS/NZS 1546.14:2011. All fixtures must be installed in accordance with AS/NZS 1546.15:2011 and AS/NZS 1546.16:2011. All fixtures must be installed in accordance with AS/NZS 1546.17:2011 and AS/NZS 1546.18:2011. All fixtures must be installed in accordance with AS/NZS 1546.19:2011 and AS/NZS 1546.20:2011. All fixtures must be installed in accordance with AS/NZS 1546.21:2011 and AS/NZS 1546.22:2011. All fixtures must be installed in accordance with AS/NZS 1546.23:2011 and AS/NZS 1546.24:2011. All fixtures must be installed in accordance with AS/NZS 1546.25:2011 and AS/NZS 1546.26:2011. All fixtures must be installed in accordance with AS/NZS 1546.27:2011 and AS/NZS 1546.28:2011. All fixtures must be installed in accordance with AS/NZS 1546.29:2011 and AS/NZS 1546.30:2011. All fixtures must be installed in accordance with AS/NZS 1546.31:2011 and AS/NZS 1546.32:2011. All fixtures must be installed in accordance with AS/NZS 1546.33:2011 and AS/NZS 1546.34:2011. All fixtures must be installed in accordance with AS/NZS 1546.35:2011 and AS/NZS 1546.36:2011. All fixtures must be installed in accordance with AS/NZS 1546.37:2011 and AS/NZS 1546.38:2011. All fixtures must be installed in accordance with AS/NZS 1546.39:2011 and AS/NZS 1546.40:2011. All fixtures must be installed in accordance with AS/NZS 1546.41:2011 and AS/NZS 1546.42:2011. All fixtures must be installed in accordance with AS/NZS 1546.43:2011 and AS/NZS 1546.44:2011. All fixtures must be installed in accordance with AS/NZS 1546.45:2011 and AS/NZS 1546.46:2011. All fixtures must be installed in accordance with AS/NZS 1546.47:2011 and AS/NZS 1546.48:2011. All fixtures must be installed in accordance with AS/NZS 1546.49:2011 and AS/NZS 1546.50:2011.
ENERGY	Energy efficient lighting must be installed in accordance with AS/NZS 1546.1:2011 and AS/NZS 1546.2:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.3:2011 and AS/NZS 1546.4:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.5:2011 and AS/NZS 1546.6:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.7:2011 and AS/NZS 1546.8:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.9:2011 and AS/NZS 1546.10:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.11:2011 and AS/NZS 1546.12:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.13:2011 and AS/NZS 1546.14:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.15:2011 and AS/NZS 1546.16:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.17:2011 and AS/NZS 1546.18:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.19:2011 and AS/NZS 1546.20:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.21:2011 and AS/NZS 1546.22:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.23:2011 and AS/NZS 1546.24:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.25:2011 and AS/NZS 1546.26:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.27:2011 and AS/NZS 1546.28:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.29:2011 and AS/NZS 1546.30:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.31:2011 and AS/NZS 1546.32:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.33:2011 and AS/NZS 1546.34:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.35:2011 and AS/NZS 1546.36:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.37:2011 and AS/NZS 1546.38:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.39:2011 and AS/NZS 1546.40:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.41:2011 and AS/NZS 1546.42:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.43:2011 and AS/NZS 1546.44:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.45:2011 and AS/NZS 1546.46:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.47:2011 and AS/NZS 1546.48:2011. Energy efficient lighting must be installed in accordance with AS/NZS 1546.49:2011 and AS/NZS 1546.50:2011.
ACCESS	Accessibility must be provided in accordance with AS/NZS 1546.1:2011 and AS/NZS 1546.2:2011. Accessibility must be provided in accordance with AS/NZS 1546.3:2011 and AS/NZS 1546.4:2011. Accessibility must be provided in accordance with AS/NZS 1546.5:2011 and AS/NZS 1546.6:2011. Accessibility must be provided in accordance with AS/NZS 1546.7:2011 and AS/NZS 1546.8:2011. Accessibility must be provided in accordance with AS/NZS 1546.9:2011 and AS/NZS 1546.10:2011. Accessibility must be provided in accordance with AS/NZS 1546.11:2011 and AS/NZS 1546.12:2011. Accessibility must be provided in accordance with AS/NZS 1546.13:2011 and AS/NZS 1546.14:2011. Accessibility must be provided in accordance with AS/NZS 1546.15:2011 and AS/NZS 1546.16:2011. Accessibility must be provided in accordance with AS/NZS 1546.17:2011 and AS/NZS 1546.18:2011. Accessibility must be provided in accordance with AS/NZS 1546.19:2011 and AS/NZS 1546.20:2011. Accessibility must be provided in accordance with AS/NZS 1546.21:2011 and AS/NZS 1546.22:2011. Accessibility must be provided in accordance with AS/NZS 1546.23:2011 and AS/NZS 1546.24:2011. Accessibility must be provided in accordance with AS/NZS 1546.25:2011 and AS/NZS 1546.26:2011. Accessibility must be provided in accordance with AS/NZS 1546.27:2011 and AS/NZS 1546.28:2011. Accessibility must be provided in accordance with AS/NZS 1546.29:2011 and AS/NZS 1546.30:2011. Accessibility must be provided in accordance with AS/NZS 1546.31:2011 and AS/NZS 1546.32:2011. Accessibility must be provided in accordance with AS/NZS 1546.33:2011 and AS/NZS 1546.34:2011. Accessibility must be provided in accordance with AS/NZS 1546.35:2011 and AS/NZS 1546.36:2011. Accessibility must be provided in accordance with AS/NZS 1546.37:2011 and AS/NZS 1546.38:2011. Accessibility must be provided in accordance with AS/NZS 1546.39:2011 and AS/NZS 1546.40:2011. Accessibility must be provided in accordance with AS/NZS 1546.41:2011 and AS/NZS 1546.42:2011. Accessibility must be provided in accordance with AS/NZS 1546.43:2011 and AS/NZS 1546.44:2011. Accessibility must be provided in accordance with AS/NZS 1546.45:2011 and AS/NZS 1546.46:2011. Accessibility must be provided in accordance with AS/NZS 1546.47:2011 and AS/NZS 1546.48:2011. Accessibility must be provided in accordance with AS/NZS 1546.49:2011 and AS/NZS 1546.50:2011.

AC UNIT LOCATION OF AC UNIT ON BALCONIES WILL BE SCREENED AND NOT VISIBLE FROM STREET (<1.0m HIGH)

Certificate no.: 3004016140
 Assessor Name: Thomas Ruck
 Accreditation no.: VIC/DAV12/1458
 Certificate date: 11 July 2019
 Working Address:
 11-17 Smallwood Ave
 Homebush, NSW
 2140
www.natwide.gov.au

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
DA2018/152
1 August 2019

11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMEBUSH NSW 2144 AUSTRALIA

URBAN LINK
 Building Address: Unit 10, 11-15 Green Street, Homebush NSW 2144
 Postal Address: PO Box 1222 Homebush North NSW 2144
 Phone Number: +61 (0)2 90 20 1014
 National Building: 2nd Floor, Level 2, 11-15 Green Street, Homebush NSW 2144
 You can't miss it!

Drawing Title: FLOOR PLANS LEVEL 04
 Date of Issue: 19/07/2019
 Drawn: CH, FK
 Approved: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2006 B
 Date: DEVELOPMENT APPLICATION

HUDSON STREET



- Note:
- 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
- 2. DO NOT SCALE DRAWINGS.
- 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DA, BEFORE YOU DIG. IF DA, REQUIRES YOU TO DO PRELIMINARY PROVIDED WITH THE DOCUMENTATION IT SHALL BE ALLOWED NOT TO BE CURRENT AND CONTRACTOR SHALL HAVE THEIR OWN ENQUIRE.

GENERAL BUILDING COMPLIANCE SUMMARY

Code	Description	Compliance
ENVIRONMENTAL
ENERGY
FIRE
PLANNING

BASIC COMMITMENTS NOTES

1. ALL DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR.

System	Minimum Requirements	Proposed Solution
WATER
FIRE
ENERGY

AC UNIT LOCATION OF AC UNIT ON BALCONIES WILL BE SCREENED AND NOT VISIBLE FROM STREET (<1.0m HIGH)

NATIONWIDE HOUSE

Certificate no: 0004018140
 Assessor Name: Thomas Ruck
 Accreditation no: VNC/DCAV/12/1456
 Certificate date: 11 July 2018
 Drenching Address: 11-17 Smallwood Ave, Homebush, NSW 2140
 www.nathorn.gov.au

STRATHFIELD COUNCIL RECEIVED
 AMENDED PLANS
 DA2018/152
 1 August 2019

Rev	Description	Date	Appr
C	AS PER COUNCIL COMMENTS	19/08/2019	ZB
B	AS PER COUNCIL COMMENTS	20/08/2019	ZB
A	FORDA	29/10/2018	ZB

URBAN LINK

11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE, HOMEBUSH NSW 2140 AUSTRALIA

FLOOR PLANS LEVEL 05

Date of Issue: 19/07/2019
 Drawn: CH, FK
 Appr: ZB

Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2007 C
 Date: DEVELOPMENT APPLICATION

STREET

HUDSON

SMALLWOOD



Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWING.
 2. DO NOT SCALE DRAWING.
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DA, BEFORE YOU DIG. IF DA, BEFORE YOU DIG DOCUMENTATION PROVIDED WITH THE DOCUMENTATION SHALL BE ALLOWED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRY.

GENERAL TECHNICAL SUMMARY

System	Description	Notes
Structure	Reinforced Concrete	
Roof	Asph/Flt	
External walls	Brick	
Internal walls	Brick	
Floors	Asph/Flt	
Stairs	Asph/Flt	
Windows	Double Glazed	
Doors	Timber	
Services	Electric, Gas, Water	
Other	See Notes	

BASIC COMMITMENTS NOTES

System	Requirement	Notes
WATER	All fixtures must be installed in accordance with AS/NZS 3500	
WASTE	All waste must be installed in accordance with AS/NZS 3500	
PLUMBING	Plumbing must be installed in accordance with AS/NZS 3500	
ELECTRICAL	All electrical work must be installed in accordance with AS/NZS 3000	
MECHANICAL	All mechanical work must be installed in accordance with AS/NZS 3000	
GLAZING	All glazing must be installed in accordance with AS/NZS 2208	
CONCRETE	All concrete work must be installed in accordance with AS/NZS 4576	
ROOFING	All roofing work must be installed in accordance with AS/NZS 4008	
PAINTING	All painting work must be installed in accordance with AS/NZS 2131	
OTHER	See Notes	

AC UNIT LOCATION OF AC UNIT ON BALCONIES WILL BE SCREENED AND NOT VISIBLE FROM STREET (<1.0m HIGH)

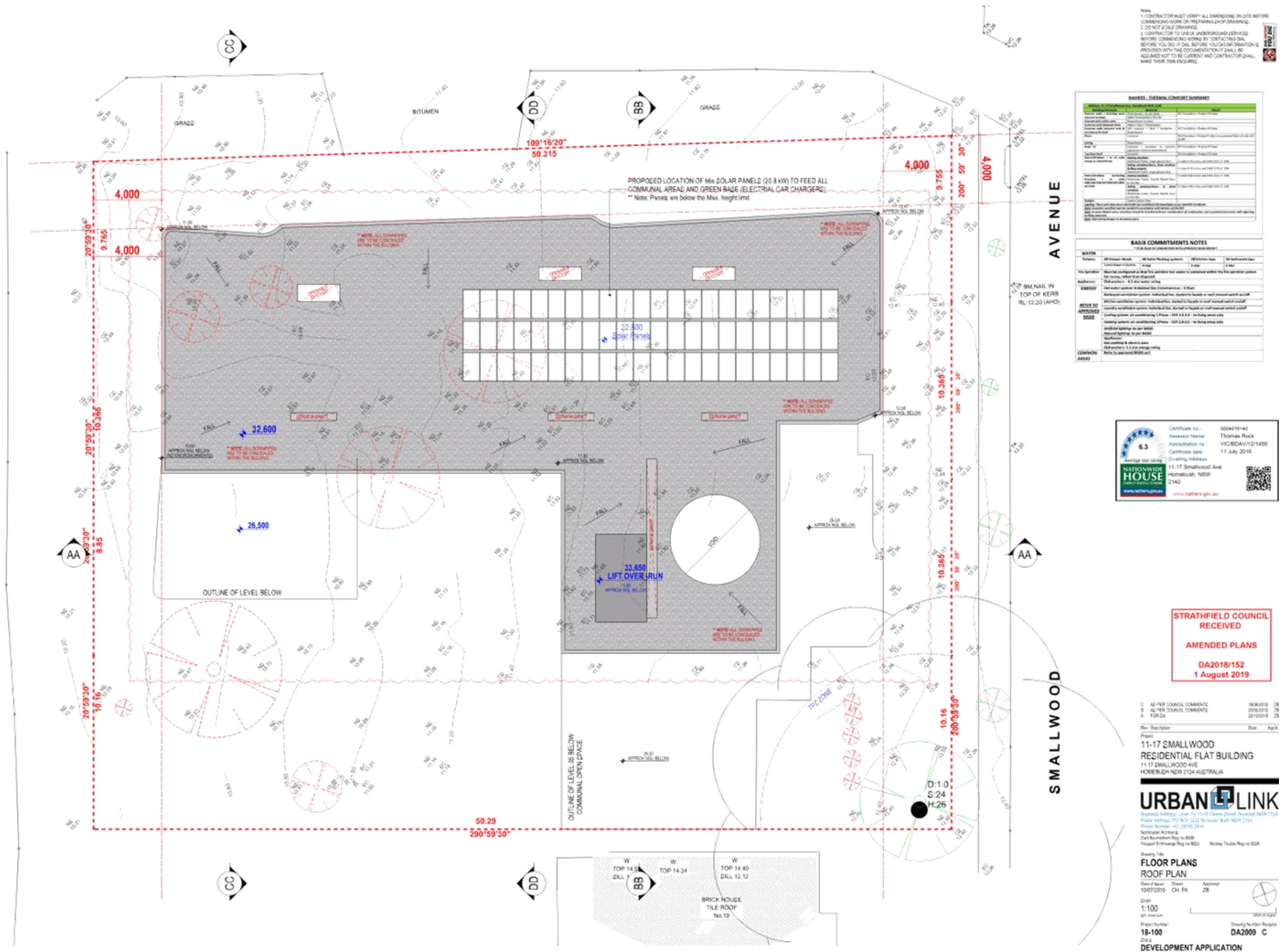
NATIONWIDE HOUSE
 Certificate no: 000418140
 Assessor Name: Thomas Rack
 Accreditation no: VIC/DAV/12/1456
 Certificate date: 11 July 2019
 Counting Address: 11-17 Smallwood Ave, Homebush, NSW 2140
 www.nathans.gov.au

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
DA2018/152
1 August 2019

Rev	Description	Date	Appr
C	AS PER COUNCIL COMMENTS	19/08/2019	ZB
B	AS PER COUNCIL COMMENTS	20/08/2019	ZB
A	FOR DA	29/10/2018	ZB

URBAN LINK
 Building Address: Level 10, 11-17 Smallwood Ave, Homebush NSW 2140
 Postal Address: PO Box 1222, Homebush NSW 2140
 Phone Number: +61 (0)294 2014
 Fax Number: +61 (0)294 2014
 Website: www.urbanlink.com.au
 Company Registration: 291154088
 Australian Business Number: 1515151515

FLOOR PLANS
LEVEL 06
 Date of Issue: 19/07/2019
 Drawn: CH, FK
 Appr: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2008 C
 Date: 19/07/2019
 Title: DEVELOPMENT APPLICATION



Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWING
 2. DO NOT SCALE DRAWING
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAL, BEFORE YOU DIG, IF DAL, BEFORE YOU DIG INFORMATION PROVIDED WITH THE DOCUMENTATION SHALL BE ASSUMED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRY.

GENERAL TECHNICAL COMMENT SUMMARY

Item No.	Description	Resolution
1	General comment	Resolved
2	General comment	Resolved
3	General comment	Resolved
4	General comment	Resolved
5	General comment	Resolved
6	General comment	Resolved
7	General comment	Resolved
8	General comment	Resolved
9	General comment	Resolved
10	General comment	Resolved
11	General comment	Resolved
12	General comment	Resolved
13	General comment	Resolved
14	General comment	Resolved
15	General comment	Resolved
16	General comment	Resolved
17	General comment	Resolved
18	General comment	Resolved
19	General comment	Resolved
20	General comment	Resolved
21	General comment	Resolved
22	General comment	Resolved
23	General comment	Resolved
24	General comment	Resolved
25	General comment	Resolved
26	General comment	Resolved
27	General comment	Resolved
28	General comment	Resolved
29	General comment	Resolved
30	General comment	Resolved

BASIC COMMENTS NOTES

System	Notes
WATER	All fixtures must be connected to the water supply. All fixtures must be connected to the water supply. All fixtures must be connected to the water supply.
PLUMBING	All plumbing must be installed in accordance with the plumbing code of Australia. All plumbing must be installed in accordance with the plumbing code of Australia. All plumbing must be installed in accordance with the plumbing code of Australia.
ELECTRICAL	All electrical work must be installed in accordance with the electrical code of Australia. All electrical work must be installed in accordance with the electrical code of Australia. All electrical work must be installed in accordance with the electrical code of Australia.
Mechanical	All mechanical work must be installed in accordance with the mechanical code of Australia. All mechanical work must be installed in accordance with the mechanical code of Australia. All mechanical work must be installed in accordance with the mechanical code of Australia.
Structural	All structural work must be installed in accordance with the structural code of Australia. All structural work must be installed in accordance with the structural code of Australia. All structural work must be installed in accordance with the structural code of Australia.
Other	All other work must be installed in accordance with the relevant code of Australia. All other work must be installed in accordance with the relevant code of Australia. All other work must be installed in accordance with the relevant code of Australia.

NATIONWIDE HOUSE
 Certificate No.: 0004016140
 Assessor Name: Thomas Ruck
 Accreditation No.: VIC/DAV/121455
 Certificate date: 11 July 2016
 Covering Address: 11-17 Smallwood Ave, Hornsby, NSW 2140
 www.nathans.gov.au

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
DA2018/152
1 August 2019

Rev.	Description	Date	Appr.
C	AL/PER COUNCIL COMMENTS	19/08/2019	ZB
B	AL/PER COUNCIL COMMENTS	09/08/2019	ZB
A	FOR DA	29/10/2018	ZB

URBAN LINK
 Business Address: Level 10, 11-15 Green Street, Sydney NSW 2154
 Public Address: PO Box 1222, Hornsby NSW 2140
 Phone Number: +61 (0)2 9370 2014
 Website Address: www.urbanlink.com.au
 Zet Foundation Reg No: 8538
 Young's Enterprise Reg No: 8522
 Website Trade Reg No: 828

FLOOR PLANS
ROOF PLAN
 Date of Issue: 13/07/2019
 Drawn: CH, FK
 Appr: ZB
 Scale: 1:100
 Project Number: 18-100
 Drawing Number: DA2009 C
DEVELOPMENT APPLICATION



NUMERICAL THERMAL COMFORT SUMMARY

Room	Room Name	Room Type	Room Area (m²)	Room Volume (m³)	Room Orientation	Room Use	Room Occupancy	Room Heating	Room Cooling	Room Ventilation	Room Air Change Rate	Room Air Change Rate (per hour)	Room Air Change Rate (per second)
1	Living Area	Living Area	15.0	15.0	North	Living Area	1	On	On	On	0.5	0.5	0.0014
2	Bedroom	Bedroom	12.0	12.0	North	Bedroom	1	On	On	On	0.5	0.5	0.0014
3	Bathroom	Bathroom	5.0	5.0	North	Bathroom	1	On	On	On	0.5	0.5	0.0014
4	Kitchen	Kitchen	8.0	8.0	North	Kitchen	1	On	On	On	0.5	0.5	0.0014
5	Corridor	Corridor	3.0	3.0	North	Corridor	1	On	On	On	0.5	0.5	0.0014
6	Staircase	Staircase	2.0	2.0	North	Staircase	1	On	On	On	0.5	0.5	0.0014
7	Roof Terrace	Roof Terrace	10.0	10.0	North	Roof Terrace	1	On	On	On	0.5	0.5	0.0014

BASIC COMMITMENTS NOTES

WATER

All water supply systems must be installed in accordance with the relevant standards and specifications.

ENERGY

Energy efficient lighting systems must be installed in accordance with the relevant standards and specifications.

ACCESSIBILITY

Accessibility requirements must be met in accordance with the relevant standards and specifications.

MATERIALS & FINISHES

A	PGH BRICKS MATTERHORN
B	DULUX BLUE LINEN S4A46
C	DULUX CINNAMON SAND S10F7
D	RENDER DULUX SUMMER CLOUD QUARTER SQ1H2
E	ALUMINIUM WINDOW & DOORS

NATIONWIDE HOUSE
www.nationwidehouse.com.au

6.3

Certificate No.: 0004216 140
Assessor Name: Tracy Ann Ruck
Accreditation No.: VIC-00417214-06
Certificate Date: 11 July 2019
Drawing Address: 11-17 Smallwood Ave, Homebush, NSW 2140
www.nationwidehouse.com.au

Rev.	Description	Date	Author
0	AS PER COUNCIL COMMENTS	18/08/2019	ZB
1	AS PER COUNCIL COMMENTS	20/08/2019	ZB
2	FOR DA	28/10/2019	ZB

Project:
**11-17 SMALLWOOD
RESIDENTIAL FLAT BUILDING**
11-17 SMALLWOOD AVE
HOMEBUSH NSW 2140 AUSTRALIA

URBAN LINK

Business Address: Unit 10, 11-12 Green Street, Strathfield NSW 2154
Postal Address: PO BOX 3322, Strathfield NSW 2154
Phone Number: +61 2 9740 2014
National Accredited:
Zest Foundation Reg No: 8538
Vocational Training Reg No: 8522 Website: UrbanLink.com.au

**STRATHFIELD COUNCIL
RECEIVED**

AMENDED PLANS

DA2018/152
1 August 2019

Drawing Title:
**ELEVATIONS
EAST & WEST ELEVATION**

Date of Issue: 28/10/2019
Sheet: CH, FK
Number: ZB

Scale:
1:100

Project Number:
18-100

Drawing Number:
DA3001 C

Date:
DEVELOPMENT APPLICATION



NORTH ELEVATION

1:100

NOTES

- CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS
- DO NOT SCALE DRAWINGS
- CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DIAL BEFORE YOU DIG. IF DIAL REQUIRE YOU DO NOT PROVIDE WITH THE DOCUMENTATION SHALL BE ALLOWED NOT TO BE CURRENT AND CONTRACTOR SHALL MAKE THEIR OWN ENQUIRE

NUMERICAL - THERMAL COMFORT SUMMARY

Parameter	Value	Limit
Indoor air temperature	23.0	18.0 - 26.0
Relative humidity	65.0	30.0 - 70.0
PM10	0.0	0.0 - 0.0
PM2.5	0.0	0.0 - 0.0
CO2	500	1000
SO2	0.0	0.0 - 0.0
NO2	0.0	0.0 - 0.0
PM10 (outdoor)	0.0	0.0 - 0.0
PM2.5 (outdoor)	0.0	0.0 - 0.0
CO2 (outdoor)	400	1000
SO2 (outdoor)	0.0	0.0 - 0.0
NO2 (outdoor)	0.0	0.0 - 0.0
PM10 (indoor)	0.0	0.0 - 0.0
PM2.5 (indoor)	0.0	0.0 - 0.0
CO2 (indoor)	500	1000
SO2 (indoor)	0.0	0.0 - 0.0
NO2 (indoor)	0.0	0.0 - 0.0

BASIC COMMITMENTS NOTES

WATER

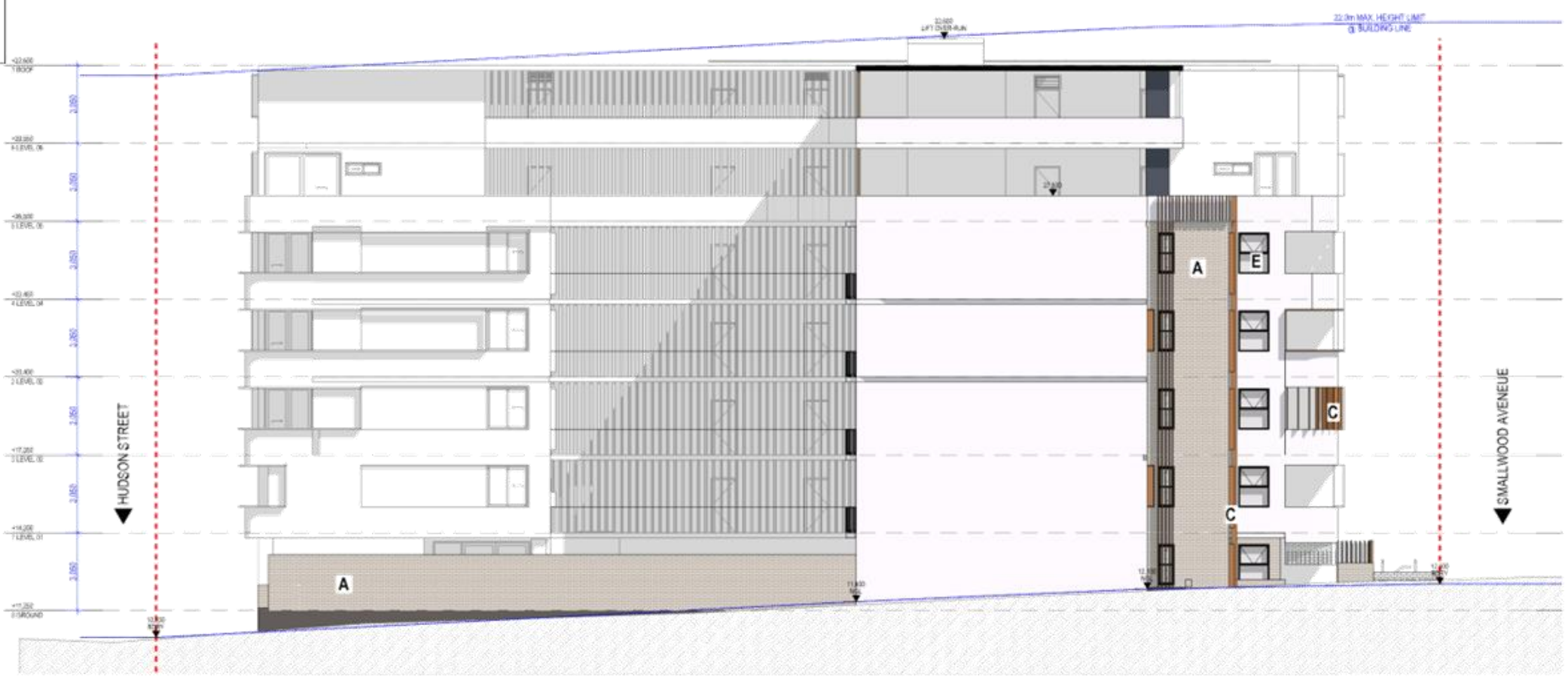
- All shower heads: All shower heads system: All kitchen taps: All bathroom taps: All kitchen taps: 3 star: 3 star: 3 star: 3 star

ENERGY

- Not water system: Individual (see note) - 6 star
- Air conditioning system: Individual (see note) - 6 star
- Electric ventilation system: Individual (see note) - 6 star
- Cooling system: Air conditioning (see note) - 6 star
- Heating system: Individual (see note) - 6 star

MATERIALS & FINISHES

- A** PGH BRICKS MATTERHORN
- B** DULUX BLUE LINEN S4A46
- C** DULUX CINNAMON SAND S10F7
- D** RENDER DULUX SUMMER CLOUD QUARTER SQ1H2
- E** ALUMINIUM WINDOW & DOORS



SOUTH ELEVATION

1:100

Consultant: 0800 26 26 26
 Project Name: Smallwood
 Application No: 11-17 SMALLWOOD
 Lodged Date: 11 July 2019
 Lodging Address: 11-17 SMALLWOOD AVE
 HOMERBLIGH, NSW
 2140

STRATHFIELD COUNCIL RECEIVED
 INDEED PLANS
 DA2018/152
 August 2019

C	AS PER COUNCIL COMMENTS	19/08/2019	ZB
B	AS PER COUNCIL COMMENTS	20/08/2019	ZB
A	FOR DA	29/10/2018	ZB

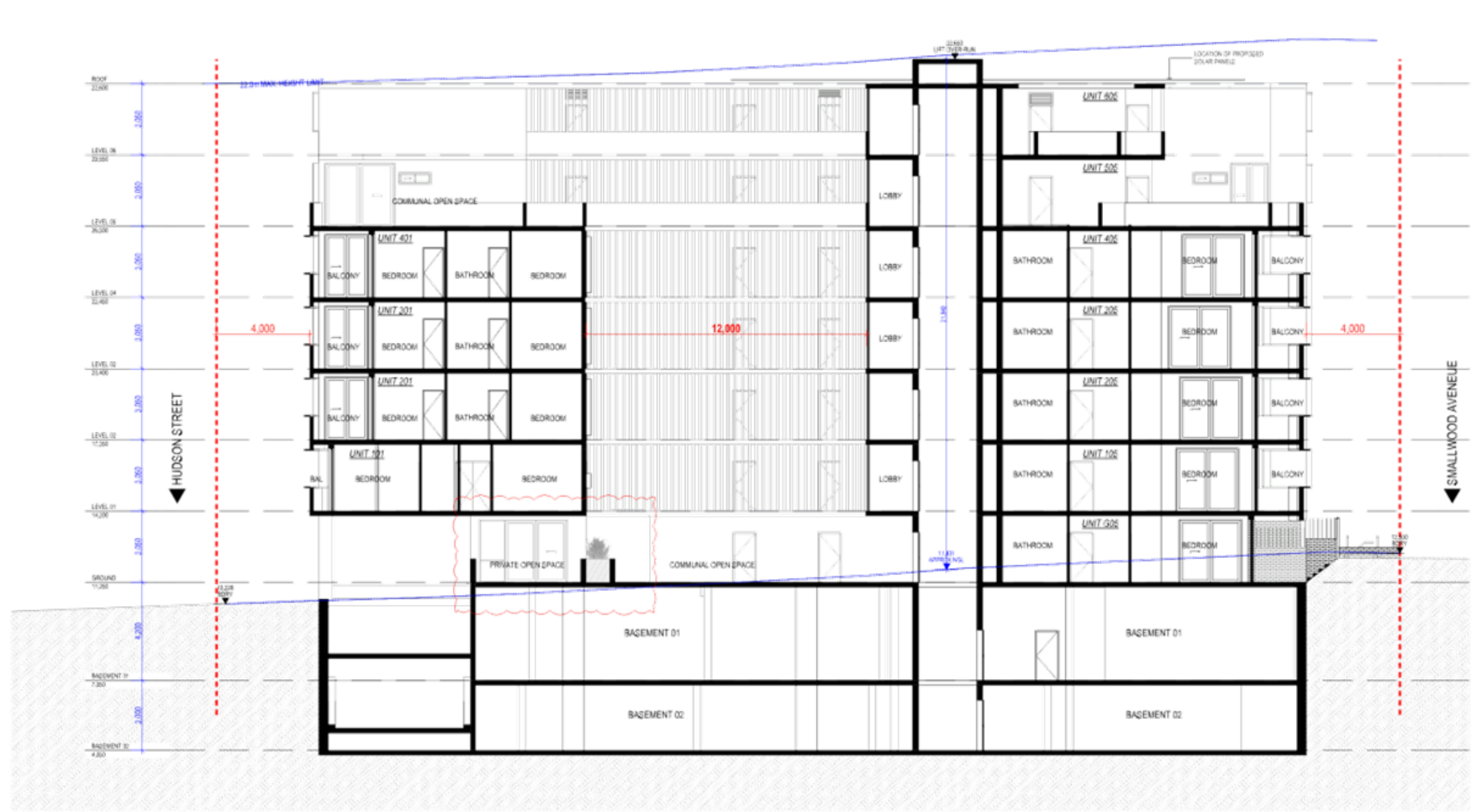
11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMERBLIGH NSW 2134 AUSTRALIA

URBANLINK
 Business Address: Level 10, 11-13 Green Street, Brisbane QLD 4000
 Postal Address: PO Box 1222, Newstead QLD 4006
 Phone: (07) 3214 2000
 Fax: (07) 3214 2001
 Email: info@urbanlink.com.au
 Website: www.urbanlink.com.au

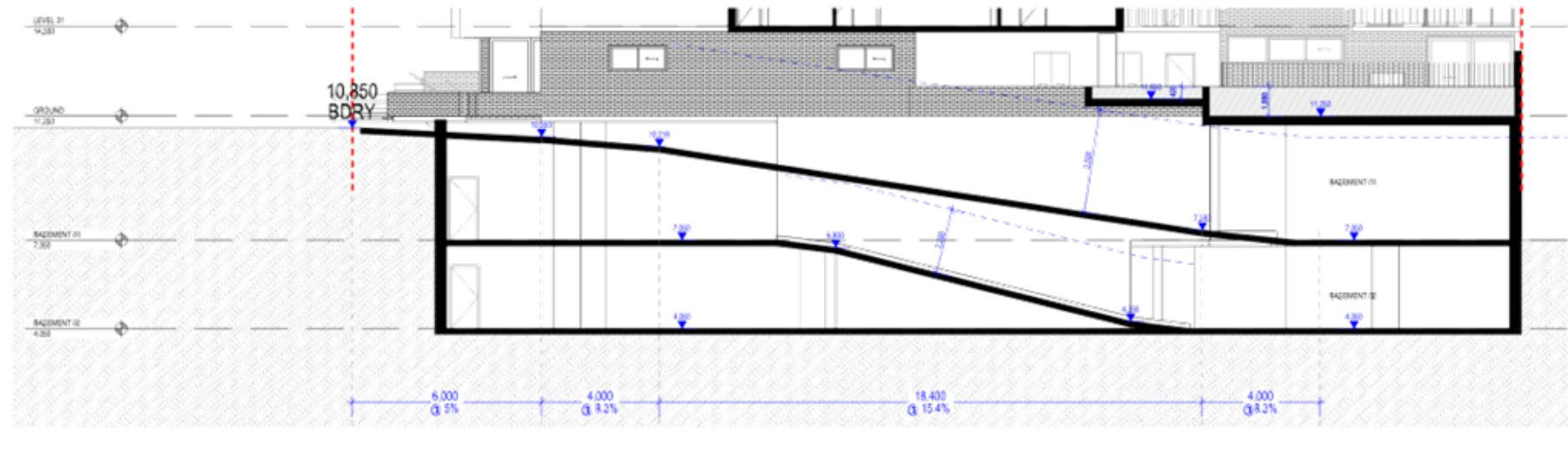
ELEVATIONS NORTH & SOUTH ELEVATION

Date of Issue	Drawn	Checked
19/07/2019	DH, FK	ZB

Scale: 1:100
 Drawing Number: 18-100 DA3002 C
 Project Number: DA2018/152
 Date: August 2019



1 SECTION AA 1:100



1 SECTION CC 1:100

Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
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SUMMARY - TECHNICAL COMPLIANCE SUMMARY			
System	Code / Standard	Compliance Status	Notes
Structural	AS/NZS 1170:2001, AS/NZS 4576:2001	Compliant	
Water	AS/NZS 3500:2017	Compliant	
Electricity	AS/NZS 3000:2017	Compliant	
Mechanical	AS/NZS 1530:2014	Compliant	
Fire Protection	AS/NZS 1861:2016, AS/NZS 1862:2016	Compliant	
Energy	AS/NZS 4842:2019	Compliant	
Accessibility	AS/NZS 1429:2011	Compliant	
Other	Various	Compliant	

BASIC COMMITMENTS NOTES	
WATER	All shower heads, all toilet flushing systems, all kitchen taps, all bathroom taps, 5 litre water saving devices, 4 star, 4 star, 4 star
WATER SPLITTER	Must be configured so that the splitter and water is connected within the fire splitter system for shower, toilet and kitchen.
APPLIANCES	Dishwashers - 4.5 star energy rating.
ENERGY	Hot water system - Induction (see Installation) - 4 Star
MECHANICAL	Mechanical ventilation system - Induction (see Installation) or roof mounted with auto off.
FIRE PROTECTION	Fire alarm notification system - Induction (see Installation) or roof mounted with auto off.
ACCESSIBILITY	Lobby system - air conditioning 1 phase - 5.0 kW - to be used only.
OTHER	Lighting system - air conditioning 1 phase - 5.0 kW - to be used only.
APPENDIX	Appendix 1 - 11-17 Smallwood Ave, Homebush NSW, 2140
APPENDIX	Appendix 2 - 11-17 Smallwood Ave, Homebush NSW, 2140
COMMON AREAS	Refer to attached BDD01.pdf


 Certificate no.: 0004016140
 Assessor name: Thomas Ruck
 Accreditation no.: VIC-BQA-V12/1456
 Certificate date: 11 July 2019
 Driving Address:
 11-17 Smallwood Ave
 Homebush, NSW
 2140
 www.nationally.com.au

**STRATHFIELD COUNCIL
 RECEIVED
 AMENDED PLANS
 DA2018/152
 1 August 2019**

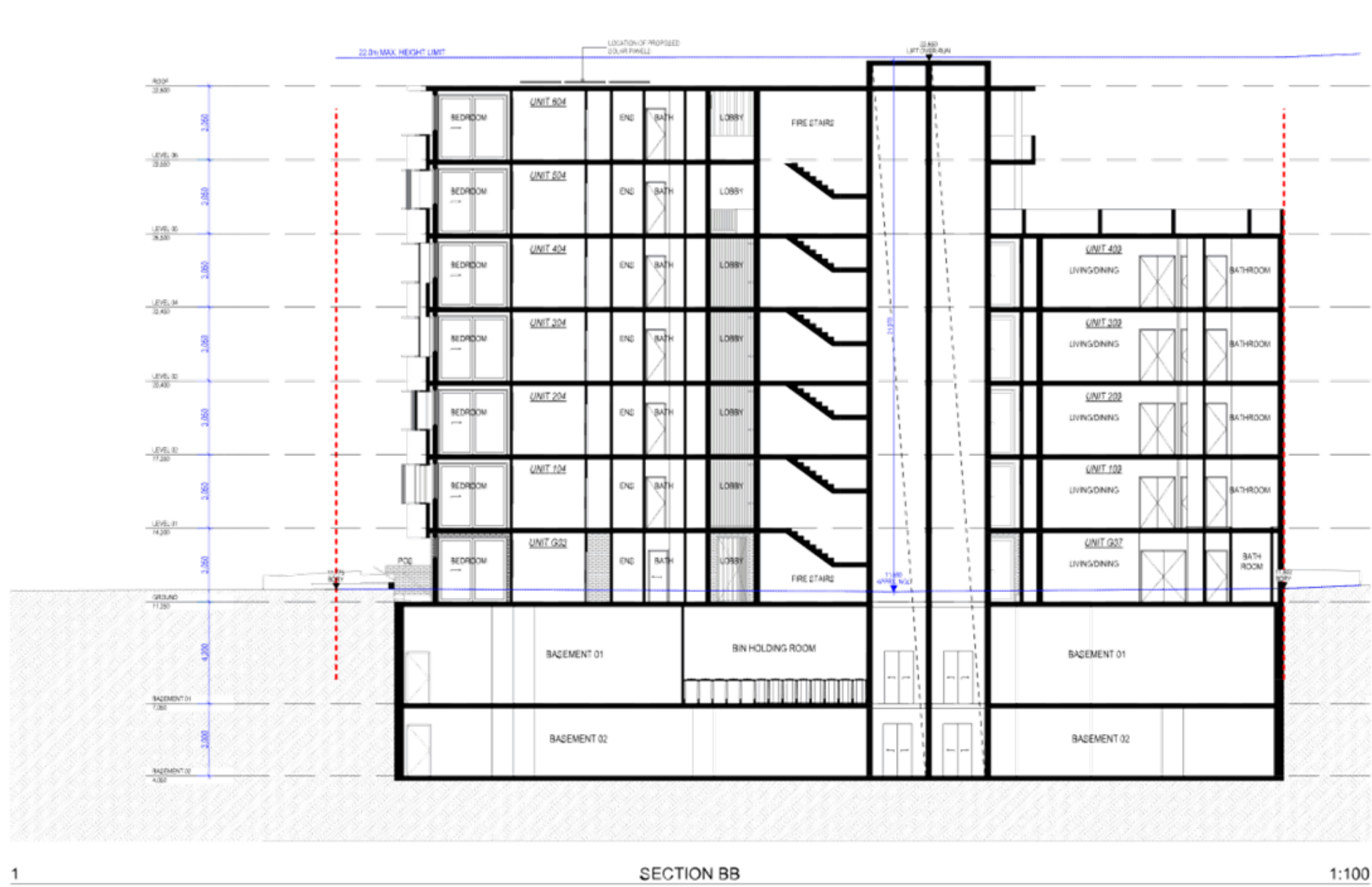
C: ALL PER COUNCIL COMMENTS 19/08/2019 ZB
 B: ALL PER COUNCIL COMMENTS 20/08/2019 ZB
 A: FOR DA 20/10/2019 ZB

Rev.	Description	Date	Appr.
1			

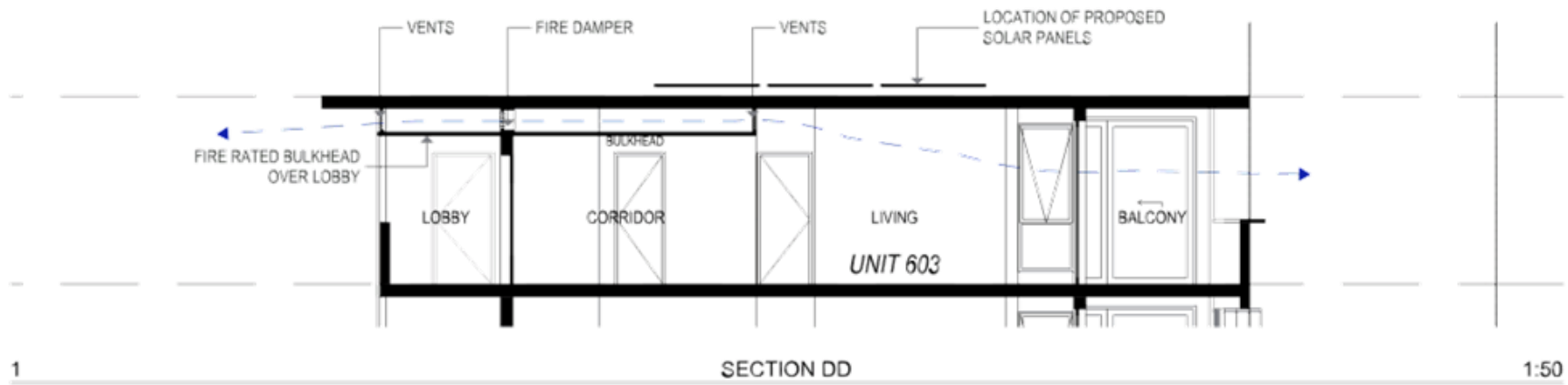
Project:
 11-17 SMALLWOOD
 RESIDENTIAL FLAT BUILDING
 11-17 SMALLWOOD AVE
 HOMEBUSH NSW 2104 AUSTRALIA

URBAN LINK
 Business Address: Unit 10, 11-15 Danks Street, St Leonards NSW 1585
 Postal Address: PO BOX 1222, St Leonards NSW 1585
 Phone Number: +61 2 9540 2014
 Website Address:
 2nd Floor Level 10-15/15 Danks Street Homebush NSW 2140 Australia
 Transport & Planning Reg no: 8500 Website: Urban Link Reg no: 8500

Drawing Title:
SECTIONS
SECTION AA & CC
 Date of Issue: 19/07/2019 Drawn: CH, FK Approved: ZB
 Scale: 1:100
 Project Number: 18-100 Drawing Number: DA4001 C
DEVELOPMENT APPLICATION



1 SECTION BB 1:100



1 SECTION DD 1:50

Note:
 1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS.
 2. DO NOT SCALE DRAWINGS.
 3. CONTRACTOR TO CHECK UNDERGROUND SERVICES BEFORE COMMENCING WORK BY CONTACTING DAL.
 4. BEFORE YOU DIG, IF DAL, BEFORE YOU DIG AND CHECK ON PROVIDED WITH THE DOCUMENTATION IT SHALL BE ALLOWED NOT TO BE CURRENT AND CONTRACTOR SHALL HAVE THEIR OWN ENQUIRE.

SUMMARY - TECHNICAL COMMENT SUMMARY

Comment No.	Description	Resolution	Status
1	Check all dimensions on site before commencing work.	Contractor to verify all dimensions on site before commencing work.	Resolved
2	Do not scale drawings.	Contractor to use dimensions from drawings.	Resolved
3	Check underground services before commencing work.	Contractor to contact DAL before commencing work.	Resolved
4	Check documentation before digging.	Contractor to check documentation before digging.	Resolved

BASIC COMMITMENTS NOTES

WATER: All shower heads, all toilet flushing systems, all kitchen taps, all bathroom taps, 1.5 litre/min shower heads, 4 star, 4 star, 4 star.

ENERGY: Hot water system: Induction Gas Instantaneous - 4 Star. Mechanical ventilation system: Induction Gas, 4 Star. Mechanical ventilation system: Induction Gas, 4 Star. Mechanical ventilation system: Induction Gas, 4 Star.

NATIONWIDE HOUSE CERTIFICATION

Certificate No.: 0004016140
 Assessor Name: Thomas Ruck
 Accreditation No.: VIC/DAV/12/1458
 Certificate Date: 11 July 2019
 Dwellling Address: 11-17 Smallwood Ave, Hymersbush NSW 2140

STRATHFIELD COUNCIL RECEIVED

AMENDED PLANS

DA2018/152

1 August 2019

11-17 SMALLWOOD RESIDENTIAL FLAT BUILDING

URBAN LINK

Business Address: Unit 11-17 Smallwood Ave, Hymersbush NSW 2140
 Postal Address: PO Box 2222, Hymersbush NSW 2140
 Phone Number: +61 2 9740 2014
 Website: www.urbanlink.com.au

SECTIONS SECTION BB & DD

Date of Issue: 19/07/2019
 Drawn: CH, FK
 Checked: ZB

Project Number: 18-100
 Drawing Number: DA4002 B

DEVELOPMENT APPLICATION

TO: Strathfield Local Planning Panel Meeting - 5 September 2019
REPORT: SLPP – Report No. 4
SUBJECT: DA2018/171 - 14 MARLBOROUGH ROAD, HOMEBUSH WEST
LOT 10 SECTION 1 DP 827
DA NO. DA2018/171

SUMMARY

Proposal: Demolition of existing building and construction of a neighbourhood shop and a five (5) level boarding house containing 53 double rooms and 2 levels of basement parking.

Applicant: Urban Link Pty Ltd

Owner: S. Saade

Date of lodgement: 13 December 2018

Notification period: First round - 8 January 2019 to 5 February 2019
Second round - 25 June 2019 to 23 July 2019

Submissions received: First round notification – 13 submissions.
Second round notification – 8 submissions.

Assessment officer: ND

Estimated cost of works: \$7,389,072

Zoning: R3 Medium Density Residential - SLEP 2012

Heritage: No

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **REFUSAL**

EXECUTIVE SUMMARY

The proposed development seeks Council consent for the approval for the demolition of the existing dwelling and the construction of a neighbourhood shop and a five (5) level boarding house containing 53 double rooms and two (2) levels of basement parking.

The application underwent two (2) rounds of notification in accordance with Part L of the SCDP 2005. The first notification resulted in 13 written submissions. The second notification round received eight (8) written submissions, six (6) of which were parties who previously lodged submissions. The predominant issues raised include traffic and parking impacts, inconsistency with the character of the local area, privacy and overshadowing impacts, noise impacts and suitability of the land use. A detailed response to each of the matters raised is provided later in the report.

The application was referred to the Strathfield Design Review Panel (DRP) who provided independent advice on the design quality of the proposal. The Panel did not support the proposal in its original form. An amended scheme was submitted and partially adopted recommendations of the DRP including the deletion of the ground floor neighbourhood shop, deletion of the fifth storey, reduction in the basement footprint and incorporation of a double car stacker within the basement.

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

Whilst the amended scheme increased the side setbacks and altered the composition of the façade, concerns raised by the DRP and Council including lack of building separation, overdevelopment of the site, poor residential amenity of the future occupants and adverse visual privacy impacts to the adjoining residential flat building have not been addressed to an acceptable extent.

The proposed boarding house is an overdevelopment of the site that is inconsistent with the consolidation pattern, desired future character of Marlborough Road and the site isolation of the southern adjoining land. The building will result in an unacceptable urban form with diverse residential amenity impacts to the adjoining residents and future boarding house occupants. Furthermore, it does not meet the minimum on-site car parking requirements under the Affordable Rental Housing SEPP 2009.

Insufficient information has been submitted which demonstrates that the land is suitable in its current state in regards to acid sulfate soils, water table levels and soil contamination.

Accordingly, the application is recommended for refusal.

BACKGROUND

18 December 2019: Development application (DA2018/171) was lodged.

8 January 2019 to

5 February 2019: The application was publicly notified and advertised in accordance with Council's SCDCP 2005, 13 written submissions received as a result.

8 January 2019: A letter requesting additional information was sent to the applicant requesting the following:

- a) Arboricultural Impact Assessment;
- b) Detailed report of the fence specifications in relation to reducing acoustic amplification.

1 February 2019: Applicant submitted an Arborist Report and clarified the items raised in Council's correspondence dated 8th January 2019:

20 February 2019: The application was referred to the Strathfield Design Review Panel (DRP) to obtain independent advice relating to the design quality of the proposal. Key issues raised by the Panel included:

- a) Proposal is a significant overdevelopment of the site and is not supported;
- b) The relationship of the proposal to its northern boundary interface with an existing four storey RFB, is unacceptable;
- c) Inadequate setbacks to the adjoining RFB provide satisfactory amenity impacts;
- d) Insufficient deep soil landscaping;
- e) The acoustic report states that external openings need significant noise attenuation treatment to address noise; orientation of habitable rooms to street frontage should be minimised and increase front setback;
- f) Additional landscaping and large trees are recommended to soften the built form, provide acoustic and visual privacy;
- g) Lack of evidence to address non-compliance with amalgamation pattern identified in DCP 20.

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

- h) Alternative design options are available including two building forms separated by a central courtyard with maximum height of 4 storeys or a truncated T-shaped plan layout.
- i) Necessity to incorporate a car stacker to reduce basement carpark footprint.

4 April 2019: Further correspondence was sent requesting the need to address the following:

- a) Demonstration that the proposal satisfied the planning principle for site isolation;
- b) Basement is located outside of the building footprint;
- c) Excessive FSR;
- d) Building height exceeds the height permitted under SLEP 2012.
- e) Updated Waste Management Plan;
- f) No support for ground floor neighbourhood shop;

17 June 2019: Amended plans received which incorporated:

- Increased side setbacks;
- Modifications to the colour palette and external finishes of the building façade;
- Addition of a double car stacker;
- Reduction in basement footprint;
- Deletion of Manager's room;
- Deletion of ground floor neighbourhood shop;
- Reduction in height from five storeys to four storeys (15.076m to 14m);

1 July 2019: Referral comments received from Roads & Maritime Services.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the western side of Marlborough Road. The site comprises a 15.24m frontage to Marlborough Road, 60.96m deep resulting and a total site area of 929m² (Figure 1). The site has a gentle fall to the rear and is presently occupied by a single storey weatherboard dwelling (Figure 2).

The site is located south of Parramatta Road, approximately 1.1km from Flemington Train Station and parallel to Centenary Drive. The surrounding streetscape is transitioning from detached dwellings to medium density residential flat buildings.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)



Figure 1: Locality plan. The subject site is outlined in yellow.



Figure 2: View of the subject site from Marlborough Road.

PROPERTY BURDENS AND CONSTRAINTS

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

The application seeks Council consent for the demolition of the existing building and construction of a neighbourhood shop and a five (5) level boarding house containing 53 double rooms and 2 levels of basement parking.

The specific elements of the proposal include:

Demolition of:

- Single storey house;
- Detached garage;
- Detached metal shed;
- Detached shed;

Basement 02:

- 13 residential car spaces;
- 10 motor bikes spaces;
- 12 bicycle racks;

Basement 01:

- Seven (7) residential car spaces (including two accessible spaces);
- Two (2) retail car spaces (including one accessible space);
- Waste storage room;

Ground Level:

- Common open spaces;
- Neighbourhood shop;
- Lobby;
- Eight (8) double lodger rooms;
- Manager's room;

Level 01:

- 13 double lodger rooms;

Level 02:

- 13 double lodger rooms;

Level 03:

- 13 double lodger rooms;

Level 04:

- Five (5) double lodger rooms;
- Common lounge room;
- Common open space

The plans were amended and included:

- Deletion of neighbourhood shop;
- Increase in the number of car parking spaces from 22 to 26;
- Deletion of manager's room;
- Increase the number of double lodger rooms from 53 to 54;
- Reduction in the building height from five storeys to four storeys (15.076m to 14m);
- Increase in the number of motorbike spaces from 10 to 11;
- Reduction in the number of bicycle racks from 12 to 11;
- Increase in the northern side setbacks from 1.5m to 3m;
- Increase in the southern side setbacks from 2.5m to 3m;

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

- Deletion of a half level of basement;
- Installation of a car stacker;
- Deletion of private open space to ground floor lodger rooms;
- Re-location of waste storage from the basement to the ground floor;
- Deletion of lobby;
- Re-location of communal living room and common open space from Level 04 (deleted) to Level 03 and
- Modification of schedule of colours and external finishes to entire building.



Photomontage of the amended proposed development.

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

Council's Engineer offered no objections to the proposal, subject to conditions.

Waste Comments

Council's Waste Officer offered no objections to the proposal, subject to waste and recycling be collected by a private contractor.

Landscaping Comments

Council's Tree Coordinator provided the following comments:

"In regards to the submitted Arboricultural Impact Assessment:

- *The protection of Trees No. 1, 2 and 9 are supported.*
- *The removal of the shared boundary and neighbour trees No. 3 – 7 are not supported. A consent to remove a neighbour tree cannot be issued without the consent of the property owner.*
- *The removal of the street tree (Tree No. 8) is not supported and is a healthy tree."*

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

Traffic Comments

Council's Traffic Engineer offered no objections to the proposal, subject to conditions.

EXTERNAL REFERRALS

Water NSW

The application was referred to Water NSW as concurrence is required under Section 91(3) of the Water Management Act 2000. No response has been received.

Roads and Maritime Services (RMS) NSW

The application was referred to RMS. The following comments were received.

"Roads and Maritime has reviewed the submitted application and whilst no objections are raised to the application, Roads and Maritime recommends that the following requirements are included in any consent issued by Council:

1. All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth) along the Marlborough Street boundary.

2. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system that impact upon Marlborough Road and/or require works in the Marlborough Road reserve are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

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

4. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.

5. The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

6. All vehicles are to enter and leave the site in a forward direction.

7. All vehicles are to be wholly contained on site before being required to stop.

8. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Marlborough Road. "

Ausgrid

The application was referred to Ausgrid. The following comments were received.

"Ausgrid consents to the above mentioned development subject to the following conditions:-

Proximity to Existing Network Assets Underground Cables

There are existing underground electricity network assets in Marlborough Rd.

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

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

Substation

There are existing electricity substation assets Next to the Proposed Development.

There is an existing kiosk style electricity substation that may be impacted by the proposed construction. Subsidence and vibration must be minimised at the substation site. The use of ground anchors under a substation is generally not permitted due to the presence of underground cabling and earthing conductors which may be more than 10m deep. A further area of exclusion may be required in some circumstances.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Any portion of a building other than a BCA class 10a structure constructed from non combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 KHZ) (ICNIRP 2010)."

Design Review Panel

The application was referred to the Design Review Panel. The following comments were provided:

"The Panel notes that this development application (DA) has been lodged pursuant to the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP) and will operate as a commercial boarding house.

The Panel understands that the development of this lot in isolation deviates from the consolidation masterplan indicated in Development Control Plan 20 (Parramatta Road Corridor Area). DCP 20 shows a three-lot consolidation pattern for the site incorporating 14,16 and 18 Marlborough Road. The Built Form Masterplan in DCP 20 envisages an L-shape series of buildings on the western side of Marlborough Road on the consolidated lots, with a height of 4 storeys.

The Panel is aware that there is a development application for a proposed boarding house at 18 Marlborough Road that has been refused by Strathfield Council's Local Planning Panel and is currently the subject of an appeal to the Land and Environment Court.

Key Issues and Recommendations

The Panel considers that the proposal is a significant overdevelopment of the site that if built would deliver an unacceptable level of residential amenity for residents. Therefore, the Panel does not support the proposal in its current form. Further elaboration is provided below.

1. Basement footprint

1.1 The site is constrained by its narrow frontage, being a single lot with a width of 15.24 metres. To achieve the amount of carparking required under the ARH SEPP and accommodate circulation space,

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

the basement levels are excavated to the side boundaries. The basement design is compromised by the need to provide parallel parking along the northern wall in order to achieve numerical carparking compliance without a further basement level.

1.2 DCP 20 requires that basement footprints be constrained within the footprint of the building above, and that significant landscape is provided along the side boundaries between buildings. Notwithstanding that the former is very difficult to achieve, for this intensity of development and associated car-parking, deep soil planting cannot be provided to adequately address privacy and amenity issues with neighbours, particularly along the sensitive northern boundary interface with an existing four storey RFB. The proposed scheme provides for a 1.5metre setback to living areas and balconies along this interface, which is unacceptable by any reasonable amenity standards.

1.3 Consequently redesign of the basement is necessary to provide deep soil planting with sufficient dimensions to support large trees along the northern and southern side boundaries. The Panel considers that the proposal is a significant overdevelopment of the site, and a reduction in dwelling yield and the commensurate car-parking requirement would contribute to resolving this issue.

2. Setbacks and siting

2.1. The site has an extremely confronting address to a convergence of major state roads. The proposed building design and siting fails to demonstrate that these difficult constraints have been adequately considered in designing a habitable building of 53 boarding house rooms.

2.2 Due to the minimal building setback proposed to the northern side boundary, the relationship with the existing RFB to the north and the proposed boarding house rooms is unacceptable. This inadequate side setback and resulting poor amenity is proposed to be addressed by extensive privacy screens along the northern elevation to single aspect self-contained rooms that would have no cross ventilation, minimal solar access, and non-existent outlook.

2.3 Windows that are located within 3 metres of the side boundaries would require sprinklers to meet BCA requirements. Further to this the applicant's acoustic report submitted with the application confirms that external openings will need significant noise attenuation treatment to address traffic noise. The result of the interplay of these factors would be an unacceptable design quality outcome.

2.4 The building should be further setback from the northern boundary in order to offer some prospect of reasonably addressing these issues. Ideally this setback would be 4.5metres to align with ADG guidelines (noting that the ARH SEPP does not require such compliance).

2.5 Orientation of habitable rooms to the street frontage should be minimised and an increased front setback provided to support a dense landscape of large evergreen native trees.

2.6 The below-grade building entry and shop is not supported as it does not present an acceptable street interface or entry experience. The provision of a local retail shop may be acceptable provided that the interface with the street is addressed to allow level entry from the public footpath.

3. Landscaping

3.1 Architectural plans and sections lack any detail that may confirm that the slab can accommodate the proposed perimeter landscaping requirements along the side boundaries where there is no deep soil planting provided. This must be addressed through submission of additional information that clearly demonstrates how the proposed landscaping would be achievable.

3.2 In a streetscape of this scale and density, generous landscaping is essential through the provision of large trees to soften the built form, to provide acoustic and visual privacy, shading and to minimise air pollution impacts.

3.3 Provision of a suitably landscaped communal open space area on the roof is recommended to provide a sunny, quiet open area for residents.

4. Site Amalgamation

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

4.1 The Panel and the proponent recognise that the amalgamation pattern for the site identified in DCP 20 would provide a much improved design outcome by providing increased building separation and the opportunity to provide substantial deep soil areas to ameliorate the site's constraints.

4.2 However the applicant advised that amalgamation with the adjoining undeveloped lots to the south cannot be achieved. Evidence should be submitted to Council to verify this statement.

5. Design Character

5.1 Whilst the principles of the ADG do not apply to boarding house development, Clause 30A the ARH SEPP requires consideration of "whether the design of the development is compatible with the character of the local area".

5.2 The Panel considers that non-compliance with guidelines within DCP 20 is relevant when considering this requirement, as DCP 20 envisages a different form of development to that proposed, notably of a lower height (4 storeys) across a consolidated lot pattern. Development of a single lot as proposed would in all likelihood create a built form that is unable to demonstrate compatibility with the character of the local area.

6. Alternative design options

6.1 Notwithstanding the clear benefits of an amalgamated site, if this proposal for a boarding house on a single lot is to be pursued then significant redesign is required. An option discussed at the meeting was comprised of two discreet building forms separated by a generous central courtyard, with a maximum height of 4 storeys and increased front, rear and side setbacks. Whilst this would reduce yield to around 40 rooms, it would offer the possibility of an acceptable design quality outcome if carefully designed.

6.2 A second option was also discussed being a truncated T-shaped plan layout. This option would involve maximising the setback from the northern boundary by changing proportion of the units (wider and shallower plan form). Additionally the wing of the building facing Marlborough Road and Centenary Drive should incorporate architectural treatments that ameliorate the significant acoustic issues associated with locating dwelling units in this location. Any treatment should be developed in conjunction with acoustic advice.

6.3 In either case the quantum of rooms orientated to the street front should be minimised and the development oriented to take advantage of aspects to the central courtyard and a substantial landscaped rear setback area.

6.4 The associated reduction in the yield would provide scope for the basement carpark footprint to contract and so provide deep soil areas along the side boundaries that would support the required scale of substantial landscaping.

6.5 Provision a car lift should also be considered to further reduce the basement carpark footprint."

Amended plans were submitted to Council following the Design Review Panel meeting. The amended have plans partially adopted the DRP recommendations including reducing the building height from five (5) to four (4) storeys, increasing the side setbacks, reducing the basement footprint to provide more deep soil landscaping and deletion of the neighbourhood. The modified design also comprised amendments to the façade and building articulation also including changes to the proposed colour palette and external finishes.

INTEGRATED DEVELOPMENT

The application is identified as Integrated Development under Division 4.8 of the Environmental Planning and Assessment Act 1979 as it requires concurrence from Water NSW under Section 91(3) of the Water Management Act 2000. The proposed development involves aquifer inference activity and subsequently a de-watering licence. Accordingly, the application was referred to Water NSW.

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within Section 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:**(i) any environmental planning instrument****STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007**

The subject site features a frontage to Marlborough Road, which although is not a classified road, it feeds to Centenary Drive and Parramatta Road which are both classified roads. The application was referred to RMS for comments who raised no objections to the proposal, subject to the imposition of conditions in the event the application is approved by Council.

Clause 101(2)(c) requires Council to assess the impact of traffic and road noise from the adjacent classified road on the amenity of the proposed boarding house. The design provides seven (7) of the 54 lodger rooms directly facing Marlborough Road. The Acoustic Report accompanying the application recommends the installation of laminated glass and acoustic seals to the windows and doors of the development.

The proposed development is located within 5m of an exposed overhead electricity power line and is adjacent to an existing kiosk style electricity substation. In accordance with Clause 45(2) of Infrastructure SEPP 2007 the application was referred to Ausgrid for comment. Ausgrid raised no objection to the proposal subject to the imposition of conditions.

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. In July 2019 the Department of Planning, Industry and Environment developed an alternative process for the BASIX Assessment of large boarding house development (accommodating more than 12 people). The alternative assessment process allows the thermal comfort of a large boarding house development to be assessed at the construction certificate stage against the Section J requirements of the Building Code of Australia and a BASIX Certificate only to be submitted at the development application stage.

The subject application was lodged prior to the commencement of the alternative assessment process and was not accompanied by any thermal comfort or energy assessment such as a BASIX Certificate.

STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purposes for which development consent is being sought.

A Phase 1 Preliminary Site Investigation was undertaken by Benviron Group. The Investigation identified that although the site has historically been used for residential purposes the site is located approximately 400m from an area of investigation under Part K of the SCDCP 2005 which identifies past known landfill and potentially contaminated sites and concluded the following:

“Based on the results of this investigation it is considered that the risks to human health and the environment associated with soil and groundwater contamination at the site are medium in the context of the proposed use of the site. The site can be made suitable for the proposed development, subject to the following recommendations.”

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

- *Preparation of a Detailed site Investigation (Phase 2 Environmental Site Assessment) by a suitably qualified Environmental Consultant.*
- *Any soil requiring from the site, as part of future site works, should be classified in accordance with the 'Waste Classification Guidelines, Part 1: Classifying Waste' NSW EPA (2014)."*

Council's Environmental Health Officer concurs with the recommendations of the report and the need for further site investigations to ensure the site can be made suitable for residential purposes. Accordingly, the provisions of SEPP 55 have not been satisfied.

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

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation).

The Arboricultural Impact Assessment submitted and forwarded to Council's Tree Management Officer. Protection of Trees No. 1, 2 and 9 is supported. However the proposed removal of the street tree is not warranted for the purpose of the proposed development and is not supported. Consent for the removal of Trees No. 3 to 7 is not supported as the trees are located on neighbouring properties and has not been obtained. In the event development consent is granted, conditions of consent are to be imposed to ensure adequate tree protection measures are adopted.

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

The proposed development has been lodged under Part 2, Division 3 of the *ARH SEPP 2009* which relates to the provision of 'Boarding Houses'. An assessment of the development against the development standards for boarding houses under the *ARH SEPP 2009* is presented in the table below.

Clause	Development Control	Proposed	Compliance
26 Permissibility	Permissible in R3 Medium Density Residential zone.	The site is located in R3 Medium Density Residential zone.	Yes.
29(1)(c) FSR	Per SLEP 2012: 1.45:1 (1,347.05m ²) plus incentive of 0.5:1 (464.5m ²) if the max FSR is < 2.5:1 1.45:1 + 0.5:1 = 1.95:1 (1,811.55m ²)	The proposal provides an FSR of 1.79:1 (1,669.62m ²).	Yes.
29(2)(a) Height	Maximum height permitted under SLEP 2012 = 14m	The amended design proposes a maximum building height of 14m.	Yes.
29(2)(b) Landscaping to front	Landscaping treatment of front setback to be compatible with streetscape.	The front setback of the development provides landscape treatment including shrubs and trees. The provision of landscaping in the front setback is restricted due to the narrow width of the site.	Yes.
29(2)(c) Sunlight	Communal living spaces to receive three (3) hours sunlight mid-winter.	One communal living room is provided on Level 03 with an area of 17.36m ² . The communal living room will receive three hours of solar access during mid-winter.	Yes.

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

29(2)(d) Private open space	<p>Minimum 20m² (at least 3m wide) for lodgers.</p> <p>Minimum 8m² (at least 2.5m wide) for manager.</p>	<p>A communal open space area of 31.09m² is provided on Level 03 directly adjoining the communal living room and is 3m wide. A second communal open space is provided at the rear of the site along the western boundary.</p> <p>No manager room has been provided.</p> <p>It is noted that 12 of the 54 double lodger rooms are provided with individual private open space or balconies.</p>	<p>Lodgers – Yes</p> <p>Manager - No</p>
29(2)(e)(iia) Car parking	<p>0.5 spaces per room plus one per employee that resides on-site.</p> <p>54 double lodger rooms with no manager room is proposed. 53 x 0.5 + 1 = 27.5 spaces required.</p>	<p>The lodger capacity of the proposed boarding house exceeds 20, therefore requiring a manager room. The proposal will provide 53 boarding rooms and one manager rooms resulting in a 28 on-site car parking requirement. The proposal provides 26 on-site car parking spaces (including two accessible car spaces). This is two (2) short of the requirement. Further, the scheme relies on the operation of a double car stacker across eight of the spaces. No operational specifications for the car stacker were submitted to Council.</p>	No.
29(2)(f) Minimum accommodation size	<p>Minimum accommodation size (excluding kitchenette and bathroom):</p> <p>12m² for single lodger 16m² for doubles</p>	<p>No single lodger room are provided.</p> <p>The size of the double lodger rooms (excluding kitchenette and ensuite) ranges from 16.05m² to 23m².</p>	Yes.
30(a) Communal living room	At least one communal living room if greater than five rooms proposed.	Provision of a communal living room 17.36m ² on Level 03. The area is considered insufficient to facilitate the development at maximum capacity.	Yes.
30(b) Maximum room size	No boarding rooms is to be greater than 25m ² (excluding kitchenette and bathroom).	Maximum room size is 23m ² (excluding kitchen and bathroom).	Yes.
30(c) Occupancy	Maximum 2 persons per room	All rooms can accommodate two (2) lodgers.	Yes.
30(d) Internal amenities	Adequate bathroom and kitchen facilities to be provided	Each lodger room contains an ensuite bathroom and kitchenette.	Yes.
30(e) Boarding house manager	On-site manager required for 20 or more lodgers	No manager room has been provided.	No.
30(h) Motorcycle and	One (1) bicycle space and one (1) motorcycle spaces	11 bicycle racks and 11 motorbike spaces are provided.	Yes.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

bicycle parking	per five (5) rooms. Therefore = 11 spaces of each are required.		
30A Character of local area	Design of the development is compatible with the character of the local area.	The development was amended after comments from the Design Review Panel. Whilst the amendments reduced the height of the boarding house the mass and interface of the building is incompatible with the local area.	No. Non-compliance is discussed further in Likely Impacts section of report.

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>	No
(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>	No
(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>	N/A
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	N/A
(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>	No
(f)	<i>To identify and protect environmental and cultural heritage</i>	N/A
(g)	<i>To promote opportunities for social, cultural and community activities</i>	N/A
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	N/A

Comments: Whilst the proposed boarding house use provides a diversity of housing within the local area, the building design is not considered to achieve a high quality urban form or promote the efficient and spatially appropriate use of land. The scale and positioning of the building is not proportion to the site resulting in an overdevelopment with adverse acoustic and visual privacy impacts. Further, the proposed development across a single allotment is inconsistent with the desired building footprint of the site within the Parramatta Road Corridor.

Permissibility

The subject site is Zoned R3 Medium Density Residential under Strathfield Local Environmental Plan (SLEP) 2012. 'Boarding houses' are permissible within the R3 Medium Density Residential zone with consent and 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,

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

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 containing 54 double lodger rooms is consistent with the SLEP 2012 definition.

Zone Objectives

An assessment of the proposal against the objectives of the R3 Medium Density Residential Zone is included below:

Objectives	Complies
➤ <i>To provide for the housing needs of the community within a medium density residential environment.</i>	Yes
➤ <i>To provide a variety of housing types within a medium density residential environment.</i>	Yes
➤ <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i>	N/A

Comments: The proposed boarding house development achieves the objectives of the R3 Medium Density Residential zone in that the proposal provides diversity in housing operation within the area. housing option within the local government area.

Part 4: Principal development standards

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

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	<i>Height of building</i>	14m	14m	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>	No
(c)	<i>To achieve a diversity of small and large development options.</i>	Yes

Comments: The proposal maximises the allowable building height of 14m, presenting to the street as a four (4) storey building that is of a compatible scale with existing residential flat buildings in Marlborough Road.

Floor space ratio

The ARH SEPP 2009 override provisions contained within the SLEP 2012.

Part 5: Miscellaneous Provisions

There are no provisions contained within Part 5 of the SLEP 2012 that are applicable to the proposed development.

Part 6: Local Provisions

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

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

6.1 Acid sulfate soils

The subject site is identified as affected by Class 5 acid sulfate soils and is located with close proximity to Class 2 soils. The proposal involves excavation for two (2) basement levels which may result in adverse impact. Council must not grant development consent unless an Acid Sulfate Soils Management Plan has been prepared, or a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates an Acid Sulfate Soils Management Plan is not required. The Stage 1 Preliminary Site Investigation Report prepared by Benviron Group submitted with the application states that an acid sulfate soils assessment is recommended for the site. A report was not submitted and the proposal has not satisfied the requirements of Clause 6.1.

6.2 Earthworks

The proposed boarding house includes two (2) levels of basement requiring the excavation and removal of soil. Given the close proximity of acid sulfate soils and concerns that the provisions of SEPP 55 have not been satisfied, the potential for earthworks detrimentally affecting the soil stability or drainage patterns cannot be ruled out. Consequently the proposal has not satisfied the requirements of Clause 6.2.

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 subject site is located within a well serviced area and features existing water and electricity connection and access to Council's stormwater drainage system. The subject site is considered to be adequately serviced for the purposes of the proposed development.

4.15 (1)(a)(ii) any draft environmental planning instruments

Not applicable.

4.151)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

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

PART H - WASTE MANAGEMENT (SCDCP 2005)

A Waste Management Plan accompanied the development application proposing kerbside collection of general waste and recycling. Waste storage area is located outside along the southern side of the building. Council's Waste Officer has no objection to the proposed layout of the waste storage area.

PART Q – URBAN DESIGN

Public Domain and Streetscape

The proposed boarding house has a T-shape orientation to Marlborough Road with seven of the total 54 double lodger rooms having openings/private open space to the road creating an active street frontage whilst minimising the acoustic impacts of the road noise to the rooms. The amended development design reduced the number of storeys from five (5) to four (4) storeys achieving compliance with the 14m building height standard for the site and is consistent with existing residential flat buildings on Marlborough Road.

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

The main building façade facing Marlborough Road is articulated and visually interesting, incorporating a schedule of colours and external finishes that is consistent with the surrounding residential flat buildings, specifically the use rendered masonry and exposed facebrick. The front setback aligns with the front setbacks of apartment buildings on Marlborough Road and the building has a clearly defined pedestrian entrance that is appropriately distanced from the vehicular entrance to the basement. The proposed flat roof form is consistent with the more recently constructed storey residential flat buildings along Marlborough Road. The lift overrun is located 11.83m from the front property boundary, minimising its visibility from the streetscape.

The rear building façade facing Courallie Avenue incorporates horizontal and vertical architectural elements to create visual interest and articulation. Specifically, the contrasting 'satin dark bronze' with the exposed facebrick breaks up the built form. The interface of the rear building façade to Courallie Avenue is an important component of the building as the maximum building height transitions from 14m on Marlborough Road to 11m on Courallie Avenue meaning a portion of the rear façade will be visible.

The exterior walls of the northern, eastern and western elevations are sufficiently articulated that and continues the colours and external finishes of the front façade and are compatible with the existing streetscape. The southern side building elevation on the other hand is not compatible with the streetscape, providing no building articulation and an extensive use of glass that is more commonly associated with the façade of a commercial building and not residential (Figure 3). The southern elevation of the boarding house is an important interface of the Marlborough Road public domain, being highly visible due to the single storey at No. 16 Marlborough Road. The extensive use of glass raises concerns of its reflectivity impacts to motorists on Marlborough Road towards Parramatta Road.

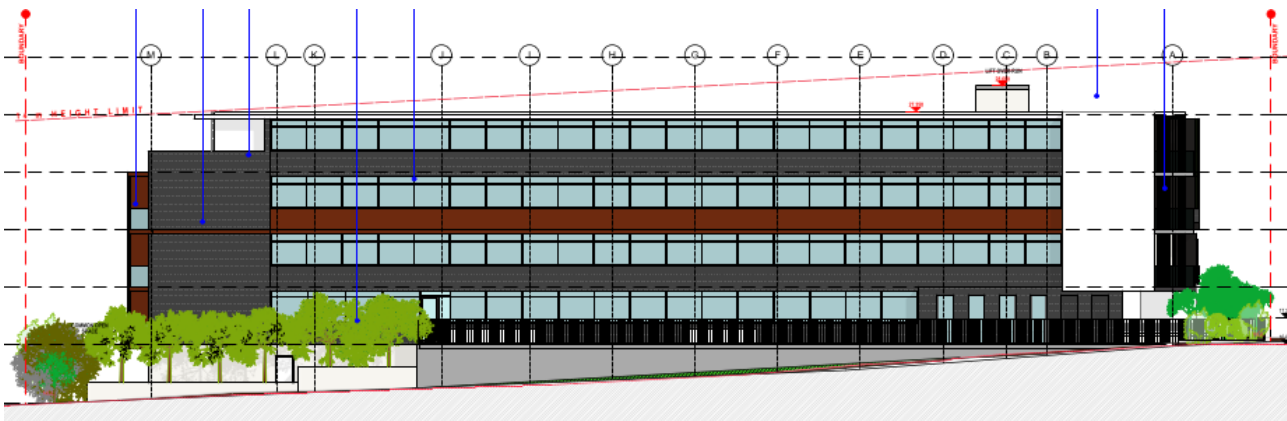


Figure 3: Proposed southern side elevation.

Building Envelope:

The surrounding streetscape is transitioning from low density detached dwellings to medium density residential flat buildings on consolidated allotments that consistently follow the Parramatta Road Corridor consolidation masterplan prescribed in DCP No. 20. The proposed four (4) storey building on a single allotment is contrary to the envisaged streetscape character of Marlborough Road as described in DCP No. 20.

The building envelope of the original design, specifically in regards to the building separation between the development and the adjoining northern residential flat building was not supported by the Design Review Panel. The majority of the boarding rooms are orientated to the north with the only openings providing direct overlooking into the habitable rooms and balconies of the adjoining northern four (4) storey residential flat building. The DRP recommended the northern side setback be increased from 1.5m to 4.5m resulting in a total building separation aligning with the ADG guidelines and remove the need for visual privacy measures such as privacy screens and obscure

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

window glazing. The amended design increased both the northern and southern side setbacks to 3m with opaque glass up to 1.7m to all windows along the side elevation proposed. The use of window treatments, specifically to the only windows of the boarding rooms is not an acceptable amenity outcome for the future lodgers of the proposed boarding house. The extensive use of visual highlight windows and frosted glass to address visual privacy impacts to the adjoining residential properties demonstrates that the building proposal is an overdevelopment of the site with a building envelope resulting in unacceptable residential amenity.

Amenity:

The subject site has a street frontage to Marlborough Road and is nearby Centenary Drive, a state road that is parallel to Marlborough Road. An Acoustic Report was submitted with the original design recommending 12mm laminated type glass with acoustic seals for all windows and sliding facing Marlborough Road and 6mm laminated type glass with acoustic seals for all other boarding rooms and common rooms. Further, the Acoustic Report recommends the installation of 1.8m gap free fence along northern, southern and western side boundaries.

The boarding house comprises of 54 double lodger rooms with the majority orientated to the north and west optimising solar access of the east-west orientation of the subject site. In regards to private open space only 12 (22.22%) of the rooms are provided with a private open space with the remaining with highlight windows only. All lodger rooms except G01 on the ground floor are single aspect with minimal cross ventilation opportunities. Although the internal design of the boarding rooms achieves the minimum area requirements, the residential amenity provided by the rooms are not desirable.

Due to the east-west orientation of the subject site the adjoining southern single storey residential property will receive less than three (3) hours to the private opens pace and to the windows on the northern side elevation.



Figure 4: Shadow diagrams of the proposed development.

Landscaping:

The site is currently occupied by a single storey dwelling with little provision of grass, shrubs or trees with the proposed development providing an opportunity to improve the quality of vegetation currently on the site. Whilst the amended design proposes a reduced basement footprint and increase side setbacks to provide deep soil landscaping opportunities, the overall size of the development and requirement for an on-site detention tank provides minimal space for canopy trees to grow.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

STRATHFIELD DEVELOPMENT CONTROL PLAN NO 20 – PARRAMATTA ROAD CORRIDOR AREA

Section	Development Control	Required	Proposed	Compliance
2.2	Building footprint	The proposal confirms to the consolidated patterns of the precinct.	The proposed development does not align with the consolidation pattern determined by the plan.	No. Discussed below.
2.3	Building Height	Proposal to conform to building height identified in figure 10; four (4) storeys.	The building height was amended to reduce the building to four (4) storeys as per the permitted height for the site.	Yes.
2.4	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 room sizes of the ARH SEPP 2009 prevail.	N/A
2.5	Roof Form	Lift and service plants should be concealed within well designed roof structures. Roof designs should consider generating an interesting skyline and enhancing views from adjoining developments.	The lift overrun is positioned in the middle of the building, minimising the visibility of the structure from the public domain. A flat roof is proposed to minimise the perceived height of the building from the public domain.	Yes.
2.6	Façade Composition	To ensure that new development have well-articulated and harmonious built edges defining the public domain. To encourage materials used in new developments to be compatible with adjoining developments and the streetscape in terms of type, form and colour.	Façade facing Marlborough Road feature a mix of traditional and contemporary external finishes. The proposed colour palette and composition of external finishes is consistent with existing residential flat buildings in the street. However, the façade composition of the southern side elevation includes extensive use of glazing with minimal articulation.	Street frontage – Yes Side elevation – No.
2.8	Visual and acoustic privacy	Visual privacy to be provided by separation or screening.	The proposal was amended to increase the northern side setbacks from 1.5m to 3m providing a separation of 8.5m – 9m in total. Windows on the northern side elevation are treated with opaque glass up to 1.7m high. The outlook of the lodger considered unreasonable. Rear balconies are setback 5m	Proposal does not provide optimum residential amenity for future occupants of the building.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
			from the rear property boundary and the common open space located on level 03 is 6m from the rear property boundary.	
		Acoustic privacy be considered in the context of the proposed development itself and relationship to surrounding environment. Developments adjoining a major road shall take into consideration impacts of the noise source on future amenity of residents.	The majority of windows are orientated towards adjoining residential flat building. An Acoustic Report was submitted which proposed an acoustic barrier be constructed along all the property boundaries. It is recommended that all windows and doors are to have acoustic seals to minimise noise.	Yes.
		Casual surveillance maintained of public streets and spaces with at least one habitable room window facing that area.	Passive surveillance of the public domain is achieved by orientating balconies to Marlborough Road.	Yes
2.9	Private Open Space	Common open space; 10% of site or 100m ² (whichever is greater); Min dimensions of 7m.	Common open space provisions in the ARH SEPP prevail.	N/A
	Balconies	Min requirements: • 12m ² up to 2 bed; and • 15m ² for 3 or more bed; Min. depth 2.0m; Located off living areas and with good solar access; and Balcony designed to provide visual privacy.	12 of the 54 lodger rooms are provided with some private open space of which none do not comply with the 12m ² requirement.	No.
	Front gardens	Design front gardens to provide a positive setting for the building.	The landscaping treatment in the front setback comprises a mixture of grass, shrubs and trees providing separation between vehicular and pedestrian entrances.	Yes
	Front fence	Up to 1.8m permitted along high traffic areas with 50% of the fence is transparent. Fences relate to the predominant streetscape character of the site. Highlight	A pier and infill front fence is proposed. The vertical orientated infill is not consistent with the northern adjoining residential flat building and the wider locality.	Yes.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

Section	Development Control	Required	Proposed	Compliance
		entrances to building.		
2.10	Energy Efficiency	NatHERS assessment submitted.	Refer to SEPP BASIX 2004 assessment.	N/A
	Solar access	Main living and 50% of POS receive min. 3 hours solar access	The communal living room and communal open space receives at least three hours of solar access.	Yes.
		Min. 3 hours solar access maintained to habitable rooms and POS of adjoining development.	The proposed side setbacks are inadequate and are likely to increase unavoidable overshadowing to the northern elevation and private open space of the southern adjoining property.	No.
	Natural space heating and cooling	Buildings designed/orientated which minimises heat gain during summer and maximises solar access during winter.	Majority of boarding rooms are orientated north and only have one window providing limited opportunities for cross ventilation	No.
	Glazing	New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers. Reflectivity Report may be required.	The southern side elevation comprises an extensive use of glass. No information regarding the reflectivity of the glass or obscure glazing was submitted.	No.
2.12	Access for people with mobility disabilities	15% of units designed to allow occupation by older people and people with disabilities.	Three (3) lodger rooms (5.5%) are designated as accessible rooms.	No.
2.13	Vehicular access and car parking	Residential flat building: 1 & 2 bedroom unit = 1 space 3 bedroom unit = 1.5 spaces 1 visitor space per 5 units.	Car parking rates under the ARH SEPP prevail.	N/A

4.15 (1)(a)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 of the *Environmental Planning and Assessment Act 1979*.

4.15 (1)(a)(iv) 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*.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

In the event that the application be approved, appropriate conditions of consent will imposed to ensure compliance with any relevant regulations.

4.15(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

Site Isolation

DCP No. 20 sets out the desired consolidation pattern for areas located within the Parramatta Road Corridor Area. Figure 13 of the DCP specifically relates to the subject site and stipulates that No. 14 Marlborough Road is to be amalgamated with No.s 16 and 18 Marlborough Road for the purposes of a four (4) storey residential flat building. As shown in Figure 5, the majority of Marlborough Road has been redeveloped as residential flat buildings and the site consolidation pattern has been consistently applied.

A boarding house at 18 Marlborough was refused at the Strathfield Local Planning Panel in July 2018 and is subject to appeal in the NSW Land and Environment Court. The development would result in the potential isolation of No. 16 Marlborough Road and thereby compromising its redevelopment potential.



Figure 5: The subject site is highlighted in yellow, consolidated plan as per the DCP No. 20 outlined in red and the isolated site identified as No. 16 Marlborough Road.

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

Karavellas v Sutherland Shire Council [2004] NSWLEC 251 establishes the planning principle for site amalgamation, including the general questions to be answered when dealing with amalgamation of sites or when a site is to be isolated through redevelopment. The questions are:

“Is amalgamation of the sites feasible?”

*18 The principles to be applied in determining the answer to the first question are set out by Brown C in **Melissa Grech v Auburn Council** [2004] NSWLEC 40. The Commissioner said:*

Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

Secondly, and where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

Thirdly, the level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s 79C of the Environmental Planning and Assessment Act 1979.

The applicant has submitted correspondence demonstrating that correspondence addressed to the legal representatives of the owner was sent in March 2017 and November 2018. Correspondence offered to purchase the property above the market value stated in one (1) independent valuation. The applicant advised that no response to such correspondence was received. During the assessment process Council contacted the owner of No. 16 Marlborough Road confirming that two offers to purchase the property had been made and not accepted.

Secondly, can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?’

*‘19 In the decision **Cornerstone Property Group Pty Ltd v Warringah Council** [2004] NSWLEC 189, I extended the principles of Brown C to deal with the second question and stated that:*

The key principle is whether both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non compliance with a minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity.

To assist in this assessment, an envelope for the isolated site may be prepared which indicates height, setbacks, resultant site coverage (both building and basement). This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the developments will have on each other, particularly solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.

The subject application may need to be amended, such as by a further setback than the

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

minimum in the planning controls, or the development potential of both sites reduced to enable reasonable development of the isolated site to occur while maintaining the amenity of both developments.

In regards to the above, the applicant has submitted an indicative building envelope of the isolated site as a boarding house with similar setbacks and building as the current application. As the proposed development is recommended for refusal, the feasibility of the isolated site to be successfully redeveloped as a boarding house cannot be demonstrated.

Under the SLEP 2012 planning provisions, the site area of the subject site and No. 16 Marlborough Road without amalgamation restricts the potential redevelopment of each site to detached dwelling, dual occupancy of a boarding house under the ARH SEPP 2009. The minimum site area requirements under Clause 4.1A of the SLEP 2012 necessitate the amalgamation of two (2) or more allotments to achieve the desired future character envisaged in DCP No. 20.

Overall, the applicant has not satisfactorily met the requirements of the planning principle for site amalgamation.

Residential Amenity

The majority of the boarding rooms are orientated to the north, resulting in the majority of windows facing the habitable rooms and private open space of the adjoining residential flat building (Figure 6). The proposed 3m side setbacks do not provide sufficient building separation with a total building separation of 8.4m and 9m provided between the proposed habitable rooms of the boarding house and habitable rooms and balconies of the adjacent residential flat building. The use of opaque glass up to 1.7m high to all of the windows facing north to mitigate visual privacy is not an acceptable urban design or residential amenity outcome.

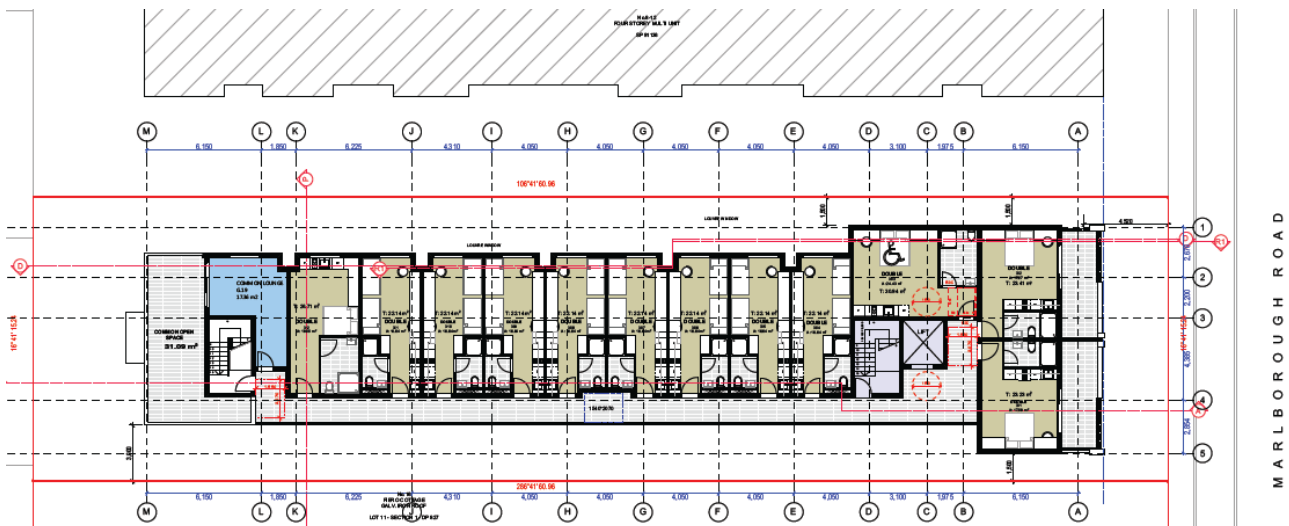


Figure 6: Proposed Level 03 plan.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

Figure 7: Proposed northern side elevation with opaque glass up to 1.7m high proposed.

Environmental Impacts

The subject site is located within close proximity to class 2 acid sulfate soils and a former landfill site. The presence of ground water was observed during geotechnical investigations necessitates the need for further examination. Due to insufficient information submitted with the application, it is unclear whether the proposed development will not have detrimental impacts on the environmental functions, processes, soil stability and drainage patterns of the land.

Provision of On-Site Car Parking

The proposal provides 54 double lodger rooms exceeding the 20 lodger capacity which is required to provide an on-site designated manager's room. Under Clause 29 (2)(e) of the ARH SEPP 2009 at least 0.5 parking must be provided for each boarding room and one (1) parking space for the manager. Accordingly, the proposal requires 28 on-site car parking spaces, however only 26 spaces are provided, a shortfall of two (2) spaces. Further, eight (8) of the car spaces are provided by four (4) double car stacker with no operational specifications submitted to assess against the relevant Australian Standards. It is noted that the submitted architectural plans incorrectly annotated 30 car parking spaces.

The implications of the on-site car parking non-compliance are compounded by the location of the site. The street side kerb along Marlborough Road is a 'no stopping zone' with the nearest street parking on Courallie Avenue and public transport services located at Flemington train station approximately 1.1km from the site.

4.15 (1)(c) the suitability of the site for the development

The site is considered to be unsuitable for the development. The proposal presents an overdevelopment of the site, resulting in a design outcome impeding on the residential amenity of the existing adjoining residents and providing unacceptable level of residential amenity.

Insufficient information has been submitted to satisfy whether the earthworks associated with the development will not have detrimental impact on the site and surrounding environment including environmental functions, processes, soil stability and drainage patterns.

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

The application underwent two (2) rounds of notification in accordance with Part L of the SCDP 2005. The first notification round from 8 January 2019 to 5 February 2019, resulted in 13 written

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

submissions. The second notification round from 25 June 2019 to 23 July 2019, received eight (8) written submissions, of which six (6) were parties who previously lodged submissions.

Issues		Comments
Car parking	Issues raised	<ul style="list-style-type: none"> Street parking is currently an issue as Marlborough Road is a 'no stopping zone' resulting in residents parking in Courallie Avenue and walking through Austin Park to their units on Marlborough Road. Additional units will put further strain on the limited street parking available. The proposal does not provide enough car parking spaces for the maximum capacity of the boarding house. Given the distance from major shops and public transport, a car is only practical means to live in the area. The car parking is not sufficient and put pressure on the limited parking available in the area. The proposal does not meet the minimum car parking requirements under the ARH SEPP.
	Responses to issues	The proposal does not meet the minimum on-site car parking requirements under the ARH SEPP 2009 and is recommended for refusal.
Pedestrian access	Issues raised	The development must ensure there is safe passage for resident's access across Marlborough Road to the train station for those who use the tunnel as there is no pedestrian crossing.
	Response to issues	The proposal does not interfere with existing pedestrian access.
Security and safety	Issues raised	<ul style="list-style-type: none"> Boarding houses tend to attract tenants from troubled background. Tenants generally rent short term. With high turnover rate, we can expect nil care taken to preserve the culture and values of our community. A boarding house is not suitable to the cultural fit of the community and will change the demographics to an undesirable mix. Homebush West consists of young families.
	Responses to issues	The origin of lodgers residing at the boarding house is not a matter for consideration under EPA&A Act 1979.
Property value	Issues raised	A boarding house in the vicinity will lower the property values in the area.
	Responses to issue	Reduced property and land values are not a matter for consideration under the EPA&A Act 1979.
Public transport	Issues raised	<ul style="list-style-type: none"> The site is poorly connected to infrastructure such as shops, libraries, medical facilities and schools. The site is not located within an accessible area and is poorly connected to public transport. There are no buses along Parramatta Road and Flemington train station is over a kilometre away.

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

	Response to issues	Council's Strathfield Connect bus service stops within 200m of the site on Marlborough Road in front of Austin Park, which will provide ease of access to transport nodes.
Acoustic	Issues raised	Traffic noise in the vicinity is bad due to Sydney Markets, Parramatta Road and Marlborough Road.
	Responses to issue	An Acoustic Report was submitted with the development application.
Common space	Issues raised	<ul style="list-style-type: none"> • Where are residents going to do their laundry. • Very little common open space is provided and the lack of accessibility will discourage people from using it.
	Responses to issues	The common open space exceeds the area requirements under the ARH SEPP 2009. In regards to accessibility this concern has been discussed in the report.
Waste management	Issues raised	<ul style="list-style-type: none"> • Report states that waste will be collected twice a week, but general waste services only collect on Marlborough once a week. • Increase in population makes it hard to walk down the street on the day before and after bin collections as the footpaths are filled from end to end of the street with bins.
	Responses to issues	General waste and recycling is serviced by private contractors and not Council.
Disabled access apartments	Issues raised	The proposal includes three (3) disabled access apartments which is less than the Council requirement. Disabled access apartments should be located on the ground floor.
	Responses to issues	The proposal does not comply.
Boarding house staff	Issues raised	Management plan states there will only be access to a staff member by phone/email. Given the density of the development, shared spaces and regular turnover of new tenants an on-site manager 24/7 should be a requirement.
	Responses to issues	The originally submitted proposal contained a manager's room, the amended plans do not, and this is contrary to the requirements of the ARH SEPP 2009.
Neighbourhood shop	Issues raised	<ul style="list-style-type: none"> • The shop location is not practical with no on-street car parking available. The location is not suitable. • The plan does not provide an area for deliveries to the proposed shop.
	Responses to issues	Amended plans have been submitted with the deletion of the ground floor neighbourhood shop.
Open space	Issues raised	The open space at the rear of the building is highly inaccessible and requires occupants to walk the full

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

		length of the building to access. It has been designed without function.
	Responses to issues	This concern is shared and is discussed in detail in the report.
Overdevelopment	Issues raised	<ul style="list-style-type: none"> • The need to utilise terrace space demonstrates the significant bulk and scale of the development. • The area is already overpopulated, adding such a high density development with over 100 people will make it worse. • The size of the land is too small for the number of units proposed.
	Responses to issues	The mass and scale of the proposed development has been discussed in the report and the proposal has been recommended for refusal.
Building height	Issues raised	<ul style="list-style-type: none"> • The proposed five (5) storey development exceeds the height restriction and is not in keeping with the residential flat buildings on Marlborough Road. • The building height results in overshadowing on adjacent properties.
	Responses to issues	During the assessment process the building height was reduced from five (5) storeys to a compliant four (4) storeys. The overshadowing impacts to the adjoining development have been considered as acceptable.
Masterplan	Issues raised	<ul style="list-style-type: none"> • The masterplan states that the site is to be amalgamated across three (3) sites. • A boarding house at 18 Marlborough Road was refused and is now in Court, this application will isolate the dwelling at No. 16 Marlborough Road.
	Responses to issues	This concern is shared and is discussed in detail in the report.
Traffic congestion	Issues raised	Marlborough Road is a congested on-way road with residents currently experiencing difficulties exiting from apartment buildings. The proposal will make the congestion worse and take longer for emergency services to access nearby apartment buildings.
	Responses to issues	Council's Engineers have assessed the traffic implications and the proposal is considered acceptable in this regard.
Oversupply	Issues raised	There is an oversupply of rental apartments, more are not required.
	Responses to issues	The supply and demand for rental apartments is not a matter for consideration under EPA&A Act 1979.
Notification	Issues raised	<ul style="list-style-type: none"> • The notification letter only provided three (3) weeks to lodge a submission and is not sufficient during January as most residents are away on holidays. • No plans were received with the notification letter

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

		as has been done previously.
	Responses to issues	<ul style="list-style-type: none"> The application was notified in accordance with the Christmas/new year guidelines. Plans are no longer included in the notification letters and are available for viewing on the website or at Council.
Privacy	Issues raised	<ul style="list-style-type: none"> The proposal will remove all privacy from the residents that face the subject site. All the bedroom windows and balconies would be exposed to full view from the proposed building. Tower looking down over the adjacent properties. Stairs from basement are too close to property boundary and raised so people can look into adjacent properties. Rear facing balconies are not located far away enough and look into adjoining land. Are any noise barriers proposed to minimise noise from the lodgers to adjoining properties?
	Responses to issues	The design of the proposed boarding house will result in adverse privacy and acoustic impacts and is recommended for refusal.
Landscape	Issues raised	The proposal does not allow for any planting of trees to compensate for the size of the development.
	Responses to issues	The lack of opportunities for the planting of canopy trees has been discussed in detail throughout the report.
Solar access	Issues raised	The height of the building will cast a shadow over the southern elevation of adjacent properties.
	Responses to issues	The east-west orientation of the site and minimal side setbacks has overshadowing impacts on the adjoining southern dwelling and is discussed in detail throughout the report.
Side setbacks and building separation	Issues raised	<ul style="list-style-type: none"> The side setbacks and building separation of the development are not sufficient and will result in noise impacts to the adjoining properties. Sound barriers should be installed to block the noise. The basement has minimal setbacks and protrudes above the ground. This may result in damage to adjoining properties during construction. The side setbacks of the development should be consistent with adjoining residential flat buildings.
	Responses to issues	The side setbacks are not supported, resulting in adverse acoustic and visual privacy impacts.
Stormwater	Issues raised	The stormwater design is not appropriate and will result in overland flow of water onto the adjoining rear properties during heavy rain periods.
	Responses to issues	The subject site is not affected by flooding in the 1 in 100 year flood event and Council's Drainage Engineer

DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

		has no objection to the proposed stormwater drainage design.
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4.15 (1)(e) *the public interest*

The assessment of the public interest is served through the detailed examination of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is considered to be contrary to the public interest having undesirable and adverse impacts upon adjoining properties and the locality.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

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

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

STRATHFIELD INDIRECT SECTION 7.11 CONTRIBUTIONS PLAN

The application is recommended for refusal, Section 7.11 contributions have not been included in this report.

CONCLUSION

The application has been assessed having regard to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal is not compatible with the streetscape character and does not meet the on-site car parking requirements under the Affordable Rental Housing SEPP 2009. Further the proposal does not achieve the objectives of the Strathfield Local Environmental Plan 2012 and can not to be supported.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

That Development Application No. 2018/171 for the demolition of the existing dwelling and construction of a four (4) storey boarding house, two levels of basement and 54 double lodger rooms at 14 Marlborough Road, Homebush West be **REFUSED**, for the following reasons:

- 1) The application provided insufficient information to demonstrate that pursuant to SEPP 55 Remediation of Land the land is suitable for the proposed development.

(Sections 4.15 (1)(a)(i) & (b) of the Environmental Planning and Assessment Act 1979)

- 2) The application provided insufficient information to satisfactorily address Clause 6.1 Acid Sulfate Soils of the SLEP 2012.

**DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)**

(Sections 4.15 (1)(a)(i) & (b) of the Environmental Planning and Assessment Act 1979).

- 3) The application provided insufficient information to demonstrate that excavation of the site will not have an adverse impact on the environment including soil stability and drainage patterns.

(Sections 4.15 (1)(a)(i) & (b) of the Environmental Planning and Assessment Act 1979).

- 4) The proposal does not comply with the minimum parking requirement detailed by the Affordable Housing SEPP 2009 and does not demonstrate that the car stackers comply with the relevant Australian Standards.

(Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979).

- 5) The proposal does not provide a Manager's Room as required by the Affordable Housing SEPP 2009.

(Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979).

- 6) The proposal is consistent with the subdivision pattern determined in the Strathfield Development Control Plan No. 20.

(Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979).

- 7) The proposal will result in the isolation of No. 14 Marlborough Road. Inadequate information was provided to satisfy the requirements of the relevant Planning Principle.

- 8) The proposal fails to satisfy the objectives of Clause 1.2 (2) (a) of the Strathfield Local Environmental Plan 2012 as the proposed development is an overdevelopment of the site and inconsistent with the existing and desired future character of Marlborough Road.

(Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979).

- 9) The proposal is inconsistent with Clause 30A of the ARH SEPP, as the design of the development is incompatible with the character of the local area given its building envelope and interface with the public domain.

(Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979).

- 10) The proposed side setbacks do not provide adequate privacy and amenity for the neighbours and future occupants given the location of windows orientated to the side boundaries.

(Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979).

- 11) The site is unsuitable for the proposed development, being an overdevelopment of the site resulting in adverse residential impacts.

(Section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979).

- 12) Pursuant to the provisions of Sections 4.15(1)(d) & (e) of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development would not be in the public interest.

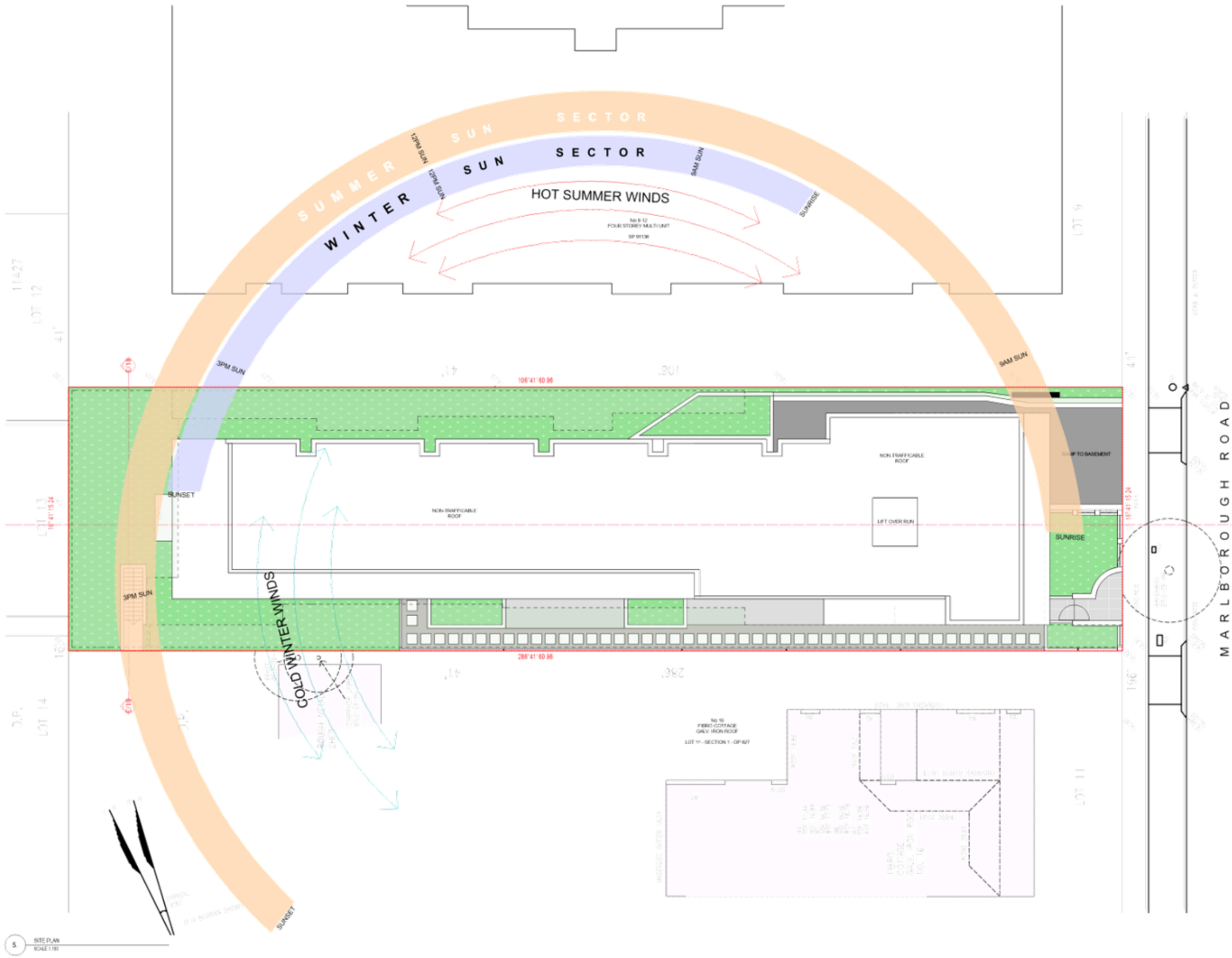
DA2018/171 - 14 Marlborough Road, Homebush West
Lot 10 Section 1 DP 827 (Cont'd)

(Sections 4.15 (1)(d) & (e) of the Environmental Planning and Assessment Act 1979)

ATTACHMENTS

1. [↓](#) Architectural plans

STRATHFIELD COUNCIL
RECEIVED
AMENDED PLAN
DA2018/171
17 June 2019



B	REVISED CHANGES	20/08/19	JE
A	FOR DA SUBMISSION	20/08/19	JE
Rev.	Description	Date	Appr.

Project
BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
Business Address: Level 10, 11-13 Crown Street, Sydney NSW 2154
Postal Address: PO BOX 2022 Neutral South NSW 2154
Phone Number: +61 2 949 2676
Registered Address:
Zach Bourneham Day 4/6/2018
Youvent @ Knowledge Day 4/6/2018 Includes Trade Reg no 1030

Drawing Title
SITE ANALYSIS

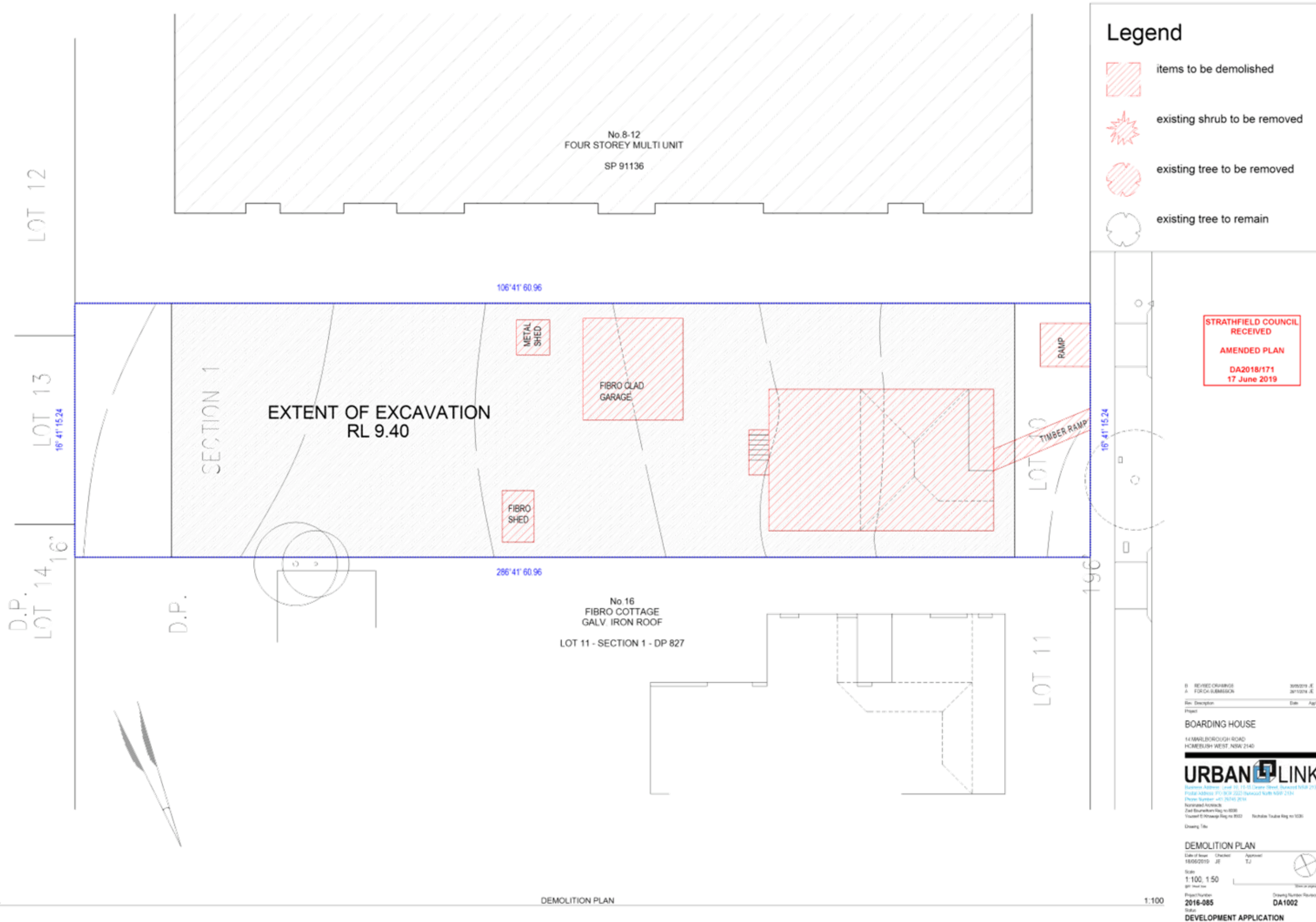
Date of Issue	18/05/2019	Checked	JE	Approved	TJ
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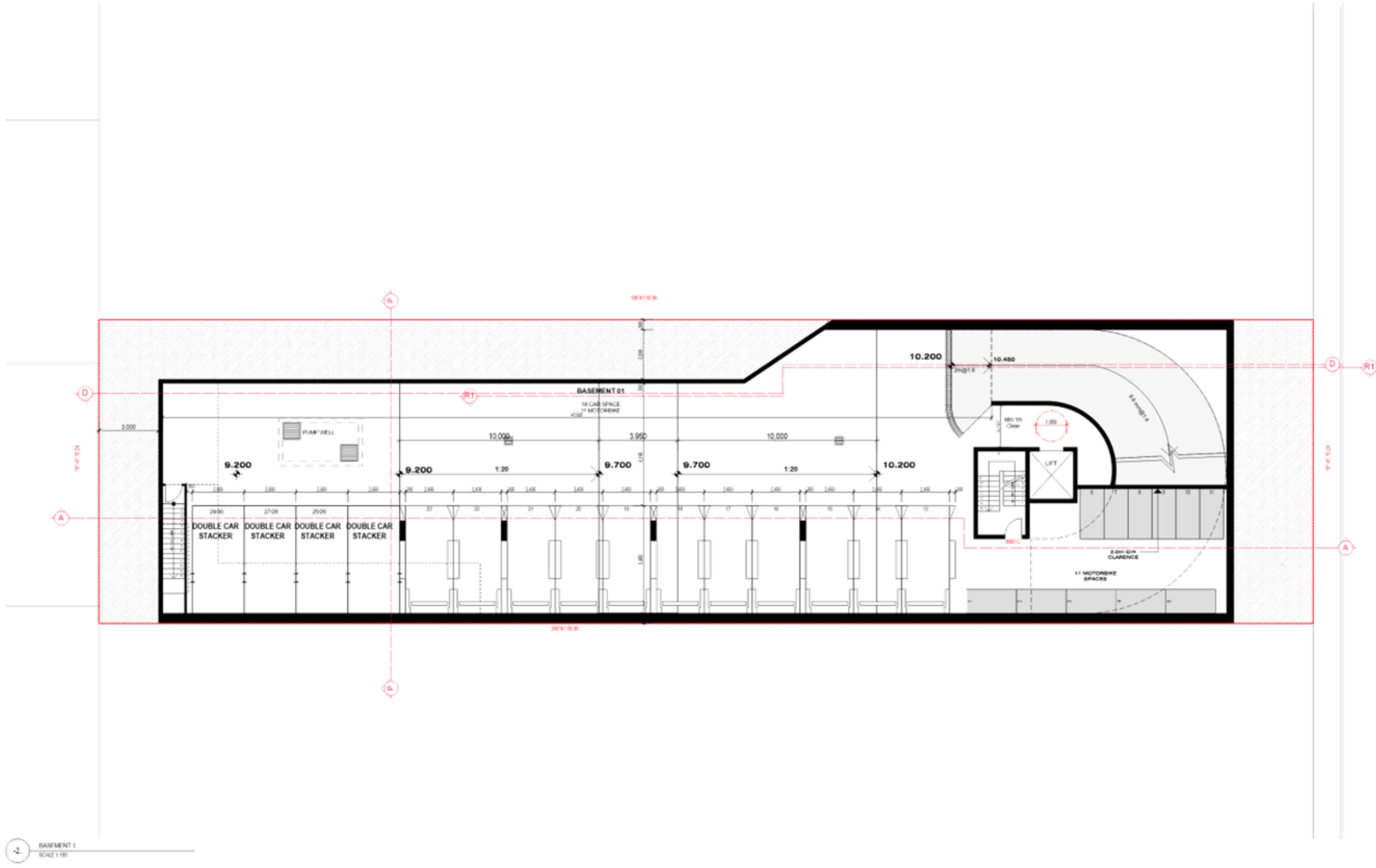
Project Number
2016-085

Drawing Number Revision
DA1001

Status
DEVELOPMENT APPLICATION



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DA2018/171
17 June 2019



MARLBOROUGH ROAD

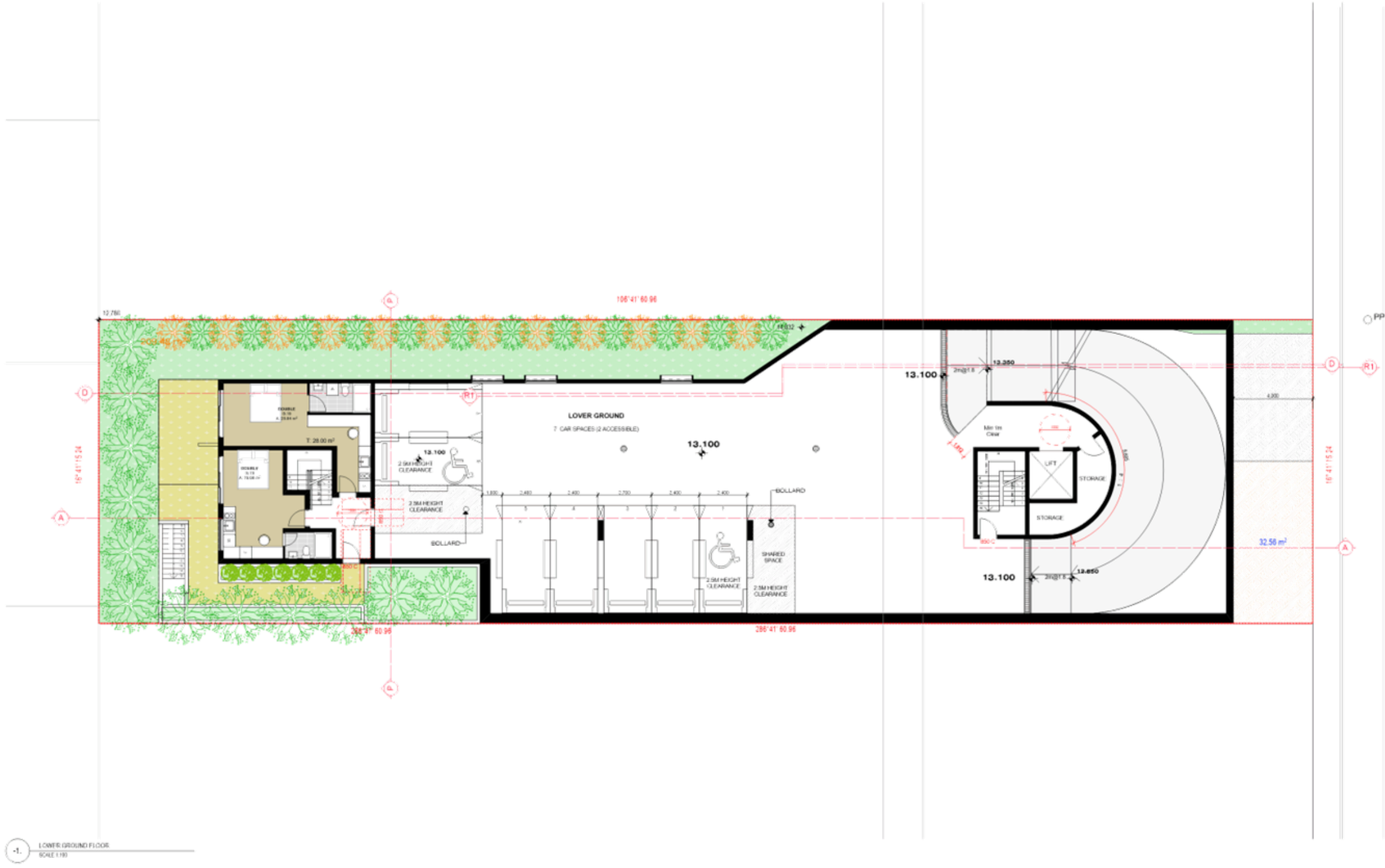
B	REVISED DRAWINGS	30/05/19	JE
A	FOR DA SUBMISSION	20/10/18	JE
Rev.	Description	Date	Appr.

BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
 Business Address: Level 10, 11-13 Green Street, Surry Hills NSW 2014
 Postal Address: PO BOX 2022 Newtown South NSW 2114
 Phone Number: +61 2949 2614
 Registered Address: 2nd Bourke Street Sydney
 Vicount & Knowledge Pty Ltd
 Website: www.urbanlink.com.au

BASEMENT PLAN 01			
Date of Issue	Checked	Approved	
18/05/2019	JE	TJ	
Scale	1:100		
Project Number	2016-085	Drawing Number	DA2001
Status	DEVELOPMENT APPLICATION		

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17 June 2019



MARLBOROUGH ROAD

B	REVISED DRAWINGS	20/08/19	J.E.
A	FOR DA SUBMISSION	20/08/19	J.E.
Rev.	Description	Date	Appr.

BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
 Business Address: Level 10, 11-13 Green Street, Sydney NSW 2154
 Postal Address: PO BOX 2022 Haymarket NSW 1514
 Phone Number: +61 2 9439 2614
 Registered Address: 2nd Floor, 100 King Street, Sydney NSW 2154
 You can't miss it! See our website for more information.

LOWER GROUND FLOOR PLAN

Date of Issue	18/06/2019	Checked	J.E.	Approved	T.J.
Scale	1:100				
Project Number	2016-085	Drawing Number	Revision	DA2002	
Status	DEVELOPMENT APPLICATION				

AMENDED PLAN
DA2018/171
17 June 2019



Revised Drawing	18/06/19	JE
For Submission	20/06/19	JE
Rev. Description	Date	Appr.
Project		

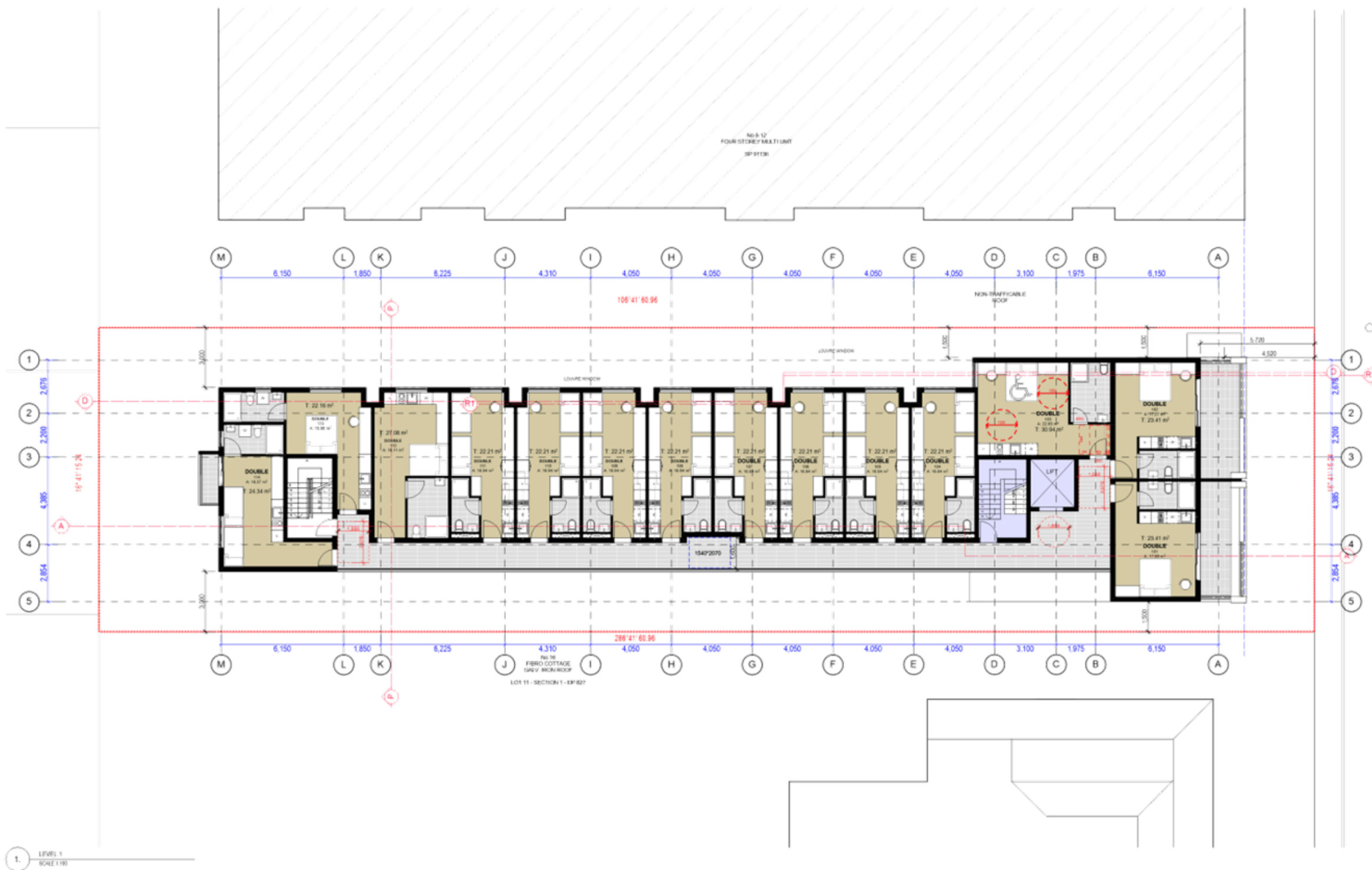
BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
Business Address: Level 10, 11-13 Green Street, Sydney NSW 2014
Postal Address: PO Box 2221, Homebush NSW 2140
Phone Number: +61 (0)2 949 8534
Fax Number: +61 (0)2 949 8534
Email: info@urbanlink.com.au
Website: www.urbanlink.com.au

GROUND FLOOR PLAN		
Date of Issue	Checked	Approved
18/06/2019	JE	TJ

Scale: 1:100
Project Number: 2016-085
Drawing Number: DA2003
Status: DEVELOPMENT APPLICATION

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MARLBOROUGH ROAD

B	REVISED DRAWINGS	20/05/19	JE
A	FOR DA SUBMISSION	20/05/19	JE
Rev.	Description	Date	Appr.

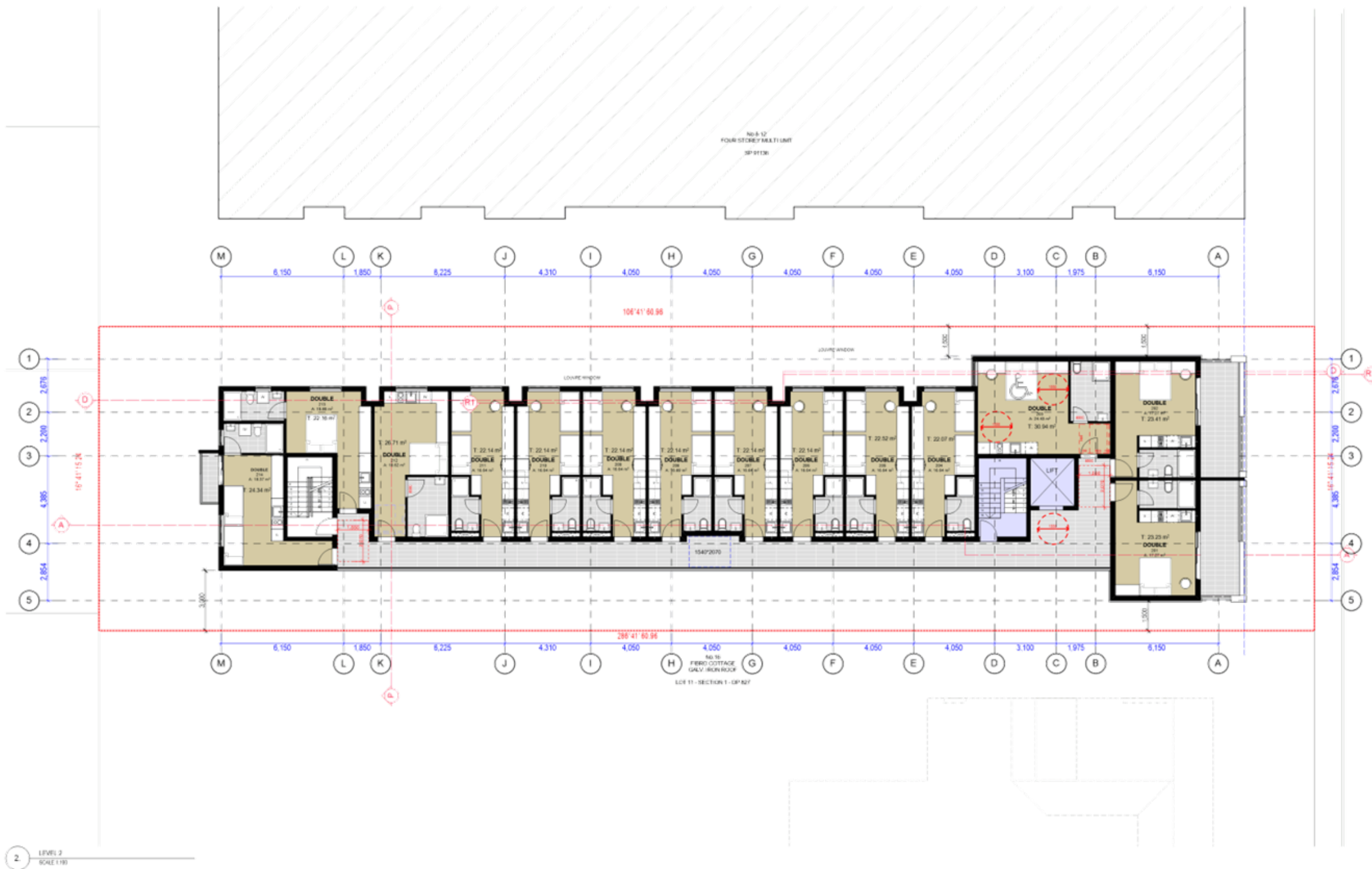
BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
Business Address: Level 10, 11-13 Green Street, Burwood NSW 2134
Postal Address: PO BOX 2221 Burwood South NSW 2134
Phone Number: +61 2949 2634
Specialised Services:
Zell Brunsden Day to Day
Youvent @ Knowledge Property 8552 Nicholas Taylor Reg no 5330
Drawing Title:

LEVEL 01 PLAN

Date of Issue	18/05/2019	Checked	JE	Approved	TJ
Scale	1:100	North Arrow			
Project Number	2016-085	Drawing Number	Revision	DA2004	
Status	DEVELOPMENT APPLICATION				

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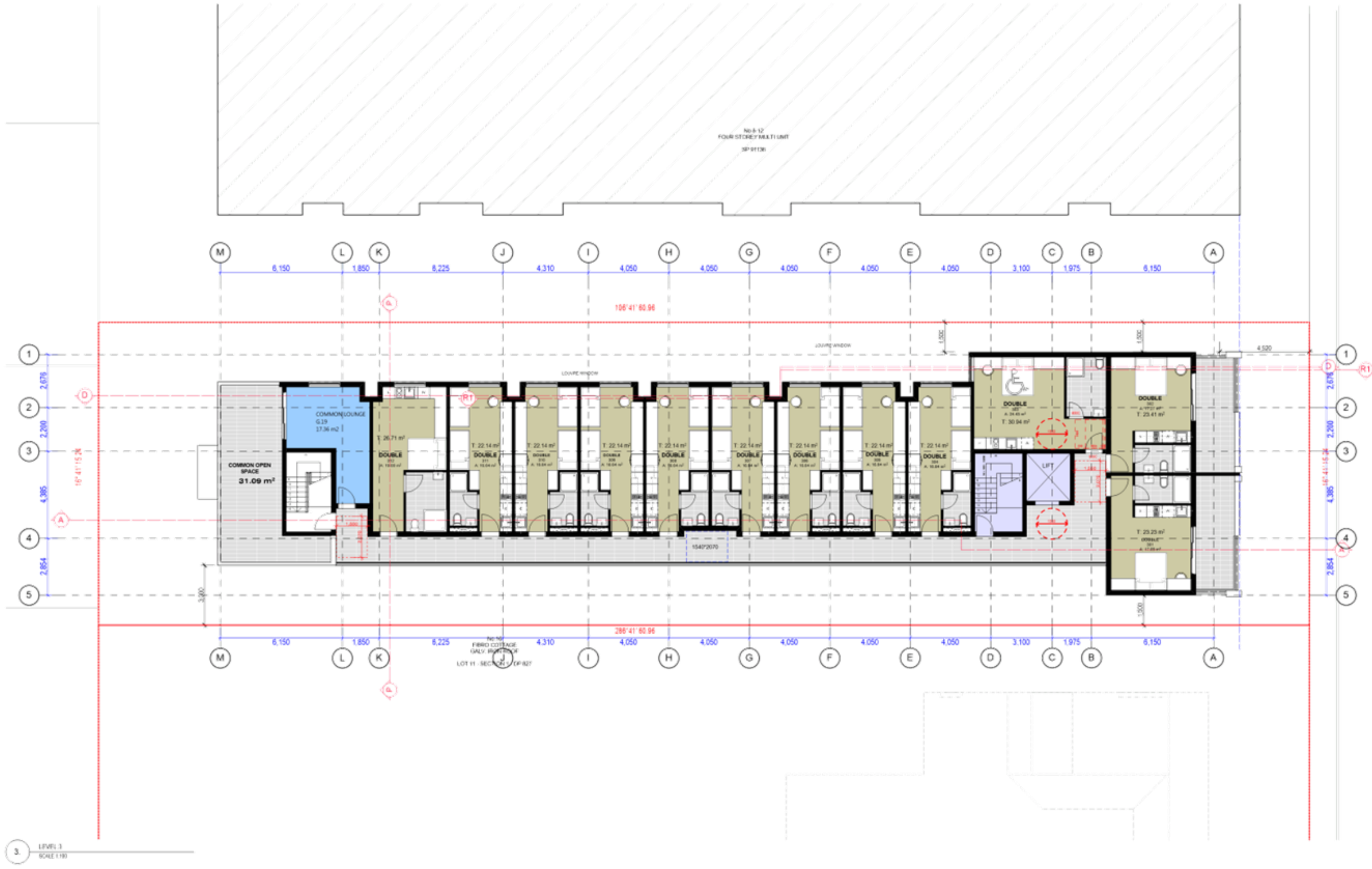


MARLBOROUGH ROAD

B REVISIONS
 A FOR DA SUBMISSION
 Rev. Description Date Appr.
 Project
BOARDING HOUSE
 14 MARLBOROUGH ROAD
 HOMEBUSH WEST NSW 2140
URBANLINK
 Business Address: Level 10, 11-13 Crane Street, Surwood NSW 2154
 Postal Address: PO BOX 2222 Neutral Bay NSW 2154
 Phone Sydney: +61 (0)2 955 2014
 National Australia Bank Business Day to Business Day
 You can't find us? Call us on 1300 780 000 or visit our website
 Drawing Title

LEVEL 02 PLAN
 Date of Issue: 18/05/2019
 Checked: JE
 Approved: TJ
 Scale: 1:100
 Project Number: 2016-085
 Drawing Number: DA2005
 Status: DEVELOPMENT APPLICATION

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17 June 2019

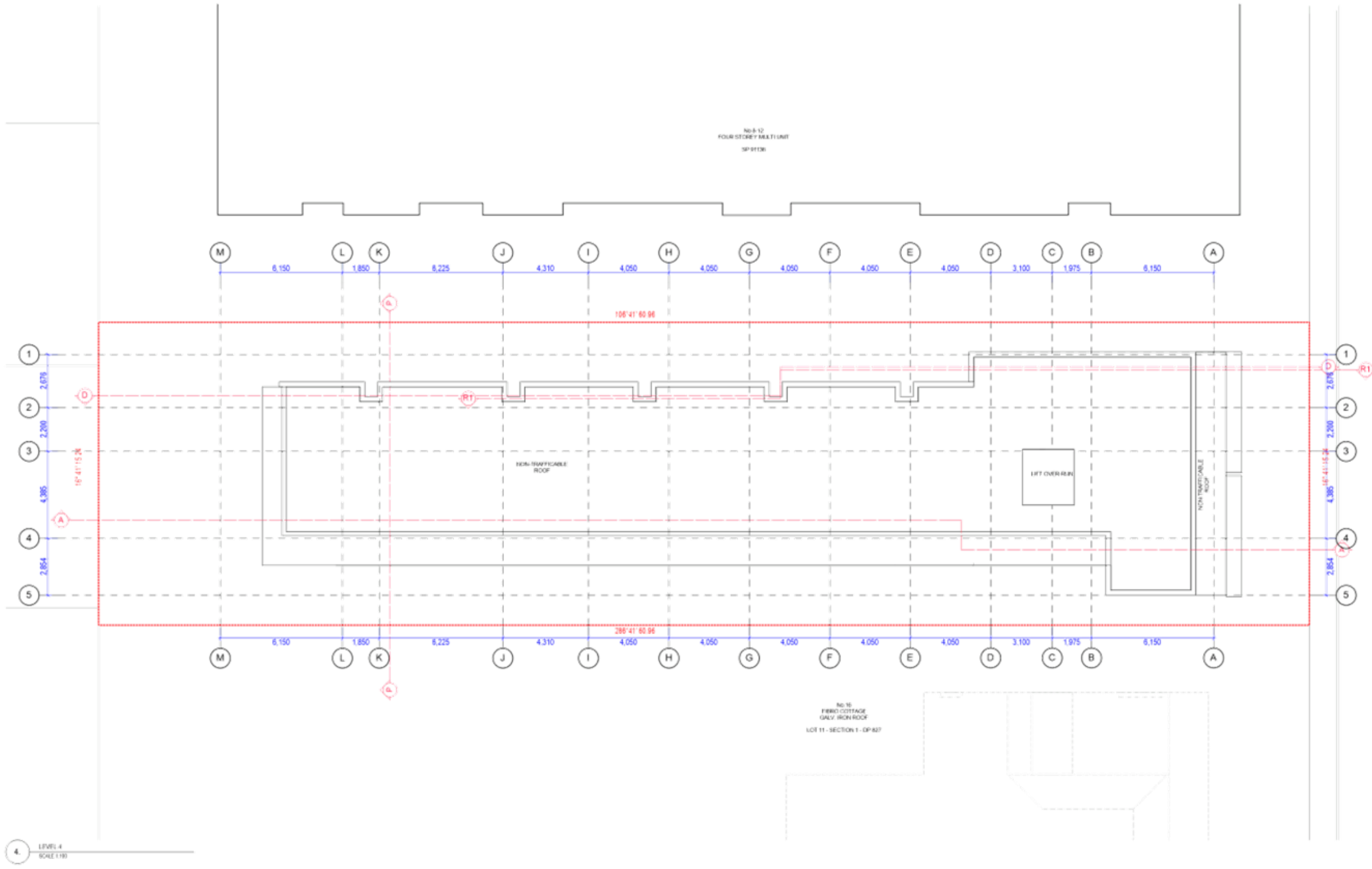


MARLBOROUGH ROAD

B REVISIONS
A FOR DA SUBMISSION
Rev. Description Date Appr
Project
BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140
URBANLINK
Business Address: Level 10, 11-13 Green Street, Surwood NSW 2154
Postal Address: PT 938 222 National North NSW 2154
Phone Number: +61 2949 2634
Registered Address:
Zell Struncken Day 6038
Youvent @ Knowledge Group Pty Ltd
Drawing Title

LEVEL 03 PLAN
Date of Issue: 18/05/2019
Checked: JE
Approved: TJ
Scale: 1:100
Project Number: 2016-085
Drawing Number: DA2006
Status: DEVELOPMENT APPLICATION

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17 June 2019



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Rev. Description Date App'd
Project
BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMELISH WEST NSW 2140

URBANLINK
Business Address: Level 10, 11-13 Green Street, Sydney NSW 2154
Postal Address: PO BOX 2023 Hurlingham NSW 2154
Phone Number: +61 2949 2614
Registered Address:
Zed Structures Pty Ltd
Yours faithfully,
Drawing Title

LEVEL 04 PLAN
Date of Issue: 18/05/2019
Scale: 1:100
Project Number: 2016-085
Drawing Number: DA2007
Status: DEVELOPMENT APPLICATION

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AMENDED PLAN
DA2018/171
17 June 2019











E55 EAST ELEVATION
SCALE 1:50



E57 WEST ELEVATION
SCALE 1:50

MATERIAL SCHEDULE

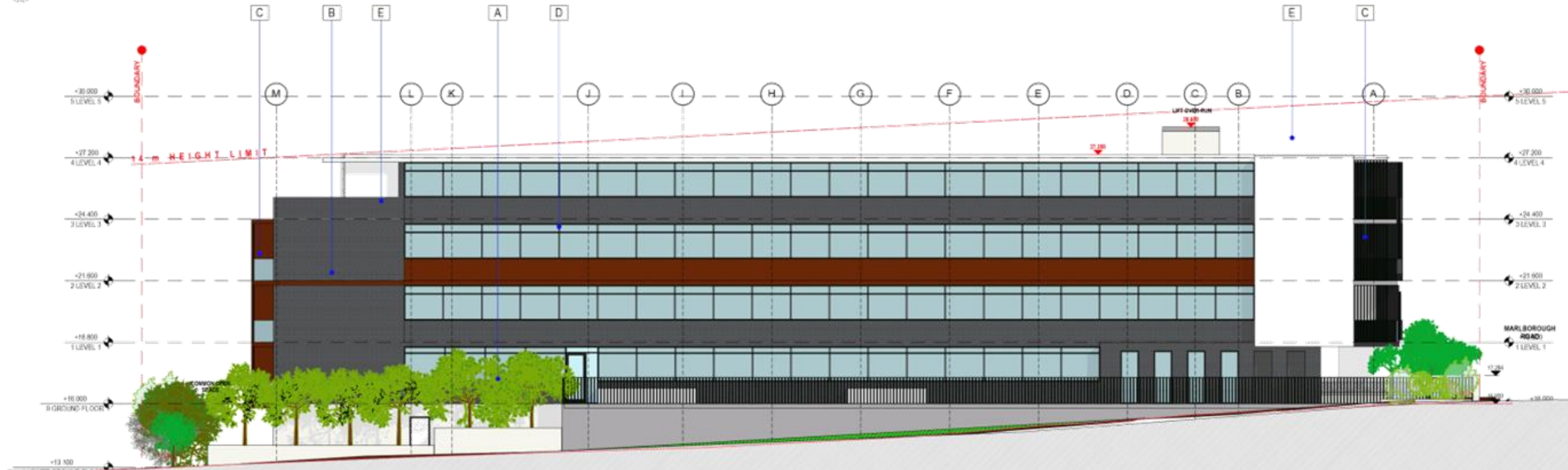
	
	
	
	

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 14 MARLBOROUGH ROAD
 HOMEBUSH WEST NSW 2140
URBAN LINK
 14 MARLBOROUGH ROAD
 HOMEBUSH WEST NSW 2140
 Drawing Title
EAST & WEST ELEVATION
 Date of Issue: 18/06/2019
 Checked: JE
 Approved: TJ
 Scale: 1:100
 Project Number: 2016-085
 Drawing Number: DA3001
 Status: DEVELOPMENT APPLICATION

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DA2018/171
17 June 2019



E/55 NORTH ELEVATION
SCALE 1:100



E/55 SOUTH ELEVATION
SCALE 1:100

REVISED DRAWINGS	2018/01/18 JE
A FOR DA SUBMISSION	2018/01/18 JE
Rev. Description	Date
Project	

BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
 (Logo)
 14/15-17/18 Green Street, Cherrybrook NSW 2744
 Phone: 02 9339 2222
 Fax: 02 9339 2222
 Email: info@urbanlink.com.au
 Website: www.urbanlink.com.au

MATERIAL SCHEDULE			
<p>PGH BRICK - MORADA NERO or Similar</p> <p>A</p>	<p>DULUX - VIVID WHITE or Similar</p> <p>B</p>	<p>DULUX - WAYWARD GREY or Similar</p> <p>C</p>	<p>Satin Dark Bronze or Similar</p> <p>E</p>
<p>DULUX - BLACK D or Similar</p> <p>D</p>	<p>FRAMED GLASS BALUSTRADE</p> <p>F</p>	<p>ALUMINIUM LOUVRES - DULUX POWDER COAT - TERRAIN (OR SIMILAR) G</p> <p>G</p>	<p>ALUMINIUM FRAMED DOORS & WINDOWS - DULUX POWDER COAT - LUCK S06B9</p> <p>H</p>

NORTH & SOUTH ELEVATION

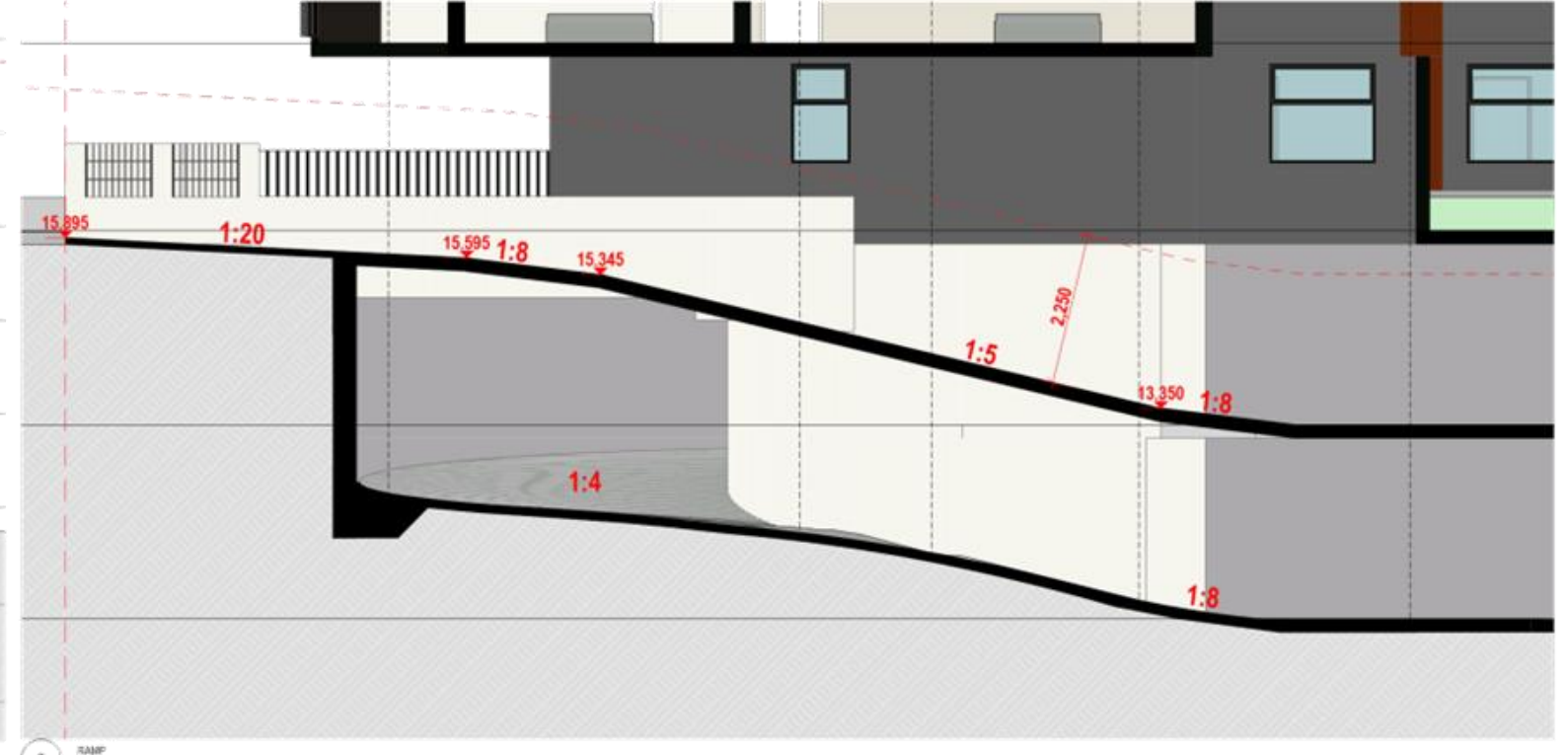
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 Checked: JE
 Approved: TJ

Scale: 1:100

Project Number: 2016-085
 Drawing Number: DA3002

DEVELOPMENT APPLICATION

STRATHFIELD CC
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AMENDED PL
DA2018/171
17 June 2019



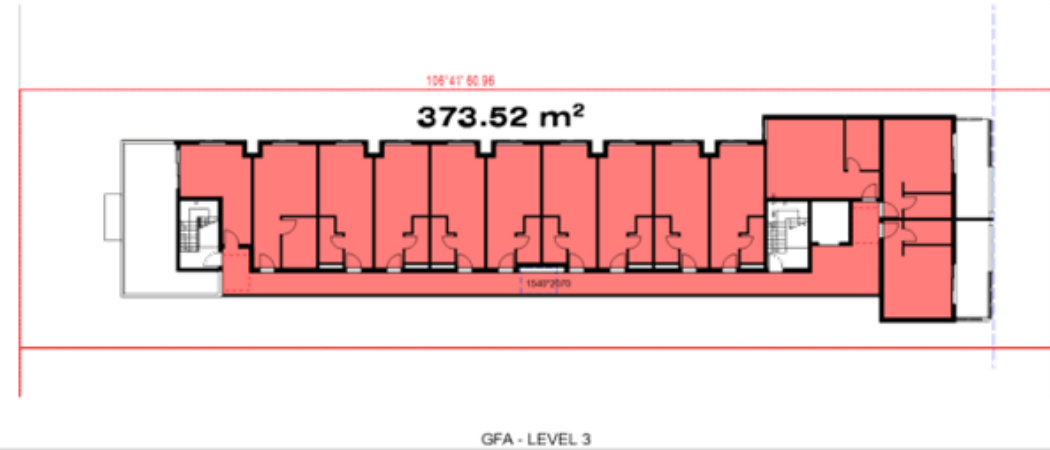
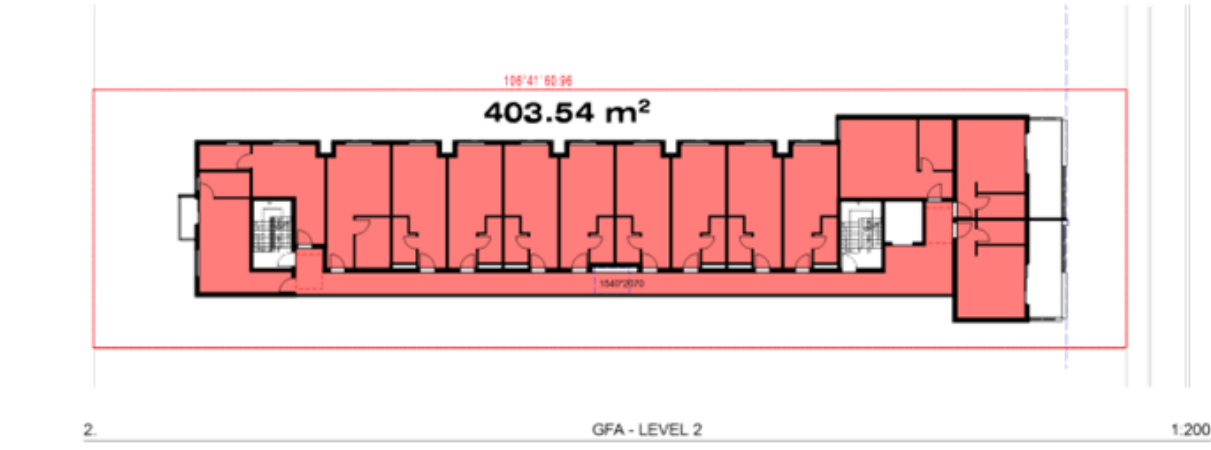
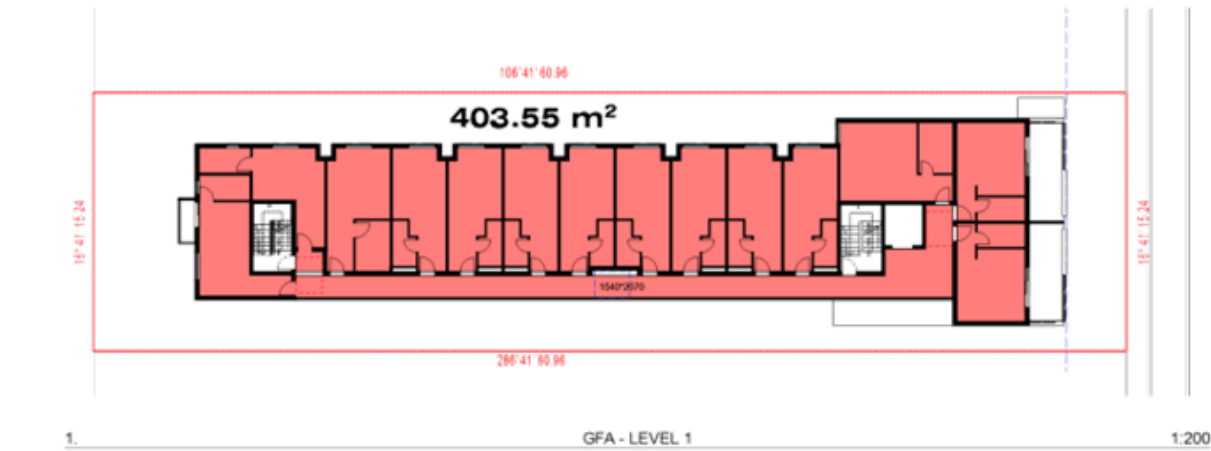
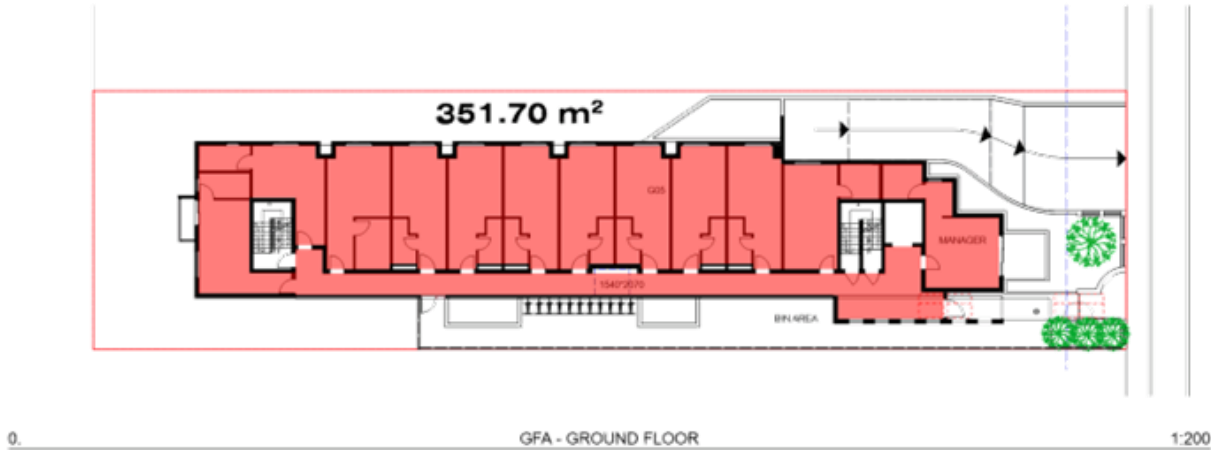
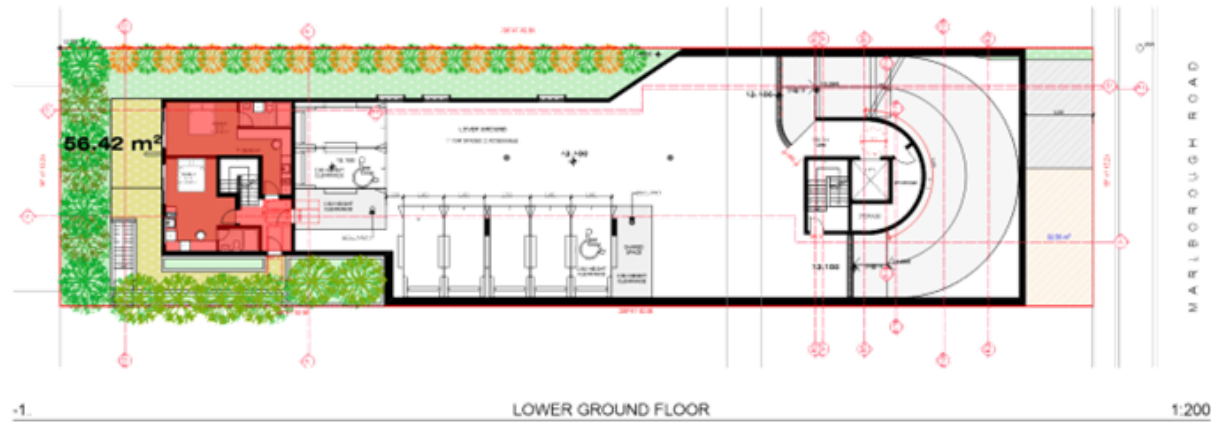
REVISED DRAWING
A FOR SUBMISSION
Rev. Description Date Appr
Project
BOARDING HOUSE
14 HAMIL BOROUGHS ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
Urban Link Pty Ltd
14/15 Green Street, Sydney NSW 2014
Phone: 02 9550 2014
Fax: 02 9550 2014
Email: info@urbanlink.com.au
Website: www.urbanlink.com.au

Drawn By: [Signature]
Checked: TJ
Approved: JE

Scale: 1:100, 1:50
Date of Issue: 18/06/2019
Project Number: 2016-085
Drawing Number: DA4001
Status: DEVELOPMENT APPLICATION

STRATHFIELD COUNCIL
RECEIVED
AMENDED PLAN
DA2018/171
17 June 2019



14 MARLBOROUGH ROAD HOMEBUSH WEST - PROPOSAL COMPLIANCE

TOTAL SITE AREA		923 m ²	
CONTROL	MAX ALLOWABLE	PROPOSED	COMPLIES
GROSS FLOOR AREA (GFA)	1799.85m ²	1,588.73	YES
FLOOR SPACE RATIO (FSR)	1.45 + 0.5:1 = 1.95:1	1.721:1	YES
BUILDING HEIGHT	14m	VARI'S - Max height 15.1m	NO

CONTROL	MIN. REQUIRED	PROPOSED	COMPLIES
COMMON OPEN SPACE	20m ²	31.09 m ²	YES
COMMON LOUNGE	ONE COMMON LOUNGE	1	YES
ADAPTABLE UNITS	3	3 UNITS	YES

PARKING REQUIREMENTS

CONTROL	MIN. REQUIRED	PROPOSED	COMPLIES
DCP CONTROL	UNITS	MIN REQUIRED	
1 SPACE / 2 ROOM	54	27	28 PROVIDED YES
ACCESSIBLE CAR PARKING	2 SPACES	2 PROVIDED	YES
MOTOCYCLES SPACES - RESIDENTIAL	10.80	11 PROVIDED	YES
BICYCLE SPACES	10.80	11 PROVIDED	YES

UNIT MIX

LEVEL	SINGLE	DOUBLE	TOTAL
LOWER GROUND		2	2
GROUND		32	32
1		34	34
2		34	34
3		32	32
TOTAL			54

PERCENT	0%	100%	100%
---------	----	------	------

GFA CALC

GFA TOTAL	
LOWER GROUND	56.42
GROUND	351.7
1	403.56
2	403.54
3	373.52
TOTAL	1588.73
SITE AREA	923.03

0 REVISED DRAWINGS
A FOR DA SUBMISSION
Rev. Description
Date
Author

BOARDING HOUSE

14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140



Urban Link
Specialist Address - Level 10, 11 & 12 Crown Street, Sydney NSW 2000
Postal Address - PT 100/222 Newland South NSW 2134
Phone Number - +61 2949 2014
Registered Address
Zell Struwick Pty Ltd
Vicinity 8 Knowledge Reg no 8522 - Includes Trade Reg no 5235
Drawing Title

GFA DIAGRAMS

Date of Issue: 18/05/2019
Checked: JE
Approved: TJ

Scale: 1:200, 1:1

Project Number: 2016-085
Drawing Number: DA5001

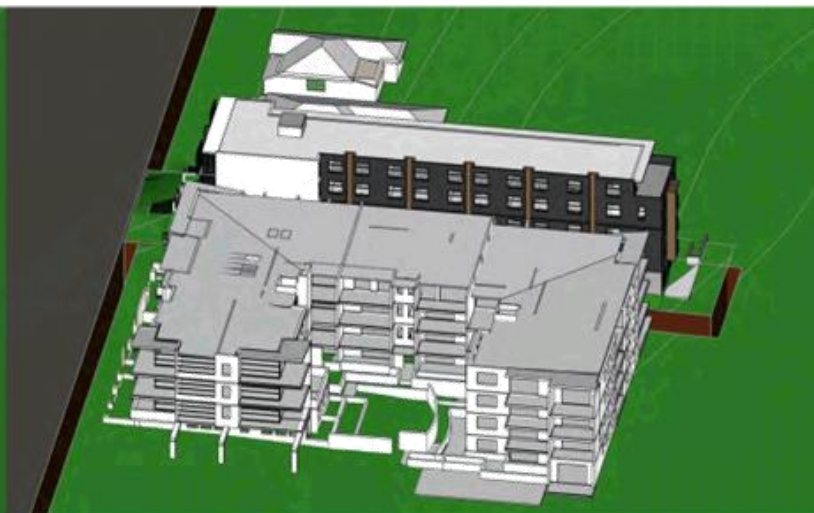
Status: DEVELOPMENT APPLICATION



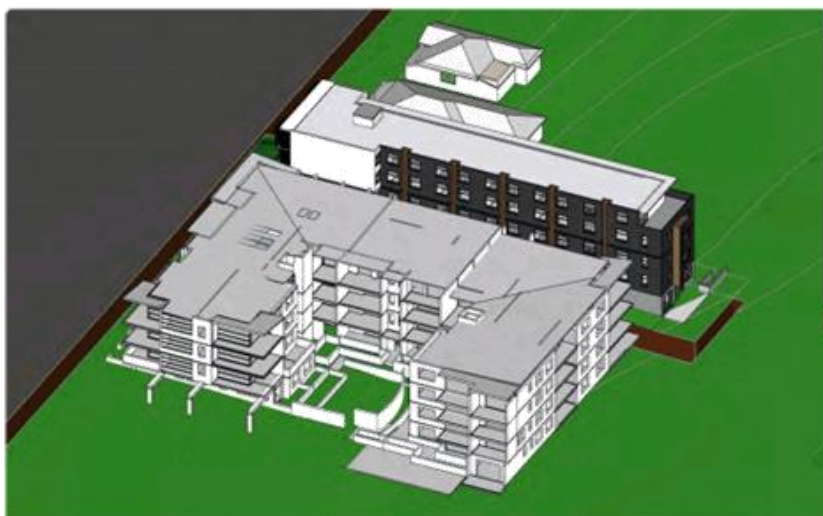
9 AM - JUNE 21st



10 AM - JUNE 21st



11 AM - JUNE 21st



12 PM - JUNE 21st



1 PM - JUNE 21st



2 PM - JUNE 21st



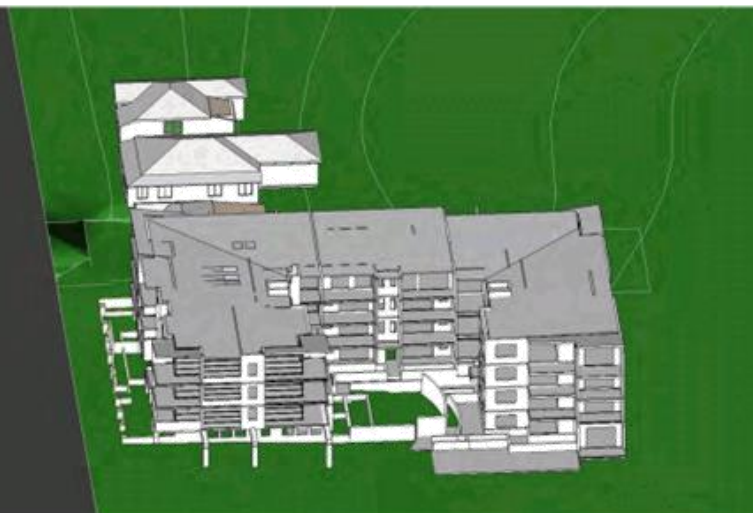
3 PM - JUNE 21st

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DA2018/171
17 June 2019

REVISED DRAWING	20180116 JE
FOR DA SUBMISSION	20180116 JE
Rev. Description	Date
Project	
BOARDING HOUSE	
14 HAMILBROUGH ROAD HOMERUSH WEST NSW 2140	
URBAN LINK	
Business Address: Unit 10, 11-13 Green Street, Liverpool NSW 2157 Postal Address: PO BOX 222 Liverpool NSW 2157 Phone Number: +61 (0)294 2014 Registered Address: 2nd Bourke Street, Sydney Vicinity: Kingsway Sydney NSW Website: UrbanLink.com.au	
Drawing Title	
SOLAR ACCESS DIAGRAMS- PROPOSED	
Date of Issue	Checked
18/06/2019	JE
Date of Approval	Approved
	TJ
Scale	
1:200	
Project Number	Drawing Number
2016-085	DA5002
Status	
DEVELOPMENT APPLICATION	



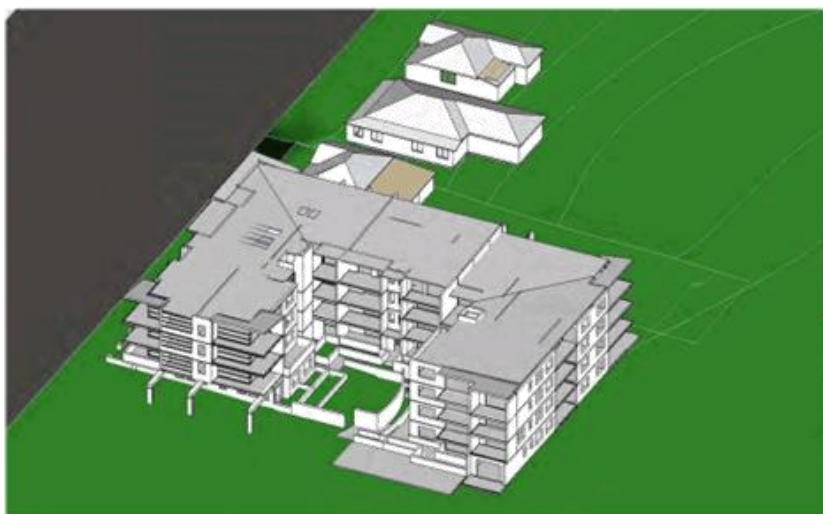
9 AM - JUNE 21st



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11 AM - JUNE 21st



12 PM - JUNE 21st



1 PM - JUNE 21st



2 PM - JUNE 21st





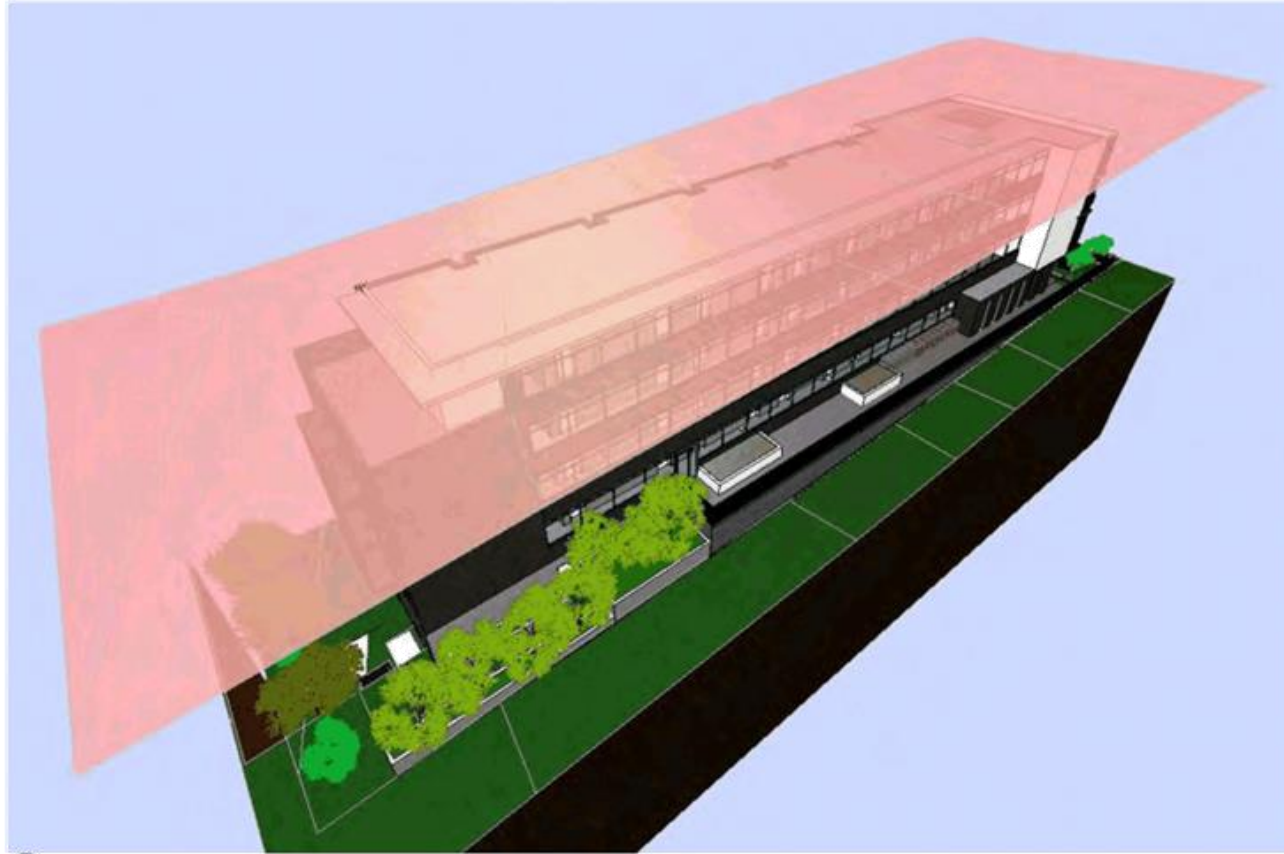
3 PM - JUNE 21st

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RECEIVED**

AMENDED PLAN

DA2018/171
17 June 2019

B. REVISED DRAWINGS A. FOR DA SUBMISSION Date: Description Date Project:	20/02/19 JE 20/12/18 JE
BOARDING HOUSE 14 HAMILBROUGH ROAD HOMERUSH WEST NSW 2140	
	
Drawing Title: SOLAR ACCESS DIAGRAMS- EXISTING Date of Issue: 18/06/2019 Scale: 1:200 Project Number: 2016-085 Status: DEVELOPMENT APPLICATION	
Checked: JE Approved: TJ	
Drawing Number Revision: DA5003	



HEIGHT PLANE
SCALE 1:100



HEIGHT PLANE 2
SCALE 1:100



EXISTING



SHADOW DIAGRAM - JUNE 21st 9AM



SHADOW DIAGRAM - JUNE 21st 12PM



SHADOW DIAGRAM - JUNE 21st 3PM

PROPOSED



SHADOW DIAGRAM - JUNE 21st 9AM



SHADOW DIAGRAM - JUNE 21st 12PM



SHADOW DIAGRAM - JUNE 21st 3PM

LEGEND

-  OUTLINE OF SUBJECT SITE
-  EXISTING SHADOW IMPACT
-  PROPOSED OUTLINE OF SHADOW IMPACT
-  COMPLIANT HEIGHT SHADOW

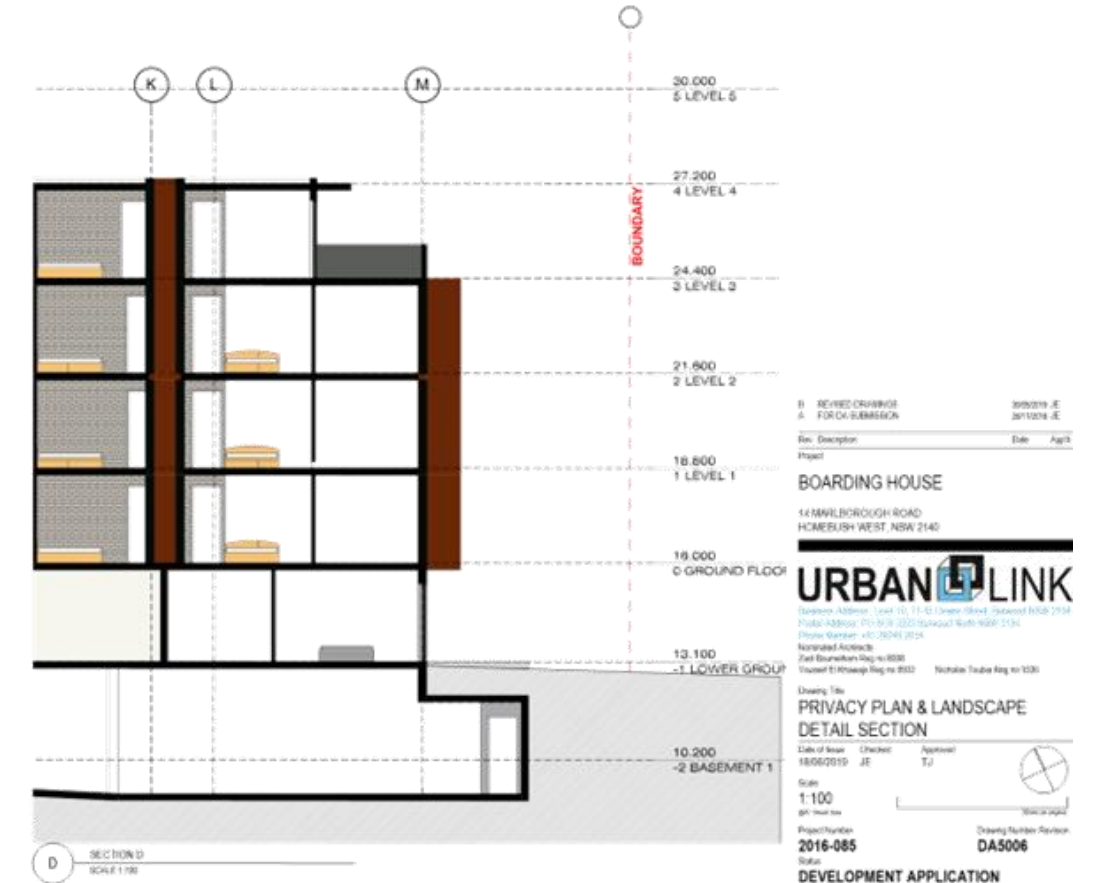
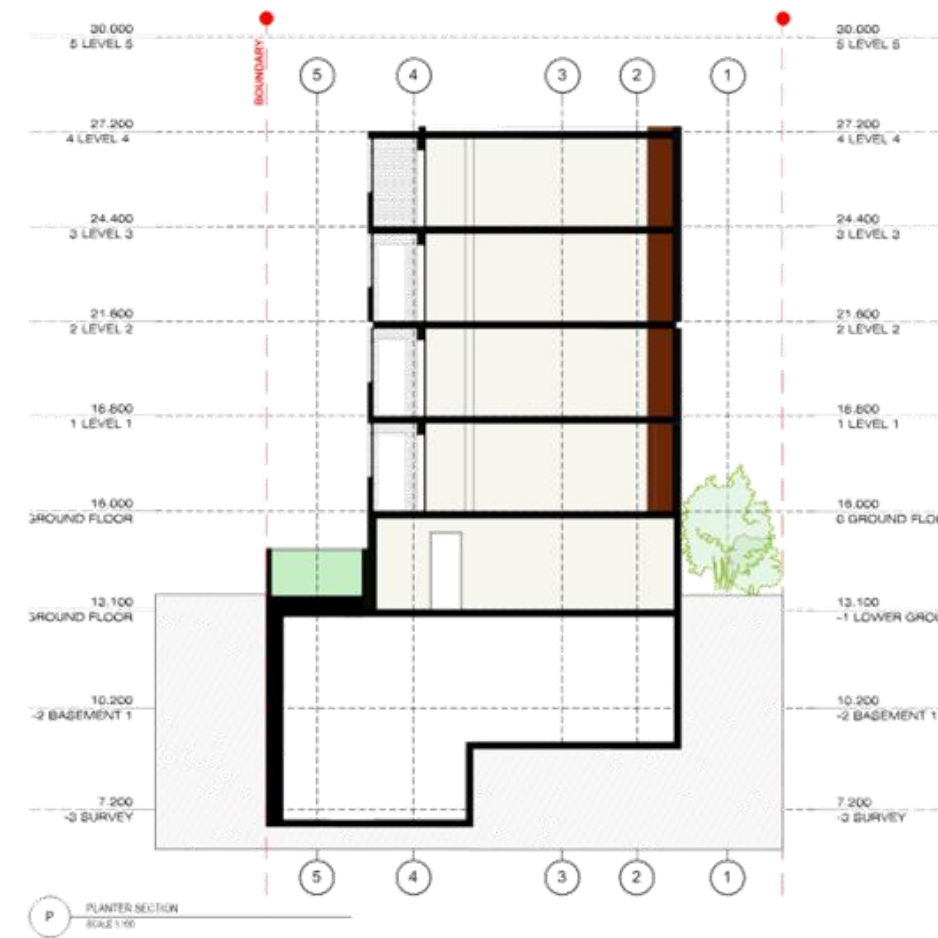
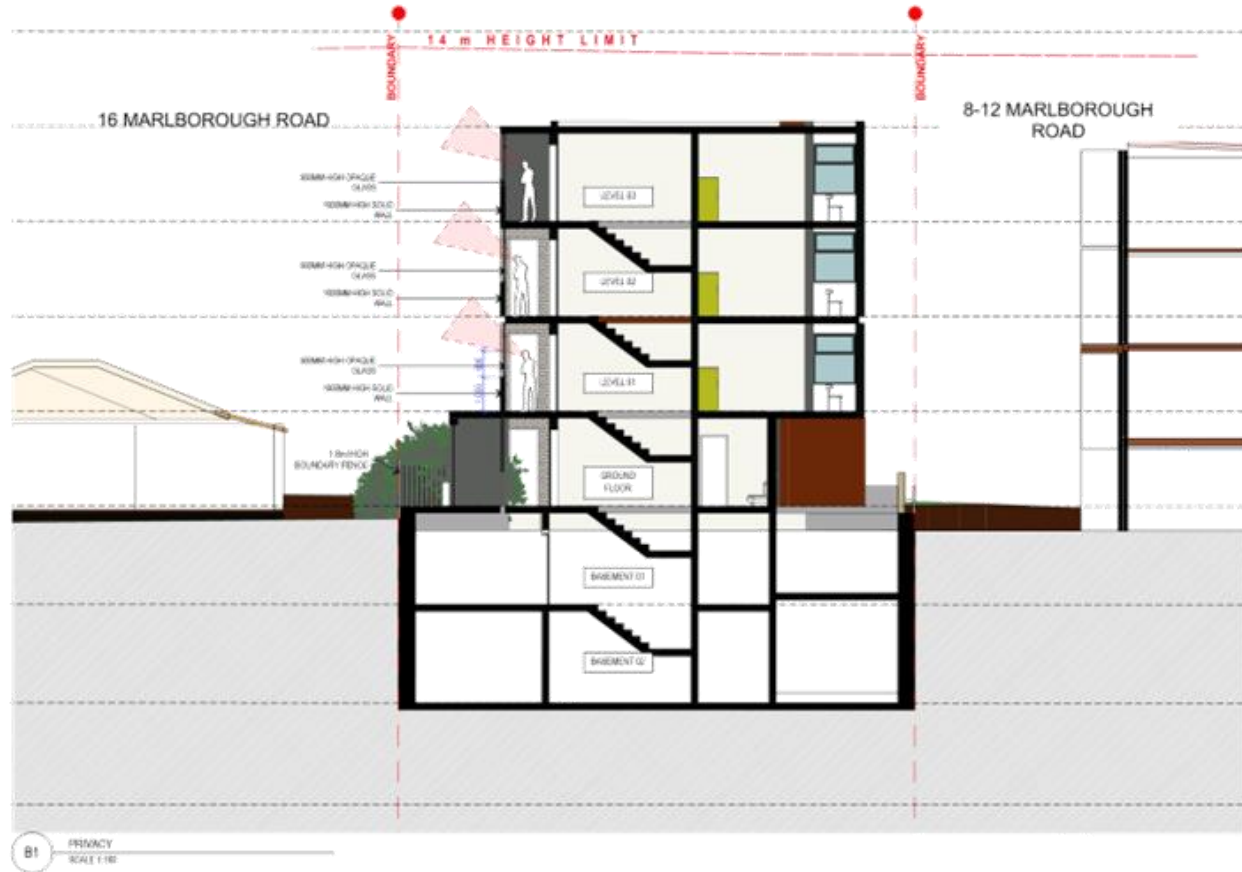
REV	DESCRIPTION	DATE
A	FOR DA SUBMISSION	20/10/18 JE
B		20/10/18 JE
C		
D		
E		
F		
G		
H		
I		
J		
K		
L		
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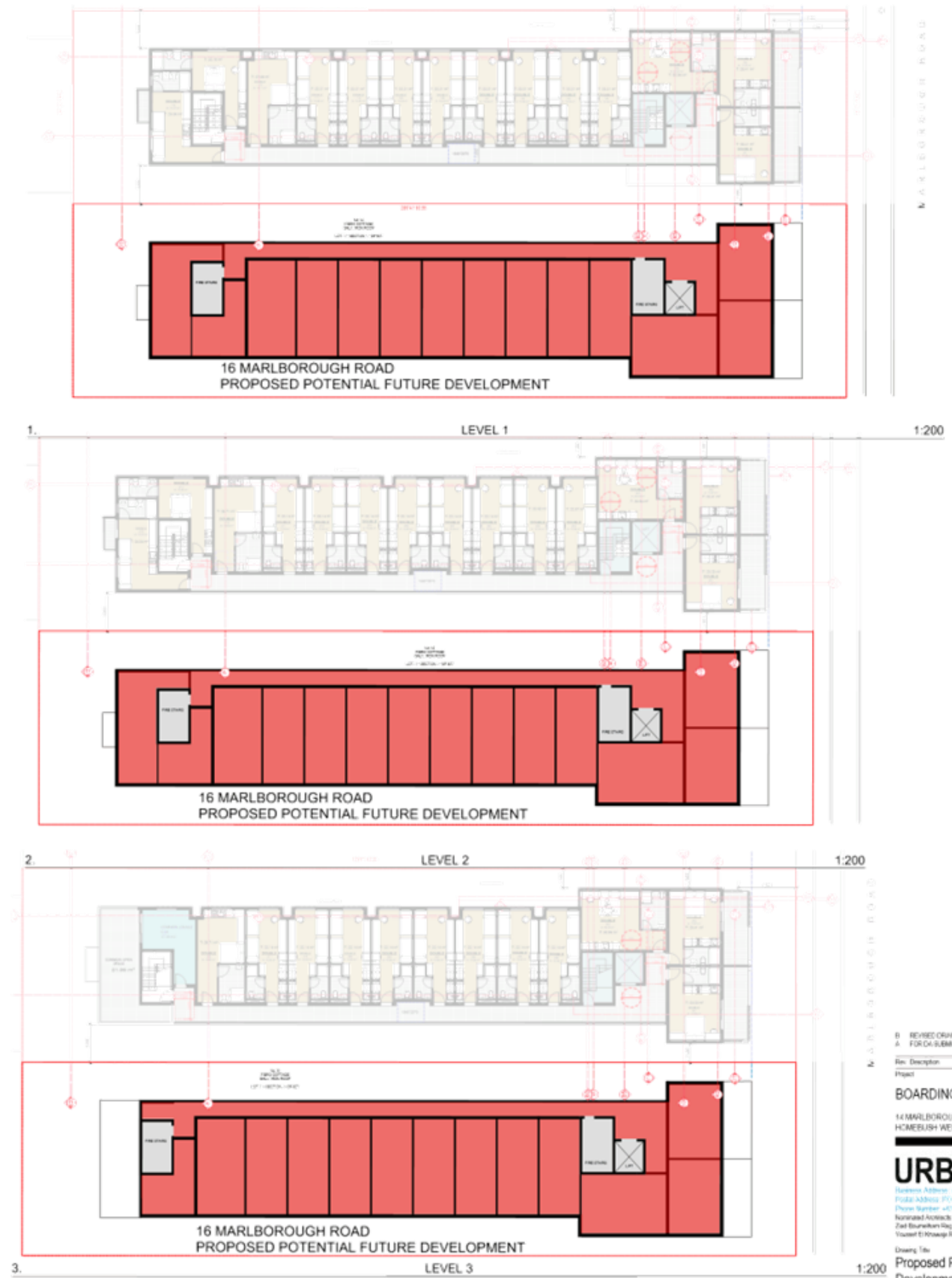
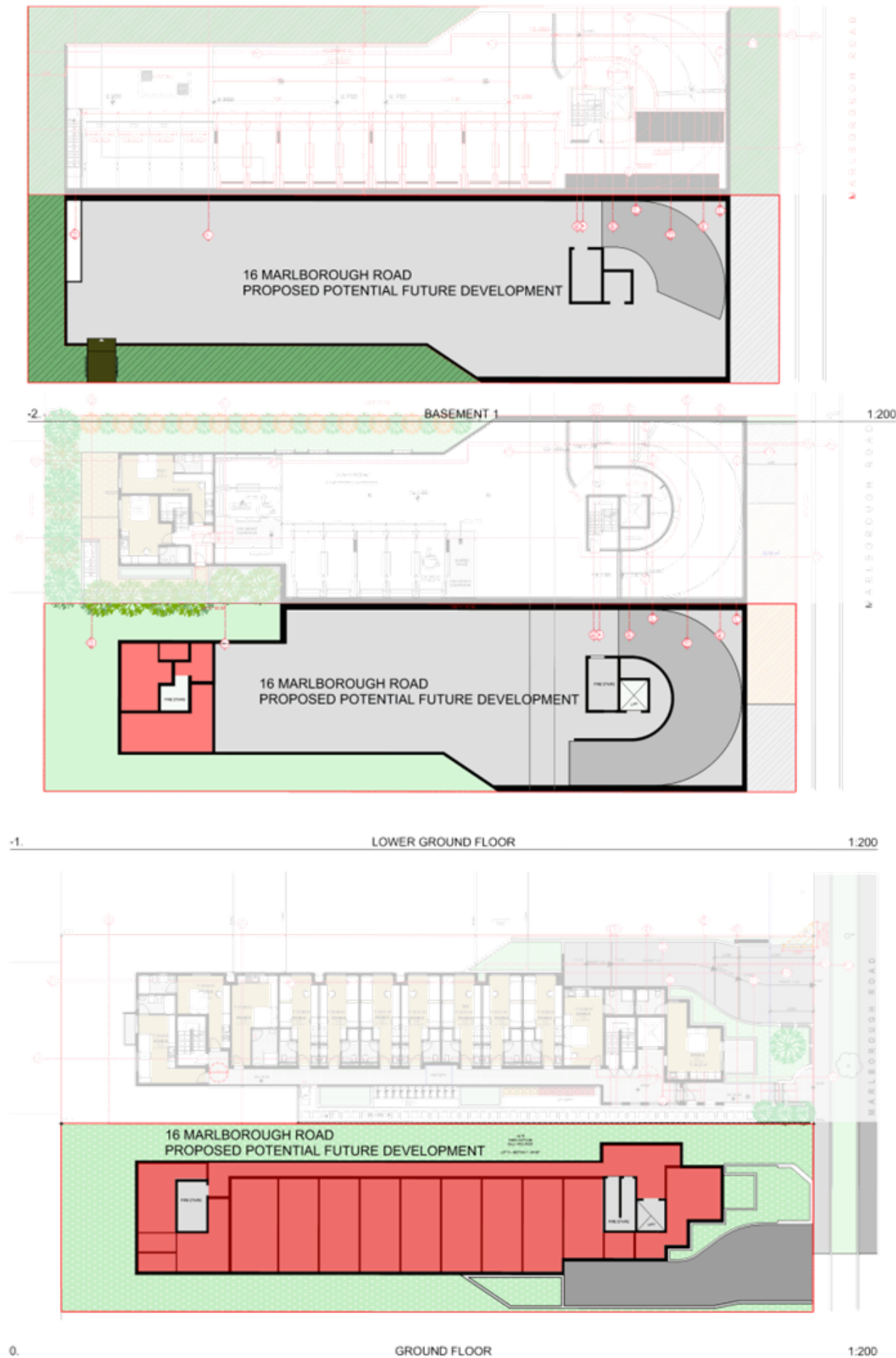
BOARDING HOUSE
 14 MARLBOROUGH ROAD
 HOMERUSH WEST NSW 2140

URBAN LINK
 14/15 MARLBOROUGH ROAD
 HOMERUSH WEST NSW 2140
 Phone: 02 9339 2020
 Fax: 02 9339 2021
 Email: info@urbanlink.com.au
 Website: www.urbanlink.com.au

Scale: 1:142.86
 Date: 17 June 2019
 Project Number: 2016-085
 Drawing Number: DA5005
 Status: DEVELOPMENT APPLICATION

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 DA2018/171
 17 June 2019





STRATHFIELD C
RECEIVED
AMENDED P
DA2018/1:
17 June 20

16 MARLBOROUGH ROAD HOMEBUSH WEST - PROPOSAL COMPLIANCE

CONTROL	MAX ALLOWABLE	PROPOSED	COMPLIES
TOTAL SITE AREA	923 m ²		
GROSS FLOOR AREA (GFA)	1799.85m ²	1,588.73	YES
FLOOR SPACE RATIO (FSR)	1.45 + 0.5:1 + 1.95:1	1.721:1	YES

REVISIONS

No.	Description	Date	Appr
0	REVISED DRAWINGS FOR DA SUBMISSION		201908 JE
1			201908 JE

Project: BOARDING HOUSE
14 MARLBOROUGH ROAD
HOMEBUSH WEST NSW 2140

URBAN LINK
Business Address: Level 10, 11-13 Green Street, Strathfield NSW 2154
Postal Address: PT 303 2222 Newbold South NSW 2154
Phone Number: +61 2940 2034
Registered Address: 2nd Floor, 100 King St, Sydney NSW 2000
Vicinity: 100 King St, Sydney NSW 2000

Drawing Title: Proposed Potential Future Development GFA

Date of Issue: 18/05/2019
Checked: JE
Approved: TJ

Scale: 1:200, 1:1
80% head line

Project Number: 2016-085
Drawing Number: DA5007

Status: DEVELOPMENT APPLICATION

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AMENDED PLAN
DA2018/171
17 June 2019



B: REVISED DRAWINGS
A: FOR DA SUBMISSION
Rev. Description
Date
Author

BOARDING HOUSE

14 HAMILBROUGH ROAD
HOMEBUSH WEST NSW 2140



Business Address: Level 10, 11-12 Green Street, Sydney NSW 2134
Postal Address: PO BOX 2021 Hombusch NSW 2140
Phone Number: +61 29249 2014
Registered Address:
Zell Strunkman Day +61888
Toll Free: 1800 0 1000000000 Website: Urban Link Pty Ltd

Drawing Title

PERSPECTIVE

Date of Issue	Checked	Approved
18/06/2019	JE	TJ



Project Number: 2016-085
Drawing Number: DA6001

Status: DEVELOPMENT APPLICATION

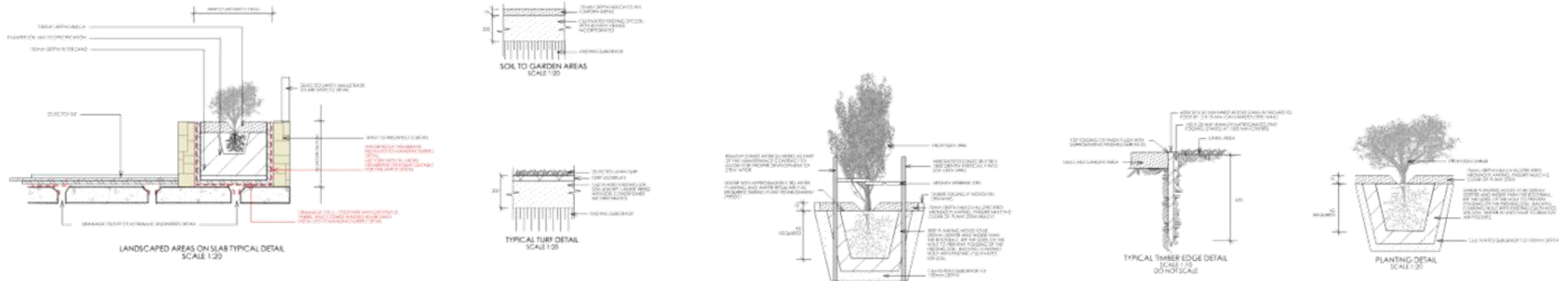
**STRATHFIELD COUNCIL
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AMENDED PLAN
DA2018/171
17 June 2019

**DEVELOPMENT APPLICATION
PROPOSED LANDSCAPE PLANS
BOARDING HOUSE
14 MARLBOROUGH ROAD, HOMEBUSH.**

DRAWING LIST

SHEET NO.	SHEET TITLE	DATE
L/00	COVER SHEET	14/11/18
L/01	LANDSCAPE PLAN - GROUND FLOOR	14/11/18

LANDSCAPE DETAILS



OUTLINE LANDSCAPE SPECIFICATION

Preparation by Builder: Builder shall remove all existing concrete pathways, fences, footings, walls etc. not notated to be retained and complete all necessary excavation work prior to commencement on site by Landscape Contractor (Contractor). Builder shall also install new retaining walls, kerbs, layback kerb, crossover, pathways etc. and make good all existing kerbs, gutters etc. as necessary and to approval of Council. Builder shall ensure that a minimum 450mm of topsoil in garden areas and a minimum 150mm of topsoil in lawn areas exists. Should required depths not exist Builder shall contact Landscape Architect and ask for instructions prior to commencement of excavation works. Excavate as necessary, then fill with approved site topsoil to allow for minimum 500mm soil depth in garden areas and 150mm soil depth in lawn areas and to gain required shapes & levels. Ensure all garden and lawn areas drain satisfactorily. All levels & surface drainage shall be determined by others & approved on site by Head Contractor. Note: Approved imported topsoil may be utilised if there is insufficient site topsoil available. State in Tender a m3 rate for additional imported topsoil and the quantities of both site topsoil and imported topsoil allowed for in Tender.

Initial Preparation: Verify all dimensions & levels on site prior to commencement. Do not scale from drawings. Locate all underground & above ground services & ensure no damage occurs to them throughout contract. Spray approved weedicide to all proposed lawn & garden areas to manufacturer's directions. Remove existing concrete pathways, footings, walls etc. not notated to be retained & weeds from site. Levels indicated on Plan are nominal only and are derived from Architectural Plans & Drawings by others. Final structural integrity of all items shall be the sole responsibility of Landscape Contractor.

Tree Protection: Trees to be retained shall be protected during site works and construction by the erection of solid barriers to the specification of Council. Storage of machinery or materials beneath canopy of trees to be retained shall not be permitted. Changes to soil level and cultivation of soil beneath canopy of trees to be retained shall not be permitted unless under direct supervision of Landscape Architect. Feeding trees shall be carried by Landscape Architect's on-site instructions.

Soil Preparation: Cultivate to depth of 300mm all proposed lawn & garden areas incorporating minimum 150mm depth of organic clay breaker into existing site soil. Do not cultivate beneath existing trees to be retained. In areas where fill is required gain required shapes & levels using a premium grade soil mix. In areas where excavation is required (if in clay) over excavate as required to allow for installation of 300mm depth of premium grade topsoil mix to garden areas and 200mm depth of premium grade topsoil mix to lawn areas. Undertake all required action to ensure that no roots of all proposed plants in clay walls and that all garden areas and lawn areas drain satisfactorily. Note: It is intended that wherever possible existing levels shall not be altered through garden and lawn areas. It is the Contractor's responsibility to ensure that the end result of the project is that all lawn and garden areas drain sufficiently (both surface & subsoil), are of required finished levels and have sufficient soil depths to enable lawn and plants to thrive and grow. Should alternative works to those specified be required to achieve the above result, Contractor shall inform Builder of time and cost implications. Contractor shall inform Builder of time and cost implications.

Lawn Edging and Stepping Zones: 125 x 25mm approved topsoil impregnated pine edging shall be installed, to lines as indicated on plan and staked with approved stakes at maximum 1500mm centres of ends and changes of direction; stakes shall be nailed to edging with approved galvanised steel nails. Top of edging shall finish flush with surrounding surfaces. Top of stakes shall finish 25mm below top of edging. (ii) Contractor shall install approved bricks on edge on a minimum 100mm deep x 100mm wide concrete footing with bulk for set in, to lines, not notated or clear of bulk edging. Bricks shall be laid with a nominal 10mm wide approved coloured mortar joint. Bricks needing to be cut shall be done so with clean sharp cuts. Top of edging shall finish flush with surrounding finished surfaces. Approved sandstone stepping stones shall be positioned as indicated on plan on a 25mm over sand bed.

Retaining Walls: Positions, detail and heights of retaining walls shall be by others.

Planting: Purchase plants from an approved nursery. Plants to be healthy & true to type & species. Set out plants to positions indicated on plan. Following approval, plant holes shall be dug approximately twice width and to 100mm deeper than plant rootball that they are to receive. Base and sides of hole shall be further loosened. Fertiliser, followed by 100mm depth of topsoil mix shall then be placed into base of hole and lightly consolidated. Base of hole shall then be watered. Remove plant container and install plant into hole. Rootball shall be backfilled with surrounding topsoil and topsoil tamped into place. An approved shallow dish shall be formed to contain water around base of stem. Base of stem of plant shall finish flush with finished soil level. Once installed plant shall be thoroughly watered and maintained for the duration of the Contract.

Staking: All trees shall be staked using 2 x 30mm x 30mm x 3000mm long hardwood stakes per stem and with ratchet webbing ties provided by Landscape Architect's on site instructions.

Mulching: Install 75mm depth of 20mm diameter hardwood mulch to all garden areas, covering mulch down around all plant stems & to finish flush with adjacent surfaces.

Lawn: Prepare for, level & lay cultivated Palmetto Buffalo turfs to all areas nominated on plan as being lawn. Roll, water, fertilise, mow & maintain lawns as necessary until completion of maintenance period. At some time make good all existing lawn areas using same lawn type. Lawns in shade shall be over sown with an approved seed mix. Allow to return and return council's native strip as required.

Removal: Retain all existing fences unless advised otherwise by Builder. Install timber paling fences to heights indicated on Plan.

Painting: Areas to be paved shall be excavated or bed to allow for installation of bedding material. Levels and falls shall be as per Plan. Surface drainage or paving shall be towards graded drains with all drains connected to stormwater system and installed by Builder.

Irrigation: Contractor shall supply and install an approved fully automatic, vandal resistant, computerised irrigation system to all garden and lawn areas, excluding council nature strip. Entire system shall be to approval of Water Board.

Completion: Prior to practical completion remove from site all unwanted debris occurring from work. Satisfy Council that all landscaping work has been undertaken in strict accordance with Council's landscape codes & guidelines.

Maintenance Period: A twelve month maintenance period shall be undertaken by owner or owner representative as set out herein. Owner shall have care and maintenance of all work specified under this Contract and shall rectify any defective work for a period of 52 weeks following Practical Completion of Landscape Works. This period shall be herein known as the Maintenance Period. Work shall also include for the care and maintenance of all existing vegetation to be retained and protected vegetation. Site shall be attended at least weekly and as otherwise required. The following works shall be undertaken during the Maintenance Period:

- Recurrent works undertake recurrent works throughout the Maintenance Period. These works shall include but are not limited to watering, weeding, fertilising, pest and disease control, retuning, staking and tying, replanting, cultivation, pruning, operating, renovating, top dressing and the like.
- Watering Regularly water of plants and lawn areas to maintain optimal growing conditions. Contractor shall adjust the water quantity used with regard to climatic conditions prevalent at the time.
- Replacements immediately replace plants which die or fail to thrive (at discretion of Landscape Architect) with plants of same species or variety and of same size and quality unless otherwise specified. Plant replacement shall be of Contractor expense, unless replacement is required due to vandalism or theft, which shall be determined by Landscape Architect. Required replacement of plants due to vandalism or theft shall be undertaken by Contractor and shall be paid for by Client at an agreed predetermined rate.
- Mulched surfaces maintain mulched surfaces in clean, tidy, weed free condition and shall re-stake mulch as necessary to maintain specified depths.
- Stakes & Ties: As and when required replace stakes and ties as required. Remove stakes and ties at end of Maintenance Period if directed by Landscape Architect.
- Lawn areas Lawn areas shall be mown on regular intervals to ensure non-heading of lawn with a fine cutting mulching mower and clippings left on lawn to mulch and self fertilise lawn areas. Primary cut after laying of lawn by others shall be determined on site taking into consideration season, watering and growth rate of lawn. Following the primary cut all lawns shall be regularly mown as required to ensure a healthy lawn and a neat appearance. Care shall always be taken to ensure that no clippings are left on surrounding roads or garden areas after mowing. Replace lawn areas that fail to thrive at discretion of Landscape Architect. All new and made good lawn areas shall be barricaded off from pedestrian traffic by use of star pickets and brightly coloured plastic safety mesh until establishment of lawn. Baricades shall be removed upon establishment of lawn areas.
- Weeding Remove by hand or by carefully supervised use of weedicide, any weed growth that may occur throughout Maintenance Period. This work shall be executed at weekly intervals so that all lawn and garden areas may be observed in a weed free condition.
- Pruning Prune new and existing plants (including existing trees) as necessary to maintain dense foliage conditions. Any rogue branches, or branches overhanging or obstructing pathways, roads, driveways, etc. shall be removed by approved horticultural methods.
- Paying attention for insect, fungal and disease attack shall be undertaken as required and in accordance with spray manufacturer recommendations of intervals taking into account the season of year during which landscape works are to be implemented.
- Tree Care: Should any existing trees be damaged during construction works immediately engage an experienced arboricultural and then undertake any rectification work recommended by arboricultural.

Legend



Project



Notes

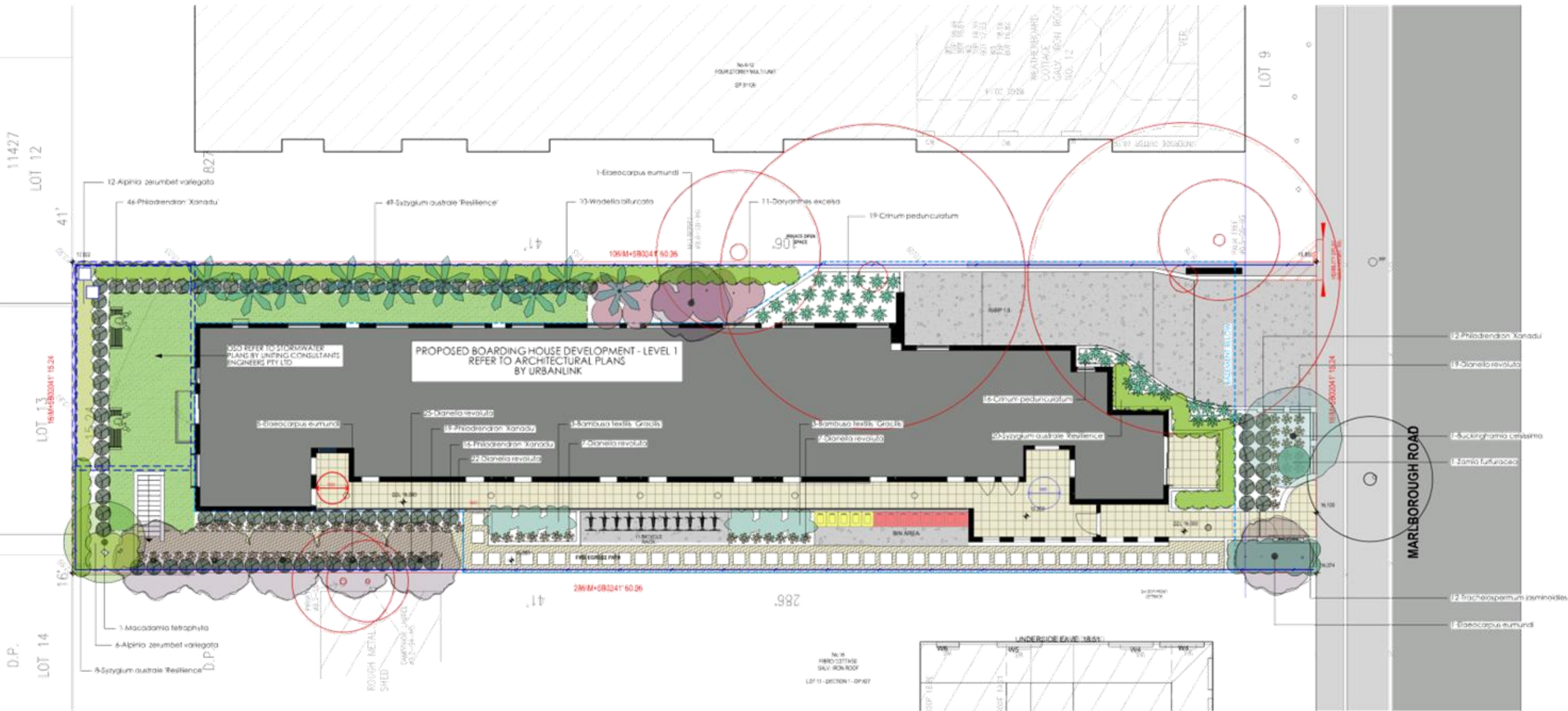
- All dimensions and levels shall be verified by Contractor on site prior to commencement of work.
- Do not scale from drawings.
- If in doubt contact Landscape Architect.
- This design is copyright and that not be copied, utilised or reproduced in any way without prior written permission of A Total Concept Landscape Architects.
- This plan has been prepared for D.A purposes only.
- All Building Works shall be installed to Structural Engineers detail.

Revision	Description	Date	DRAWING COVER SHEET
A	ARCHITECTURAL AMENDMENT	14/11/2018	ADDRESS 14 MARLBOROUGH ROAD, HOMEBUSH. A Total Concept Landscape Architects & Swimming Pool Designers 65 Moor Street, North Sydney NSW 1585 Tel: (02) 9551 9122 Fax: (02) 9551 9123
B	STORMWATER PLAN	27/11/2018	
C	ARCHITECTURAL AMENDMENT	11/06/2019	
D	ROOF TERRACE DELETED	14/06/2019	

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DA2018/171
17 June 2019

PLANTING SCHEDULE ■ INDICATES PROPOSED AUSTRALIAN NATIVE PLANT SPECIES

Latin Name	Common Name	Quantity	Scheduled Size	Spread	Height
<i>Alpinia zerumbet variegata</i>	Shell Ganga	8	200mm	1500	1500
<i>Bambusa textilis Gracilis</i>	Slender Weeping	3	400	1800	8000
<i>Scaevola caespitosa</i>	Warty Curl Tree	1	700	5000	8000
<i>Cinnam pedunculatum</i>	Swamp Lily	35	200mm	800	800
<i>Dianella revoluta</i>	Mourning Hole Lily	80	150mm	500	500
<i>Doryanthes excelsa</i>	Swamp Lily	11	250mm	1500	2500
<i>Elaeocarpus eumundi</i>	Quandong	7	700	4000	8000
<i>Macadamia tetraphylla</i>	Macadamia Nut Tree	1	700	4000	10000
<i>Pholidendron Xanadu</i>	Short Pholidendron	23	200mm	800	1000
<i>Syzygium australe Resilience</i>	Lyrebird	22	300mm	1500	8000
<i>Trichostema perminutissimum</i>	Star Jasmine	12	200mm	1000	500
<i>Wodelia bifurcata</i>	Postal Palm	10	400	2500	10000
<i>Nomia furcata</i>	Cardboard Palm	1	350mm	1400	1600



Legend

	PROPOSED PAVED AREA		EXISTING TREE TO BE REMOVED		EXISTING TREE TO BE RETAINED
	PROPOSED MASONRY RETAINING WALL		BRICK LAWN EDGE		PIT
	LAWN AREA		FASHION LINE BELOW		
	PROPOSED CONCRETE DRIVEWAY		PROPOSED 1800MM HIGH TIMBER PALING FENCE		

Project

Notes

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- Do not scale from drawings.
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Revision	Description	Date
A	ARCHITECTURAL AMENDMENT	14/11/2018
B	STORMWATER PLAN	27/11/2018
C	ARCHITECTURAL AMENDMENT	11/06/2019
D	ROOF TERRACE DELETED	14/06/2019

DRAWING
PROPOSED LANDSCAPE PLAN- GROUND FLOOR

ADDRESS
14 MARLBOROUGH ROAD, HOMEBUSH.

DWG # L/01

A Total Concept Landscape Architects & Swimming Pool Designers
40 West Street, North Sydney NSW 2060
Tel: (02) 9557 9122 Fax: (02) 9557 9122

DATE: 12/09/18
SCALE: W.A. 1:100
DRAWN: JC
CHECK: SW
PROJECT: 14