

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 March 2020

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.

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TO: Strathfield Local Planning Panel Meeting - 5 March 2020
REPORT: SLPP – Report No. 1
SUBJECT: DA2019/089/02: 7-15 WATER STREET STRATHFIELD SOUTH
LOT 1 DP603465
DA NO. DA2019/089/02

SUMMARY

Proposal:	Section 4.55 Application to modify the conditions of consent to remove Condition 3(ii) which relates to construction of a continuous acoustic rated fence along the northern boundary of the site.
Applicant:	Pot It Pty Ltd
Owner:	Westport Pty Ltd
Date of lodgement:	2 January 2020
Notification period:	13 January 2020 – 28 January 2020
Submissions received:	Nil
Assessment officer:	LG
Estimated cost of works:	\$0
Zoning:	IN1 General Industrial - SLEP 2012
Heritage:	No
Flood affected:	Yes
Reason for referral to SLPP	Original determination undertaken by SLPP
RECOMMENDATION OF OFFICER:	REFUSAL

EXECUTIVE SUMMARY

On 3 October 2019, SLPP approved Development Application DA2019/089 for the change of use of the existing premises to a garden centre and landscape material supplies.

The subject application was lodged under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, seeking to modify the conditions of consent to remove Condition 3(ii) which relates to construction of a continuous acoustic rated fence along the northern boundary of the site.

The application and plans were notified from 13 January 2020 to 28 January 2020 in accordance with Part L of the SCDCP 2005. No submissions were received during this time.

The application was supported by a revised acoustic report which identifies that the acoustic barrier to the northern side boundary of the site is not an effective means of acoustic treatment and that the deletion of the acoustic barrier is therefore justified. The application was referred to Council's Environmental Health Officers who have not supported the application due to the lack of consideration for the ongoing truck movements which are still required to travel along the northern side boundary of the site. This alone, contributes toward acoustic impacts for adjoining neighbours.

Having consideration for the above, the acoustic barrier required to be provided as per the conditions of consent must be retained. Accordingly, the application is recommended for refusal.

DA2019/089/02: 7-15 Water Street Strathfield South
 Lot 1 DP603465 (Cont'd)

BACKGROUND

- 6 June 2019: The original application was lodged with Council.
- 17 June – 1 July 2019: The original plans and documentation were notified During the notification period, 18 submissions and one petition with 18 signatures were received. The submissions and petition raised concerns regarding the dust and noise impacts generated by the operations of the business particularly rock-breaking and truck movements. In response to the concerns relating to the noise and dust emitted from rock-breaking activities, the applicant subsequently deleted the rock-breaking component of the application.
- 3 October 2019 The Strathfield Local Planning Panel granted approval for Development Application No. 2019/089 for the change of use of the existing premises to a garden centre and landscape material supplies.
- Condition 3 of the consent was imposed which required the following:
- All the assumptions and recommendations in the Noise Impact Assessment prepared by Rodney Steven Acoustics dated 22 July 2019 shall be implemented:*
- i) A continuous wall shall be installed and maintained at the location marked in Figure 5.1 in the acoustic assessment to a height consistent with the eaves of the adjacent warehouse building. The wall may be constituted by palloted bricks or equivalent.*
- Additionally,*
- ii) A continuous acoustic rated fence shall be constructed on the Northern boundary at a height of no less than 1.8m above the existing ground level of the adjacent residential properties. This fence shall be wholly erected and maintained within the subject property. The fence shall be constructed of materials with a surface density of not less than 15kg/m² and be free from holes and gaps.*
- 2 January 2020 The subject application was lodged with Council.
- 13 January 2020
to 28 January 2020 The application was notified for a period of 14 days. No submissions were received during this time.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the western side of Water Street and is legally described as Lot 1 in DP 603465. The site comprises a rectangular allotment that is predominantly flat with a slight fall towards the southern side, a 53.47m wide frontage to Water Road and contains four (4) buildings. Although the site has a 6,806m² site area, the proposal relates specifically to the rear portion of the site which is 4,051m² (Figure 1).

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The surrounding area is characterised by industrial uses to the west and south, residential dwellings to the north and east. The residential dwellings immediately north of the site are low density one (1) and two (2) storey dwellings. Directly opposite the site is a three (3) storey residential flat building and Ford Park.



Figure 1: Locality plan. The site is outlined in yellow and the portion of the site relating to the proposal outlined in red.

DESCRIPTION OF THE PROPOSED MODIFICATION(S)

The specific elements of the modification(s) sought are as follows:

- Amend consent for DA2019/089/02 to remove Condition 3(ii) which reads as follows:

All the assumptions and recommendations in the Noise Impact Assessment prepared by Rodney Steven Acoustics dated 22 July 2019 shall be implemented:

iii) A continuous wall shall be installed and maintained at the location marked in Figure 5.1 in the acoustic assessment to a height consistent with the eaves of the adjacent warehouse building. The wall may be constituted by palleted bricks or equivalent.

Additionally,

iv) A continuous acoustic rated fence shall be constructed on the Northern boundary at a height of no less than 1.8m above the existing ground level of the adjacent residential properties. This fence shall be wholly erected and maintained within the subject property. The fence shall be constructed of materials with a surface density of not less than 15kg/m² and be free from holes and gaps.

All such acoustic works shall be completed within a period of 2 Months from the date of this development consent.

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The Principal Certifying Authority (PCA) shall obtain a statement from an appropriately qualified acoustic consultant, certifying that the acoustic mitigation measures outlined above have been suitably incorporated into the development and that relevant noise criteria have been satisfied.

(Reason: Noise control and amenity.)

The acoustic wall immediately adjoining the landscape storage area is to be retained as per Part iv) of Condition 3 of the consent.

NOTE: It is noted that the revised plans submitted as part of the application identify a sandstone sorting area to be provided in the far south-west corner of the site. This was to be deleted as part of the original consent.

A site plan of the proposed modifications is provided below:

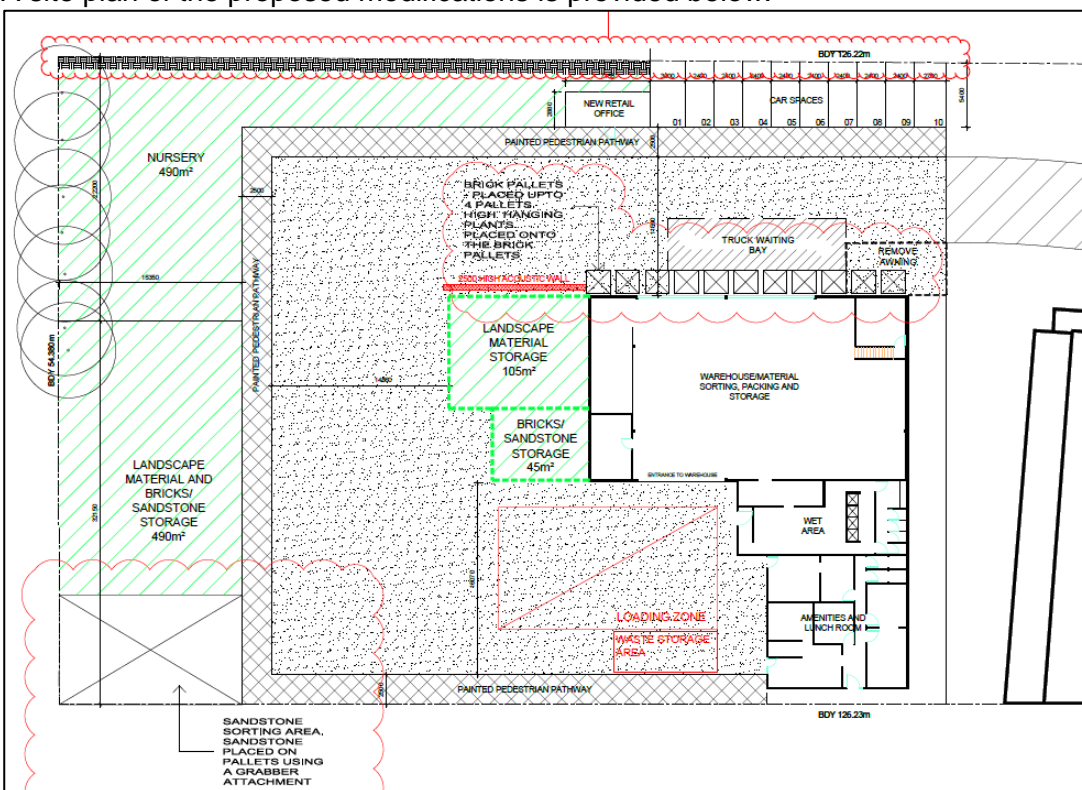


Figure 2: Site Plan of proposed application.

SECTION 4.55(1A) OF THE EP&A ACT 1979

Section 4.55(1A) of the Environmental Planning and Assessment states as follows:

“4.55 Modifications of consents – generally

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

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- (c) *it has notified the application in accordance with:*
- (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1), (2) and (5) do not apply to such a modification.

- (3)** *The consent authority must also take into consideration the reason given by the consent authority for the grant of the consent that is sought to be modified."*

As regards subclause 'a', an acoustic report was submitted as part of the application to justify the deletion of the acoustic wall along the northern boundary of the site. The submitted Acoustic Report fails to provide sufficient detail in relation to the ongoing operation noises generated on the site, specifically the ongoing truck and forklift movements through the site. Based on the lack of substantiated evidence to determine that the proposed deletion of the acoustic wall will not result in adverse acoustic impacts to residents, the application cannot adequately meet the minimal environmental impact test as per subclause 'a' of Clause 4.55 of the EP&A Act 1979. Accordingly, this has been included as a reason for refusal.

As regards subclause 'c' and 'd', the application is notified in accordance with Part L of SCDOP 2005. No submissions were received during this time.

As regards subclause (3), consent for the approved development was granted by SLPP 3 October 2019. The reasons for approval provided by the panel are as follows:

The majority of the Panel generally concur with the Planning officer's report and have amended a number of special conditions to address amenity issues such as noise, dust and site management.

Mr Joliffe is of the view that the application should be refused as the industry type is well represent in the Local government area and it relies on traffic corridor that's currently sustains numerous truck movements.

The subject application results in the removal of the acoustic wall to the northern boundary of the site. Consequently, this results in a loss of acoustic amenity to northern adjoining residents who will incur adverse acoustic impacts as a result of the 20 truck movements required each day during the operation of the site. The proposed application is therefore contrary to the reasons for approval of the original application and thus contrary to subclause (3) of Clause 4.55 of the EP&A Act 1979. This has therefore been included as a reason for refusal.

REFERRALS

INTERNAL REFERRALS

Environmental Health Comments

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

"The applicant believes that they should not have to install the additional acoustic barrier on the northern boundary (behind residents of William Street) due to the implementation of the initial acoustic barrier located next to the primary shed.

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Justification to omit the northern acoustic barrier is that the initial acoustic barrier will attenuate noise close to the generating source, ie "attenuate noise to a greater degree". However, the business has approval for 20 truck movements per day – there will be no noise attenuation for the entry/exit and other movements of these trucks as they travel along the northern boundary fence, which encompasses William Street residents' 2A-20 respectively.

In addition, the site plan submitted with the modification shows a "truck waiting bay" on the northern side of the primary warehouse. Therefore, this waiting bay is located in between the warehouse and the northern boundary fence.

Evening though condition "5.iv) truck engines are to be switched off whilst stationary (ie idling, waiting in line)" exists, the cumulative noise impact of a truck switching off and switching on the engine is not specifically included in the acoustic report. Further to this, the acoustic report has assumed that small truck sound power levels are 80dB(A) and large truck sound power levels are 90dB(A). Furthermore, forklift operational sound power levels are 90dB(A) and their reversing alarm sound power levels are 100dB(A).

Noise attenuation measures for trucks using the waiting bay, movements of trucks and forklifts in this area between the warehouse and the northern boundary fence, without the installation of the northern acoustic wall has not been demonstrated.

The main warehouse will be used for loading/ unloading along with brick cleaning. The applicant has not demonstrated that the existing warehouse is able to effectively attenuate noise, therefore the addition of the acoustic wall on the northern boundary fence is highly recommended.

It should also be mentioned that the dust suppression management plan in relation to condition 2. of consent has not been submitted to council. It is logical for the acoustic barrier on the northern boundary fence act as a dust suppressant measure as well as attenuating noise.

Recommendation

1. *Noise attenuation for trucks using the "truck waiting bay" has not been demonstrated, especially with the intended removal of the acoustic barrier on the northern boundary fence.*
2. *The applicant has not demonstrated how the warehouse is to attenuate noise from brick cleaning and the loading/ unloading of vehicles.*
3. *Noise attenuation of truck movements at the entry/exit of the site is not explained in the application – in particular when the applicant aims to omit the acoustic barrier on the northern boundary fence."*

The above matters have not been addressed and accordingly, the application is recommended for refusal.

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 4.15C 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

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SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration.

The site was previously used as a quarry and subsequently backfilled. Since the backfilling and capping of the former quarry the site has been used for commercial and industrial uses. As the proposed use involves only minimal ground disturbance to repair and re-seal the existing hard paved areas and driveway, no further contamination investigation is required for the proposal. The objectives outlined within SEPP 55 are considered to be satisfied.

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>	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>	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 proposed modifications result in the deletion of the acoustic barrier to the northern adjoining property boundary. Subsequently, noise attenuation for residents will no longer be provided for the ongoing truck and forklift movements through the site. As such, the proposal does not reflect a high quality urban form as anticipated by the overarching objectives of the SLEP 2012.

Permissibility

No change is proposed to the approved use of the site for the purpose of a garden centre and landscape material supplies. 'Garden centres' and 'landscaping material supplies' are permissible uses within the IN1 General Industrial zone with consent.

Zone Objectives

An assessment of the proposal against the objectives of the IN1 General Industrial Zone is included below:

Objectives	Complies
➤ To provide a wide range of industrial and warehouse land uses.	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 land, and provide large sites for	Yes

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integrated and large floorplate activities.

Comments: Whilst the proposal remains for the purposes of an industrial use which encourages employment opportunities as envisaged in the above objectives, the proposal also results in adverse effects on other land uses. The proposed deletion of the acoustic barrier wall along the northern side boundary of the site results in acoustic impacts to the adjoining residents of the R2 – Low Density Residential zone. Accordingly, the proposal is contrary to the above objectives.

Part 4: Principal development standards

This modification application involves no changes to the assessment of the original application against the relevant provisions contained within Part 4 of the SLEP 2012.

Part 5: Miscellaneous Provisions

This modification application involves no changes to the assessment of the original application against the relevant provisions contained within Part 5 of the SLEP 2012.

Part 6: Local Provisions

This modification application involves no changes to the assessment of the original application against the relevant provisions contained within Part 6 of the SLEP 2012.

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.

PART D – INDUSTRIAL DEVELOPMENT

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

1.2: Objectives of Part D

1.2	Objectives	Satisfactory
A.	<i>To improve the quality of industrial development within the Strathfield Municipality</i>	No
B.	<i>To ensure the orderly development of industrial sites to minimise their environmental impact while maximising their functional potential</i>	No
C.	<i>To ensure development is consistent with the principles of Ecologically Sustainable Development</i>	Yes
D.	<i>To encourage high quality building design and industrial streetscape aesthetics</i>	No
E.	<i>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</i>	Yes

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F.	<i>To promote high quality landscape areas which complement the overall development of the site and which assist in enhancing streetscape quality</i>	Yes
G.	<i>To ensure that development will not unreasonably impact upon the amenity of any residential area in the vicinity;</i>	No
H.	<i>To ensure that traffic generated by industrial development does not adversely impact upon local or regional traffic movements</i>	Yes
I.	<i>To ensure that each development has adequate on-site parking and manoeuvring areas for vehicles</i>	Yes
J.	<i>To encourage employee amenity within industrial developments.</i>	Yes

Comments: As previously discussed, the proposal has sought the deletion of the acoustic barrier along the northern side boundary of the site. Whilst an acoustic report was submitted as part of the application to justify the deletion of the structure, the report fails to provide adequate consideration for the ongoing acoustic issues relating to truck movements through the site. The application is therefore not supported in this regard.

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>	No

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.	No
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.	No
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.	No
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

Comments: The subject site is located in Water Street, with the nearest residential property immediately adjoining the site to the north (Figure 3 and 4). Accordingly, a Noise Impact Assessment accompanied the application. The original application had recommended the installation of a 2.5m high acoustic wall adjacent to the warehouse on the northern side of the

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 Lot 1 DP603465 (Cont'd)

proposed landscape material storage area (Figure 2). The acoustic barrier however was not appropriately located to buffer noise arising from truck and forklift movements within the site and exiting the premises. Subsequently, Council’s Environmental Health Officer had recommended an additional acoustic barrier along the entirety of the northern side property boundary that adjoins the residential properties of William Street. The application was approved with a condition of consent to ensure two (2) separate acoustic walls be constructed on the site – one (1) adjacent the landscape material storage area and one (1) along the entire northern side boundary of the site.

The site is relatively unenclosed with trucks accessing the rear of the site via the northern side boundary of the property. The truck waiting bay and parking spaces associated with the site are also provided with an open nursery provided within the rear north-western portion of the site. Consequently, the deletion of the acoustic barrier along the northern boundary of the site will result in no meaningful noise attenuation measures to alleviate noises of trucks and forklifts maneuvering throughout the site.



Figure 3: Extract of the SLEP 2012 land use zoning map showing the subject site and surrounding streetscape (subject site is outlined in yellow).

IN1 (purple) = General Industrial R2 (light red) = Low Density Residential R3 (red) = Medium Density Residential

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 Lot 1 DP603465 (Cont'd)



Figure 4: Northern facing view of the garden nursery and adjoining William Street residential properties.

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*.

Conditions of consent were included in the original consent to ensure compliance with any relevant regulations.

(i) any coastal zone management plan

The proposed development is located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. This modification application does not alter assessment of the original application against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

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

Acoustic Impacts

As discussed throughout this report, the subject site is located in close proximity to residential properties to the north and east. A revised acoustic report was prepared and submitted as part of

**DA2019/089/02: 7-15 Water Street Strathfield South
Lot 1 DP603465 (Cont'd)**

the subject application to justify the deletion of the acoustic wall. Notwithstanding this, insufficient consideration and assessment has been included in the Acoustic Report in relation to the ongoing truck and forklift movements which will occur throughout the northern portion of the site. Furthermore, there is insufficient information to justify that the deletion of the acoustic wall will not result in adverse amenity impacts for the immediately adjoining residents within the R2 – Low Density residential zone. As such, the proposal cannot be supported without such consideration.

Sandstone Sorting Area

The revised Site Plan submitted with the Section 4.55 Application shows a sandstone sorting area which is located within the far south-western portion of the site. This area was required to be deleted as part of the original determination. As the proposal is recommended for refusal, the plans have not been conditioned to be amended to reflect as such.

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

The modification(s) sought as part of this application involve adverse environmental impacts to adjoining residents. Accordingly, the proposed modifications cannot be considered suitable for the 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 and no submissions were received.

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. The current modification application is contrary to the public interest as it results in adverse acoustic impacts to the northern adjoining residents as a result of vehicular movements through the site.

SECTION 7.11 CONTRIBUTIONS

This section 4.55(1A) application does not trigger any changes to the original condition of consent requiring payment of a Section 7.11 contribution in accordance with Council's Section 94 Contributions Plan.

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 recommended for refusal.

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. 2015/056/02 to modify the conditions of consent to remove Condition 3(ii) which relates to construction of a continuous acoustic rated fence along the northern boundary of the site at 7-15 Water Street, Strathfield South be **REFUSED**, for the following reasons:

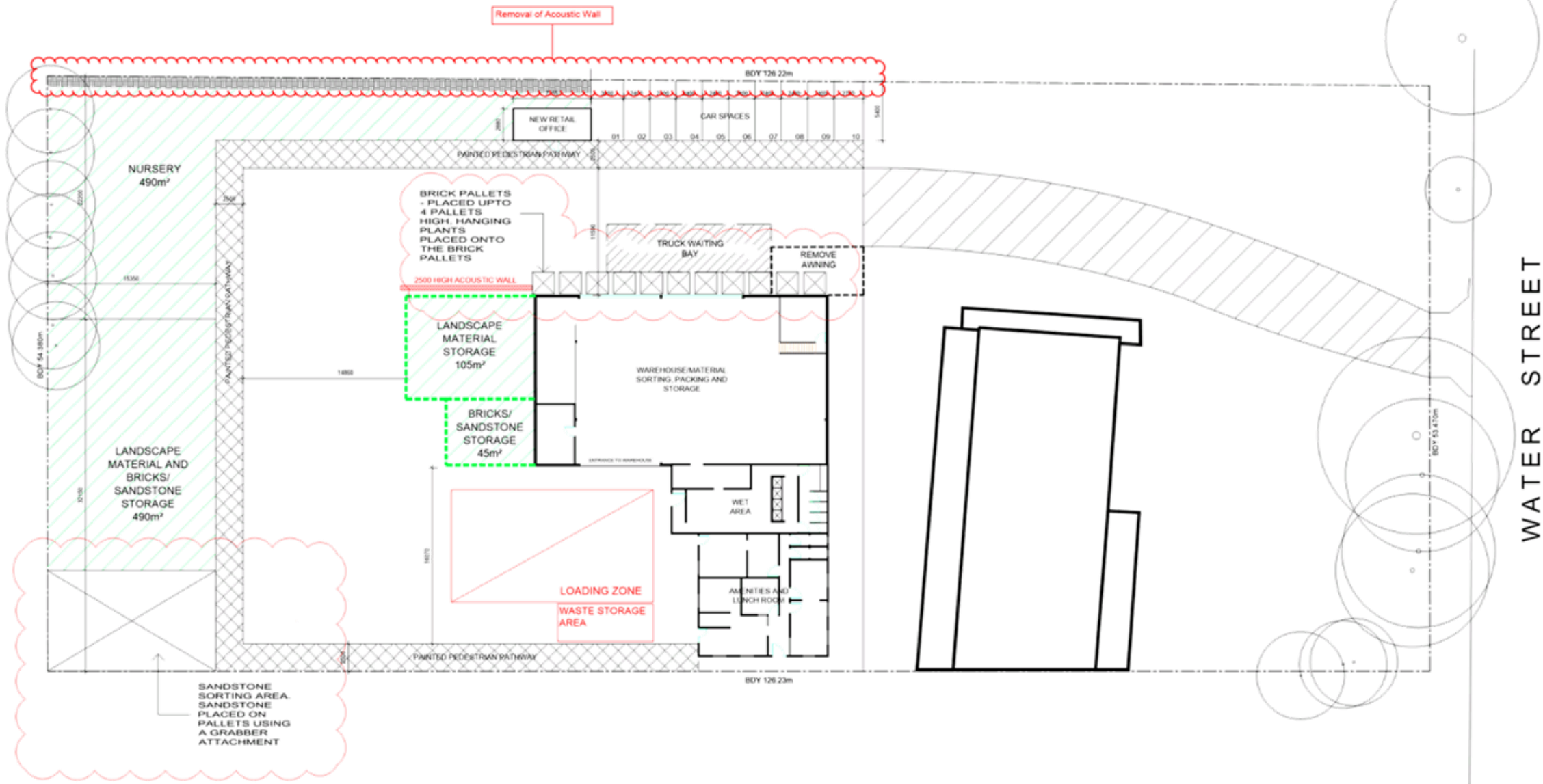
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Lot 1 DP603465 (Cont'd)

1. The proposed modification fails to meet the 'minimal environmental impact' test due to insufficient detail provided in the submitted acoustic report to consider and quantify the acoustic impact to adjoining residents as a result of ongoing operations on the site. (*Section 4.15(a)(i) of the Environmental Planning and Assessment Act 1979*).
2. The proposed application is contrary to the reasons for approval of the original application and thus contrary to subclause (3) of Clause 4.55 of the EP&A Act 1979. (*Section 4.15(a)(i) of the Environmental Planning and Assessment Act 1979*).
3. The proposed modifications fail to provide any meaningful noise attenuation for residents having consideration for the ongoing truck movements through the site. As such, the proposal does not reflect a high quality urban form as required by Clause 1.2(a) of the SLEP 2012. (*Section 4.15(a)(i) of the Environmental Planning and Assessment Act 1979*).
4. The proposed modifications do not address the objectives of the zone which seek to minimise any adverse effect of industry on other land uses, namely, the adjoining residential land uses adjoining the site. (*Section 4.15(a)(i) of the Environmental Planning and Assessment Act 1979*).
5. The proposal does not achieve compliance with objective (a),(b),(d) and (g) in Part D Industrial Development of the SCDCP 2005 as the deleted acoustic barrier is likely to adversely impact on the acoustic amenity of the surrounding residents (*Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979*).
6. Insufficient information has been provided to justify that the deletion of the acoustic wall will not result in adverse amenity impacts for the immediately adjoining residents within the R2 – Low Density residential zone (*Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979*).
7. The proposed deletion of the acoustic barrier is not suitable due to the close proximity of the site to residential properties (*Section 4.15(c) of the Environmental Planning and Assessment Act 1979*).
8. The proposed modification would not be in the public interest. (*Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979*).

ATTACHMENTS

1. [↓](#) Architectural Plans
2. [↓](#) Acoustic Report

STRATHFIELD COUNCIL RECEIVED
DA2019/089/02
2 January 2020



1 GROUND FLOOR PLAN
SCALE 1:200

SCALE 1:200	
REVISION 18 JULY 19 ISSUE FOR INFORMATION 22 AUGUST 20 ADDITIONAL INFORMATION	
NOTE	
Tel + 61 2 9018 9321 Mjh Design Pty Ltd info@mjhdesign.com.au nominated architect : Nick Lycenko 3010	
<p>NOTE: REFER TO ARCHITECT'S GENERAL NOTES FOR ACROUSTIC WALLS. ALL WALLS SHALL BE CONSTRUCTED TO THE HIGHEST QUALITY AND SHALL BE FINISHED TO THE REQUIREMENTS OF THE LOCAL COUNCIL.</p> <p>NOTE: ALL DIMENSIONS SHOWN ON THIS DRAWING ARE IN METERS UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE SPECIFIED.</p> <p>NOTE: THE ARCHITECT HAS ASSUMED THAT ALL DIMENSIONS AND CONDITIONS ARE AS SHOWN ON THIS DRAWING. THE ARCHITECT HAS NOT CONDUCTED A VISUAL SURVEY OF THE SITE AND HAS NOT CONDUCTED A VISUAL SURVEY OF THE SITE. THE ARCHITECT HAS ASSUMED THAT ALL DIMENSIONS AND CONDITIONS ARE AS SHOWN ON THIS DRAWING. THE ARCHITECT HAS NOT CONDUCTED A VISUAL SURVEY OF THE SITE AND HAS NOT CONDUCTED A VISUAL SURVEY OF THE SITE.</p> <p>NOTE: ALL DIMENSIONS AND DETAILS TO BE VERIFIED PRIOR TO COMMENCEMENT. OPERATIONS OF DISCREPANCY TO BE NOTIFIED TO THE BUILDER.</p> <p>Copyright © 2019 Mjh Design Pty Ltd. All rights reserved. This drawing is the property of Mjh Design Pty Ltd and is not to be used for any other purpose without the written permission of Mjh Design Pty Ltd.</p>	
CLIENT J-GROUP PTY LTD	DATE July 2019
PROJECT PROPOSED CHANGE OF USE APPLICATION AT 7-15 WATER STREET SOUTH STRATHFIELD, NSW	
DRAWING TITLE GROUND FLOOR & OFFICE FLOOR PLAN	
1922	A1001 02

**STRATHFIELD COUNCIL
RECEIVED**

**DA2019/089/02
2 January 2020**

**RODNEY STEVENS
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2 December 2019

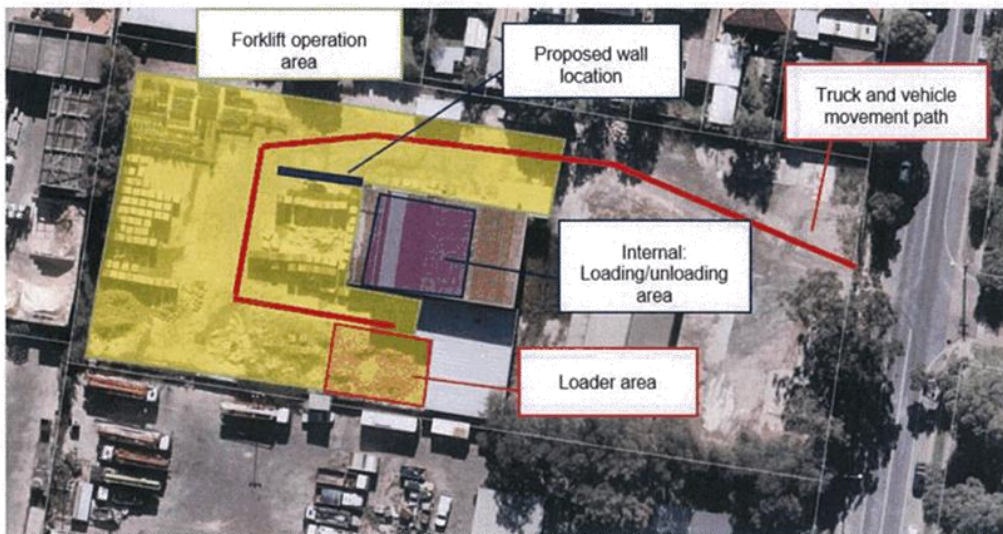
Reference R190193R2

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DA Modification Submission
7-15 Water Street
South Strathfield NSW

Rodney Stevens Acoustics (RSA) has been engaged by J-Group to conduct the noise impact assessment for the commercial premises located at 7-15 Water Street South Strathfield NSW. The development is presented as a Landscape Materials and Plants Nursery supply. RSA had conducted a comprehensive noise impact assessment, on 2 July 2019 Report Number R190193R1, which contained a detailed noise modelling for the operation of the site and also noise control measures to enable the development to operate in an acoustically compliant manner.

The acoustic report recommended the installation of an acoustic wall at a height of 2.5m at the location presented in the figure below.



The assessment considered all the aspects of the activities of the site and noise sources that would cause an adverse acoustic impact to the nearby residents. The main contributors to noise included the operation of the loader, forklift, loading/unloading of trucks and trucks arriving on site. Acoustic modelling resulted in the most effective placement of the wall closer to the noise source. With the acoustic wall at a height of 2.5m and positioned as above, the acoustic noise criteria at the nearby residents can be achieved.

ABN 78 149 311 455

Since the lodgement of the DA, Strathfield Council has included the following conditions to the development:

3. NOISE EMISSIONS – ACOUSTIC REPORT & ACOUSTIC BARRIER (SC)

All the assumptions and recommendations in the Noise Impact Assessment prepared by Rodney Steven Acoustics dated 22 July 2019 shall be implemented:

- i) A continuous wall shall be installed and maintained at the location marked in Figure 5.1 in the acoustic assessment to a height consistent with the eaves of the adjacent warehouse building. The wall may be constituted by palleted bricks or equivalent.

Additionally,

- ii) A continuous acoustic rated fence shall be constructed on the Northern boundary at a height of no less than 1.8m above the existing ground level of the adjacent residential properties. This fence shall be wholly erected and maintained within the subject property. The fence shall be constructed of materials with a surface density of not less than 15kg/m² and be free from holes and gaps.

All such acoustic works shall be completed within a period of 2 Months from the date of this development consent.

The Principal Certifying Authority (PCA) shall obtain a statement from an appropriately qualified acoustic consultant, certifying that the acoustic mitigation measures outlined above have been suitably incorporated into the development and that relevant noise criteria have been satisfied.

(Reason: Noise control and amenity.)

RSA agrees with condition 3(i) and this is essential in preserving the acoustic amenity of the neighbouring residents.

In RSA's professional opinion, Condition 3(ii) is not required and will not attenuate the noise emanating from the site. The acoustic wall calculated by RSA is positioned closer to the noise sources resulting in greater noise attenuation. Where a wall is closer to the resident, this would be minimal acoustic attenuation. There are 2 primary flanking paths for noise when looking at an acoustic wall. First path being through the barrier and the second over the barrier. RSA proposed wall has calculated the best location for the wall accounting for noise flanking through and over the wall. The wall along the northern boundary will not attenuate noise over the barrier. The acoustic wall (as per 3(ii)) is designed to attenuate the main contributors of noise.

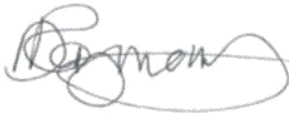
RSA has conducted additional noise calculations with one barrier and two barriers as presented in table below.

Receiver	Period	On site acoustic barrier only	Boundary barrier noise impact	Criteria
R1 (2 nd Storey)	Day	50	50	
R2	Day	48	48	51
R3	Day	35	35	
C1	When in use	62	62	65
C2	When in use	61	61	

The above table shows that with the addition of the secondary acoustic barrier on the boundary, there would be no addition to the attenuation of noise emissions from the site. In order for the boundary acoustic fence to be effective, the height would need to be a minimum of 5m. The assessment also shows that without the boundary fencing, the operational noise from the development complies with the established noise criteria.

It is the opinion of Rodney Stevens Acoustics that the acoustic wall presented in the RSA acoustic report is sufficient to attenuate the noise emissions from the site to the residential receivers near the site. Additional wall along the boundary is not required and will not contribute to the attenuation of the noise emissions.

Regards,



Desmond Raymond - MAAS
Business Manager
Rodney Stevens Acoustics

TO: Strathfield Local Planning Panel Meeting - 5 March 2020
REPORT: SLPP – Report No. 2
SUBJECT: DA2018/064/02: 3 HOMEBUSH ROAD, STRATHFIELD
LOT 20 DP1001067
DA NO. 2018/064/02

SUMMARY

Proposal: Section 4.55(2) modification application seeking alterations and additions to the approved boarding house including internal reconfiguration to provide two (2) additional rooms, new communal roof terrace, enclosure of lobbies and revised window and finishes schedule

Applicant: Samsara Enterprises Pty Ltd

Owner: KL Chhabra & SL Chhabra

Date of lodgement: 4 October 2019

Notification period: 15 October 2019 – 5 November 2019

Submissions received: 1

Assessment officer: LG

Estimated cost of works: Nil

Zoning: R3 – Medium Density Residential - SLEP 2012

Heritage: n/a

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: REFUSAL

EXECUTIVE SUMMARY

- 1.0 On 4 October 2018, SLPP approved Development Application No. 2018/064 for demolition of an existing residential flat building and construction of a boarding house comprised of (36) rooms accommodating up to (72) people over two (2) levels of basement parking under the State Environmental Planning Policy (Affordable Rental Housing) (ARH SEPP) 2009.
- 2.0 The current application seeks to modify Development Consent No. 2018/064 and was submitted to Council on 4 October 2019. A number of modifications are sought, the most significant changes include (2) additional rooms, a roof top terrace, additional parking, alterations and additions to fenestration.
- 3.0 The proposed development does not satisfy the requirements of the ARH SEPP with regard to parking and proposed character with regard to the area. Additionally, the proposal does not satisfy the SCDCP as a result of unacceptable privacy and noise impacts.
- 4.0 The proposed modifications are not considered suitable or appropriate, in light of non-compliance with the ARH SEPP and the SCDCP. Given the non-compliances the application is recommended for refusal.

DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)

BACKGROUND

- 4 October 2018 Strathfield Local Planning Panel on 4 October 2018 approved DA2018/064, for the demolition of existing residential flat building and construction of a boarding house comprising (36) rooms accommodating up to (72) people over (2) levels of basement parking under the Affordable Rental Housing SEPP 2009.
- 15 October 2019 –
5 November 2019 The subject application was publicly notified for a period of (21) days. There was one submission received during this time.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 20 in DP1101067 and is commonly known as 3 Homebush Road, Strathfield. The site is located on the western side of Homebush Road north of the intersection of Homebush Road and Burlington Road and south of the railway line.

The site is a rectangular-shaped allotment with a skew to the south-eastern corner of the site fronting Homebush Road. The site provides a frontage width of 15.585m, a depth between 50.77m – 54.05m and a total site area of 796.7m². The site slopes from west to east and has gradual slope toward Homebush Road.

Existing development on the site comprises a three (3) storey residential flat building with vehicular access provided via the northern portion of the site fronting Homebush Road. The site currently contains (8) x 2 bedroom low rental residential units and is comprised of a red facebrick with painted white coloured banding. The current streetscape is characterised by traditional-style facebrick medium density residential development with some modern-style medium density developments having been approved and or/constructed within the streetscape.



DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)

Figure 1: Locality plan



Figure 2: View of existing development on subject site



Figure 3: View of recently constructed development at 20 Homebush Road.

SECTION 4.55 OF THE EP&A ACT 1979

Section 4.55 of the Environmental Planning and Assessment states as follows:

“4.55 Modifications of consents – generally

(2) *Other modifications*

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

DA2018/064/02: 3 Homebush Road, Strathfield
 Lot 20 DP1001067 (Cont'd)

- (a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with:*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1) and (1A) do not apply to such a modification.”

- (3) *In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.***

As regards subclause 'a', Council is satisfied that the development to which the consent as modified relates is substantially the same development for which consent was originally granted and before that consent as originally granted was modified (if at all).

With regard to subclause 'b', concurrence was not required.

In answering this threshold question, a comparative analysis of the approved development as modified has been undertaken. In this regard, the proposed use does not change; the external building appearance in terms of bulk and scale as viewed from the adjoining properties and public domain is not altered in a significant or readily discernible manner in the context of the previous approval. Although the proposed modification would change the amenity impacts to neighbouring development, the development as modified is considered to satisfy the 'substantially the same' test. It will result in essentially and materially the same development as that originally approved.

As regards subclause 'c' and 'd', the application was notified in accordance with Part L of SCDGP 2005 and one submission was received which has been considered and addressed as part of this report.

DESCRIPTION OF THE PROPOSED MODIFICATION(S)

The specific elements of the modification(s) sought are as follows:

- An additional car parking space located in Basement 02 and subsequent relocation of bicycle racks.
- Modifications and expansion of lobby, common lounge area and bin storage area at Ground Floor.
- Introduction of a manager's office at Ground Floor.

DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)

- Expansion of building footprint, encroaching to north-eastern boundary by 0.23 metres (only at the rear of the site).
- Reconfiguration of rooms on the floor plans at Ground Floor, Level 2 and Level 3 at the front of the property and expansion of balconies.
- Conversion of non-trafficable roof space on Level 03 to two additional rooms.
- Communal roof terrace (88m²).
- Alterations and additions to fenestration.
- Alterations to building shape, colours and materials, including the building façade.
- Increase in maximum height of building from 12.3m to 12.7 metres.
- Increase in Floor Space Ratio from 1.29:1 to 1.67:1

REFERRALS

INTERNAL REFERRALS

Given the nature of the changes to the original application no internal referrals were required.

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 (Affordable Rental Housing) 2009

The proposed development was lodged under Part 2, Division 3 of the ARH SEPP which relates to the provision of 'boarding houses'.

An assessment of the development against the development standards for boarding houses under the ARH SEPP is presented in the table below. Where changes to the original application are proposed the text is bold.

Clause	Development Control	Required	Proposal	Compliance
26	Permissibility	Permissible in the following zones: <ul style="list-style-type: none"> • R2 Low Density Residential • R3 Medium Density Residential • R4 High Density Residential • B1 Neighbourhood Centre • B2 Local Centre • B4 Mixed Use 	Within a prescribed zone (R3 – Medium Density Residential) under SLEP	Yes.
27(2)	Location and access to facilities	If it is located in R2 – must be within an 'accessible area'	N/A – not located in R2 zone	N/A.

DA2018/064/02: 3 Homebush Road, Strathfield
 Lot 20 DP1001067 (Cont'd)

29 Note: Unable to refuse based on compliance these standards	FSR	Max as per SLEP 2012: 1.45:1 (1,155.21m ²) PLUS incentive of 0.5:1 if the max FSR is < 2.5:1 = 1.95:1 (1,553.57m ²)	1.67:1 (1,328m²)	Yes.
	Height	Max as per SLEP: 14m	12.7m	Yes.
	Landscaping	Front setback is compatible with streetscape	At ground level the proposed front setback is approximately 9m. This is compatible with the existing varied front setbacks provided in the street ranging between 8- 10m.	Yes.
	Solar Access	At least one (1) common area receives at least three (3) hours of direct sunlight between 9am and 3pm, mid-winter	A common area is located to the rear north-western corner of the site which is capable of achieving a minimum 3 hours direct solar access throughout mid- winter.	Yes.
	Private Open Space	Lodgers: Min 20m ² with min. dimension of 3m	A common open space area directly adjoins the common lounge in the rear north-western portion of the site which is approximately 28m ² in size. Additionally, the 88m² roof top terrace has a dimension greater than 3 metres.	Yes.
	Parking	In an 'accessible area': 0.5 spaces per room 38 lodger rooms are proposed, therefore 19 spaces are required. Not more than 1 additional parking space is provided for the on-site manager	(19) off-street car parking spaces have been provided in the basement. No parking space has been designated for the on-site manager.	Yes. No. This was conditio ned under the original applicati on
Accommodatio	Other: min 16m ²	All double rooms	Yes.	

DA2018/064/02: 3 Homebush Road, Strathfield
 Lot 20 DP1001067 (Cont'd)

	n size	May have a kitchen/bathroom however is not required to.	achieve a minimum 16m ² room size. All lodger rooms have been provided with kitchen, bathroom and laundry facilities.	Yes.
30	Standards for Boarding Houses	One (1) communal living room required where there are five (5) or more rooms No boarding room > 25m ² excluding kitchen and bathroom facilities No boarding room occupied by > two (2) adult lodgers Adequate bathroom and kitchen facilities available Boarding House Manager where capacity of > 20 lodgers One (1) bicycle space and one (1) motorcycle space per five (5) boarding rooms. 37 rooms (not including site manager's room) therefore spaces required.	A communal living room is provided in the rear portion of the site. The largest room is 25m ² . Condition to be imposed. Adequate communal bathrooms, kitchens and laundry have been provided. Boarding manager room has been provided.	Yes. Yes. Yes, subject to condition. Yes. Yes.
30A	Character	A consent authority must not consent to development to which this division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.	Discussed below.	No.

Part 3: Retention of existing affordable rental housing

49 Buildings to which part applies	Proposal	Complies
(1) This part applies only to those buildings that were low-rental residential buildings as at 28 January 2000, and does not apply to any building that becomes a low-rental residential building after that date.	The site currently contains 8 x 2 bedroom low rental residential dwellings. The building was constructed well before 2000.	Yes

**DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)**

Character of the area

The proposed use is compatible with the medium density character of the area which includes residential flat buildings with some recently approved boarding house developments.

Existing development in the streetscape is typically traditional in style including brown and cream coloured facebrick, timber elements and pitched tiled roof forms. Whilst there are some examples of contemporary-style development which have been recently constructed in the streetscape, these developments still provide an array of colours and finishes that prevent development from appearing too monotone and complement the residual character of the area.

The proposed modifications result in an unarticulated white form with large amounts of glass. The use of materials and colours have been modified. The revised design would be inconsistent with the existing residential building elements and characteristics prevalent in the streetscape.

The upper level balconies are too large, encroaching into the front setback. As noted above the front setback is generally between 8 and 10 metres. The proposed balconies are setback 7 to 8 metres. This modification disrupts the relationship between the buildings and the street.

The proposed balconies, materials and colour scheme of the revised application are not in keeping with the character of the street. The application does not satisfy the requirements of clause 30A of the ARH SEPP.

Conclusion

The character of the built form proposed under application DA2018/064/02 is not in keeping with the streetscape. The building line, materials and colour scheme has been modified and would result in an unacceptable impact.

Application DA2018/064/02 does not provide a parking space for the on-site manager. In the original application this was conditioned, advising that the approved basement parking could be redesigned to accommodate an additional parking space. This however is no longer an option as the additional parking space has been utilised to meet the parking requirements for the increased number of residents.

The proposed development does not satisfy the requirements of the ARH SEPP.

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.

Under application DA2018/064 the proposed development was found to be acceptable under the SEPP (Vegetation in Non-Rural Areas) 2017. There are no proposed changes to existing onsite vegetation under this application.

State Environmental Planning Policy No 55 – Remediation of Land

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration.

A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations. This was assessed as part of DA2018/064 and deemed acceptable. Given the nature of the proposed changes to the development there are no further matters for consideration.

DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)

The objectives outlined within SEPP55 are considered to be satisfied.

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 appropriate condition is included under the original consent to ensure future compliance with these targets. The current section 4.55(2) application does not trigger any changes to the condition imposed.

The objectives outlined within the BASIX SEPP are considered to be satisfied.

Strathfield Local Environmental Plan (SLEP) 2012

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

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

Comments: The approved development as modified by this current section 4.55(2) modification application is consistent with the general aims of SLEP 2012.

Permissibility

No change is proposed to the approved use of the site for the purpose of a *Boarding house*.

Conditions of consent were imposed under the parent application to ensure the boarding house operates within the confines of its approved use in accordance with the abovementioned boarding house definition provided by SLEP 2012 (refer to Condition 4).

Zone Objectives

An assessment of the proposal against the objectives of the R3 – Medium Density Residential Zone is included below:

Objectives	Complies
• To provide for the housing needs of the community within a medium density	Yes

DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)

residential environment.	
• To provide a variety of housing types within a medium density residential environment.	Yes
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes

Comments: The proposed modifications to the development achieves the objectives of the R3 zone given that the development is suited to the medium density residential environment.

Part 4: Principal development standards

The modification application seeks to amend the approved height, floor space ratio, general appearance and provision of private open space as follows:

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	14m	12.7m	Yes

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

Floor space ratio

The FSR controls applying to the ARH SEPP 2009 override the provisions of the SLEP 2012. The assessment found the proposed FSR to be acceptable.

Part 5: Miscellaneous Provisions

There are no provisions contained within Part 5 of the SLEP 2012 which are relevant to the proposal.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 include acid sulfate soils; earthworks; flood planning; and essential services. Application DA2018/064 satisfied the requirements of part 6. This application does not present new matters for consideration under this part. The previous conditions of consent stand.

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.

DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)

PART H - WASTE MANAGEMENT (SCDCP 2005)

As part of application DA2018/064 an at-grade bin storage area has been provided along the southern side boundary of the site, however only (9) general waste bins were provided. This is not compliant with the minimum (10) x 240L general waste bins and (4) x 240L recycling bins required to be provided for the site in accordance with Part H of the SCDCP 2005. Under this application additional space has been provided which could fit an additional (3) waste bins. This remains non-compliant and was an opportunity for the applicant to demonstrate compliance can be achieved. It is noted application DA2018/064/03 which is currently under assessment addresses waste management.

A condition of consent was applied as part of the original application and will remain to ensure that a larger bin area is provided along the southern side boundary of the site which achieves compliance with the minimum bin numbers required as per Part H of the SCDCP 2005 (refer to Conditions 46, 47, 48 and 49).

4.15 (1)(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*.

(i) matters prescribed by the regulations

Appropriate conditions are included on the original consent to ensure compliance with any relevant regulations.

(ii) any coastal zone management plan

Application DA2018/064 demonstrated compliance with the requirements of this part. This application does not present new matters for consideration.

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

Solar Access

Due to the east-west orientation of the site combined with the overall height, bulk and scale of the building, the proposal will result in an unavoidable degree of overshadowing to the southern adjoining residential flat building. The proposed modifications would have a similar overshadowing impact to the previously approved application.

Additional units are proposed on Level 03 which would increase the height of the proposed building. Given these units would be located on the north-western side of the building the overshadowing impacts are considered acceptable.

The impacts of the proposed variations from the original application, with regard to overshadowing have been considered and are deemed acceptable.

Privacy

The roof top terrace is mostly bordered by a 'plant box' which creates a minimum 1.5 metre setback from the building line. This creates a 6 metre distance separation from the neighbouring building to the north. There is no 'plant box' proposed on the southern boundary of the roof top terrace but given the 9 metre distance separation, no additional mitigation methods are required. It has been determined the privacy impacts of the roof top terrace are acceptable.

DA2018/064/02: 3 Homebush Road, Strathfield
 Lot 20 DP1001067 (Cont'd)



Roof top terrace viewed from north

It is proposed to provide 8m² balconies to the rooms on the north-eastern corner of the building. Given the balconies would be set forward from the neighbouring site, the privacy impacts are considered acceptable.

There are significant changes to the fenestration under the proposed modification application. As demonstrated on the north elevation the number of windows would significantly increase; the size of the windows would increase; and the privacy screens are only proposed on the bottom half of the windows. Under the original application all windows above ground level on the northern elevation were either opaque or were fitted with privacy screens. All windows facing north are located above eye level or have privacy screens. The proposed building is 4.5 metres from the neighbouring building to the north. Given the location of the fenestration the proposed changes would result in an acceptable privacy impact.



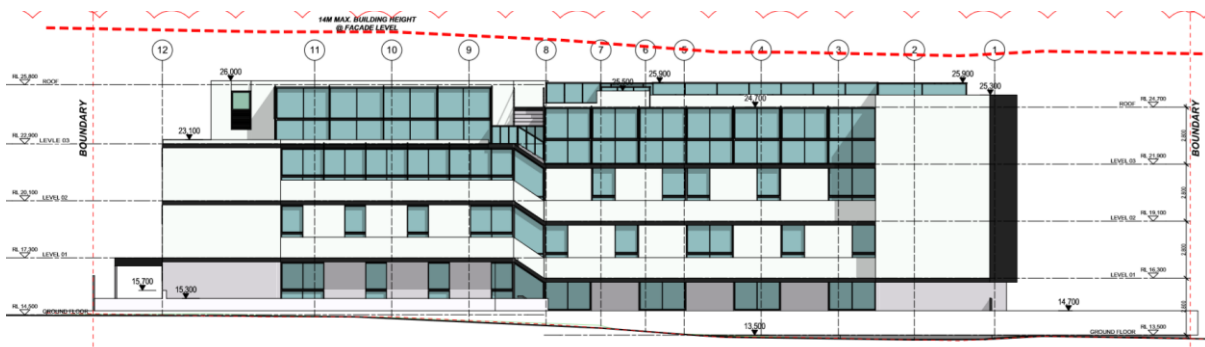
North elevation proposed under DA2018/064/02

DA2018/064/02: 3 Homebush Road, Strathfield
 Lot 20 DP1001067 (Cont'd)

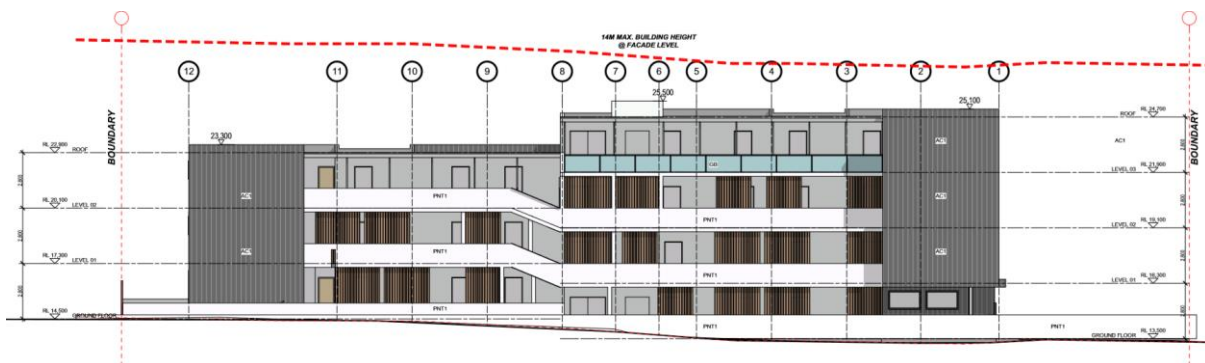


North elevation approved under DA2018/064

It is proposed under application DA2018/064/02 to enclose the thoroughfares on the southern boundary of the building. The design of the southern elevation appears as a wall of glass or windows at Floor Level 2 and in particular 3. It is recognised that these windows form part of a corridor, however, this is not obvious. The design appears overbearing and the sense of enclosure to the neighbouring site is unacceptable. Additionally, the proposed building is 6.5 metres from the neighbouring building. The perceived privacy impact is unacceptable.



South elevation proposed under DA2018/064/02



South elevation approved under DA2018/064

There are significant changes proposed to the fenestration as part of this application. The revised design, in particular the southern elevation, would result in unacceptable perceived visual privacy impacts. The proposal does not satisfy the requirements of clause 4.15(1)(b).

Noise

Under application DA2018/064 a Plan of Management was updated under condition 4 of the notice of determination and endorsed. A revised Plan of Management was not included as part of this application. Given the proposed roof terrace it is essential Council review an updated Plan of Management.

DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)

The proposed roof terrace is over 80m² which could result in a high capacity usage. There is no indication provided as to the usage of this area. Given the scale furniture and recreation facilities could be utilised. The proposed roof terrace would be approximately 6 metres from the neighbouring sites. It is likely a large open space such as this would result in unacceptable noise impacts. Given the original application complied with the private open space requirement this additional area is superfluous.

Insufficient information has been provided to demonstrate that the proposed roof terrace would result in acceptable noise impacts. The proposal does not satisfy the requirements of clause 4.15(1)(b).

The application has been assessed in accordance with SCDCP 2012. The proposed development would result in unacceptable privacy and noise impacts. Application DA2018/064/02 should be refused.

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

The subject site is located within close proximity to the Strathfield Railway Station as well as the Homebush Railway Station. The site is therefore located within close proximity to bus services as well as a plethora of restaurants, shops and communal facilities to meet the needs of local residents.

The provision of low cost rental housing in the form of a boarding house is considered a suitable form of development for the subject site. Whilst the land use is appropriate for the location the proposed changes to the design are not consistent with the character of the area. As discussed previously in this report the proposed design changes are not suitable and would have a detrimental impact to the streetscape.

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. One submission was received which raised concerns about the approved application DA2018/064 with regard to the impacts of earthworks on acid sulfate soils. These matters were assessed under the original application and the impacts were found to be acceptable. This application is not considered to create a greater impact.

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. The approved development as modified by the current modification application is harmful to the public interest.

CONCLUSION

The application has been assessed having regard to Section 4.55 of the Environmental Planning and Assessment Act 1979; the State Environmental Planning Policy (Affordable Rental Housing)

**DA2018/064/02: 3 Homebush Road, Strathfield
Lot 20 DP1001067 (Cont'd)**

2009; the Strathfield Local Environmental Plan 2012; and the Strathfield Development Control Plan 2005 and is considered to be unsatisfactory 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

That Development Application No. 2018/064/02 to modify the approved Boarding House at 3 Homebush Road, Strathfield be **REFUSED**, for the following reasons:

1. The proposed modification fails to comply with the character of the local area pursuant to Clause 30A of the *Affordable Rental Housing SEPP 2009* (Section 4.15(a)(i) of the *Environmental Planning and Assessment Act 1979*).
2. The proposed modification is likely to result in unreasonable adverse impacts on the amenity of neighbouring residents as a result of noise and privacy impacts (Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*).

The proposed modification is not suitable for the site nor is it in the public interest (Section 4.15(1)(c) and Section 4.15 (1)(e) of the *Environmental Planning and Assessment Act 1979*).

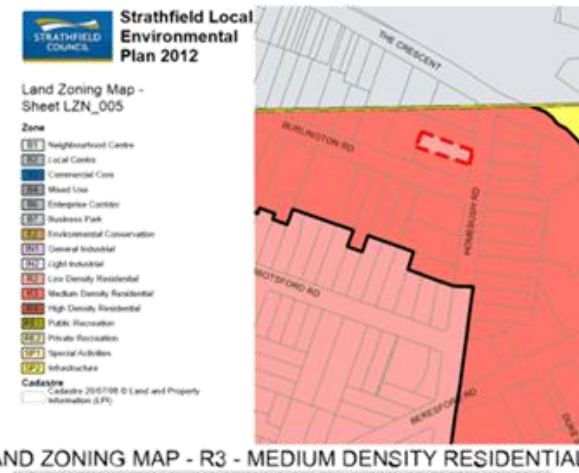
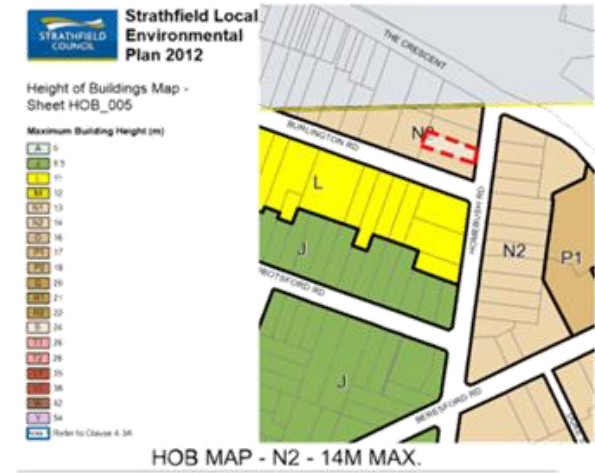
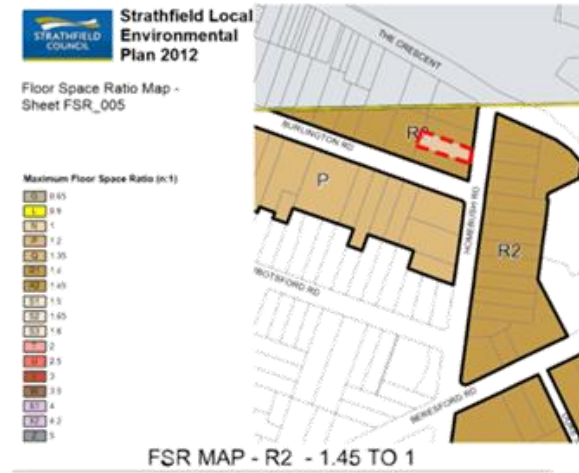
ATTACHMENTS

1. [↓](#) Architectural Plans

**3 HOMEBUSH ROAD, STRATHFIELD, NSW 2135
PROPOSED BOARDING HOUSE
STRATHFIELD COUNCIL: <https://www.strathfield.nsw.gov.au/>**



Permitted with consent
Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home businesses; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential care facilities; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Water recycling facilities



Drawing No.	Description	Issue / Revision
DA0001	COVER	
DA0001	DA - HEIGHT STUDIES	
DA1001	SITE LOCATION & ANALYSIS	
DA1002	SITE PLAN	
DA1003	DEMOLITION PLAN	
DA2001	BASEMENT 02	
DA2002	BASEMENT 01	
DA2003	GROUND FLOOR PLAN	
DA2004	LEVEL 01	
DA2005	LEVEL 02	
DA2006	LEVEL 03	
DA2007	ROOF PLAN	
DA2008	GFA DIAGRAM	
DA2009	SOLAR ACCESS DIAGRAM	
DA2010	SOLAR ACCESS - EXISTING	
DA2011	SOLAR ACCESS PROPOSED	
DA2012	ELEVATION SHADOW AT No 5 HOMEBUSH RD	
DA3001	ELEVATIONS	
DA3002	ELEVATIONS & STREETSCAPE	
DA4001	SECTION A - A & RAMP SECTION	
DA4002	COLOR SCHEDULE	
DA4003	PERSPECTIVE	



Rev.	Description	Date	Appr.
E	DA 55 Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWING	20.08.18	
B	DA AMENDED DRAWING	18.07.18	
A	DA SUBMISSION	10.06.18	

URBAN LINK

AREA: 796.7m²

STRATHFIELD COUNCIL RECEIVED
DA2018/064/02
4 October 2019

Drawing Title: COVER

Date of Issue: 2/10/2019

Drawn: JE

Checked: TJ

Scale: AS SHOWN

Project Number: 2017 - 020

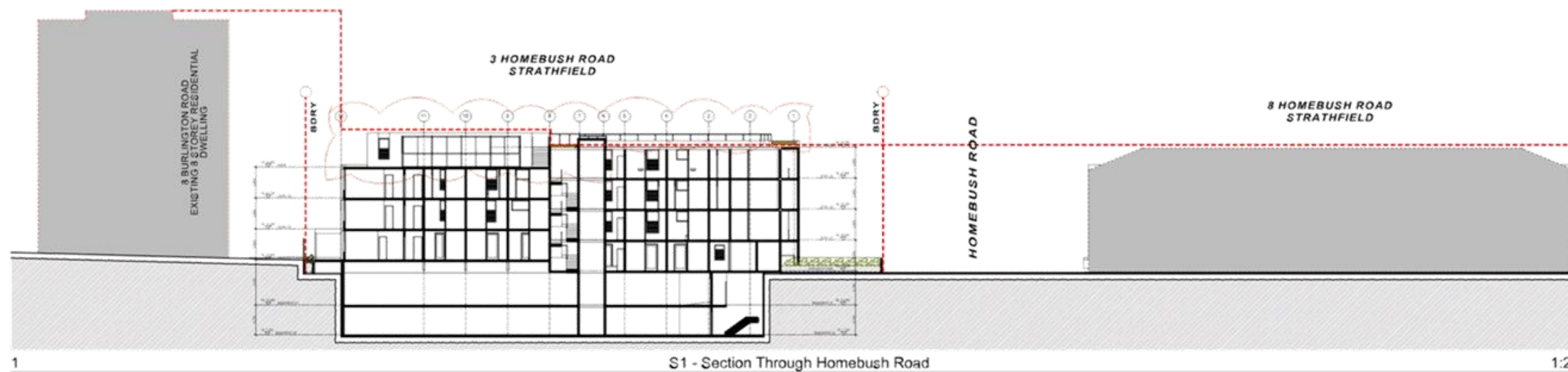
Drawing Number: DA0001

Revision: E

Project Name: DEVELOPMENT APPLICATION



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 DA2018/064/02
 4 October 2019



E	DA SE Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev. Description Date Appr.

Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 2 HOMEBUSH ROAD
 STRATHFIELD NSW 2135

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Drawing Title:
 DA - HEIGHT STUDIES

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ

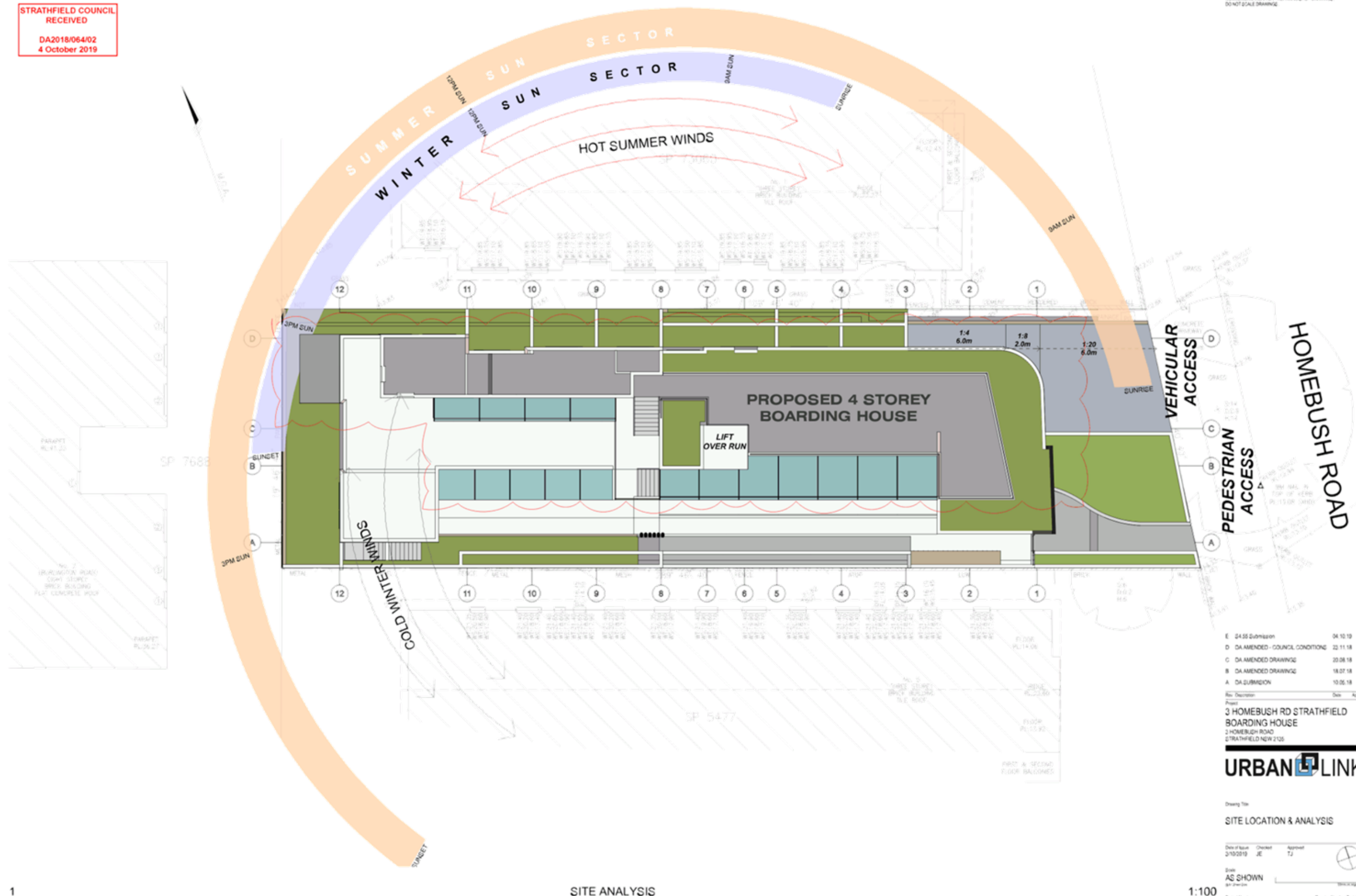
Scale:
 AS SHOWN

Project Number: 2017 - 020
 Drawing Number: DA0001 E
 Date: DEVELOPMENT APPLICATION

1:200

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E	DA Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev Description Date Appr
Project:
3 HOMEBUSH RD STRATHFIELD
BOARDING HOUSE
2 HOMEBUSH ROAD
STRATHFIELD NSW 2135



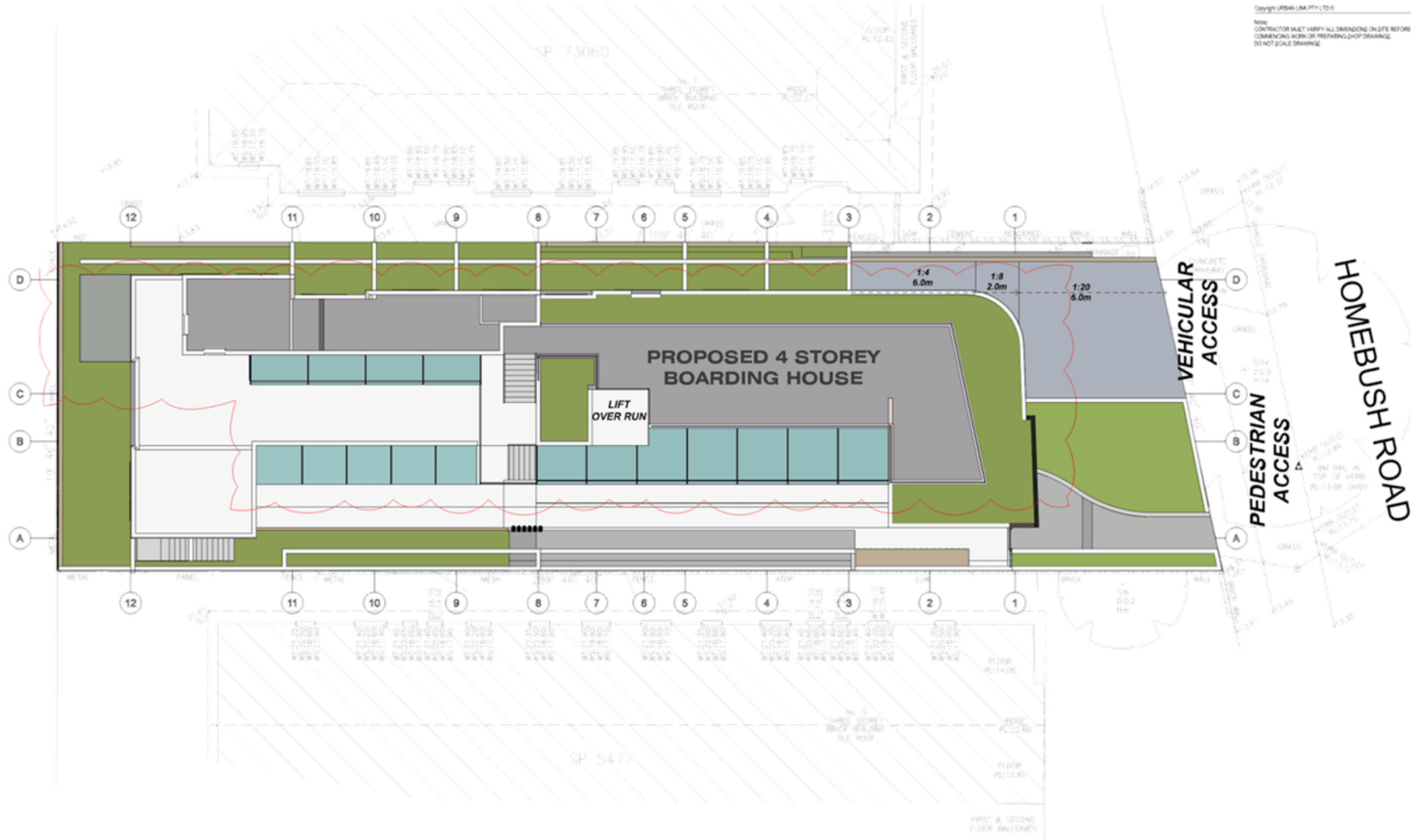
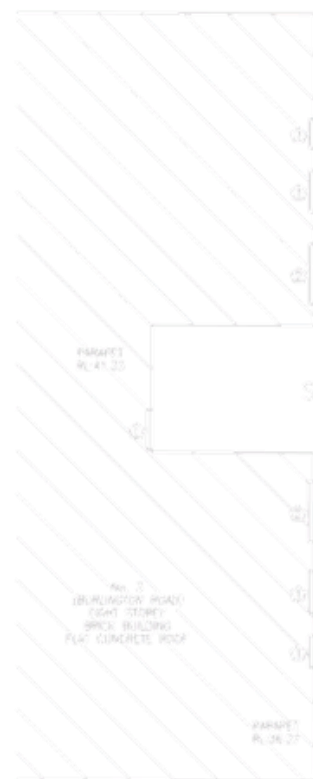
Drawing Title
SITE LOCATION & ANALYSIS

Date of Issue	Checked	Approved
3/10/2019	JE	TJ

Scale
AS SHOWN
Project Number
2017 - 020
Drawing Number/Revision
DA1001 E
Status
DEVELOPMENT APPLICATION

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1

SITE PLAN

1:100

E	DA 55 Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev Description Date Appr
Project:
3 HOMEBUSH RD STRATHFIELD
BOARDING HOUSE
2 HOMEBUSH ROAD
STRATHFIELD NSW 2155



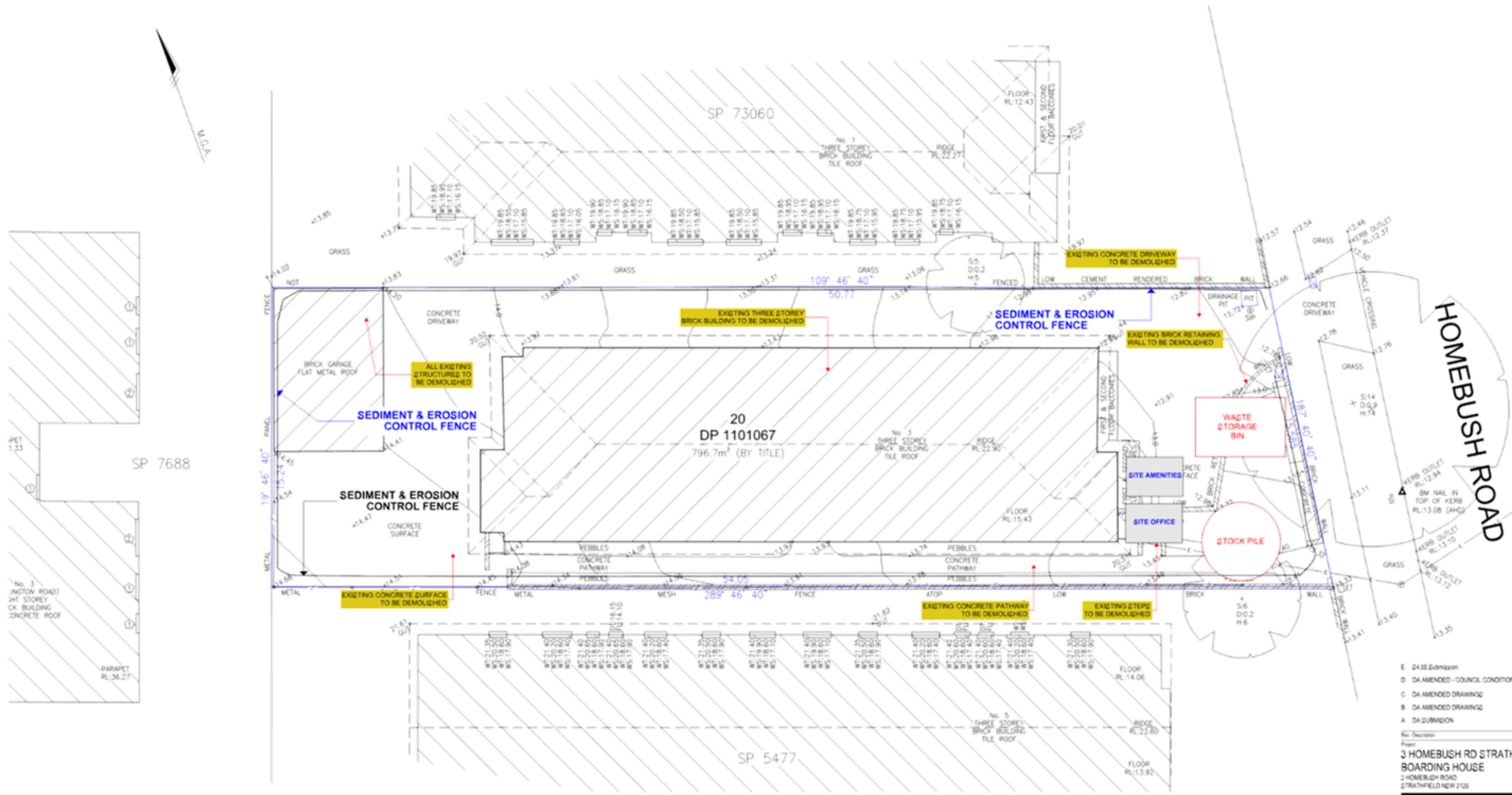
Drawing Title
SITE PLAN

Date of Issue: 3/10/2019
Checked: JE
Approved: TJ

Scale: AS SHOWN

Project Number: 2017 - 020
Drawing Number/Revision: DA1002 E
Title: DEVELOPMENT APPLICATION

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1

DEMOLITION PLAN

1:100

Rev	Description	Date	Appr
E	DA Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWING	20.08.18	
B	DA AMENDED DRAWING	18.07.18	
A	DA SUBMISSION	10.06.18	

Project:
3 HOMEBUSH RD STRATHFIELD BOARDING HOUSE
 2 HOMEBUSH ROAD
 STRATHFIELD NSW 2135



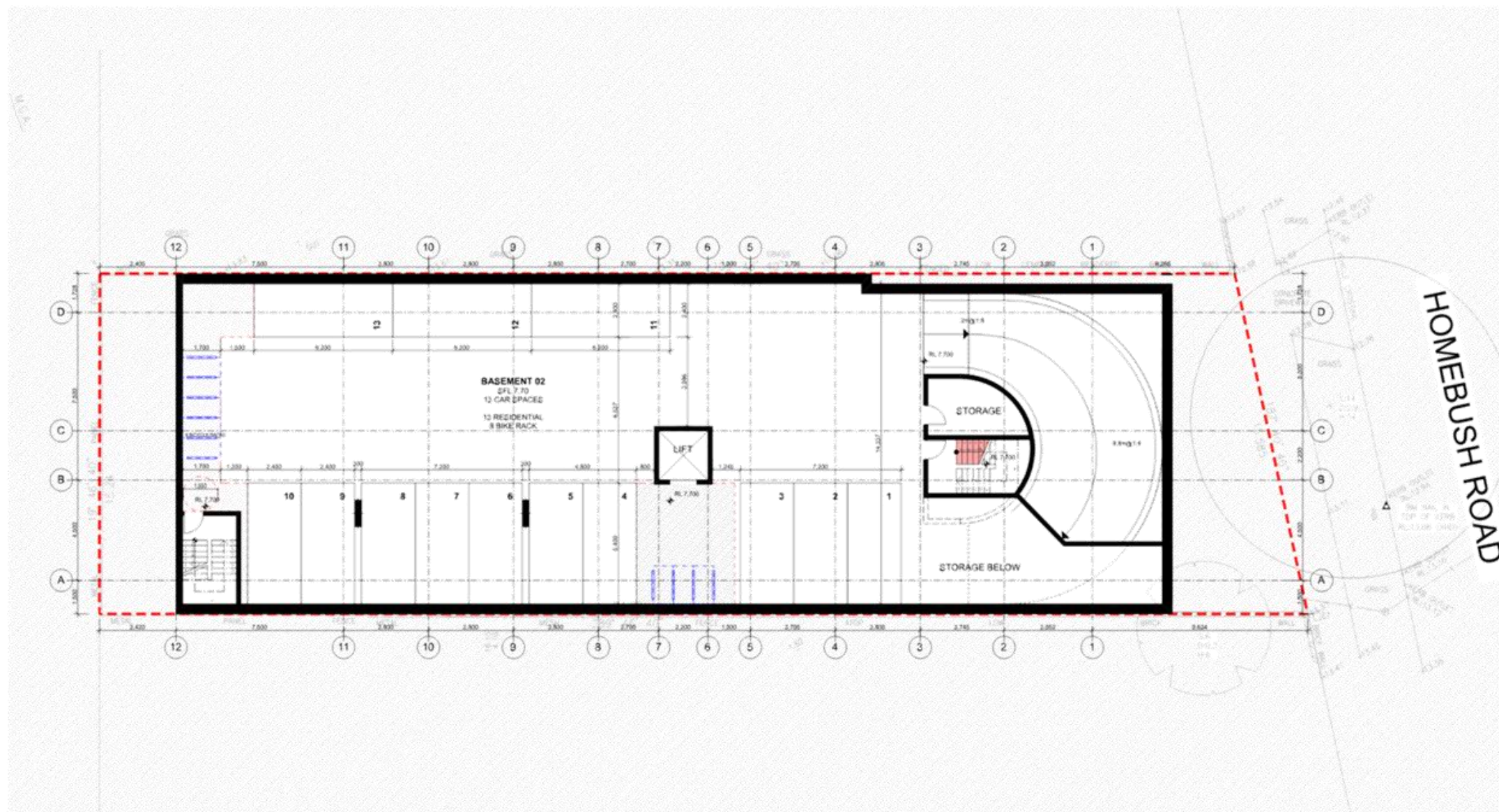
Drawing Title:
DEMOLITION PLAN

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ
 Scale: AS SHOWN
 gpr: gpr

Project Number: 2017 - 020
 Drawing Number/Revision: DA1003 E
 Status: DEVELOPMENT APPLICATION

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BASEMENT 02

1:100

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E	DA SE Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev. Description Date Appr.
 Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 3 HOMEBUSH ROAD
 STRATHFIELD NSW 2125



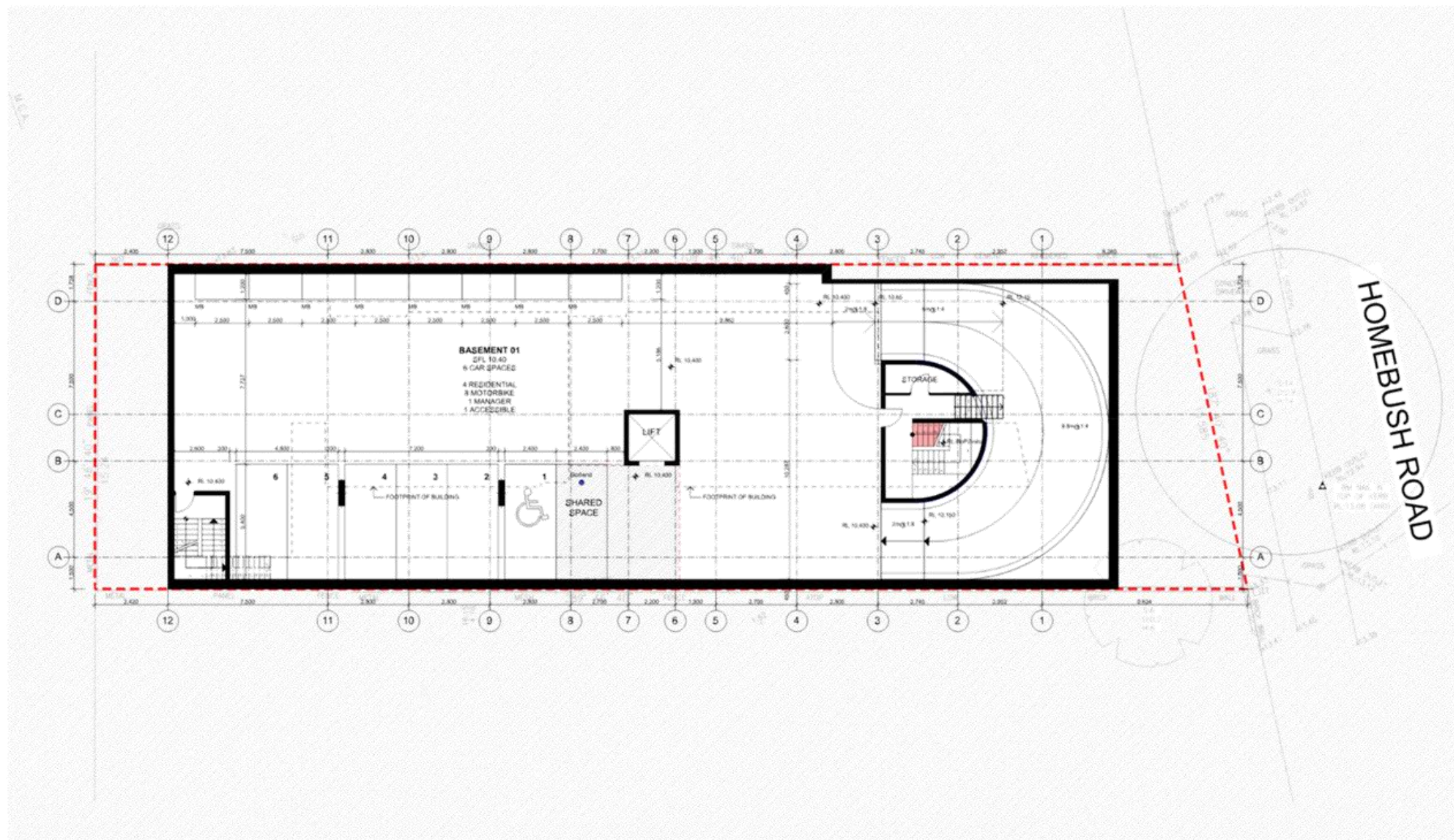
Drawing Title
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Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ

Scale: AS SHOWN

Project Number: 2017 - 020
 Drawing Number: DA2001
 Revision: E
 Status: DEVELOPMENT APPLICATION

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BASEMENT 01

1:100

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E	DA Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.19
C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev. Description Date Appr.
 Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 3 HOMEBUSH ROAD
 STRATHFIELD NSW 2155



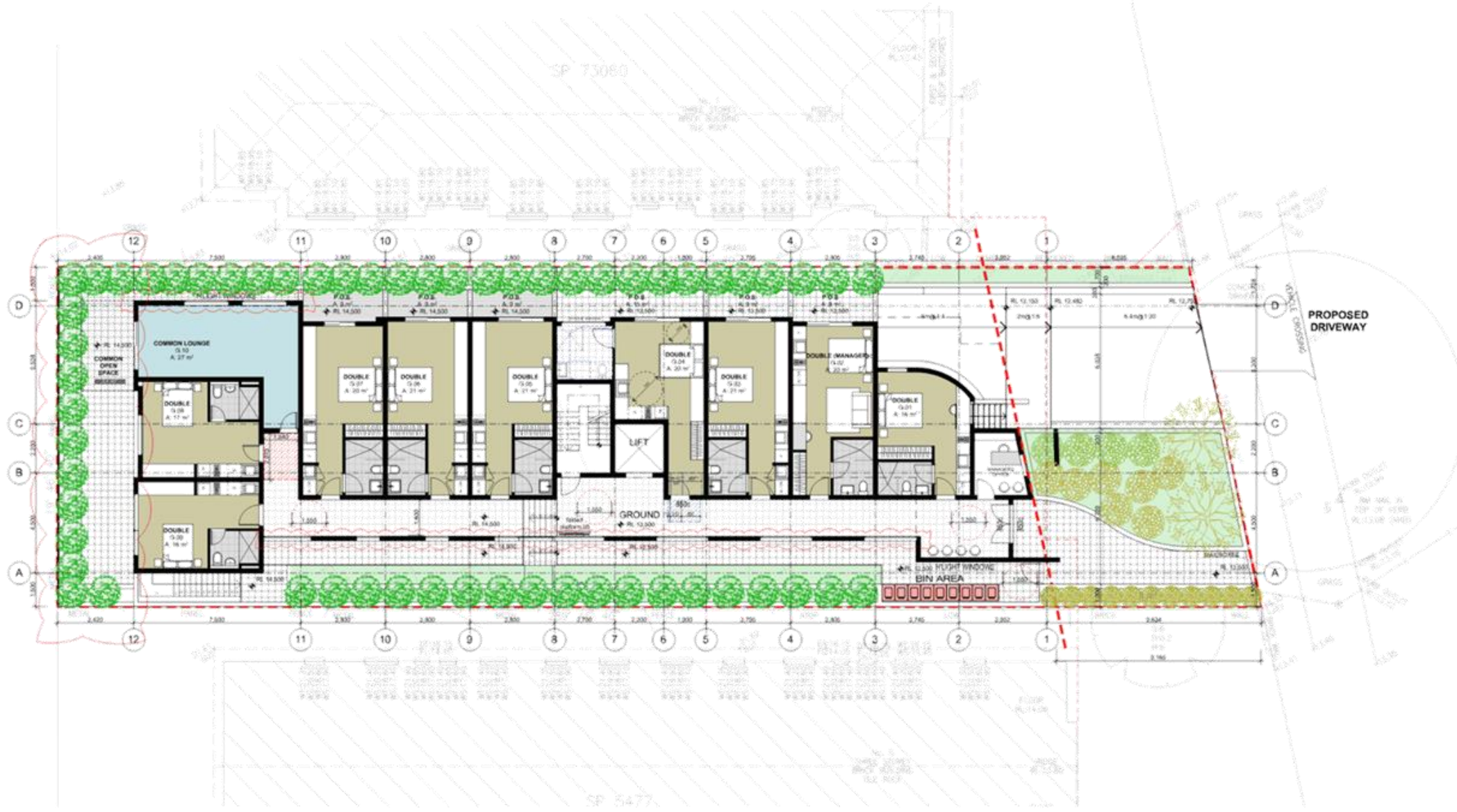
Drawing Title
 BASEMENT 01

Date of Issue	Checked	Approved
3/10/2019	JE	TJ

Scale
 AS SHOWN

Project Number
 2017 - 020
 Drawing Number/Revision
 DA2002 E
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 DEVELOPMENT APPLICATION

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GROUND FLOOR PLAN

1:100

STRATHFIELD COUNCIL
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 DA2018/064/02
 4 October 2019

E	DA Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.19
C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev. Description Date Appr.
 Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 3 HOMEBUSH ROAD
 STRATHFIELD NSW 2155



Drawing Title
 GROUND FLOOR PLAN

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ

Scale:
 AS SHOWN

Project Number: 2017 - 020
 Drawing Number: DA2003
 Revision: E
 Status: DEVELOPMENT APPLICATION

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LEVEL 01

1:100

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 DA2018/064/02
 4 October 2019

Rev	Description	Date	Appr
E	DA Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWINGS	20.08.18	
B	DA AMENDED DRAWINGS	18.07.18	
A	DA SUBMISSION	10.06.18	

Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 2 HOMEBUSH ROAD
 STRATHFIELD NSW 2135



Drawing Title:
 LEVEL 01

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ
 Scale: AS SHOWN
 gpr: gpr

Project Number: 2017 - 020
 Drawing Number: DA2004
 Revision: E
 Status: DEVELOPMENT APPLICATION

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LEVEL 02

1:100

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 DA2018/064/02
 4 October 2019

E	DA Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWINGS	20.08.18
B	DA AMENDED DRAWINGS	18.07.18
A	DA SUBMISSION	10.06.18

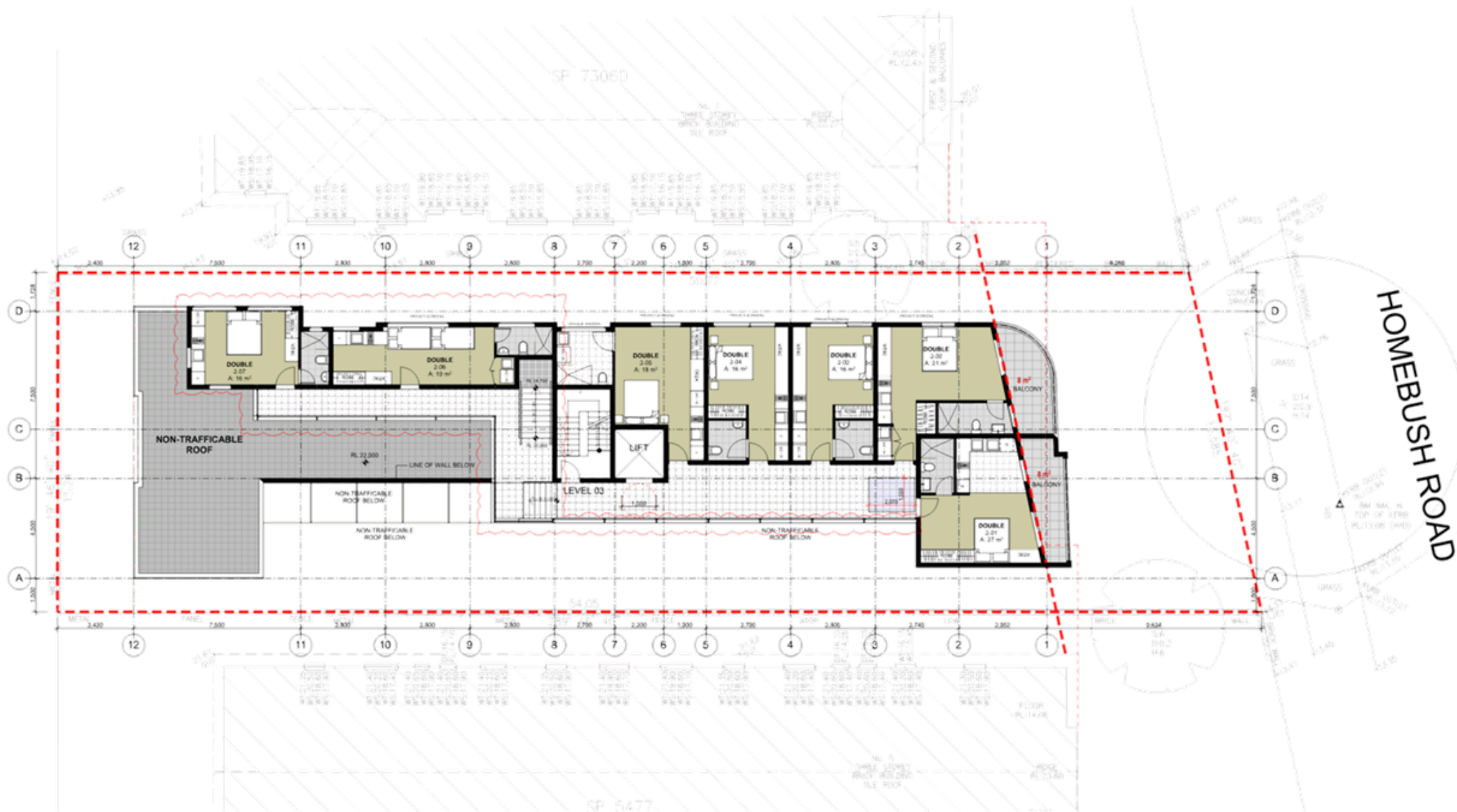
Rev Description Date Appr
 Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 2 HOMEBUSH ROAD
 STRATHFIELD NSW 2125



Drawing Title
 LEVEL 02

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ
 Scale: AS SHOWN
 Project Number: 2017 - 020
 Drawing Number: DA2005 E
 Drawing Title: DEVELOPMENT APPLICATION

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LEVEL 03

1:100

STRATHFIELD COUNCIL
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 DA2018/064/02
 4 October 2019

E	DA Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWINGS	20.08.18
B	DA AMENDED DRAWINGS	18.07.18
A	DA SUBMISSION	10.06.18

Rev. Description Date Appr.
 Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 2 HOMEBUSH ROAD
 STRATHFIELD NSW 2125



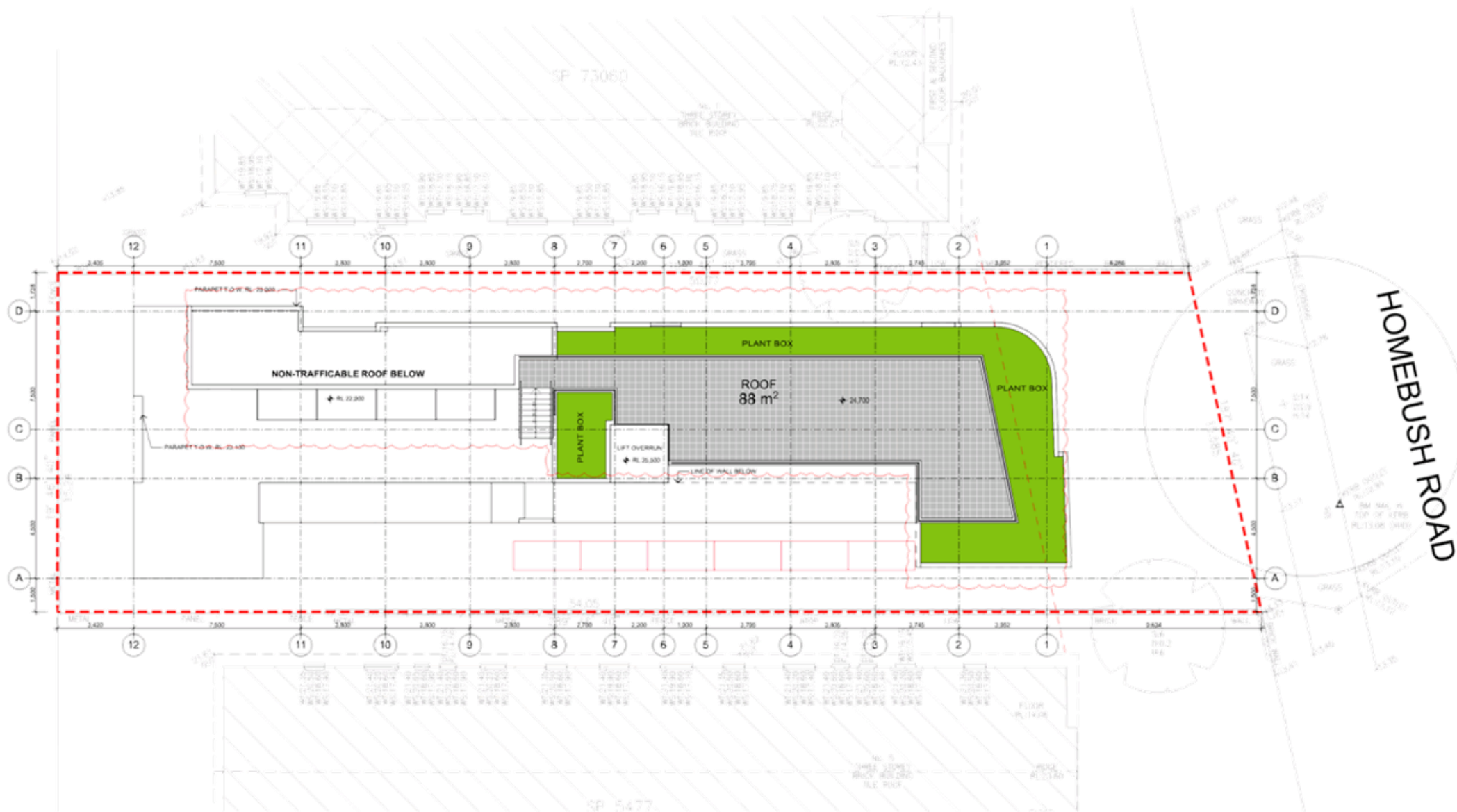
Drawing Title
 LEVEL 03

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ

Scale:
 AS SHOWN

Project Number: 2017 - 020
 Drawing Number: DA2005 E
 Date: DEVELOPMENT APPLICATION

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ROOF PLAN

1:100

Rev	Description	Date	Appr
E	DA Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWINGS	20.08.18	
B	DA AMENDED DRAWINGS	18.07.18	
A	DA SUBMISSION	10.06.18	

Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 2 HOMEBUSH ROAD
 STRATHFIELD NSW 2155



Drawing Title
 ROOF PLAN

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ

Scale:
 AS SHOWN

Project Number: 2017 - 020
 Drawing Number: DA2005 E
 Date: DEVELOPMENT APPLICATION

STRATHFIELD COUNCIL
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 DA2018/064/02
 4 October 2019

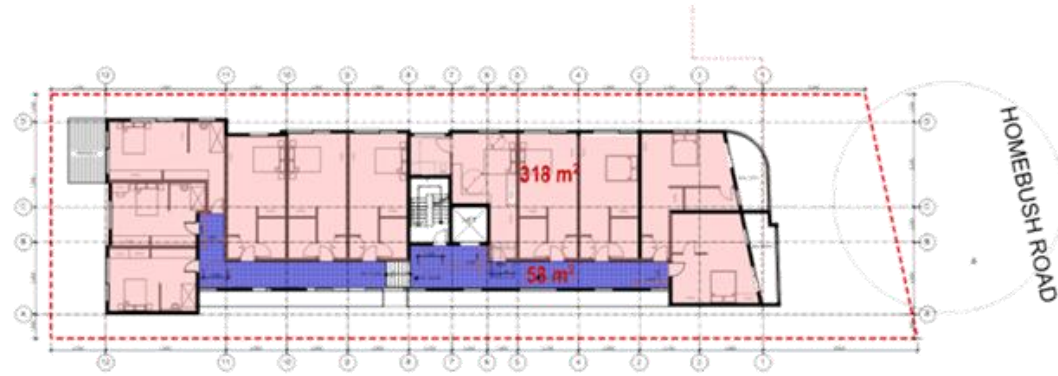
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GFA - GROUND FLOOR 1:200



GFA - LEVEL 02 1:200



GFA - LEVEL 01 1:200



LEVEL 03 1:200

STRATHFIELD COUNCIL
 RECEIVED
 DA2018/064/02
 4 October 2019

CALCULATIONS MATRIX					
LEVEL	ROOM No	No OF LODGERS	INTERNAL GFA (EXCL. KIT & BATH)	INTERNAL GFA (INCL. KIT & BATH)	ACCESSIBLE
GROUND	G 01	2	19.00	25.00	NO
	G 02	2	21.00	27.00	NO
	G 03	2	21.00	28.00	NO
	G 04	2	20.00	29.00	ACCESSIBLE
	G 05	2	21.00	28.00	NO
	G 06	2	21.00	28.00	NO
	G 07	2	20.00	27.00	NO
	G 08	2	20.00	27.00	NO
	G 09	2	16.00	22.00	NO
LEVEL 1	1 01	2	23.00	29.00	NO
	1 02	2	21.00	27.00	NO
	1 03	2	21.00	27.00	NO
	1 04	2	21.00	28.00	NO
	1 05	2	20.00	29.00	ACCESSIBLE
	1 06	2	21.00	28.00	NO
	1 07	2	21.00	28.00	NO
	1 08	2	20.00	27.00	NO
	1 09	2	20.00	27.00	NO
	1 10	2	16.00	22.00	NO
	1 11	2	16.00	21.00	NO
LEVEL 2	2 01	2	25.00	31.00	NO
	2 02	2	17.00	24.00	NO
	2 03	2	17.00	24.00	NO
	2 04	2	18.00	24.00	NO
	2 05	2	20.00	26.00	NO
	2 06	2	18.00	24.00	NO
	2 07	2	18.00	24.00	NO
	2 08	2	17.00	24.00	NO
	2 09	2	20.00	27.00	NO
	2 10	2	16.00	22.00	NO
LEVEL 3	3 01	2	25.00	31.00	NO
	3 02	2	17.00	24.00	NO
	3 03	2	17.00	24.00	NO
	3 04	2	18.00	24.00	NO
	3 05	2	20.00	26.00	NO
	3 06	2	16.00	21.00	NO
	3 07	2	16.00	19.00	NO
TOTAL	38	76			

TOTAL SITE AREA 796.7m²				
CONTROL	MAX ALLOWABLE	PROPOSED	COMPLIES	
FLOOR SPACE RATIO (FSR)	1.45 - 0.5 - 1.95:1	1.67:1	YES	
GROSS FLOOR AREA (GFA)	1,553,565m²	1328 m²	YES	
BUILDING HEIGHT	14m	>14m	YES	
CONTROL	MIN. REQUIRED	PROPOSED	COMPLIES	
COMMON OPEN SPACE	20.00m²	163m²	YES	
LAND SCAPE		10.9% = 137m²		
CARPARKING	19 SPACES	19 SPACES	YES	
ADAPTABLE UNITS	2 Units	G 04, 1 06	YES	

GFA CALCULATION

ROOMS			
LEVEL	AREA	ROOMS	BEDS
G	354 m²	9	18
1	376 m²	11	22
2	376 m²	11	22
3	222 m²	7	14
TOTAL	1328 m²	38	76

- E DA Submission 04.10.19
- D DA AMENDED - COUNCIL CONDITIONS 22.11.18
- C DA AMENDED DRAWINGS 20.08.18
- B DA AMENDED DRAWINGS 18.07.18
- A DA SUBMISSION 10.06.18

Rev Description Date Assn
 Project
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 3 HOMEBUSH ROAD
 STRATHFIELD NSW 2135

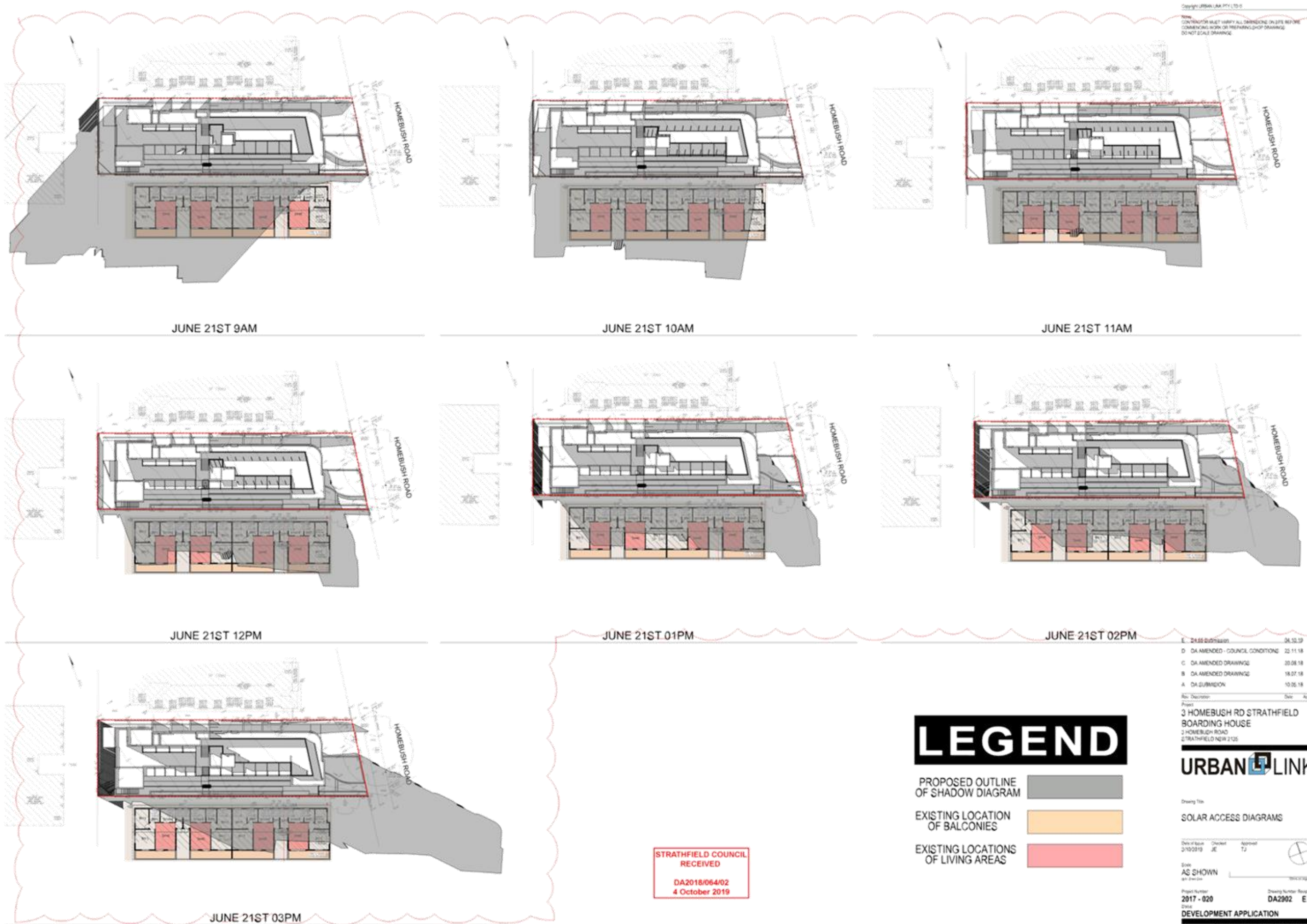


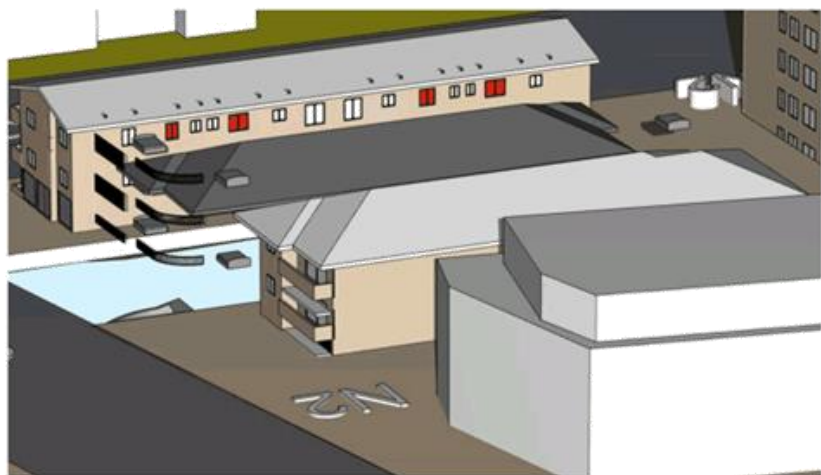
Drawing Title
 GFA DIAGRAMS

Date of Issue 3/10/2019
 Checked JE
 Approved TJ

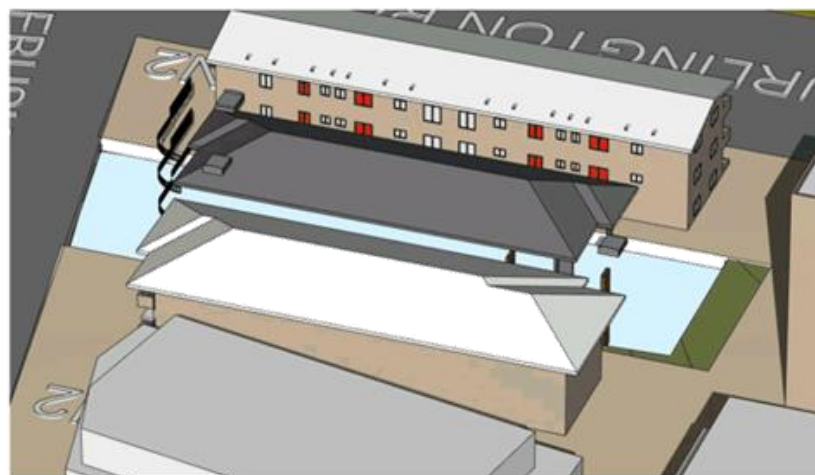
Scale
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Project Number 2017 - 020
 Drawing Number Revision DA2901 E
 Drawn
 DEVELOPMENT APPLICATION





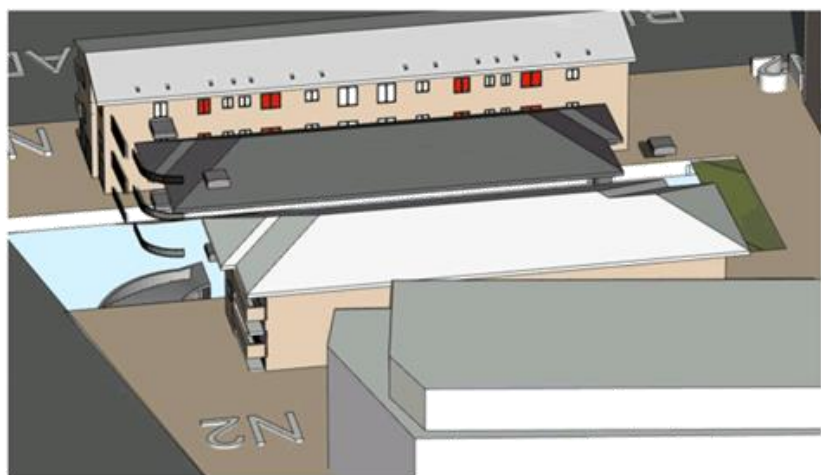
9 AM - JUNE 21st



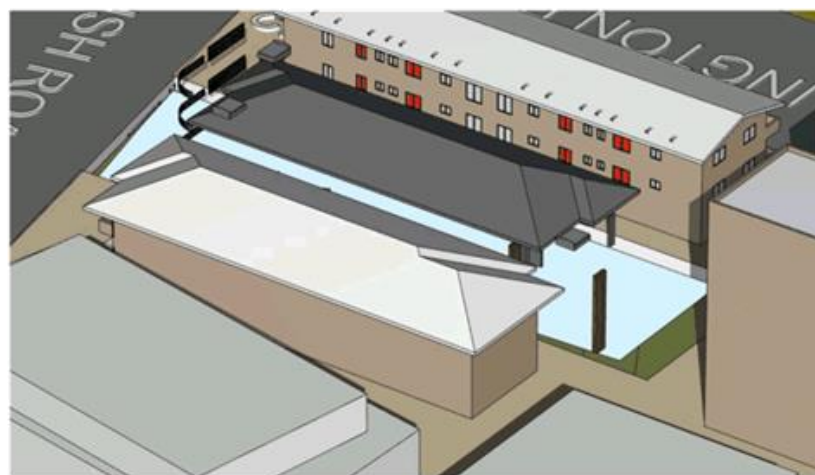
12 PM - JUNE 21st



3 PM - JUNE 21st



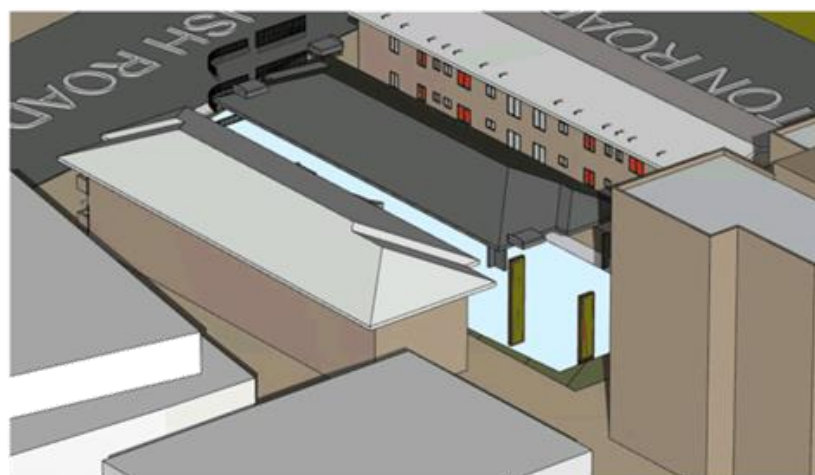
10 AM - JUNE 21st



1 PM - JUNE 21st



11 AM - JUNE 21st



2 PM - JUNE 21st

STRATHFIELD COUNCIL
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DA2018/064/02
4 October 2019

Rev	Description	Date	Appr
E	DA 18 Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWING	20.08.18	
B	DA AMENDED DRAWING	18.07.18	
A	DA SUBMISSION	10.06.18	

Project:
3 HOMEBUSH RD STRATHFIELD
BOARDING HOUSE
3 HOMEBUSH ROAD
STRATHFIELD NSW 2125

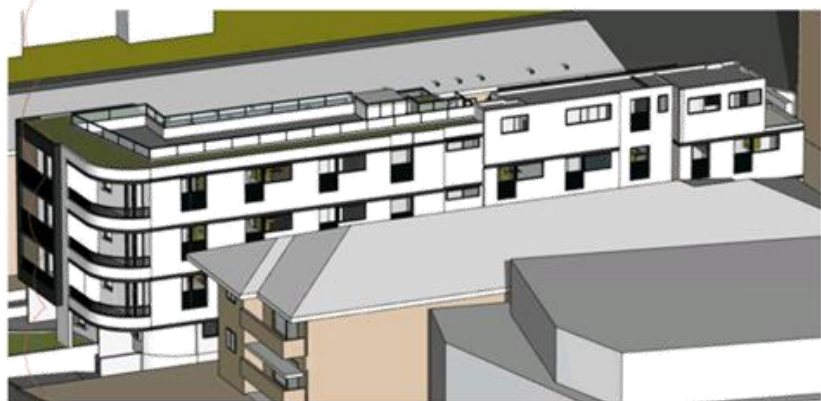


Drawing Title:
SOLAR ACCESS - EXISTING

Date of Issue	Checked	Approved
3/10/2019	JE	TJ

Scale:
AS SHOWN

Project Number: 2017 - 020
Drawing Number: DA2903
Revision: E
Status: DEVELOPMENT APPLICATION



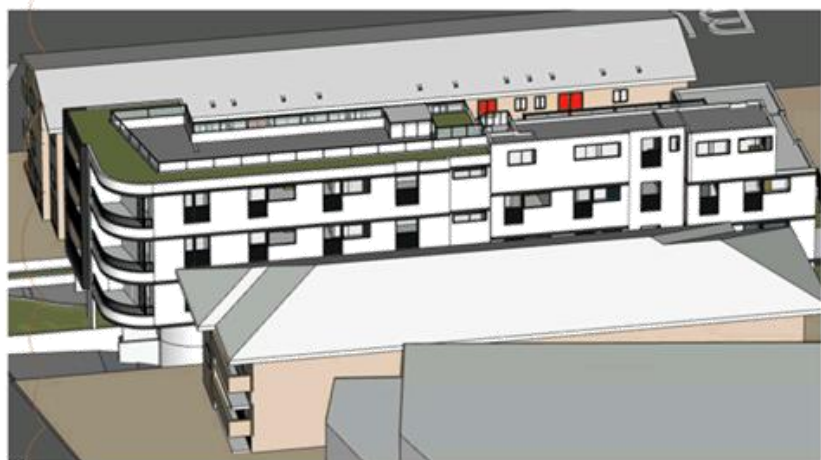
9 AM - JUNE 21st



12 PM - JUNE 21st



3 PM - JUNE 21st

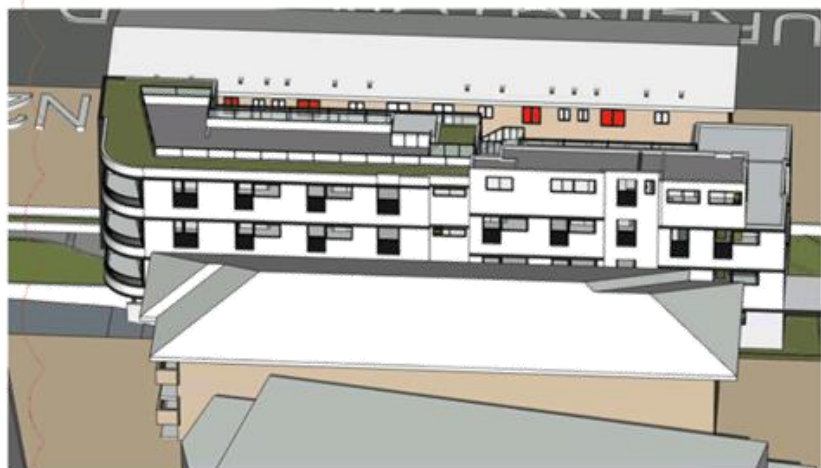


10 AM - JUNE 21st



1 PM - JUNE 21st

STRATHFIELD COUNCIL
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DA2018/064/02
4 October 2019



11 AM - JUNE 21st



2 PM - JUNE 21st

E	DA SUBMISSION	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev. Description Date Appr.

Project:
3 HOMEBUSH RD STRATHFIELD
BOARDING HOUSE
3 HOMEBUSH ROAD
STRATHFIELD NSW 2125



Drawing Title:
SOLAR ACCESS PROPOSED

Date of Issue: 3/10/2019
Checked: JE
Approved: TJ

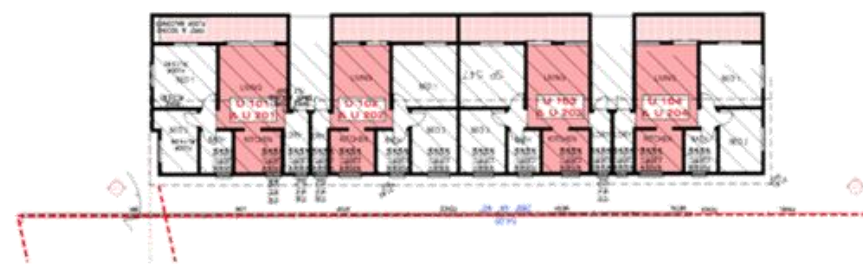
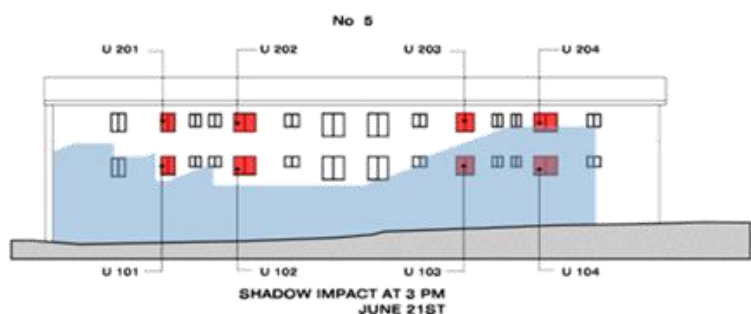
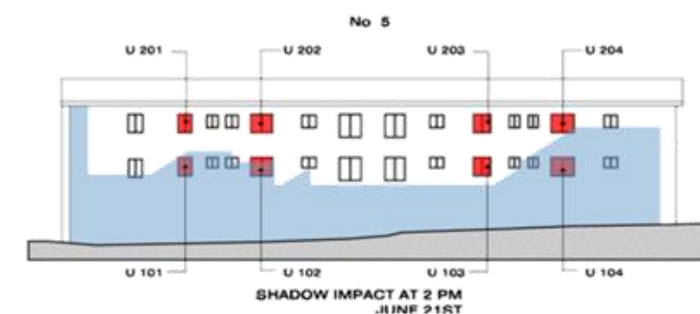
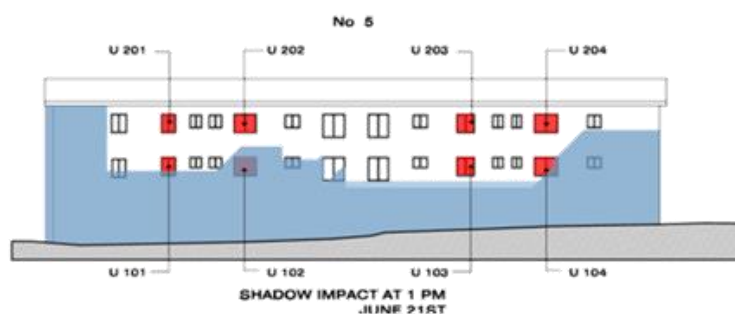
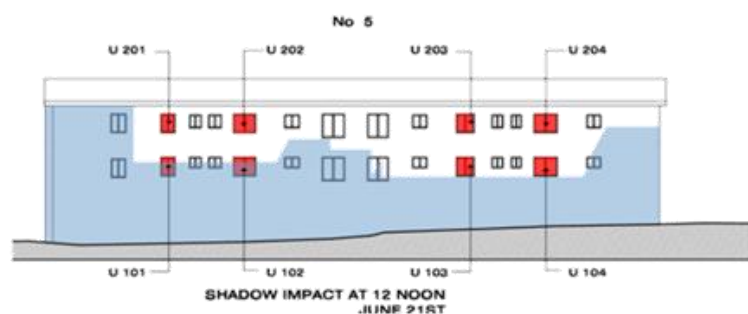
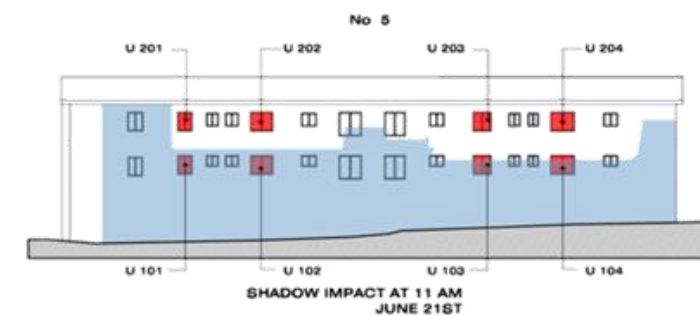
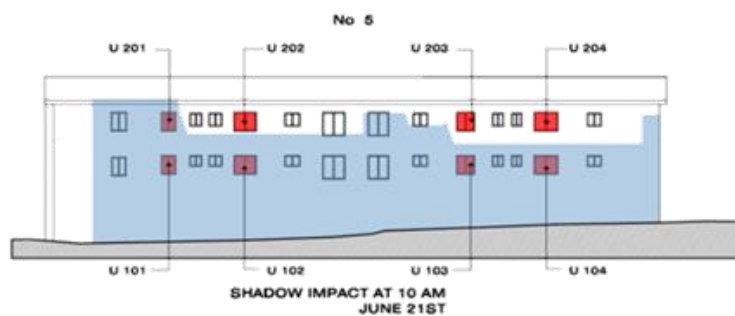
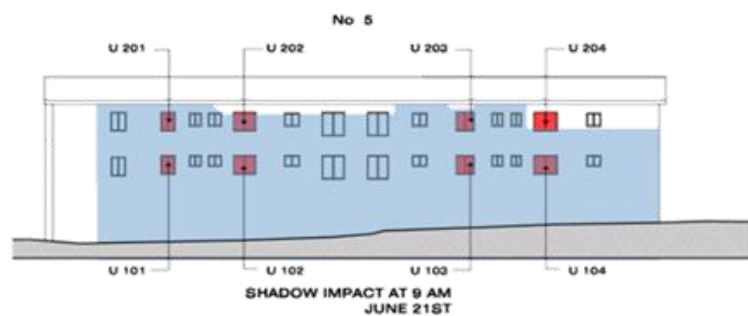
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Project Number:
2017 - 020

Drawing Number/Revision:
DA2904 E

Drawn:
DEVELOPMENT APPLICATION

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TYPICAL FLOOR PLAN OF EXISTING BUILDING
 No 5 HOMEBUSH RD., STRATHFIELD
 SCALE 1 : 200

STRATHFIELD COUNCIL
 RECEIVED
 DA2018/064/02
 4 October 2019



SOLAR ACCESS							
UNIT No	9-10AM	10-11AM	11-12AM	12-01PM	01-02 PM	02-03PM	TOTAL
UNIT 101			0.5	1	0.5	0.5	2.5
UNIT 102			0.5		0.5	1	2
UNIT 103		0.5	1	1	0.5		3
UNIT 104			0.5	1	0.5		2
UNIT 201		0.5	1	1	1	1	4.5
UNIT 202	1	1	1	1	1	1	6
UNIT 203	0.5	1	1	1	1	1	5.5
UNIT 204	1	1	1	1	1	1	6

Rev	Description	Date	Appr
E	DA SE Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWINGS	20.08.18	
B	DA AMENDED DRAWINGS	18.07.18	
A	DA SUBMISSION	10.06.18	

Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 3 HOMEBUSH ROAD
 STRATHFIELD NSW 2125

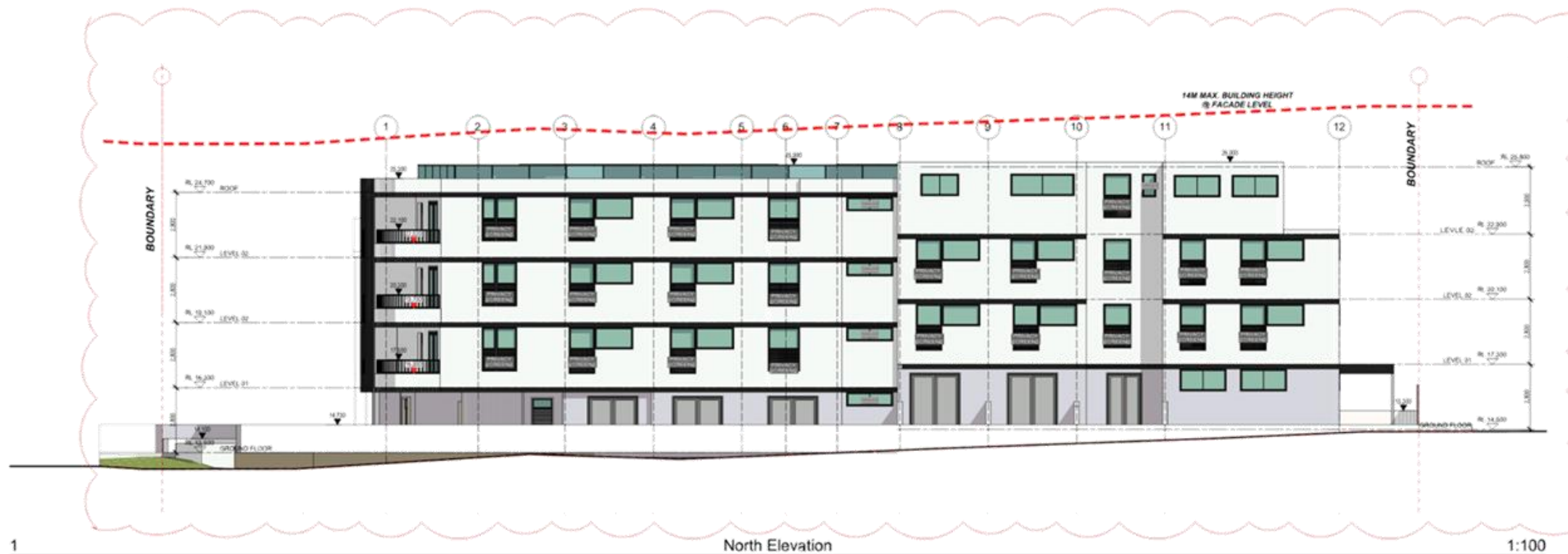


ELEVATION SHADOW AT No 5
 HOMEBUSH RD

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ
 Scale: AS SHOWN
 Project Number: 2017 - 020
 Drawing Number: DA2905
 Revision: E

Project Number: 2017 - 020
 Drawing Number: DA2905
 Revision: E
 DEVELOPMENT APPLICATION

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Rev	Description	Date	Appr
E	DA SE Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWING	20.08.18	
B	DA AMENDED DRAWING	18.07.18	
A	DA SUBMISSION	10.06.18	

Rev: Description Date Appr
 Project:
 3 HOMEBUSH RD STRATHFIELD
 BOARDING HOUSE
 2 HOMEBUSH ROAD
 STRATHFIELD NSW 2125



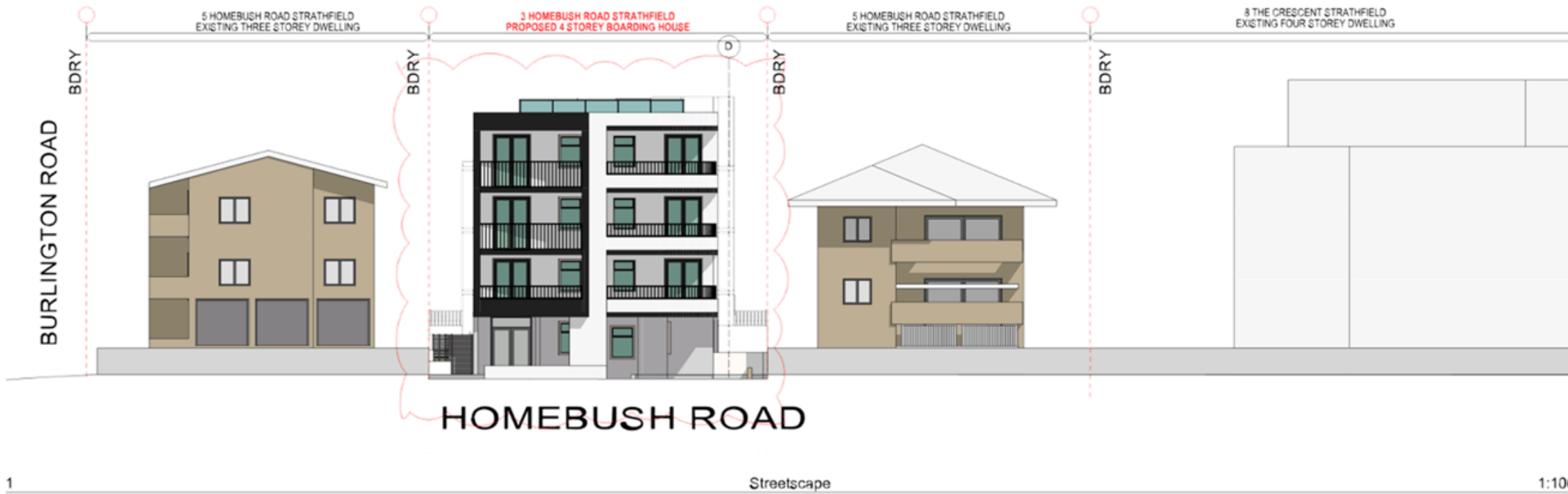
Drawing Title
ELEVATIONS

Date of Issue: 3/10/2019
 Checked: JE
 Approved: TJ

Scale: AS SHOWN
 Project Number: 2017 - 020
 Drawing Number: DA2001 E
 Status: DEVELOPMENT APPLICATION

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 4 October 2019

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Rev	Description	Date	Appr
E	DA Submission	04.10.19	
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18	
C	DA AMENDED DRAWINGS	20.08.18	
B	DA AMENDED DRAWINGS	18.07.18	
A	DA SUBMISSION	10.06.18	

Project:
 3 HOME BUSH RD STRATHFIELD
 BOARDING HOUSE
 2 HOME BUSH ROAD
 STRATHFIELD NSW 2125



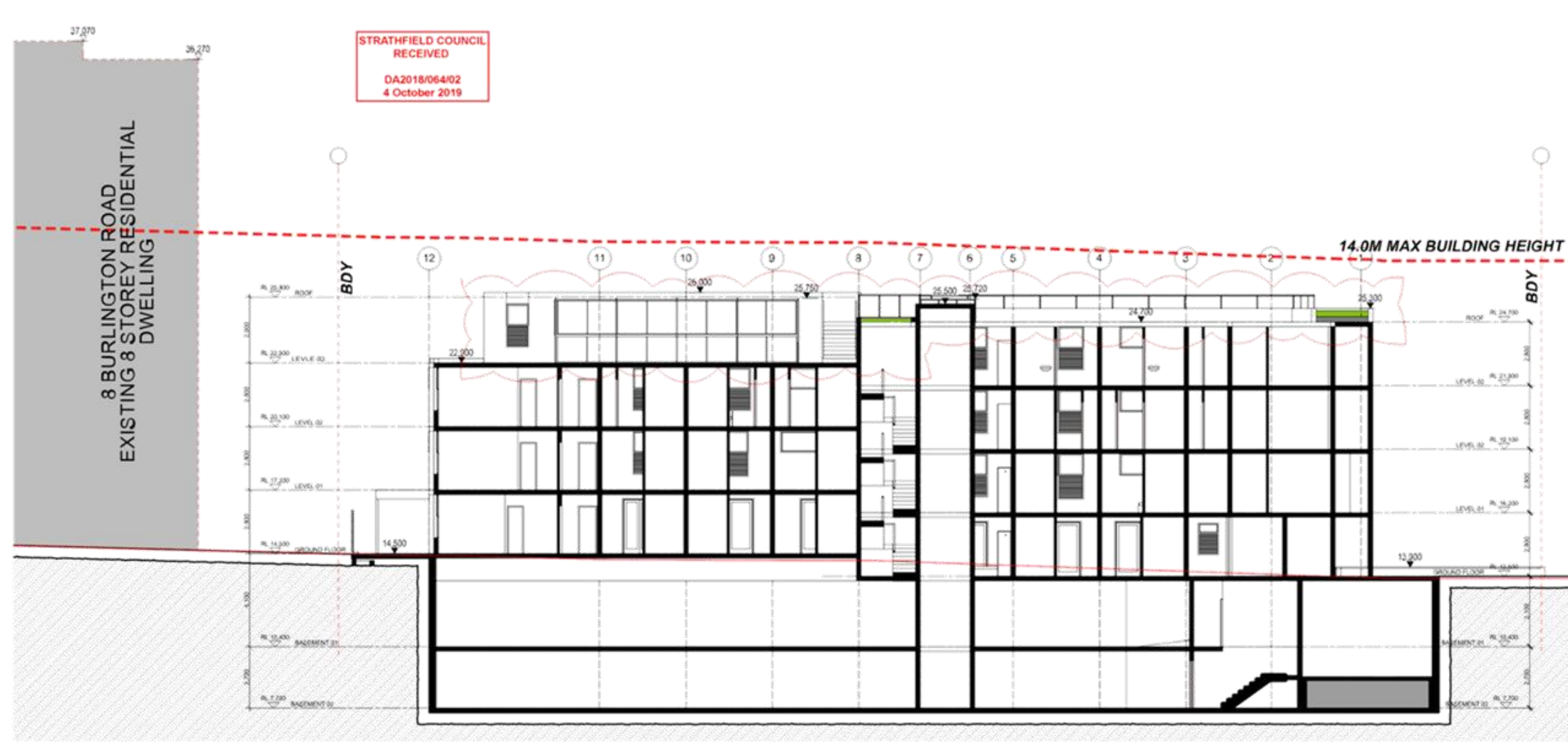
Drawing Title
 ELEVATIONS & STREETScape

Date of Issue	Checked	Approved
3/10/2019	JE	TJ

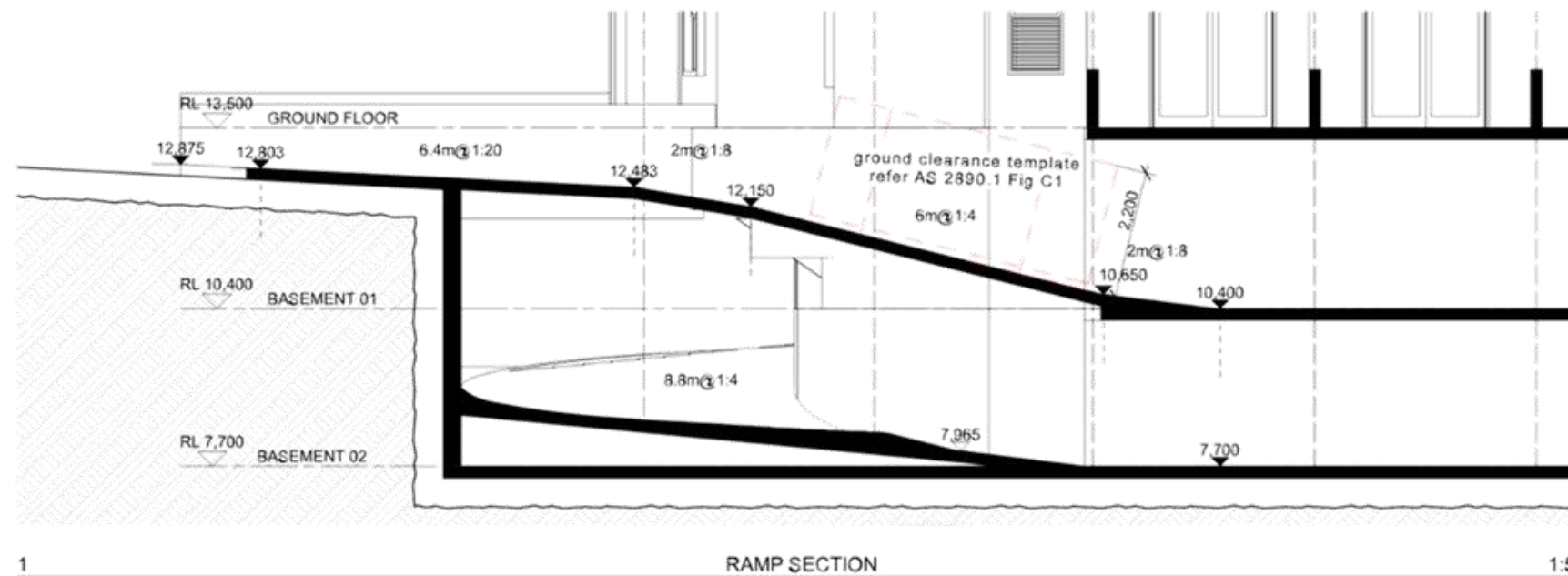
Scale:
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Project Number: 2017 - 020
 Drawing Number: DA3002
 Revision: E
 Status: DEVELOPMENT APPLICATION

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 DA2018/064/02
 4 October 2019



1 SECTION A - A 1:100



1 RAMP SECTION 1:50

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E	DA 55 Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWINGS	20.08.18
B	DA AMENDED DRAWINGS	18.07.18
A	DA SUBMISSION	10.06.18

Rev: Designer Date: Asmt
Project:
3 HOME BUSH RD STRATHFIELD
BOARDING HOUSE
2 HOME BUSH ROAD
STRATHFIELD NSW 2155

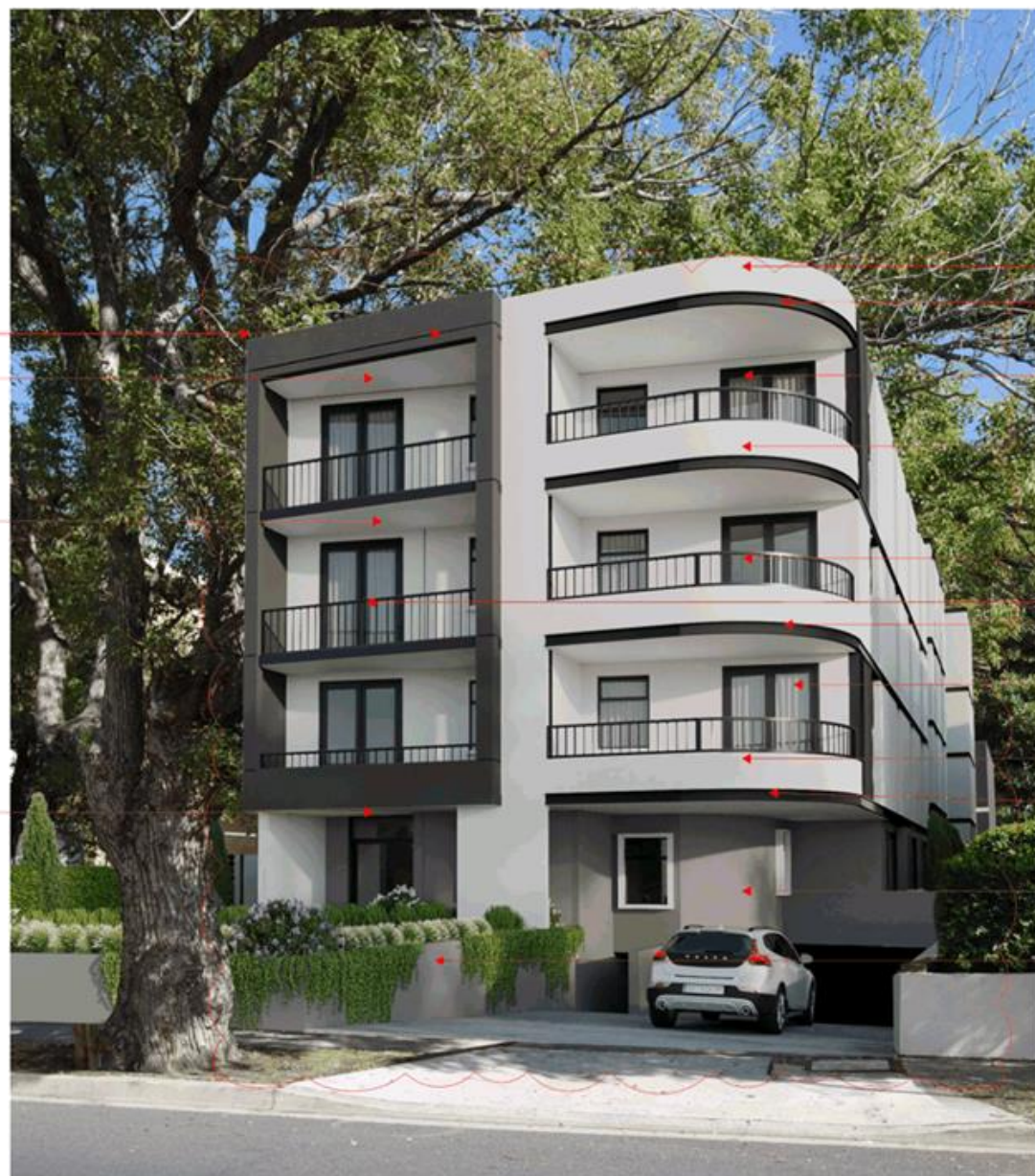


Drawing Title:
SECTION A - A & RAMP SECTION

Date of Issue: 3/10/2019
Checked: JE
Approved: TJ

Scale: AS SHOWN

Project Number: 2017 - 020
Drawing Number: DA4001 E
Status: DEVELOPMENT APPLICATION



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C	DA AMENDED DRAWING	20.08.18
B	DA AMENDED DRAWING	18.07.18
A	DA SUBMISSION	10.06.18

Rev	Description	Date	Appr
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Project:
3 HOMEBUSH RD STRATHFIELD
BOARDING HOUSE
2 HOMEBUSH ROAD
STRATHFIELD NSW 2155



Drawing Title:
COLOUR SCHEDULE

Date of Issue	Checked	Approved
2/10/2019	JE	TJ

Scale:
AS SHOWN

Project Number:
2017 - 020

Drawing Number/Revision:
DA6301 E

Drawn:
DEVELOPMENT APPLICATION

<p>Dulux 100 Vivid White™</p> <p>PNT1 PAINT FINISH VIVID WHITE OR SIMILAR</p> <p>A</p>	<p>Dulux 0014 Klavier</p> <p>PNT2 PAINT FINISH KLAVIER GREY OR SIMILAR</p> <p>B</p>	<p>Dulux 0012 Flooded Gum</p> <p>PNT3 PAINT FINISH FLOODED GUM GREY OR SIMILAR</p> <p>C</p>	<p>D</p> <p>ALUMINIUM FRAMED WINDOW & DOORS FRAME COLOUR D OR SIMILAR</p>	<p>E</p> <p>MB METAL BALUSTRADE FRAME COLOUR D OR SIMILAR</p>	<p>F</p> <p>ALF ALUMINIUM FENCE & LOUVERS FRAMING: COLOUR D LOUVERS: COLOUR D OR SIMILAR</p>	<p>G</p> <p>GB GLASS BALUSTRADE FRAME COLOUR H OR SIMILAR</p>
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FINISHES SCHEDULE

STRATHFIELD COUNCIL
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4 October 2019

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E	DA SE Submission	04.10.19
D	DA AMENDED - COUNCIL CONDITIONS	22.11.18
C	DA AMENDED DRAWINGS	20.06.18
B	DA AMENDED DRAWINGS	18.07.18
A	DA SUBMISSION	10.06.18

Rev. Description Date Appr.
Project:
3 HOMEBUSH RD STRATHFIELD
BOARDING HOUSE
2 HOMEBUSH ROAD
STRATHFIELD NSW 2125



Drawing Title:
PHOTOMONTAGE

Date of Issue: 3/10/2019
Checked: JE
Approved: TJ
Scale: AS SHOWN
Project Number: 2017 - 020
Drawing Number: DA6500
Revision: E

DEVELOPMENT APPLICATION

TO: Strathfield Local Planning Panel Meeting - 5 March 2020
REPORT: SLPP – Report No. 3
SUBJECT: DA2016/180/03 - 22-28 COURALLIE AVENUE, HOMEBUSH WEST
LOTS 11-14 DP 11427
DA NO. 2016/180/03

SUMMARY

Proposal: Section 4.55(2) application to reduce number of units from 31 to 28, rationalize unit layouts and comply with Building Code of Australia

Applicant: Moderinn Pty Ltd

Owner: Tung Fat Australia P/L

Date of lodgement: 11 December 2019

Notification period: 15 January 2020 – 6 February 2020

Submissions received: Two (2) written submissions received

Assessment officer: LG

Estimated cost of works: Nil

Zoning: R3 Medium Density Residential - *SLEP 2012*

Heritage: No

Flood affected: No

RECOMMENDATION OF OFFICER: APPROVAL

EXECUTIVE SUMMARY

On 4 May 2017 Strathfield Independent Hearing and Assessment Panel approved Development Application No. 2016/180 for demolition of existing structures and construction of a four (4) storey residential flat building containing 32 units comprised of eight (8) x 1 bedroom, twenty (20) x 2 bedroom and four (4) x 3 bedroom units over two (2) levels of basement.

On 6 December 2018 SLPP approved a Section 4.55(2) modification application to modify the building height of the approved residential flat building and reconfigure the unit layout of Level 3.

The subject application was lodged under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, seeking to reduce the total unit numbers from 31 to 28, reconfigure unit layouts and increase the overall building height to comply with the Building Code of Australia.

The application and plans were notified from 15 January 2020 to 6 February 2020 in accordance with part L of the SCDPCP 2005. Two (2) written submissions were received during this time raising concern for building height, acoustic and privacy issues, bin location, solar access, boundary fence heights stormwater, off-street parking and traffic. These matters are addressed in further detail in this report.

The proposed modifications which require a further increase to the overall building height are a result of relatively recent changes to the BCA and the sloping nature of the site. These changes have been imposed following approval of the original application. Despite its non-compliance with the maximum

**DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)**

permitted building height, the development as modified will remain within an appropriate bulk and scale which is consistent with its context.

The proposed modifications result in an improvement to the internal layout and design of units which achieves better compliance with the ADG and improves the overall amenity achieved for the site.

The subject proposal is recommended for approval, subject to recommended conditions.

BACKGROUND

4 May 2017: The Strathfield Independent Hearing and Assessment Panel (SIHAP) granted approval to Development Application No. 2016/180 for the demolition of existing structures and construction of a four (4) storey residential flat building containing 32 units comprising eight (8) x 1 bedroom, (20) x 2 bedroom and four (4) x 3 bedroom units over two (2) levels of basement.

The SIHAP imposed Special Condition No. DASP007 Building Height as follows:

“The height of the building shall not exceed the maximum building height of 11m permitted under Clause 4.3 of the SLEP 2012. The reduction in height is to be achieved by deletion the top floor of the development. Plans shall be amended and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: The Clause 4.6 variation relating to height is not supported and not well founded. It is noted that the ground floor of the building is below natural ground level.)

6 December 2018: The Strathfield Local Planning Panel (SLPP) granted approval for a Section 4.55 (2) application to modify the building height of the approved residential flat building and reconfigure the unit layout of Level 3. The development exceeded the maximum permitted 11m building height by 6.8% (750mm including the lift overrun).

Subsequently, Condition DASP007 requiring the building to comply with the 11m maximum building height control was deleted.

11 December 2019: The current Section 4.55(2) modification application was lodged.

15 January 2020 –
6 February 2020: The plans and accompanying documentation were placed on public notification. Two (2) submissions were received.

DESCRIPTION OF THE SITE AND LOCALITY

The site is located on the eastern side of Courallie Avenue comprising four (4) allotments, 22 - 28 Courallie Avenue (Figures 1 and 2) with a total area of 1,932m². The site has a gentle slope with a cross fall of approximately 2.8m from the highest point at the rear south east corner to the lowest point at the north west corner.

The subject site presently comprises four (4) single storey detached dwelling houses (one dwelling house on each allotment) and ancillary structures. Courallie Avenue contains a mix of detached dwellings and residential flat buildings with detached houses on the western side and a mix of residential flat buildings and detached dwellings to the east.

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)



Figure 1: Locality plan. The subject site is outlined in yellow.



Figure 2: Existing dwellings at 22, 24, 26, and 28 Courallie Avenue.

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)



Figure 3: Eastern side of Courallie Avenue showing existing 3 and 4 storey residential flat development.



Figure 4: Western side of Courallie Avenue showing R2 – Low Density Residential development.

DESCRIPTION OF THE PROPOSED MODIFICATION(S)

**DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)**

The specific elements of the modification(s) sought are as follows:

Basement Level 1 and 2

- Lowering of basement level 1 by 670mm; and
- Lowering of basement level 2 by 218mm.

Ground Floor

- Adjustments to the driveway levels to correlate with the modified basement levels;
- Minor adjustments to the internal foyer configurations to rationalise circulation to ensure BCA (including accessibility compliance);
- Revised window schedule across all units;
- Reduction in the number of units from 10 to 9 (deletion of approved unit 6) and associated modifications to the floor layouts; and
- The building footprint remains unchanged.

Levels 1 and 2

- Reduction in the number of units from 9 to 8 (total reduction of 2 units over the two floors through the deletion of approved units 15 and 24) and associated adjustments to unit floor layouts;
- Revised window schedule across all units;
- Reconfiguration of common lobby areas; and
- The building footprint remains unchanged.

Level 3

- Adjustments to the unit floor layouts including relocation of approved unit 30 (being modified to unit 27) and relocation of the western balcony to the eastern side elevation;
- Revised window schedule to the new unit 27; and
- Deletion of lobby immediately adjoining unit 29.

Revised Unit Mix

- The proposal results in a reduction in number of units from 31 to 28 resulting in a revised unit mix. The modifications alter the approved unit mix from:

Approved	Proposed
<ul style="list-style-type: none"> • 8 x 1 bedroom units; • 21 x 2 bedroom units; and • 2 x 3 bedroom units 	<ul style="list-style-type: none"> • 5 x 1 bedroom units; • 21 x 2 bedroom units; and • 2 x 3 bedroom units.

Floor to Ceiling Heights

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)

- The approved floor to floor heights of 2920mm on the ground, level 1 and level 2 floor levels have been increased to 3060mm to enable service infrastructure provision (fire sprinklers) and a 'finished' floor to ceiling height of 2700mm.

Floor Space

- Increase in the overall FSR permitted for the site from 1.18:1 (2,289.56m²) to 1.19:1 (2,313.3m²)

Building Height

- Proposed increase in overall building height from 11.75m (including lift overrun) to 12.13m (including lift overrun). This is a result of the increased floor to ceiling heights proposed for the development. A table of the revised floor to ceiling heights is provided below:

Level	Approved floor level	Modified floor level
Basement 2	Section AA- RL5.40, RL5.67 Section BB- 5.50	Section AA- RL5.182, RL5.83 Section BB- RL5.182
Basement 1	Section AA- RL8.00, RL8.48 Section BB- 8.42	Section AA- RL7.75, RL8.3 Section BB- RL7.805
Ground	FFL RL11.62	FFL RL 11. 4
First	FFL RL14.54	FFL RL14.46
Second	FFL RL17.46	FFL RL17.52
Third	FFL RL20.38	FFL RL20.58
Parapet	Not provided	RL23.73
Top of lift over run	RL24.02	RL24.4

SECTION 4.55 OF THE EP&A ACT 1979

Section 4.55 of the Environmental Planning and Assessment states as follows:

"4.55 Modifications of consents – generally

(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- it has notified the application in accordance with:*
 - the regulations, if the regulations so require, or*

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)

- (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1) and (1A) do not apply to such a modification.

- (3)** *The consent authority must also take into consideration the reason given by the consent authority for the grant of the consent that is sought to be modified.*

As regards subclause 'a', Council is satisfied that the development to which the consent as modified relates is substantially the same development for which consent was originally granted and before that consent as originally granted was modified (if at all). The development remains for the purposes of a residential flat development with a relatively unchanged building envelope notwithstanding its increase in overall building height.

The modified building envelope of Level 3 remains substantially setback from the public domain to minimise its visibility and reduce the extent of the building height non-compliance. The revised building envelope in conjunction with dark toned external finishes creates a built form consistent with the intended outcome originally approved. The Level 3 units are generously setback from the common boundaries, optimising separation distances and mitigating privacy impacts.

The modified upper level ensures the physical elements of the development remain intact. The modifications are considered to provide a high level of residential amenity for the future occupants with optimal solar access and privacy contained to the adjoining properties. Whilst the proposal results in the reduction of units from 31 to 28, the proposal is materially and substantially the same being for a residential flat development.

With regard to subclause 'b', the approved development was not Integrated Development. No referral to a public authority or approval body was required.

As regards subclauses 'c' and 'd', the application was notified in accordance with Part L of SCDCP 2005 and one (1) submission was received. This is discussed in further detail in this report.

As regards subclause (3), consent for the approved development was granted on 4 May 2017 by the SIHAP. In accordance with Clause 4.55(3), the resolution has been taken into consideration.

"In consideration of Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is not satisfied that compliance with the development standard contained within Clause 4.3 (Height of Building) of the SLEP 2012 is well founded and considers that there are insufficient environmental planning grounds to justify contravening the development standard. The application be approved, subject to the recommended conditions of consent."

A Section 4.55(2) modification application was approved by SLPP on 6 December 2018 permitting a 6.8% (750mm) breach to the maximum permitted 11m building height. Special Condition No. DASP007 which required the development to comply with the maximum 11m building height was deleted.

The subject modification application results in a building height variation of 11.27% (12.4m). This is discussed in further detail in Clause 4.3 discussion of this report.

REFERRALS
INTERNAL REFERRALS

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)

Building Comments

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

Traffic Comments

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

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

The subject application was accompanied by an amended BASIX Certificate indicating that the modified development meets the targets for water, thermal comfort and energy. Accordingly, the relevant conditions of consent relating to the BASIX Certificate are modified to reflect the amended Certificate.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT (SEPP 65)

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) aims to improve the design quality of residential apartment 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.

The design principles of the SEPP have been taken into consideration with regards to the proposed modification application.

Apartment Design Guide Quality Design of Residential flat buildings

Design Criteria/Guidance	Required	Proposed	Compliance
3B – Orientation	2 hours solar access retained to neighbouring buildings.	The neighbouring building will retain at least two hours of solar access.	Yes.
3C – Public Domain Interface	Balconies/windows oriented to overlook the public domain. Services concealed. Access ramps minimised	The balconies of the reconfigured units overlook the public domain (Courallie Avenue) and the rear eastern open space area of the site.	Yes
3F – Visual Privacy	One to four storeys: 6m between habitable rooms/balconies and boundary.	All of the windows and private open spaces of the proposed units exceed 6m.	Yes

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
 Lots 11-14 DP 11427 (Cont'd)

Design Criteria/Guidance	Required	Proposed	Compliance
	3m between non-habitable rooms and boundary.		
3J – Bicycle and Car Parking	Vehicle access is integrated into building design, minimum width and provides adequate sight lines.	The modification does not alter the approved car parking arrangement. 53 car parking spaces and 7 bicycle racks will remain within the basement level as approved.	Yes.
4A – Solar and Daylight Access	Min. 70% (20) receive 2 hours solar access. Max. 15% units have no solar access	Twenty-two (78.6%) of the total number of units in the development receive a minimum of two hours solar access. Of the units which will not receive a total 2 hours direct solar access, they will still benefit from some eastern or western sun.	Yes Yes.
4B – Natural Ventilation	Min. 60% (17) are naturally cross ventilated in first 9 storeys.	Twenty-six (93%) of the total number of units in the development are naturally cross ventilated.	Yes.
4C – Ceiling Heights	Habitable: 2.7m Non-habitable: 2.4m	All units achieve a minimum floor to ceiling height of 2.7m to habitable rooms.	Yes.
4D – Apartment Size and Layout	Studio: 35m ² 1 bed: 50m ² 2 bed: 70m ² 3 bed: 90m ² Habitable room depths max. 2.5 x ceiling height. Open plan layout: max. 8m from a window. Master bed: min. 10m ² Other bedroom: min. 9m ²	All (28) units meet the minimum unit size requirements. All habitable rooms are provided with at least one (1) window. All bedrooms meet the minimum area requirements.	Yes. Yes. 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 Min. dimension 2m.	All units are provided with a private open space area, meeting the area and depth size requirements.	Yes.
4F – Common Circulation and Spaces	Max. 8 apartments off a single core.	No more than five (5) 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	The approved basement levels provide sufficient residential storage.	Yes.
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 located away from significant noise sources. Bedrooms are orientated away from the driveway and ground floor waste storage area and loading bay.	Yes

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)

Design Criteria/Guidance	Required	Proposed	Compliance
4J – Noise and Pollution	Site building to maximise noise insulation. Noise attenuation utilised where necessary.	Condition DAOU019 of the original consent requires all recommendations contained in the approved Acoustic Assessment Report to be adopted and implemented.	Yes
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building.	The proposal seeks to modify the apartment mix to the following: <ul style="list-style-type: none"> • (5) x 1 bedroom units; • (21) x 2 bedroom units; and • (2) x 3 bedroom units. The proposed modification results in the deletion of three x 1 bedroom units. The apartment mix is considered appropriate with 5 adaptable units provided on the first, second and third floor.	Yes
4M – Facades	Composition of building elements. Defined base, middle and top Building services integrated into the façade.	The overall building design continues to provide defined base, middle and top components through the incorporation of modulated and articulated elements. The façade colours and use of articulated features to create interest are compatible with those used in existing development in the streetscape.	Yes.
4N – Roof Design	Roof design integrated into the building. Incorporates sustainability features. May include common open space.	The top component, being the third level incorporates a black colourbond cladding that is of similar tone to the roof structures of residential flat buildings in the streetscape.	Yes.
4Q – Universal Design	At least 20% of units to achieve silver level universal design requirements for adaptability.	The proposal seeks to provide five (5) adaptable units (18%), located on the first, second and third levels of the development.	No- to be conditioned.
4U – Energy Efficiency	Adequate natural light to habitable areas. Adequate natural ventilation. Screened areas for clothes drying. Shading on northern and western elevations.	The proposed units have been configured to optimise solar access and cross ventilation.	Yes.

Strathfield Local Environmental Plan (SLEP) 2012

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

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Cl. 1.2(2)	Aims	Complies
(a)	To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield	Yes
(b)	To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development	Yes
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	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	Yes
(f)	To identify and protect environmental and cultural heritage	N/A
(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

Comments: The modified development provides residential housing with a high level of amenity for the future occupants. The building form is compatible with adjacent land uses in terms of the building height and design as well as the desired future character of the streetscape.

Permissibility

The site is zoned R3 Medium Density Residential, pursuant to *SLEP 2012* "residential flat building" is permissible with consent. No change is proposed to the approved land use of the site.

Zone Objectives

The proposed modifications to the height of the building and configuration of level 3 are consistent with the objectives of the R3 Medium Density Residential zone, providing for the housing needs of the community.

Part 4: Principal development standards

The modification application seeks to amend the approved building height and floor space ratio as follows:

Height of building

Cl.	Standard	Controls	Approved	Proposed	Complies
4.3	Height of building	11m	11.75m (including lift overrun)	12.13m (including lift overrun)	No
Objectives					Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area				Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area				Yes
(c)	To achieve a diversity of small and large development options.				Yes

Comments: refer to discussion below.

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Floor space ratio

Cl.	Standard	Controls	Approved	Proposed	Complies
4.4	Floor space ratio	1.2:1 (2,318.4m ²)	1.18:1 (2,289.56m ²)	1.19:1 (2,313.3m ²)	Yes
Objectives					Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area				Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas				Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties				Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items				Yes
(e)	In relation to Strathfield Town Centre:				N/A
	i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and				
	ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development				
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor				Yes

Comments: The proposed modification will result in a compliant FSR of 1.19:1. The bulk of the development is evenly distributed across each floor plate whereby the building envelope and setbacks remain relatively unchanged to what was originally approved. Whilst minor changes have been applied to the level 3 units, the generous setback from the street has remained relatively unchanged so that this level remain heavily concealed from view.

Clause 4.6 Exceptions to Development Standards

Whilst this modification application will result in a further encroachment beyond the maximum 11m building height standard as per Clause 4.3 of the SLEP 2012. As the application is a Section 4.5(2) modification, the applicant does not strictly need to address the requirements of Clause 4.6.

This application has been made under Section 4.55 of the EP&A Act 1979, which is a free standing provision which in itself authorises the development to be approved notwithstanding any breach of development standards.

Section 4.55 is subject to its own stand-alone tests being 'substantially the same' test and consideration of all section 4.15 matters. Clause 4.6 regulates whether development consent may be granted, not whether an existing consent may be modified, and therefore does not apply to section 4.55 modification applications.

Notwithstanding that Clause 4.6 does not apply, the merits of the departure have been considered having regard to the objectives of the development standard. The Applicant has submitted a Clause 4.6 variation request as part of the application. The Applicant's justification to further exceed the building height standard is provided below:

- *The proposed development has been architecturally designed to provide a well composed building that provides good amenity for future occupants, that respects the amenity of existing and future neighbouring development and that is compatible with the emerging character and development pattern of the locality.*
- *The development achieves the SEPP 65 design principles and readily complies with ADG requirements. The development presents 'good design'.*

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- *The height variation is substantially attributable to:*
 - *The falling site topography and*
 - *The need to achieve BCA compliance. The height variation is essential because of the relatively recent changes to the BCA relating to fire sprinklers that have been introduced since the development consent was granted. Compliance with the new BCA requirements cannot be achieved under the approved development. The changes to the BCA necessitate increased slab to slab heights. Correspondence from the BCA consultant ("BCA Logic") confirming the changes to the BCA and that the floor level adjustments are essential to enable compliance with the relevant BCA standards accompany this modification application.*
- *The variation does not result in additional floor space or development density; in fact there is a reduction in the number of units in the building under the proposed modifications. The modified development is compliant with the SLEP 2012 floor space ratio development standard. The variation does not manifest in an overdevelopment of the site.*
- *The protrusion above the 11m height plane does not have a discernible impact on the building appearance in terms of bulk and scale.*
- *The variation to the height does not result in any significant adverse impacts on adjoining properties nor does it compromise or otherwise restrict the future orderly development of the neighbouring land.*
- *No significant adverse planning consequences (shadowing, privacy, visual impact, urban design/streetscape, neighbourhood character) arise from the variation. Rather, in this particular case the variation facilitates a good design outcome in terms of amenity, built form and social dimensions.*
- *The proposed development will sit comfortably in its context in terms of scale, massing and form. The modest variation in height will not be discernible to the casual observer from a streetscape perspective. The development is compatible with nearby developments that have the same 11m height control.*

The development is of a form and scale (including a compliant FSR) that will provide for the housing needs of the community in a manner that is consistent with the medium density housing zoning of the land. The development as proposed to be modified provides a variety of housing types resulting in a unit mix of 5 x 1 bedroom, 21 x 2 bedroom and 2 x 3 bedroom units. All of which exceed the minimum unit size and are an improved layout compared to that of its latest approved layout. Despite its height non-compliance, the development exceeds the minimum solar access and cross ventilation and private open space areas required for the site as per the ADG. This will enable a high level of amenity to be achieved and enjoyed for future occupants of the site.

The streetscape immediately surrounding the subject site is undergoing a state of transition. As shown in Figure 5, there is a distinctive height transition from Marlborough Road (14m), the eastern side of Courallie Avenue (11m) and the western side of Courallie Avenue (9.5m). Marlborough Road comprises a mixture of residential flat buildings on consolidated and single allotments as well as undeveloped detached dwelling houses, similar to the eastern side of Courallie Avenue.

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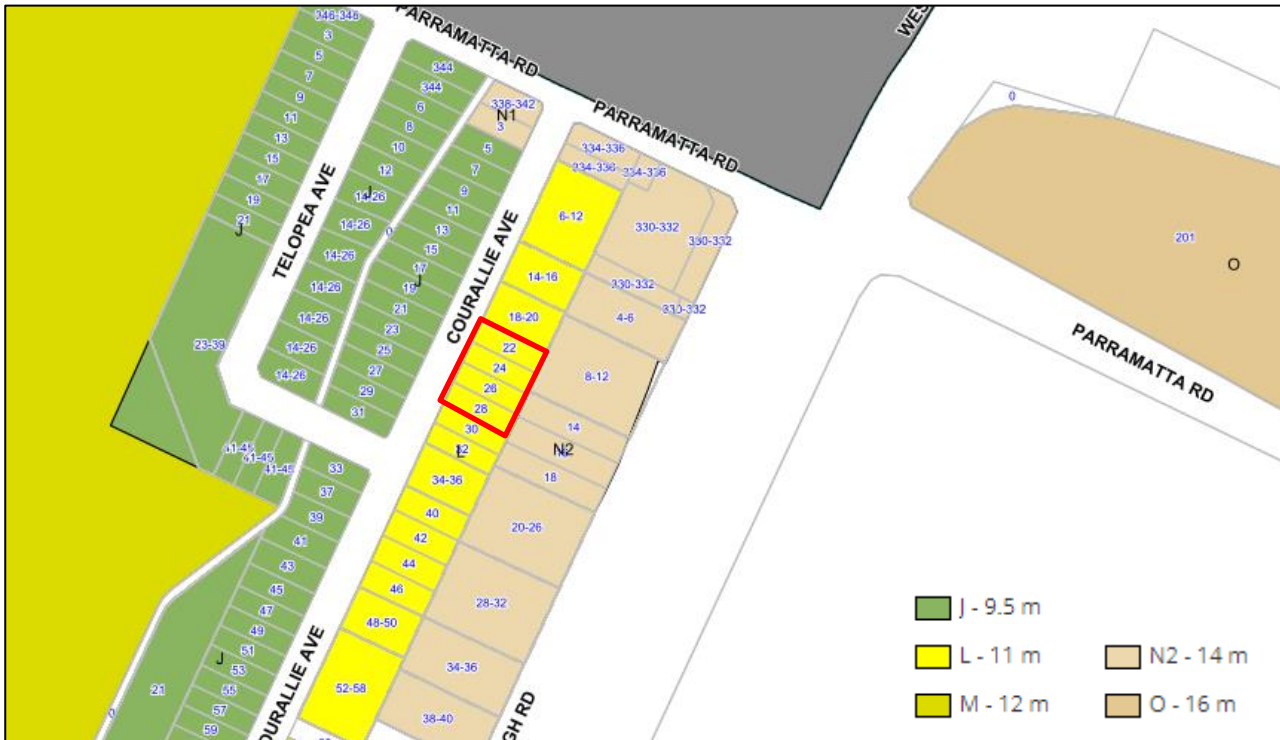


Figure 5: Building height map extract from the SLEP 2012. The subject site is outlined in red.

The subject site comprises four (4) residential allotments. The proposed 12.13m building height presents a 1.13m variation which is confined to the lift overrun which includes an 845mm exceedance above the building height from the internal floor to ceiling height of the top floor of the development. Figures 6 and 7 below depict the 11.75m building height approved under the latest modification application (DA2016/180/01). Figures 8 and 9 below depict the proposed modified building height which demonstrates a further yet modest exceedance beyond the maximum permitted 12m building height. The extent of the height non-compliance is attributed to the sloping nature of the site and the proposed flat roof plane.

The prevailing streetscape scale for residential flat buildings along Courallie Avenue is four (4) storeys. The building envelope of the development has remained relatively unchanged with the top floor continuing to provide a 16.5m setback from Courallie Avenue, a minimum 9.6m side setback to the north, a minimum 10.2m setback to the south and a minimum 6.5m setback to the rear. The top floor plate will therefore not be readily visible from the streetscape.

The proposed building height is consistent in establishing a height transition from Marlborough Road (14m) to the western side of Courallie and Telopea Avenue (9.5m). In regards to the eastern side of Courallie Avenue, the proposed modifications are generally compatible with the building height of residential flat buildings along the eastern side of Courallie Avenue. The extent and scale of the variation is considered to achieve an appropriate height transition from Marlborough Road to the western side of Courallie Avenue as envisaged by the SLEP 2012 (refer to Figure 10).

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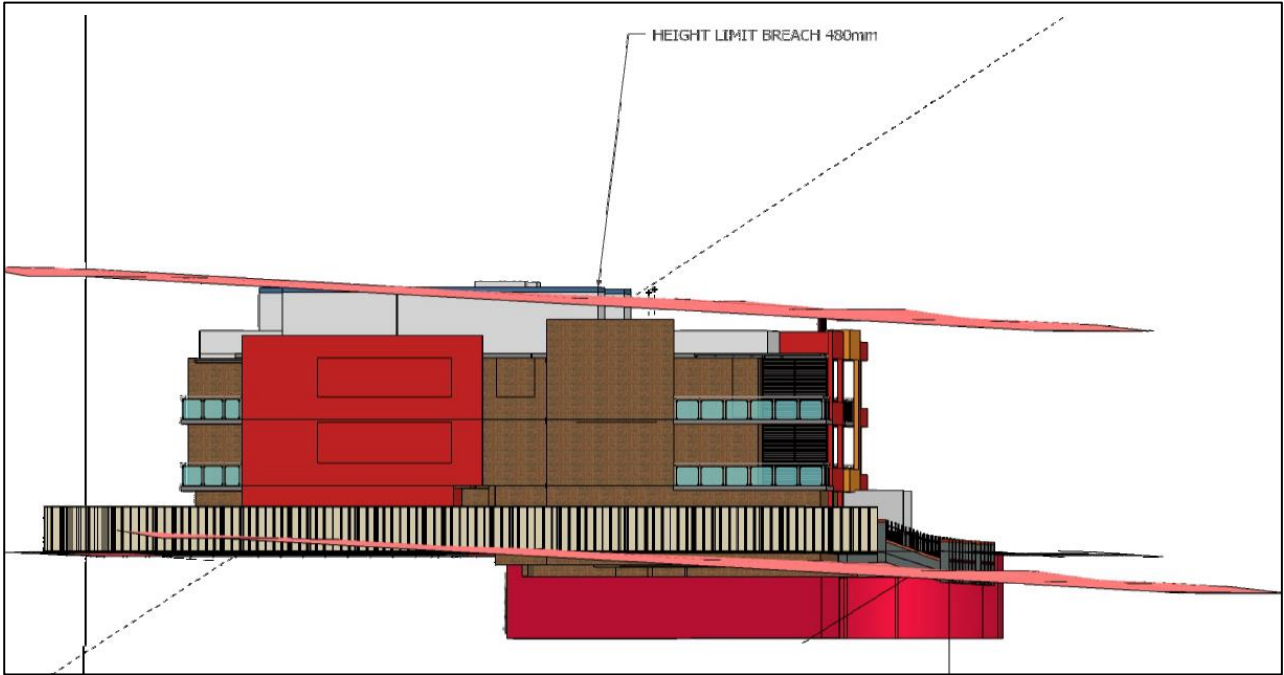


Figure 6: Approved north-eastern view of the areas exceeding the building height standard (DA2016/180/01).

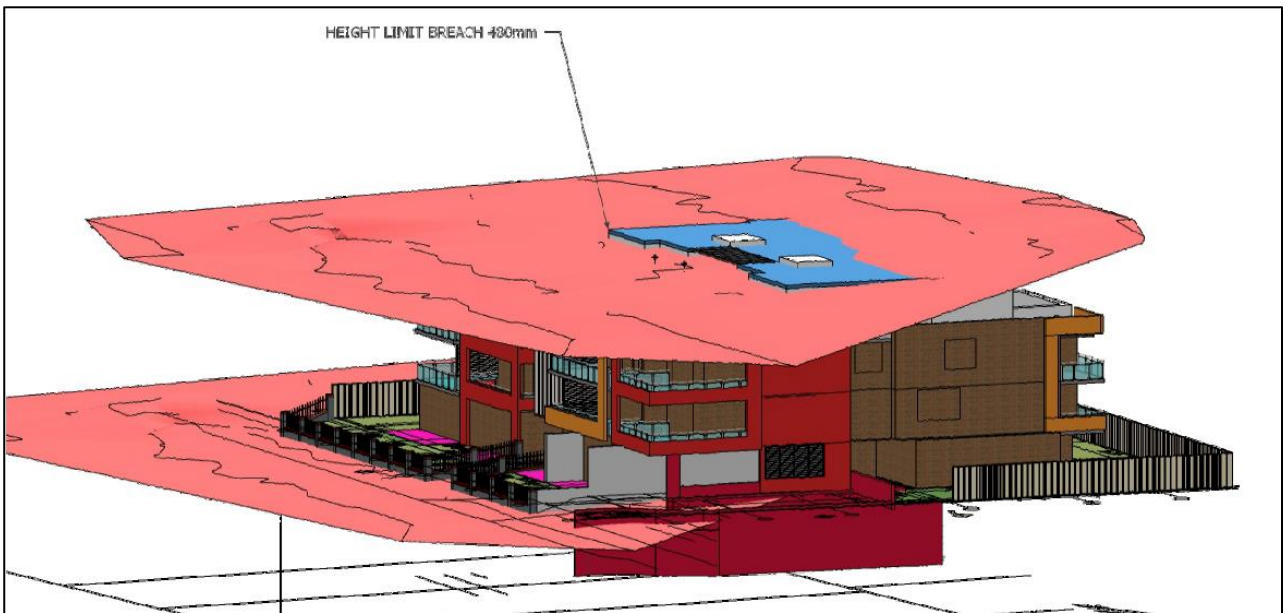


Figure 7: Approved western view of the areas exceeding the building height standard (DA2016/180/01).

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Figure 8: Proposed south-western elevation of development showing exceedance beyond the maximum building height.



Figure 9: Proposed western view of the areas exceeding the proposed building height standard.

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Figure 10: View of the existing dwellings at 22 and 24 Courallie Avenue, existing residential flat building at 18-20 Courallie Avenue and 8-12 Marlborough Road.

On balance, the variation is considered to be well founded and is accordingly supported.

Part 5: Miscellaneous Provisions

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

Part 6: Local Provisions

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

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 modification application.

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

Section	Development Control	Required	Proposed	Compliance
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
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 unit sizes of the ADG 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.	A simple roof structure is provided, diminishing visibility 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.	The blue/grey metal cladding proposed for the uppermost level is compatible with the dark colour tones of the roof tiles of nearby residential flat buildings.	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
		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 through balcony orientation to Courallie Avenue.	Yes
2.9	Private Open	Common open space:	ADG prevails	N/A

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Section	Development Control	Required	Proposed	Compliance
	Space	10% of site or 100m ² (whichever is greater); Min dimensions of 7m.		
	Balconies	Min requirements: <ul style="list-style-type: none"> • 12m² up to 2 bed; and • 15m² 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.	ADG prevails.	N/A
	Energy Efficiency	Achieve required BASIX rating.	An amended BASIX Certificate accompanied the application.	Yes.
2.10	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
		15% of units designed to allow occupation by older people and people with disabilities.	ADG prevails	Yes – subject to conditions.
2.13	Vehicular access and parking	On site parking as follows: 1 space per 1 & 2 bedroom unit. 1.5 spaces per 3 or more bedroom unit. 1 space per 5 units for visitor parking. Vehicular access governed by road safety consideration.	<ul style="list-style-type: none"> • 26 x 1 and 2 bedroom units • 2 x 3 bedroom units. = 29 spaces required 28 units = 6 visitor spaces required TOTAL = 35 (34.6) spaces required Vehicular access remains along southern side boundary of site and meets Australian standards. Good sight lines for traffic safety is provided.	Yes Yes

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

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

Appropriate conditions are included on the original consent to ensure compliance with 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*

Building Height and Streetscape Compatibility

The modification application has sought a minor increase in building height from 11.47m to 12.13m. This is a result of the relatively recent changes to the BCA which were introduced following the approval of the original application. The proposal now requires increased slab to slab thicknesses to accommodate fire sprinklers. This requirement in addition to the sloping nature of the site, has resulted in a further height exceedance beyond which was most recently approved.

The modification has sought the deletion of 3 x 1 bedroom apartments throughout the building within a relatively unchanged building envelope. The modifications thus result in more simplified floor plates which enable a high level of residential amenity to be achieved. The revised unit layouts achieve improved cross ventilation, solar access and internal amenity compared to that of the most recently modified design. The proposed development (whilst presents a further exceedance in building height) will still remain compatible with the form, scale and prevailing building heights of the residential flat buildings upon the eastern side of Courallie Avenue.

As evidenced below and as previously discussed, there are several four (4) storey residential flat developments in the streetscape which provide a height, bulk, form and scale which is commensurate with that of the proposed development (refer to Figures 11,12 and 13).

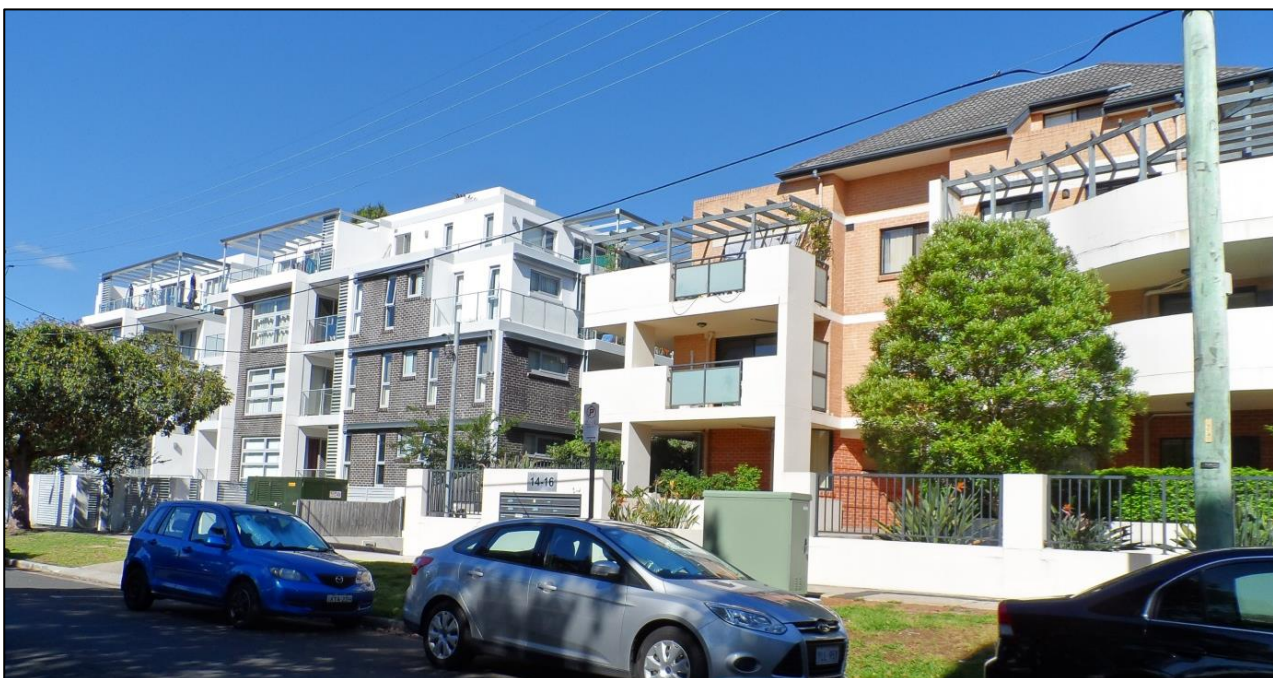


Figure 11: Existing residential flat buildings at No. 6-12 and 14-16 Courallie Avenue.

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Figure 12: 34-36 Courallie Avenue, Homebush West – an approved four (4) storey residential flat building (DA0203/031).



Figure 13: Photomontage of the proposed modified development.

Solar Access

The proposed increase in building height results in a further degree of overshadowing to the southern adjoining property. As referenced in Figures 14 and 15 below, the southern adjoining property at 30 Courallie Avenue will be most affected by the proposed development. Overshadowing impacts to the southern adjoining property will be greatest at 9am whereby the development will cast a shadow over the dwelling with a portion of the rear yard able to receive direct solar access. At 12pm, the entire front yard as well as portions of the rear yard of the dwelling will receive direct solar access. By 3pm, the shadow will move east and the dwelling will receive direct solar access almost to the entire site.

The diagrams below illustrate the proposed degree of overshadowing compared to the degree of overshadowing caused by the original proposal which sought a building height of 12.19m (prior to the imposition of the condition relating to deletion of the top floor).

Whilst the proposal results in an increase in building height from the prior modification, the building height when compared to the original Application will not result in additional overshadowing.

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The latest approved modification application (DA2016/180/01) resulted in an increase side setback to the south from 9.4m to 12m with level 3 appearing heavily recessed from the front building line and further recessed from the front boundary of the site. The proposed modified development has sought to retain the approved building envelope with only a minor increase in building height being sought.

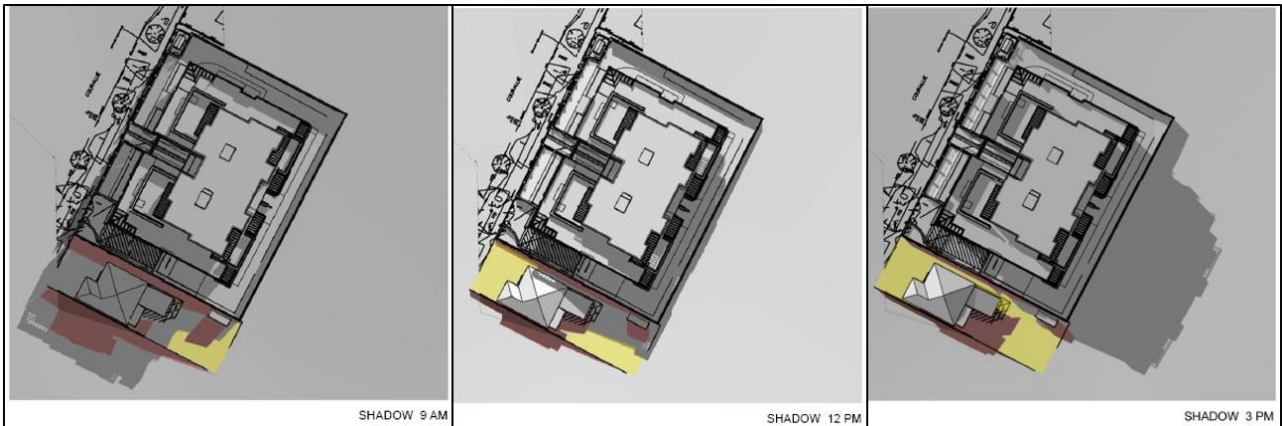


Figure 14: Proposed degree of overshadowing to southern adjoining property.

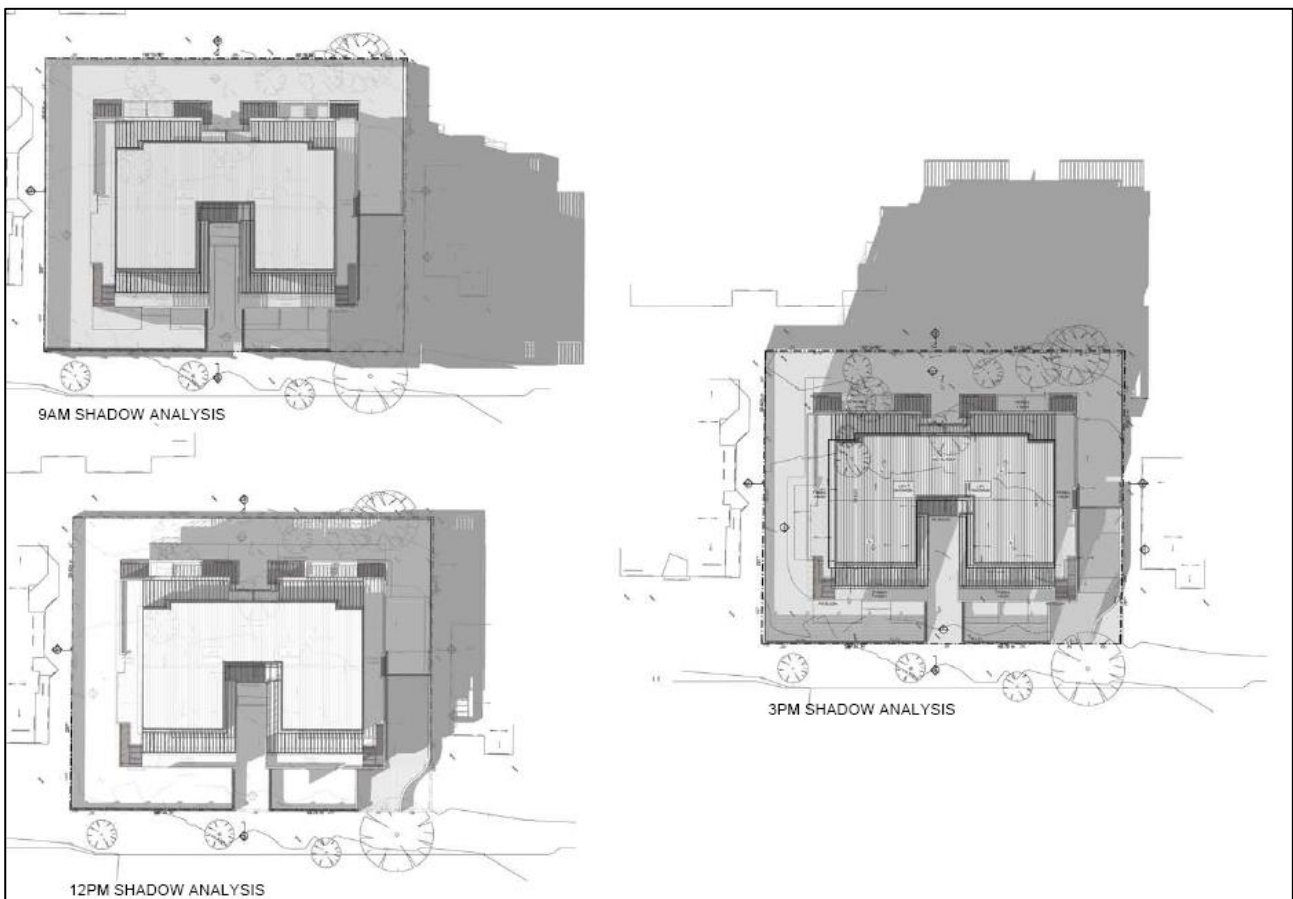


Figure 15: Shadow diagrams submitted as part of the original proposal prior to the deletion of the top floor as required by condition of consent.

Universal Design

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Part 4Q of the ADG requires a minimum 20% of units to achieve silver level universal design requirements for adaptability. The proposal seeks to provide five (5) adaptable units (18%), located on the first, second and third levels of the development. Accordingly, a condition of consent is recommended to ensure a minimum 20% (6) of all units shall achieve silver level universal design requirements for adaptability.

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

The approved development as modified by the current section 4.55 application does not alter the suitability of the development to the 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 SCDP 2005 from 15 January 2020 to 6 February 2020. One (1) submission was received during this time. The matters raised in this submission is discussed in further detail below.

1. Building height – concern is raised that the development should be kept to the maximum building height of 11m. Level 3 should be removed to conform to the guidelines and change the plans to suit the street and be considerate to the neighbours. They can reduce the height to allow more sunlight, reduce the noise and allow privacy for adjoining lot.

Assessing officer's comments: The development's exceedance beyond the maximum building height has been discussed at length in both Part 4 and the likely impacts section of the report. The increased building height is required to comply with BCA requirements. The increase in overall building height is relatively minor and is unlikely to result in adverse impacts beyond which was previously approved under the parent consent.

2. Driveway noise and visibility for pedestrians – concern is raised that there is no visibility for drivers to see pedestrians and that noise and the fumes it generates as there are bedrooms located immediately adjacent the driveway.

Assessing officer's comments: The proposal does not involve any change to the location of the driveway. Conditions of consent were previously imposed under the parent consent to ensure the driveway width, gradient and the like are constructed in accordance with the relevant Australian Standards.

3. Bin location – concern is raised for the location of the bins which have been requested to be moved to from the southern side to the northern side because it is anticipated that the bedrooms of the southern adjoining property will be adversely impacted by the smell.

Assessing officer's comments: The location of the bin collection area has remained unchanged from what was approved under the parent consent. The bin area will remain in an enclosed storage room a minimum 10m from the southern side boundary of the site. This is considered an appropriate distance away from the adjoining property and unlikely to result in adverse impacts.

4. Solar access – concern is raised that the height and reduced from setback will result in sunlight to southern adjoining dwelling. Further, inadequate information has been submitted as part of the application to Council regarding solar access throughout the day.

Assessing officer's comments: As discussed in the likely impacts section of the report, the proposal will inevitably result in a further degree of overshadowing to the southern adjoining property. Overshadowing impacts to the southern adjoining property will be greatest at 9am however by 12pm, the entire front yard as well as portions of the rear yard of the dwelling will receive direct solar access. By 3pm, direct solar access to the adjoining property will be received almost to the

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entire site. The southern adjoining dwelling is therefore capable of receiving a minimum 3 hours direct solar access which is considered acceptable in this instance.

5. Visual Privacy – concern is raised for the proposed wrap-around balconies and windows which align with the southern adjoining property's windows.

Assessing officer's comments: The wrap-around balconies to level 1 and 2 of the development remain unchanged to what was originally approved. The balconies will achieve a minimum 6.4m from the southern side boundary of the site which complies with the requirements of the ADG.

6. Roof Terrace – concern is raised for the roof terrace which is too large and more than 66m² excluding the pebbled area. The roof terrace should be reduced to half its size. The current roof terrace is a terrible design which creates rubbish, noise, parties and no privacy.

Assessing officer's comments: The proposal results in a further increase to the balconies adjoining units 26 and 28 on the third floor. The balconies are to remain for private use only and will be surrounded by a continuous buffer of planters so to enclose the spaces. The balconies are surrounded by non-trafficable pebble finish which will prohibit pedestrian access. The balconies are unlikely to result in adverse privacy impacts to adjoining properties.

7. Front setback – concern is raised that the front setback should at least be to the level of the southern adjoining bedrooms which is 7m from the street. The setback should be the same as the southern adjoining property to allow for privacy, noise control, solar access and have trees to absorb the noise. The design should be built on an angle like the original plans to allow for sunlight to come through and reduce noise.

Assessing officer's comments: The front setback of the building remains unchanged to what was originally approved. This specifically includes retention of the 6m front setback at the ground floor, the 7.9m front setback to level 1 and 2 and the 17.2m setback to the top floor of the development. Furthermore, the side and rear setbacks remain unchanged to what was originally approved. The development does not result in any further opportunities for overlooking or adverse acoustic impacts to adjoining properties. Whilst the proposal will result in a slight increase in overshadowing to the southern adjoining dwelling, the site will still be able to receive a minimum 3 hours solar access which is considered acceptable in this instance.

8. Parking – concern is raised that only (53) parking spaces are proposed for the development which will not adequately accommodate for the (28) units proposed. There is already no parking on the street with issues already prevalent with people parking illegally on the street.

Assessing officer's comments: Section 2.13 of the DCP requires a minimum 35 spaces to be provided for the site which is to include 6 visitor spaces. The proposal continues to provide 53 off-street parking spaces which far exceeds this requirement and is therefore acceptable as proposed.

9. Traffic – concern is raised that trucks, bulldozers and the like will be needed to demolish existing structures on the site and thus increase traffic and making it difficult for residents to access their apartments.

Assessing officer's comments: The demolition and construction phases of the development will be managed via a traffic management plan endorsed by Council. Conditions of consent have also been imposed to restrict the construction hours of the development so to minimise adverse impacts on adjoining residents.

4.15 (1)(e) the public interest

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The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation. The approved development as modified by the current modification application is not contrary to the public interest.

LOCAL INFRASTRUCTURE 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.”*

The proposal results in a modified unit mix including the deletion of three (3) two (2) bedroom units. Accordingly, a revised calculation against the Strathfield Direct Contributions plan 2010-2030 has been conducted as follows:

Provision of Community Facilities	\$49,835.88
Provision of Major Open Space	\$226,738.33
Provision of Local Open Space	\$95,911.69
Provision Roads and Traffic Management	\$10,164.76
Administration	\$5,148.01
TOTAL	\$387,798.67

The revised levies have been included in the modified conditions of consent.

CONCLUSION

The application has been assessed having regard to Section 4.55 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.

PEER REVIEW

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

RECOMMENDATION

Pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, the proposed modification(s) to Development Consent No. 2016/180 to reduce the building height of the residential flat development, configure unit layout on level 3 at 22-28 Courallie Avenue, Homebush be **APPROVED**, subject to:

1. The original conditions of consent of Development Application No. 2017/033 as approved by SIHAP on 4 May 2017 for demolition of existing structures and construction of a four (4) storey residential flat building containing (32) units comprised of eight (8) x 1 bedroom, (20) x 2 bedroom and four (4) x 3 bedroom units over two (2) levels of basement.

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2. As modified by the Section 4.55(2) application (DA2016/180/01) application to modify the building height of the approved residential flat building and reconfigure the unit layout of Level 3 involving:
 - Modify development description to reflect revised unit mix;
 - Modify DAGC001 Approved plans and reference documentation;
 - Include DASP009 Universal Design of units;
 - Modify DAGC005 Building Height; and
 - Modify DACC050 Section 7.11 Contributions

Development Description:

Demolition of existing structures and construction of a four (4) storey residential flat building containing (28) units comprised of five (5) x 1 bedroom, (21) x 2 bedroom and two (2) x 3 bedroom units over two (2) levels of basement.

Special Conditions (DASP)

DASP001 Side Boundary Fence

A 1.8m high solid fence is to be maintained or provided along the southern side boundary of the property to a distance of 2m from the front of the property. A 1m high solid fence is to be provided along the southern side boundary to a distance of 2m from the front of the property.

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

(Reason: To maintain the amenity of adjoining properties)

DASP002 Fencing Damage During Construction

The existing fence along the northern side boundary is to remain in place and be repaired or reinstated as needed after completion of construction to match its condition prior to construction.

(Reason: To ensure any fencing damaged during construction is repaired)

DASP003 Visual Privacy

All windows on the side (north and south) elevations of the building on Levels 1 and 2 are to be either opaque glass to a height of 1.7m from the finished floor level or have external fitted privacy screens. This comprises windows in Units 11, 13, 17, 19, 20, 22, 26 and 28.

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

(Reason: To maintain visual privacy)

DASP004 Visual Privacy

All the balcony edges on the side (north and south) elevations of the building on Levels 1 and 2 are to be fitted with floor to ceiling privacy screens with maximum 25mm apertures (gaps). This comprises the balconies in Units 11, 13, 17, 19, 20, 22, 26 and 28.

Details of the above measures shall be annotated on the plans and submitted to the

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Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**

(Reason: To maintain visual privacy)

DASP005 Balustrades

The glass balustrades at first floor level on the western elevation are to be obscured glass. Details demonstrating compliance shall be submitted to the Principal Certifying Authority and drawings notated accordingly, prior to the issue of the Construction Certificate.

(Reason: To enhance privacy of the units.)

DASP006 Solar Devices

Solar devices are to be introduced to the northern and western sides of the building. Details demonstrating compliance shall be submitted to the Principal Certifying Authority and drawings notated accordingly, prior to the issue of the Construction Certificate.

(Reason: To improve the amenity of the development and achieve compliance with ADG requirements.)

DASP007 is deleted and replaced by the following condition-

DASP007 (CEILING HEIGHTS)

Floor to ceiling heights on each residential level to be a minimum of 2.7metres.

(Reason: to provide reasonable amenity for residents)

DASP008 Road Widening

Prior to the issue of any Occupation Certificate (including any Interim Occupation Certificate) the road carriageway along the western side of the development is to be widened to match the existing kerb line north of 22 Courallie Avenue, Homebush West. Works must be carried out by a suitable contractor in accordance with an approved Works Permit at no cost to Council.

(Reason: To provide adequate vehicular access.)

DASP009 Universal Design

A minimum of 20% (6) of all units shall achieve silver level universal design requirements for adaptability. Details demonstrating compliance with this requirement shall be prepared and submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.

(Reason: to provide adaptable units)

MODIFIED: SLPP 5 March 2020 - DA2016/180/03

General Conditions (DAGC)

DAGC001 Approved plans and reference documentation

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

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Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2016/180:

<i>Drawing No.</i>	<i>Title/Description</i>	<i>Prepared by</i>	<i>Issue / Revision & Date</i>	<i>Date received by Council</i>
1001	Basement 2 Floor Plan	Moderinn Pty Ltd	C	7 February 2017
1002	Basement 1 Floor Plan	Moderinn Pty Ltd	D	7 February 2017
1003	Ground Floor Plan	Moderinn Pty Ltd	D	7 February 2017
S4.55 - 1004	Level 1 & 2 Floor Plan	Moderinn Pty Ltd	A	6 December 2016
S4.55 - 1005	Level 3 Floor Plan	Moderinn Pty Ltd	B	23 October 2018
S4.55 - 1006	Roof/Site Plan	Moderinn Pty Ltd	B	23 October 2018
S4.55 - 1007	Adaptable Floor Plan	Moderinn Pty Ltd	B	23 October 2018
S4.55 - 1008	Elevations 1	Moderinn Pty Ltd	B	23 October 2018
S4.55 - 1009	Elevations 2	Moderinn Pty Ltd	B	23 October 2018
S4.55 - 1010	Sections	Moderinn Pty Ltd	A	23 October 2018
S4.55_1001	Basement 2 Floor Plan	Moderinn Pty Ltd	E	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1002	Basement 1 Floor Plan	Moderinn Pty Ltd	C	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1003	Ground Floor Plan	Moderinn Pty Ltd	I	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1004	Level 1 & 2 Floor Plan	Moderinn Pty Ltd	H	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1005	Level 3 Floor Plan	Moderinn Pty Ltd	H	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55-1006	Roof Plan	Moderinn Pty Ltd	D	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1007	Adaptable Units Floor Plan	Moderinn Pty Ltd	C	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1008	Elevations 1	Moderinn Pty Ltd	H	11 December

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				2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1009	Elevations 2	Moderinn Pty Ltd	H	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_1010	Sections	Moderinn Pty Ltd	I	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_5000	Finishes Schedule	Moderinn Pty Ltd	A	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_DP1	Demolition Plan 1	Moderinn Pty Ltd	A	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_DP2	Demolition Plan 2	Moderinn Pty Ltd	B	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_DP3	Demolition Plan 3	Moderinn Pty Ltd	B	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
C01 (sheet 1)	Concept Stormwater Drainage	Development Engineering Solutions	Revision 05	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
C02 (sheet 2)	Concept Stormwater Drainage	Development Engineering Solutions	Revision 05	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
C03 (sheet 3)	Sedimentation & Erosion Control	Development Engineering Solutions	Issue B	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
C04 (sheet 4)	Concept Stormwater Drainage	Development Engineering	Revision 05	11 December 2019

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		Solutions		MODIFIED: 5 March 2020 (DA2016/180/03)
S4.55_WMP	Waste Management Plan	Moderinn Pty Ltd	B	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
5000	Finishes Schedule	Moderinn Pty Ltd	A	6 December 2016
DP	Demolition Plan	Moderinn Pty Ltd	A	6 December 2016
LPDA17-029 Page 1	Landscape Plan	Conzept	July 2016	6 December 2016
LPDA17-029 Page 2	Specification & Detail	Conzept	July 2016	6 December 2016

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2016/180:

<i>Title / Description</i>	<i>Prepared by</i>	<i>Issue/Revision & Date</i>	<i>Date received by Council</i>
Waste Management Plan	Moderinn Pty Ltd	Issue B dated Oct 2019	7 February 2017
Work Method Statement	Moderinn Pty Ltd	Issue A	7 February 2017
BASIX Certificate	No. 754782M_07	Issued 22 October 2018	23 October 2018
BASIX Certificate	No. 754782M_08	Issued 9 December 2019	22 January 2020 MODIFIED: 5 March 2020 (DA2016/180/03)
Acoustic Assessment	SLR Global Environmental Solutions	V.10 / 14 September 2016	6 December 2016
Geotechnical Investigation Report	Alliance Geotechnical	14 July 2016	6 December 2016
Arboricultural Assessment	Arboreport	9 September 2016	6 December 2016
BCA Report	BCA Logic	4 December 2019	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
Stage 2 Environmental Assessment	Alliance Geotechnical	11 July 2016	6 December 2016
Access Report	Accessible Building Solutions	21 November 2019	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)
Traffic and Parking Assessment Report	Varga Traffic Planning	10 December 2019	11 December 2019 MODIFIED: 5 March 2020 (DA2016/180/03)

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

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

MODIFIED: SLPP 5 March 2020 - DA2016/180/03

DAGC005 Building height (maximum RL to be complied with) The height of the building measured to Australian Height Datum (AHD) must not exceed Relative Level (RL) 24.4AHD.

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

MODIFIED: SLPP 5 March 2020 - DA2016/180/03

DAGC007 Construction hours

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

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

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

(Reason: To maintain amenity to adjoining land owners)

DAGC008 Construction within boundaries

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

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

DAGC009 Demolition (generally)

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

(Reason: To ensure compliance with the approved development)

DAGC011 Demolition (site safety fencing)

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

If applicable, a separate Hoarding Application for the erection of an A class (fence

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type) or B class (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained including:

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

(Reasons: Statutory requirement and health and safety)

DAGC017 Landscaping (irrigation of common and private landscape areas)

All common and private landscape areas including all planters 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)

DAGC021 Lighting

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

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

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

DAGC022 Materials (external materials and reflectivity)

All external materials, colours and finishes including windows and doors and roofing materials must be of high quality and compatible with those of the surrounding streetscape and locality. All external materials and colours shall be of low glare and reflectivity. Details demonstrating compliance with this condition shall be provided to the Principal Certifying Authority, prior to the issue of any Construction Certificate.

(Reason: To ensure a positive contribution to the streetscape and to minimise excessive glare and reflectivity)

DAGC023 Materials (schedule of external materials, finishes and colours)

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

(Reason: To ensure compliance with this consent)

DAGC024 Principal certifying authority (PCA) identification sign

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

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- (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)

DAGC025 Privacy (screen planting to side and rear boundaries)

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

(Reason: To maintain privacy amenity to neighbouring residences)

DAGC027 Site management (during demolition and construction works)

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

- (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

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the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.

- (xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- (xiv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- (xv) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- (xvi) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- (xvii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- (xviii) Any work must not prohibit or divert any natural overland flow of water.
- (xix) Toilet facilities for employees must be provided in accordance with WorkCover NSW.
- (xx) Protection pads are to be installed to the kerb and gutter where trucks and vehicles enter the site.

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

DAGC028 Stormwater management plan (certification requirement)

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

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

DAGC029 Sydney water (stamped plans prior to commencement)

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

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

(Reason: Compliance with Sydney Water requirements)

DAGC030 Utilities and services (protection of)

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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)

DAGC031 Waste (trackable)

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

Reason: To ensure compliance with legislation)

Conditions to be satisfied prior to the issue of a Construction Certificate (DACC)**DACC001 Access (access for people with disabilities)**

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the *Disability Discrimination Act 1992*. 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)

DACC007 BASIX commitments

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

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

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

(Reason: Statutory compliance)

DACC008 Bicycle storage provision

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 SDCDP 2005 and to encourage sustainable transport options)

DACC010 Building code of Australia (compliance with)

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

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

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)

DACC011 Car parking (basement car parking requirements)

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

- (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)

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DACC012 Car parking (disabled car parking spaces)

6 (5 for residents and 1 for visitors) of the car parking spaces provided as part of the total requirement shall be reserved for disabled persons. These spaces shall be a minimum of 3.2m wide x 5.5m long and located near pedestrian access routes designed for disabled persons. Each space shall be clearly marked as such.

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

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

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

DACC013 Car parking

The following car parking and service vehicle requirements apply:-

- (i) 53 car spaces shall be provided on the development site. This shall consist of:
 - 1 car wash bay
 - 45 residential spaces (including 5 disabled);
 - 7 visitor spaces (including 1 disabled);
- (i) All car spaces shall be allocated and marked according to this requirement.
- (ii) Under no circumstances shall parking spaces be sold, let or otherwise disposed of for use other than in accordance with this condition.
- (iii) 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.
- (iv) The parking bays shall be delineated by line marking.
- (v) 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.
- (vi) The following traffic control measures shall be implemented on site:-
 - Signage indicating 'Entry Only' shall be prominently displayed at the entrance to the development.
 - Signage indicating 'Exit Only' shall be prominently displayed at the exit to the development.
 - One-Way directional arrows shall be painted on the driveway pavement to indicate the required vehicular directional movement through the car parking area.

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

(Reason: To ensure car parking provision in accordance with this consent)

DACC015 Car parking (vehicular access ramps)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to

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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)

DACC016 Car parking (compliance with AS/NZS 2890.1:2004)

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

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

DACC017 Car parking (vehicular circulation, aisle and ramp widths)

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

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

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

DACC019 Commencement of works (no works until a CC is obtained)

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

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

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(Reason: To ensure compliance with statutory provisions)

DACC020 Construction and environmental management plan

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

- (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.
- (i) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- (ii) 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.
- (iii) Asbestos management procedures:
 - Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project

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must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:

- The Work Health and Safety Act 2011;
- The Work Health and Safety Regulation 2011;
- How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
- Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
- The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These 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)

DACC021 Dilapidation report (pre-commencement)

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

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

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

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person

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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)

DACC022 Driveway width (multi-unit development)

The internal driveway must be a minimum 5.50m wide (clear width) for the first 6 metres inside the property so as to allow entering & exiting vehicles to pass within the site. Should the driveway narrow after this point it is then to be designed with a minimum 1.5m x 1.5m splay to allow the passing to work. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior the issue of a Construction Certificate.

(Reason: Safety and traffic management)

DACC023 Driveway design (speed hump and stop sign on exit)

The applicant shall install a stop sign and a speed hump at the exit from the site. The stop sign must be accompanied by the associated line marking and the speed hump shall be set back by 1.5 metres from the boundary alignment. The devices shall be designed and constructed in accordance with the provision of all relevant Australian Standards. The building plans shall indicate compliance with this requirement, prior to the issue of a Construction Certificate.

(Reason: Traffic safety and management)

DACC024 Erosion and sedimentation control plan

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.

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(Reason: Environmental protection)

DACC025 Excavation (affecting adjoining land)

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

- (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)

DAGC026 Excavation (dewatering)

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

- (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)

DAGC027 Excavation (shoring)

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

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

DACC036 Hoardings

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

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

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

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

(Reason: Public safety)

DACC038 Landscaping (maintenance strategy)

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

(Reason: Ensure landscape survival)

DACC039 Landscaping (on slab)

To ensure the site landscaping thrives, the on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees; and 300mm for grass and ground covers. Adequate drainage provision and a permanent, automatic irrigation system conforming to Sydney Water requirements shall be included. Details demonstrating compliance shall be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: Ensure landscape survival)

DACC040A Landscaping – Trees for retention

The trees listed below shall be retained at all times:

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>	<u>Protection Zone (m)</u>	<u>Structural Root Zone (m)</u>
Tristanopsis laurina (Water Gum)	6m x 7m	Nature strip	2.9m	2.0m

and protected by the establishment of a **protection zone** (in accordance with Australian

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Standard AS4970-*Protection of trees on development sites*) before any site works begin (including any demolition/excavation). The protection zone shall be maintained for the duration of works and implemented as follows:

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-*Temporary fencing and hoardings* for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
- (b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS4970-2009: *Protection of Trees on Development Sites*.
- (c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- (d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- (e) The tree protection zone shall be regularly watered.
- (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- (g) **No excavation or construction shall be carried out** within the stated *Structural Root Zone* distances from the base of the trunk surface.
- (h) Only permeable surfaces (e.g. decomposed granite, gravel, turf pave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

DACC040B Landscaping – Trees for removal

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

<u>Tree</u>	<u>Height/ Spread (m)</u>	<u>Location</u>
Plumeria rubra (Frangipani)	8m x 5m	Within development footprint
Lagerstroemia indica (Crepe Myrtle)	9m x 4m	Within development footprint
Lophostemon confertus (Brush Box)	7m x 10m	Within development footprint

DACC042 Noise and vibration management plan

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

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

- (i) Identification of activities carried out and associated noise sources;
- (ii) Identification of potentially affected sensitive receivers, including residences,

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- churches, commercial premises, schools and properties containing noise sensitive equipment;
- (iii) Determination of appropriate noise and vibration objectives for each identified sensitive receiver;
- (iv) Noise and vibration monitoring, reporting and response procedures;
- (v) Assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- (vi) Description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- (vii) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
- (viii) Procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- (ix) Contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

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

DACC045 Privacy (obscure glazing in wet areas)

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

(Reason: Privacy amenity)

DACC050 Section 7.11 contributions (direct contributions plan)

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	\$49,835.88
Provision of Major Open Space	\$226,738.33
Provision of Local Open Space	\$95,911.69
Provision Roads and Traffic Management	\$10,164.76
Administration	\$5,148.01
TOTAL	\$387,798.67

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

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

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

Note: A copy of Strathfield Council's Section 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

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consequence of increased demand resulting from the development)

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DACC052 Security payment (damage deposit for council infrastructure)

A security payment of **\$5,254.00** in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council prior to the issue of a Construction Certificate. The security payment is GST inclusive and comprises the following:

Refundable tree protection bond	\$1,000.00
Refundable works bond	\$4,000.00
<u>Non-refundable administration fee (\$127/bond)</u>	<u>\$254.00</u>
TOTAL	\$5,254.00

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

- (i) Road and stormwater drainage works in roadways and public areas;
- (ii) Installation and maintenance of sediment control measures for the duration of construction activities;
- (iii) Tree final inspection to ensure that Council's street trees have been retained, protected or replanted in accordance with conditions of consent and/or Arborists' report for the post final inspection twelve (12) month period; and
- (iv) Inspection that no damage has occurred to or building debris/materials have been left on Council land including the footpath, nature strip, kerb and gutter.

Note: The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.

(Reason: Protection of Council infrastructure)

DACC053 Stormwater (rainwater re-use)

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

(Reason: Compliance and amenity)

DACC054 Stormwater (silt arrestors and gross pollutant traps)

Silt and gross pollutant traps shall be fitted in all new stormwater pits and designed in accordance with Council's specification for the management of stormwater. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Environmental protection)

DACC059 Works permit

A Works Permit shall be obtained from Strathfield Council at least five (5) working days prior any work (including demolition, excavation and the erection of site fencing/hording). The

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approved Works Permit and any approved Construction Traffic Management Plan must be complied with at all times until all demolition, building, engineering and construction work associated with the development has been completed. The permit must be retained on site at all times.

(Reason: Council requirement)

DACC060 Works (within the road reserve)

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

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

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

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

All civil engineering works adjacent/near/outside 22-28 Courallie Avenue are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

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

DACC061 Traffic (construction traffic management plan)

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

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

- (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;

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- (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)

DACC062 Utilities and telecommunications (electricity connection)

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

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

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

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

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

(Reason: Environmental amenity)

DACC063 Utilities and telecommunications (electricity substation)

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

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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)

DACC064 Utilities and telecommunications (telecommunications assets)

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

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

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

DACC065 Vehicular crossings (works permit for construction of)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved)

DACC066 Ventilation systems (mechanical)

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).

DACC067 Waste Management Plan

The approved Waste Management Plan (WMP) is to be implemented during demolition, construction and on-going use of the premises.

(Reason: To ensure appropriate management of waste)

DACC069 Waste (garbage rooms or grease arrestor rooms)

Garbage rooms or grease arrestor rooms must be constructed of solid material: cement

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

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

DACC071 Water sustainability (generally)

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

- (i) Toilet flushing;
- (ii) Clothes washing;
- (iii) Garden irrigation;
- (iv) Car washing and similar outdoor uses;
- (v) Filling swimming pools, spa pools and ornamental ponds; and
- (vi) Fire fighting.

(Reason: To promote sustainable water management practices)

DACC072 Water heating systems (location of)

Water heating systems shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To maintain streetscape character)

DACC073 Works zone (approval by council's traffic committee)

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

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

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

(Reason: Council requirement)

Conditions to be satisfied prior to the commencement of works (DAPC)

DAPC001 Appointment of a Principal Certifying Authority

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

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- (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)

DAPC002Home building compensation fund

No residential building work within the meaning of the *Home Building Act 1989* may commence until:

- (i) A contract of insurance in accordance with Part 6 of the Home Building Act 1989 is entered into and in force, where such a contract is required under that Act (this is a prescribed condition of consent pursuant to clause 981(b) *Environmental Planning and Assessment Regulation 2000*).
- (ii) The PCA is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the Home Building Act 1989 (unless the work is to be carried out by an owner-builder).
- (iii) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner-builder permit required under the *Home Building Act 1989*.
- (iv) Written notice of the following information has been provided to Council (this is a prescribed condition of consent pursuant to clause 98B of the *Environmental Planning*

DA2016/180/03 - 22-28 Courallie Avenue, Homebush West
Lots 11-14 DP 11427 (Cont'd)

and Assessment Regulation 2000):

- In the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of the *Home Building Act 1989*.
- In the case of work to be done by an owner-builder:
 - the name of the owner-builder; and
 - if the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permits.

Where Council is not the PCA, the PCA is responsible for notifying Council of the above matters.

Note: Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the PCA (where not the Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement)

DAPC003 Notice of commencement

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 (DADW)

DADW001 Contaminated land unexpected finds

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

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

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

(Reason: To ensure compliance with statutory requirements)

DADW002 Fill material

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

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Lots 11-14 DP 11427 (Cont'd)**

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

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

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

DADW006 Obstruction of public way (not permitted during works)

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

(Reason: To maintain public access and safety)

DADW007 Public infrastructure and services

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

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

DADW010 Site requirements during demolition and construction

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

- (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

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Lots 11-14 DP 11427 (Cont'd)**

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

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

DADW011 Survey report of approved levels (during and post construction)

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

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

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

(Reason: To ensure compliance with the approved plans)

Conditions to be satisfied prior to the issue of an Occupation Certificate (DAOC)

DAOC003 Car parking (surplus vehicular crossings)

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

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Lots 11-14 DP 11427 (Cont'd)

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)

DAOC004 Car parking (visitor car parking signage)

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

(Reason: Adequate access and egress)

DAOC006 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)

DAOC007 Fire Safety (certification)

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

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

- (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.

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

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

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

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

(Reason: Fire safety and statutory requirement)

DAOC011 Landscaping (arborist's follow up report of tree/s to be retained)

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, 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)

DAOC013 Occupation of building

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

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

- (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)

DAOC014 RAINWATER TANKS

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

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Lots 11-14 DP 11427 (Cont'd)

- (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)

DAOC017 Stormwater (certification of the constructed drainage system)

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

(Reason: Adequate stormwater management)

DAOC018 Stormwater (covenant and restriction as to user for stormwater controlled systems)

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E of the Conveyancing Act shall be created on the title of the property detailing the :

- (a) On-site stormwater 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)

DAOC019 Subdivision (evidence of consolidation)

The existing allotments shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered as a deposited plan with the Land and Property Information Office must be submitted to Council, prior to occupation of the site.

(Reason: Proper management of land)

DAOC021 Ventilation systems (mechanical)

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

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Lots 11-14 DP 11427 (Cont'd)

(iii) Australian Standard AS1668-1991.

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

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

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

DAOC022 Ventilation systems (natural)

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

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

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

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

Conditions to be satisfied prior to the issue of a Subdivision Certificate (DASC)

DASC005 Separate application (for strata subdivision)

This consent does not imply approval to create a separate title, by subdivision or otherwise. Should it be intended to subdivide the approved development into strata title allotments, Council will require the lodgement of a separate development application for consideration.

(Reason: To ensure compliance with the consent)

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

DAOU006 Fire Safety (annual statement)

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

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

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

(Reason: Fire safety)

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Lots 11-14 DP 11427 (Cont'd)

DAOU019 Noise (compliance with acoustic assessment report)

All recommendations contained in the approved Acoustic Assessment Report prepared by SLR Consulting dated 14 September 2016 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)

DAOU036 Visitor parking restriction

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)

DAOU037 Waste and recycling (collection hours)

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

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

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

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

(Reason: To regulate noise and garbage collection arrangements)

ATTACHMENTS

1. [Architectural Plans](#)

22-28 COURALLIE AVENUE, HOMEBUSH WEST

DRAWING LIST:

S4.55 - 100 COVER PAGE	S4.55 - 2000 SHADOW ANALYSIS 1
S4.55 - 101 SITE CONTEXT/ANALYSIS	S4.55 - 2001 SHADOW ANALYSIS 2
S4.55 - 102 ANALYSIS DIAGRAMS	S4.55 - 3000 PERSPECTIVE
S4.55 - 1001 BASEMENT 2 FLOOR PLAN	S4.55 - 3001 PERSPECTIVE 1
S4.55 - 1002 BASEMENT 1 FLOOR PLAN	S4.55 - 4000 CROSS VENTILATION DIAGRAM
S4.55 - 1003 GROUND FLOOR PLAN	S4.55 - 4001 SOLAR ACCESS DIAGRAM
S4.55 - 1004 LEVEL 1 & 2 FLOOR PLAN	S4.55 - 4002 HEIGHT CONTROL
S4.55 - 1005 LEVEL 3 FLOOR PLAN	S4.55 - 5000 FINISHES SCHEDULE
S4.55 - 1006 ROOF PLAN	S4.55 - WMP WASTE MANAGEMENT PLAN
S4.55 - 1007 ADAPTABLE FLOOR PLAN	S4.55 - DP1 DEMOLITION PLAN 1
S4.55 - 1008 ELEVATIONS 1	S4.55 - DP2 DEMOLITION PLAN 2
S4.55 - 1009 ELEVATIONS 2	S4.55 - DP3 DEMOLITION PLAN 3
S4.55 - 1010 SECTIONS	
S4.55 - 1011 AREA CALCULATION PLAN	

EXISTING	PROPOSED
SITE AREA: 1,932 m ²	FLOOR SPACE RATIO: 1.2 : 1
FLOOR SPACE RATIO: 1.2 : 1	GROSS FLOOR AREA: 2,318.4 m ²
MAXIMUM FLOOR AREA: 2,318.4 m ²	

LEVEL	UNIT NO.	NO. OF BEDROOMS	FLOOR AREA	BALCONY AREA	LOBBY AREA	ASPECT	CAR PARKING	SUN LIGHT ACCESS TO LIVING AREAS & PRIVATE OPEN SPACE (15% MINIMUM FOR 3 HOURS BETWEEN 9AM AND 3PM A.M.E. E.V.)	NATURAL VENTILATION (100% FOR ALL HABITABLE ROOMS)
G	1	1	80 m ²	15 m ²	47.2 m ²	EAST UNIT	1	YES	YES
	2	2	82.3 m ²	35 m ²		EAST UNIT	1.5	YES	NO
	3	1	53 m ²	21 m ²		NORTH UNIT	1	YES	NO
	4	2	78.5 m ²	23 m ²		NORTH UNIT	1.5	YES	YES
	5	1	50 m ²	15 m ²		WEST UNIT	1	YES	YES
	6	2	82.3 m ²	35 m ²		EAST UNIT	1.5	NO	YES
	7	2	75.2 m ²	15 m ²		SOUTH UNIT	1.5	YES	NO
	8	1	50 m ²	15 m ²		SOUTH UNIT	1	NO	YES
	9	1	50 m ²	16 m ²		WEST UNIT	1	NO	NO
1	10	2	80 m ²	10 m ²	21.2 m ²	EAST UNIT	1.5	YES	YES
	11	2	83 m ²	20 m ²		EAST UNIT	1.5	YES	YES
	12	2	83 m ²	20 m ²		NORTH UNIT	1.5	YES	YES
	13	2	80 m ²	10 m ²		WEST UNIT	1.5	YES	YES
	14	2	78 m ²	23 m ²		WEST UNIT	1.5	NO	NO
	15	2	78 m ²	21 m ²		SOUTH UNIT	1.5	YES	YES
	16	2	78 m ²	21 m ²		SOUTH UNIT	1.5	NO	YES
	17	2	79 m ²	23 m ²		WEST UNIT	1.5	YES	YES
	2	18	2	80 m ²		10 m ²	21.2 m ²	EAST UNIT	1.5
19		2	83 m ²	20 m ²	EAST UNIT	1.5		YES	YES
20		2	83 m ²	20 m ²	NORTH UNIT	1.5		YES	YES
21		2	80 m ²	10 m ²	WEST UNIT	1.5		YES	YES
22		2	78 m ²	23 m ²	WEST UNIT	1.5		NO	NO
23		2	78 m ²	21 m ²	SOUTH UNIT	1.5		YES	YES
24		2	78 m ²	21 m ²	SOUTH UNIT	1.5		NO	YES
25		2	79 m ²	23 m ²	WEST UNIT	1.5		YES	YES
3		26	3	109.5 m ²	85.5 m ²	12.5 m ²		EAST UNIT	2
	27	2	94 m ²	15 m ²	SOUTH UNIT		1.5	YES	YES
	28	3	100.2 m ²	86.6 m ²	NORTH UNIT		2	YES	YES
TOTAL			2180 m ²		102.1 m ²		40.5	21 OF 28 (75%)	22 OF 28 (78.57%)

TOTAL PROPOSED FLOOR SPACE AREA (FLOOR AREA + LOBBY AREA) = 2275.9 m²
FLOOR SPACE RATIO = 1.178:1

SUMMARY

RESIDENTIAL UNITS

UNIT TYPE	TOTAL NUMBER OF UNITS	PERCENTAGE	CAR PARKING
1 BEDROOM	5	17.8%	@1 5
2 BEDROOM	21	75%	@1.5 31.5
3 BEDROOM	2	7.2%	@2 4
TOTAL	28	100%	(DISABLED = 5 (incl.) SUBTOTAL = 46 VISITOR 6.4 = 7 TOTAL = 53)

TOTAL LANDSCAPE AREA 966 m² (50% OF SITE AREA)
70.39% (680m²) OF LANDSCAPED AREA IS SOFT SOIL
TOTAL DEEP SOIL AREA 525 m² (54.34% OF TOTAL LANDSCAPE AREA)
TOTAL C.O.S AREA 580 m² (30% OF TOTAL SITE AREA)

BICYCLE PARKING PROVIDED : 7

APARTMENT SIZES

1 BED ROOM APARTMENT 50 m² MIN
2 BED ROOM APARTMENT 70 m² MIN
3 BED ROOM APARTMENT 90 m² MIN

BALCONY SIZES

ALL BALCONIES TO HAVE MIN DEPTH OF 2.0 METRES
1 BED ROOM APARTMENT 10 m² MIN
2 BED ROOM APARTMENT 12 m² MIN
3 BED ROOM APARTMENT 15 m² MIN

CEILING HEIGHT

2.7 METRES MINIMUM CEILING HEIGHT FOR ALL HABITABLE ROOMS ON ALL RESIDENTIAL FLOORS
2.4 METRES MINIMUM CEILING HEIGHT FOR ALL NON-HABITABLE ROOMS ALTHOUGH 2.25 METRES IS PERMITTED

DAY LIGHT ACCESS

THE PROPOSAL PROVIDES 24 OF 28 RESIDENTIAL APARTMENTS 85.7% OF APARTMENTS RECEIVE IN EXCESS OF 3 HOURS SUNLIGHT ON THE WINTER SOLSTICE.

NATURAL VENTILATION

THE PROPOSAL PROVIDES 26 OF 28 RESIDENTIAL APARTMENTS 92.85% OF APARTMENTS ARE NATURALLY CROSS VENTILATED.

ADAPTABLE UNITS FOR RESIDENTIAL APARTMENTS: 15% (5 UNITS)

OF THE TOTAL UNITS TO BE ADAPTABLE
FIRST FLOOR: UNIT 19 & 18
SECOND FLOOR: UNIT 13 & 21
THIRD FLOOR: UNIT 38



Basix Building Fabric Requirements (22-28 Courallie Ave, Homebush)

Element	Material Type	Detail
External walls	Cavity Brick + R1.5 Insulation + PB	Medium colour
Internal walls	Plasterboard on studs	Intra-tenancy walls
Windows	Double brick	Inter-tenancy walls
	ALM-002-01 A Aluminium B SG Clear	NFRC Glazing System values: => U ≤ 6.70 and SHGC = 0.70 (± 5%)
Skylights	N/A	
Downlights	Unsealed	
Floor	Concrete slab	Tile (kitchen, wet & living areas)
		Timber (bedrooms)
Ceiling	Plasterboard + R2.5 Insulation (top level)	
Roof	Concrete + Foil	Medium colour

STRATHFIELD COUNCIL
RECEIVED

DA2016/180/03
11 December 2019

NATIONWIDE HOUSE ENERGY RATING
7.1 Average star rating
www.nathers.gov.au

Certificate no.: 0004398100
Assessor Name: Hamidul islam
Accreditation no.: 100982
Certificate date: 28 November 2019
Dwelling Address: 22-28 Courallie Ave Homebush, NSW 2140
www.nathers.gov.au



NOTES:

THIS ARCHITECTURAL PLAN IS TO BE READ IN CONJUNCTION WITH OTHER CONSULTANTS' DRAWINGS/WORKS REFER TO ENGINEER'S DRAWINGS FOR ON SITE DETENTION BASINS & OSD TANK DETAILS, SUMPS AND PITS LOCATION REFER TO LANDSCAPE ARCHITECT DRAWINGS FOR PLANT SCHEDULE, PLANTING DETAILS AND OTHER LANDSCAPING DETAILS

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ISSUE	DATE
A PRELIMINARY	22/10/19
B PRELIMINARY	21/11/19
C PRELIMINARY	02/12/19
D SECTION 4.55	09/12/19

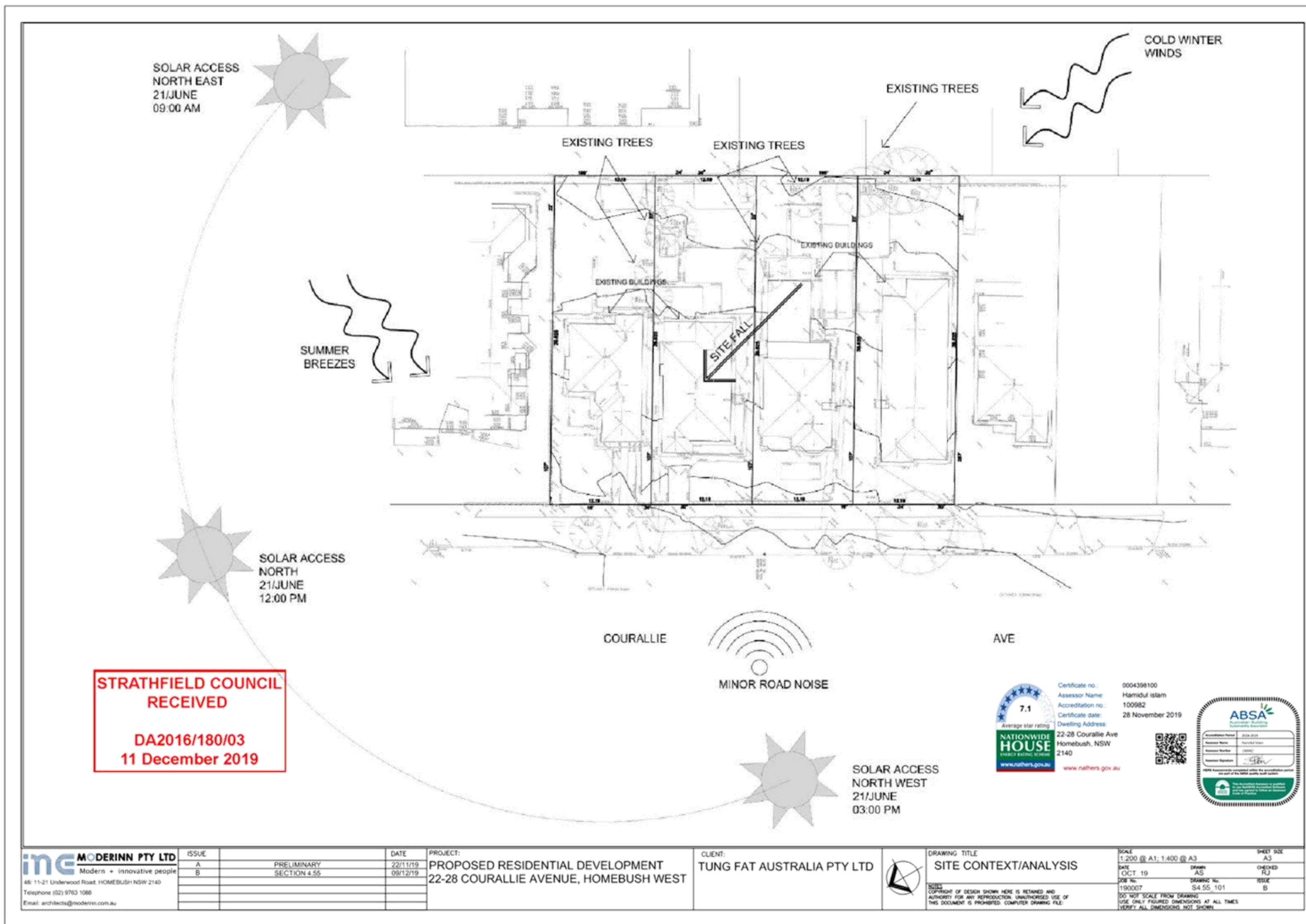
PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
22-28 COURALLIE AVENUE, HOMEBUSH WEST

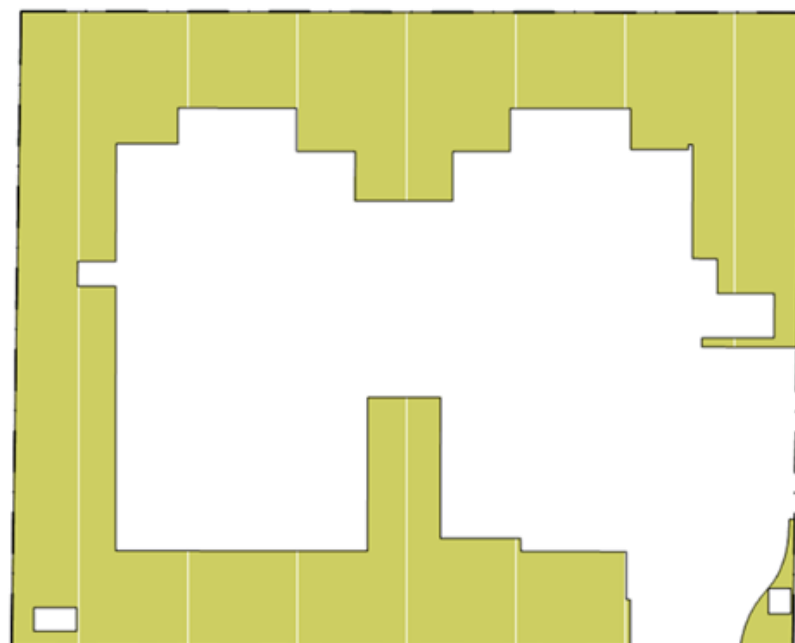
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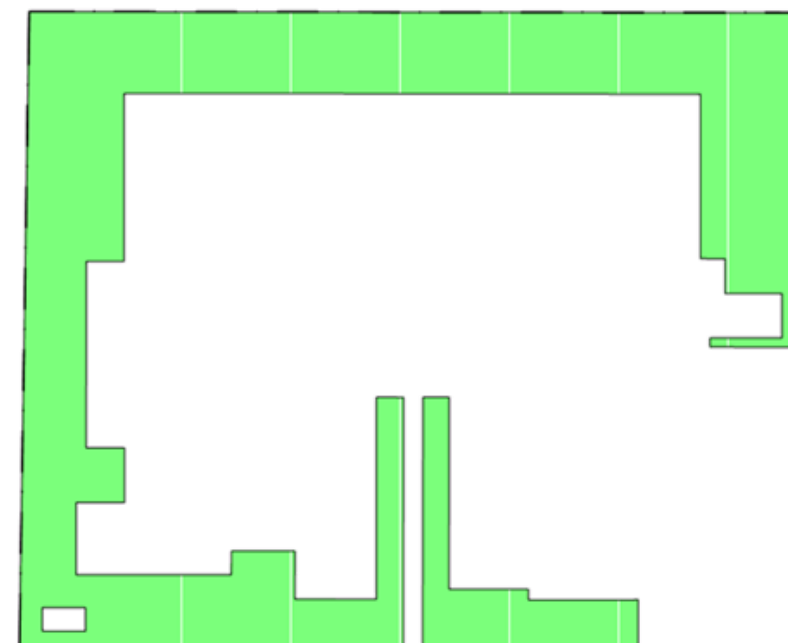
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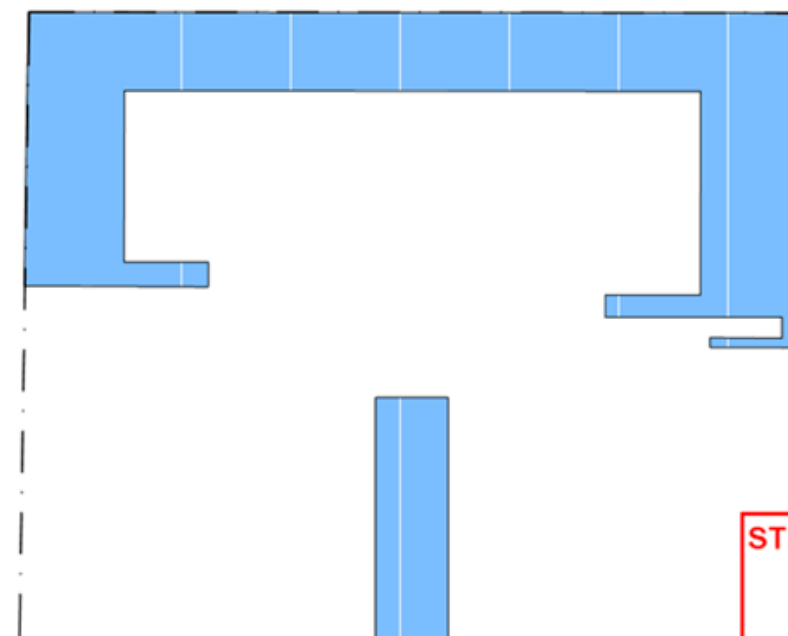
LANDSCAPED AREA
 TOTAL LANDSCAPED AREA = 966 m² (50% OF SITE AREA)
 SITE AREA = 1932 m²
 REQUIRED LANDSCAPED AREA = 50% OF SITE AREA (966 m²)



SOFT LANDSCAPED AREA
 TOTAL SOFT LANDSCAPED AREA = 579 m² (60% OF MIN LANDSCAPED AREA)
 REQUIRED SOFT LANDSCAPED AREA = 60% OF MIN LANDSCAPED AREA



DEEP SOIL
 TOTAL DEEP SOIL AREA = 480 m² (49.7% OF MIN LANDSCAPED AREA)
 REQUIRED DEEP SOIL AREA = 35% OF MIN LANDSCAPED AREA

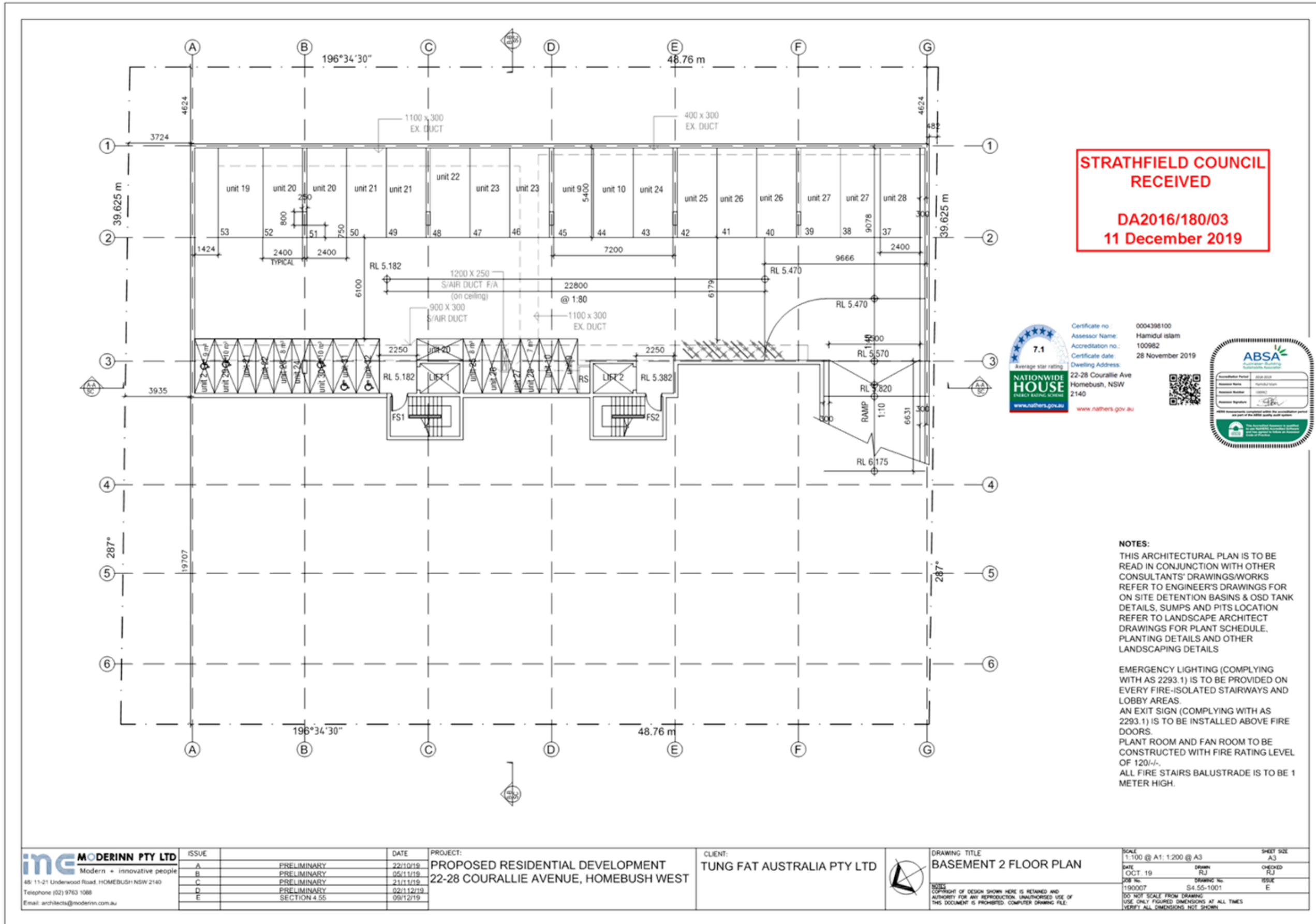


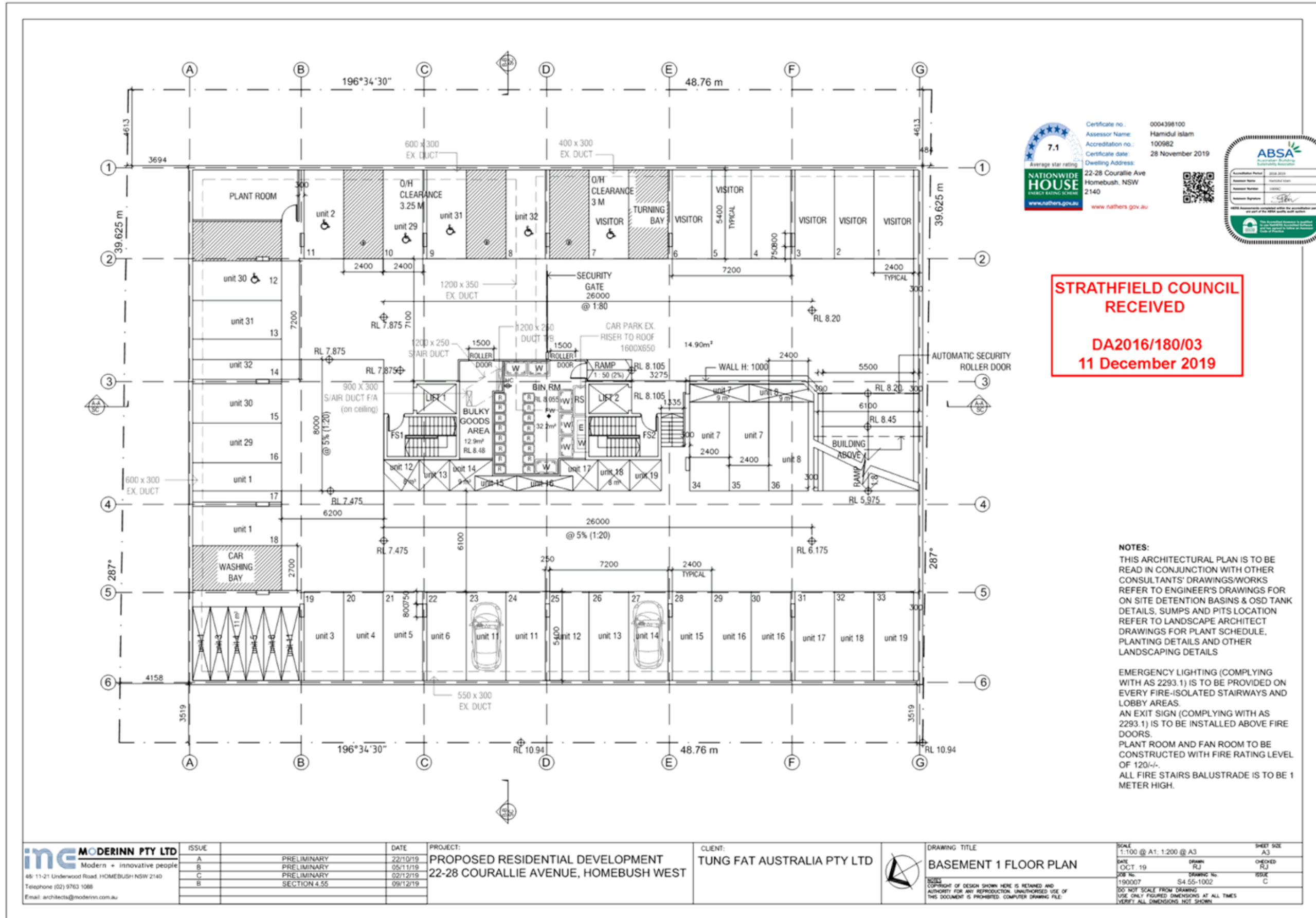
COMMUNAL OPEN SPACE
 TOTAL COMMUNAL OPEN SPACE = 580 m² (30% OF SITE AREA)
 REQUIRED COMMON OPEN SPACE = 30% OF SITE AREA



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	B	09/12/19	SECTION 4.55	22-28 COURALLIE AVENUE, HOMEBUSH WEST			DATE: OCT 19 DRAWN: AS CHECKED: RJJ JOB No: 190007 DRAWING No: S4.55.102 REVISION: B





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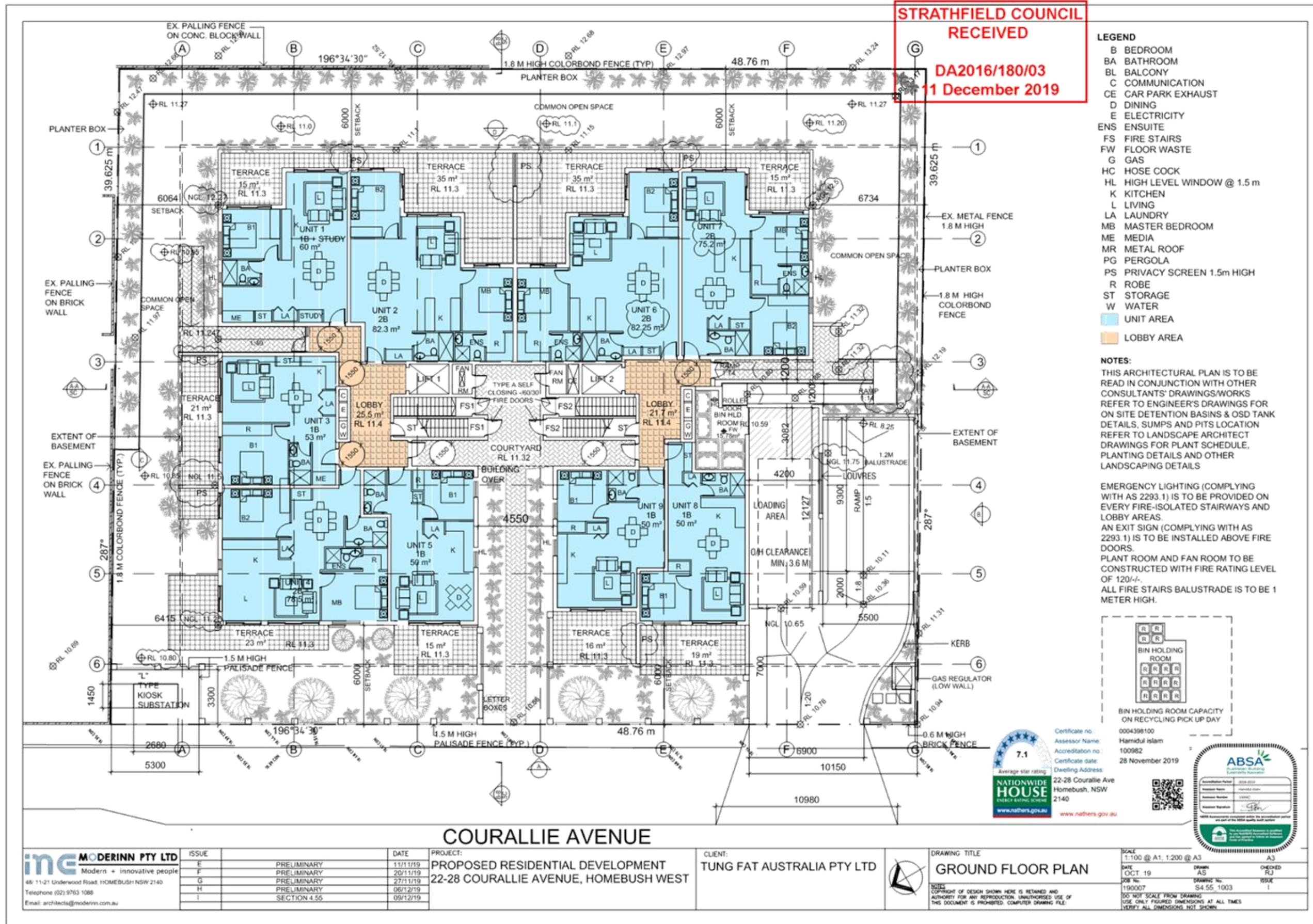
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	C	02/12/19					
	B	09/12/19					



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- LEGEND**
- B BEDROOM
 - BA BATHROOM
 - BL BALCONY
 - C COMMUNICATION
 - CE CAR PARK EXHAUST
 - D DINING
 - E ELECTRICITY
 - ENS ENSUITE
 - FS FIRE STAIRS
 - FW FLOOR WASTE
 - G GAS
 - HC HOSE COCK
 - HL HIGH LEVEL WINDOW @ 1.5 m
 - K KITCHEN
 - L LIVING
 - LA LAUNDRY
 - MB MASTER BEDROOM
 - ME MEDIA
 - MR METAL ROOF
 - PG PERGOLA
 - PS PRIVACY SCREEN 1.5m HIGH
 - R ROBE
 - ST STORAGE
 - W WATER
 - UNIT AREA
 - LOBBY AREA

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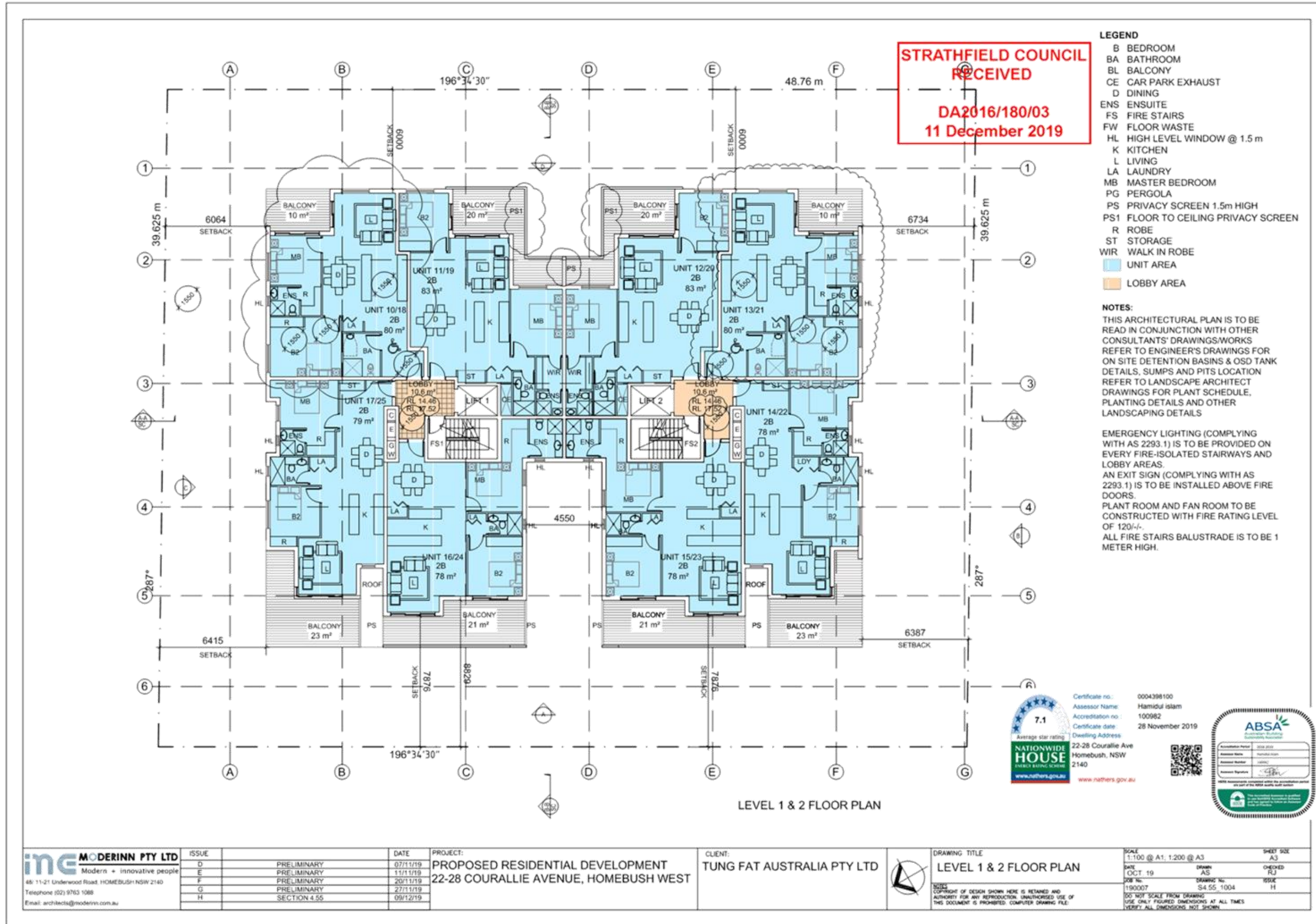


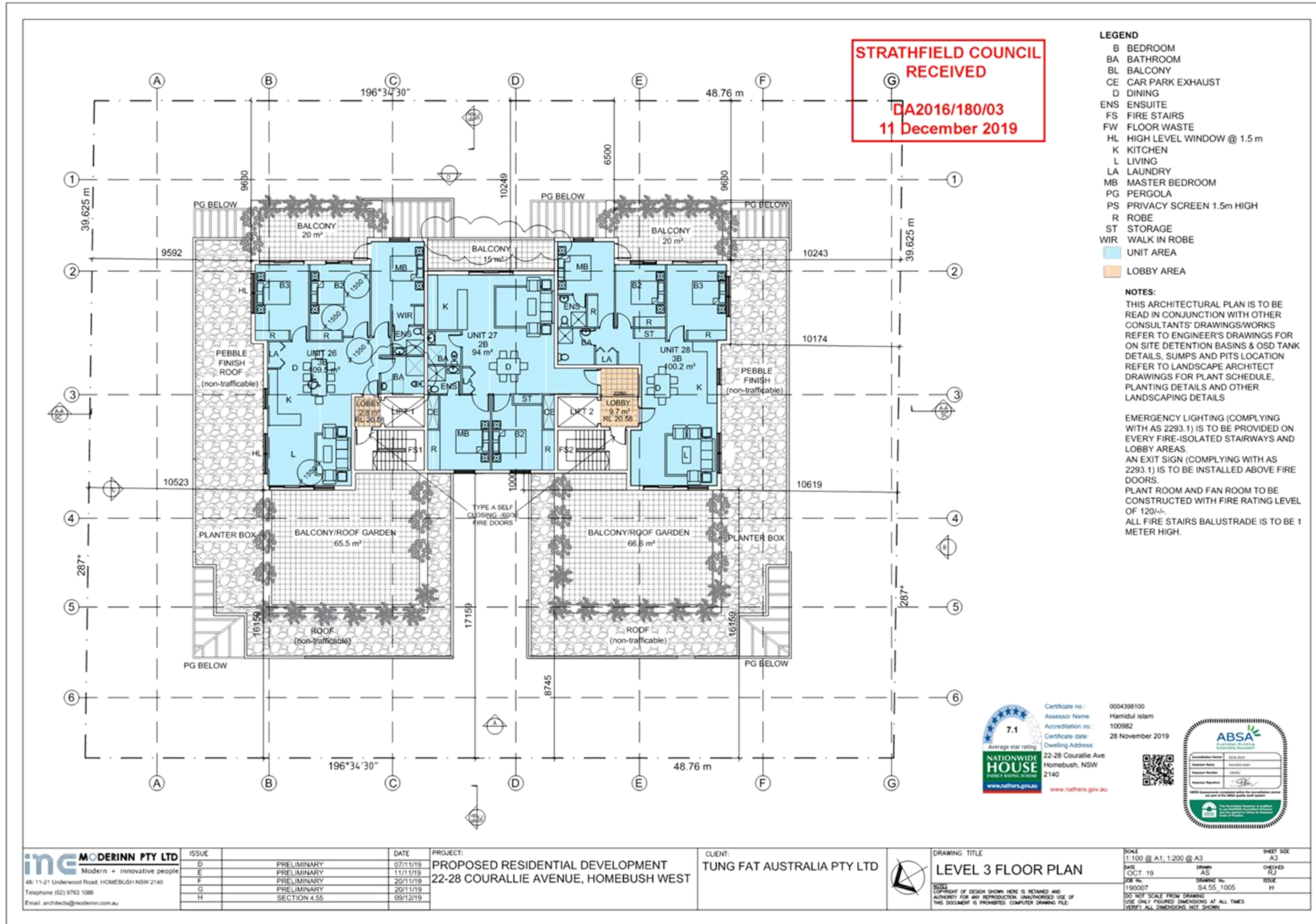
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Accreditation no: 100982
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COURALLIE AVENUE

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	G	27/11/19				DATE: 1 OCT 19 DRAWN: AS CHECKED: RJ
	H	06/12/19				DWG No: 190007 DRAWING No: S4 55 1003 REVISION: 1
I	09/12/19	SECTION 4.55			DO NOT SCALE FROM DRAWING USE ONLY FIGURED DIMENSIONS AT ALL TIMES VERIFY ALL DIMENSIONS NOT SHOWN	





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- LEGEND**
- B BEDROOM
 - BA BATHROOM
 - BL BALCONY
 - CE CAR PARK EXHAUST
 - D DINING
 - ENS ENSUITE
 - FS FIRE STAIRS
 - FW FLOOR WASTE
 - HL HIGH LEVEL WINDOW @ 1.5 m
 - K KITCHEN
 - L LIVING
 - LA LAUNDRY
 - MB MASTER BEDROOM
 - PG PERGOLA
 - PS PRIVACY SCREEN 1.5m HIGH
 - R ROBE
 - ST STORAGE
 - WIR WALK IN ROBE
 - UNIT AREA
 - LOBBY AREA

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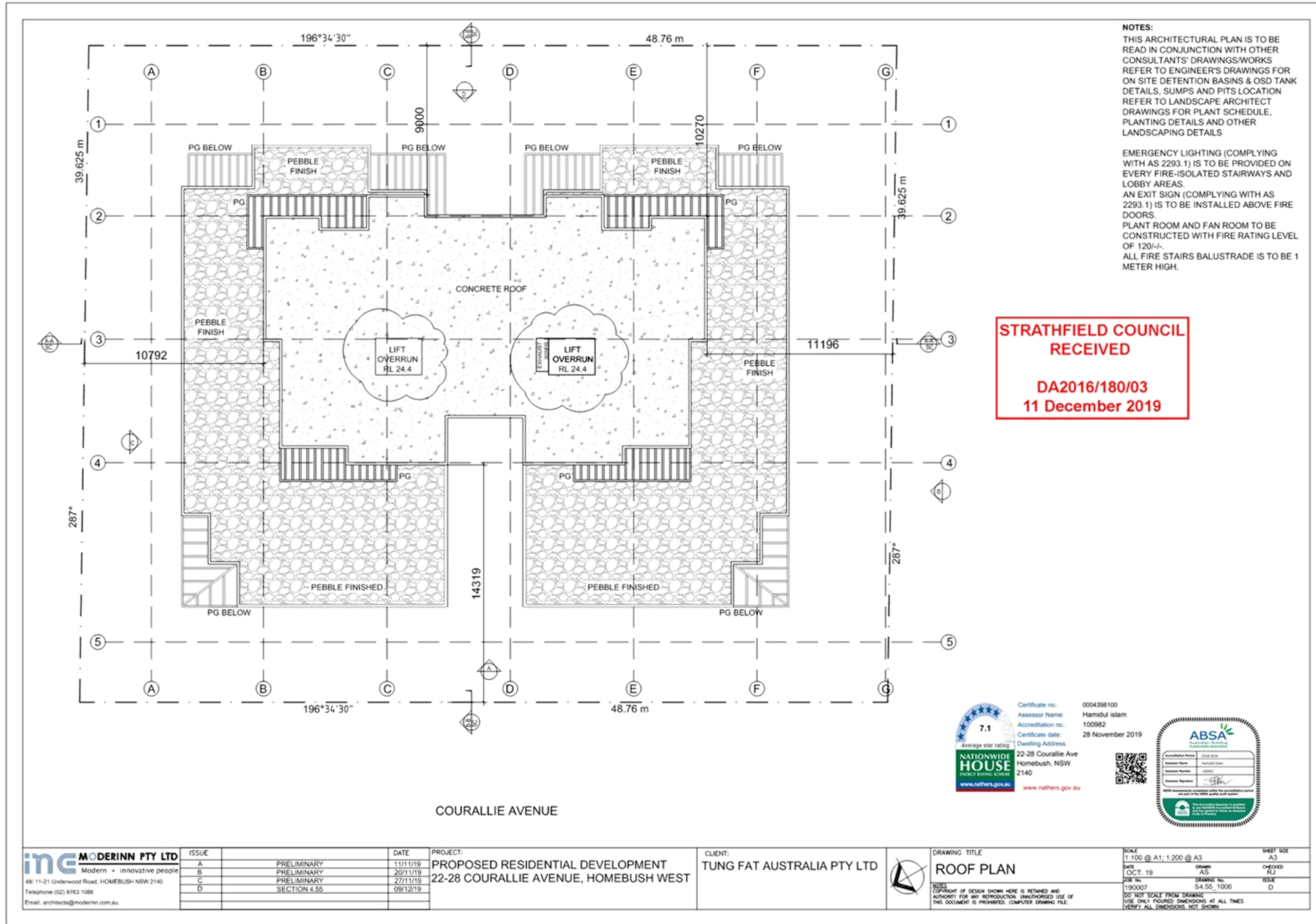
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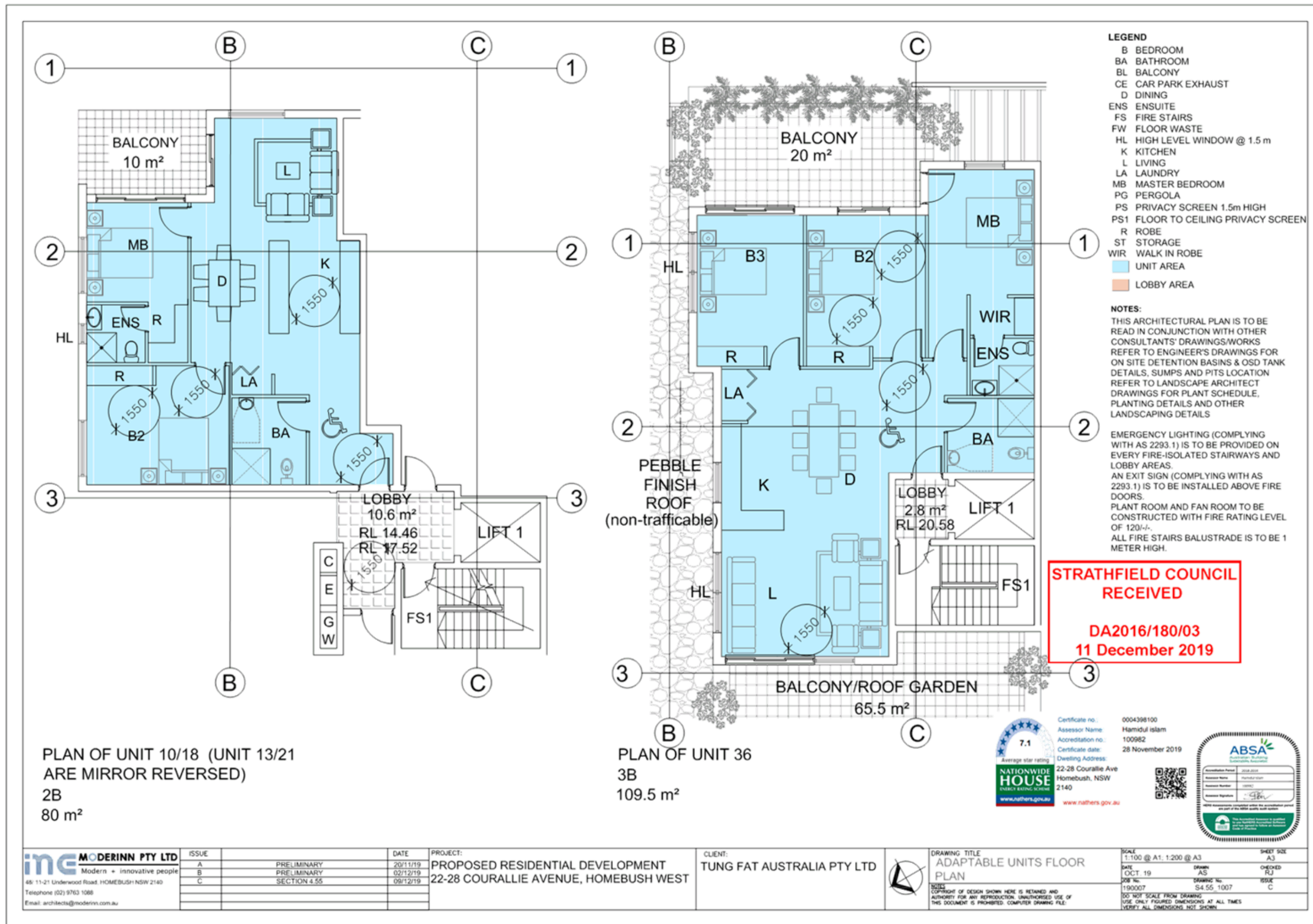
7.1
Average star rating
NATIONWIDE HOUSE
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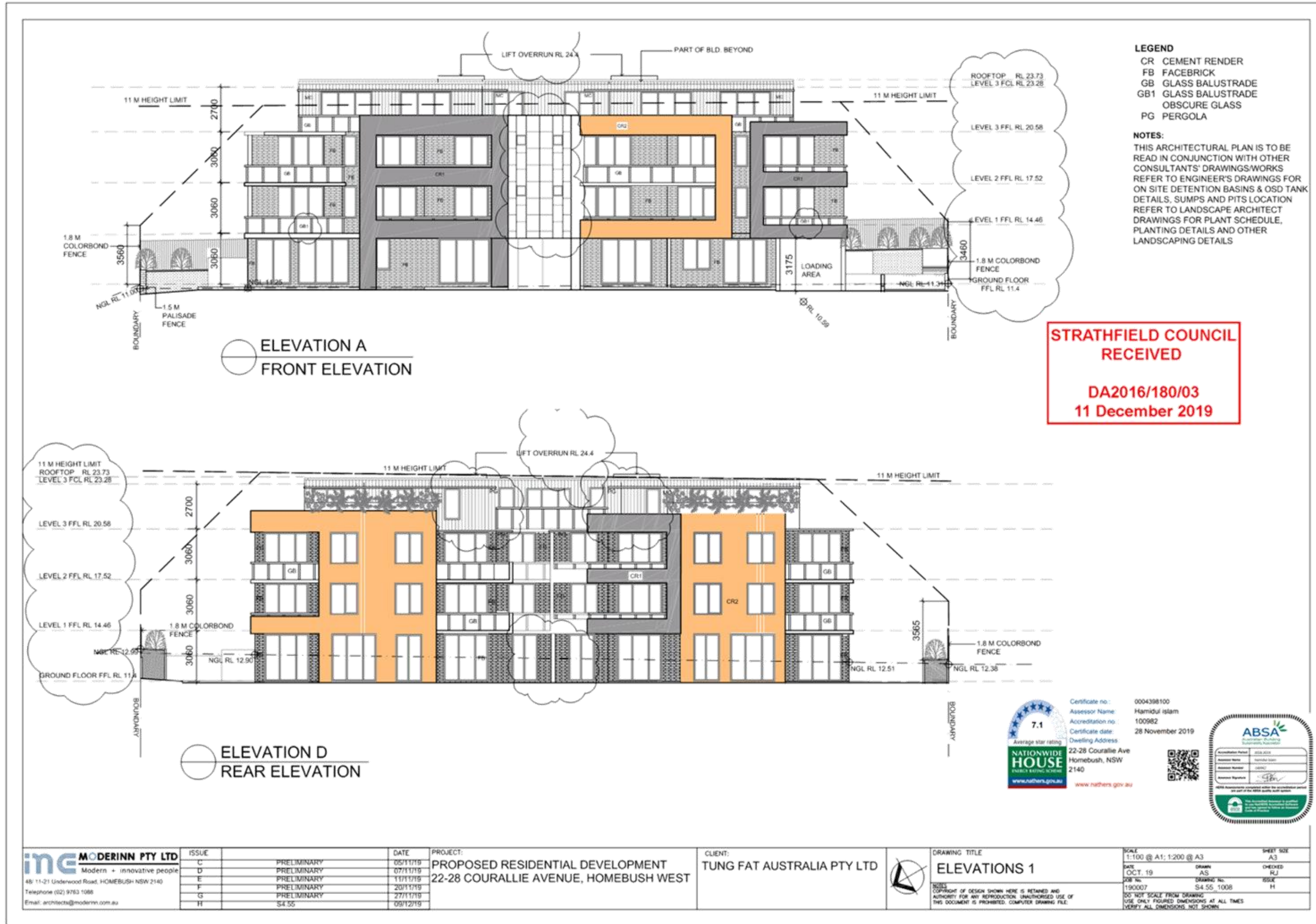
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Assessor Name: Hamidul Islam
Accreditation no.: 100982
Certificate date: 28 November 2019
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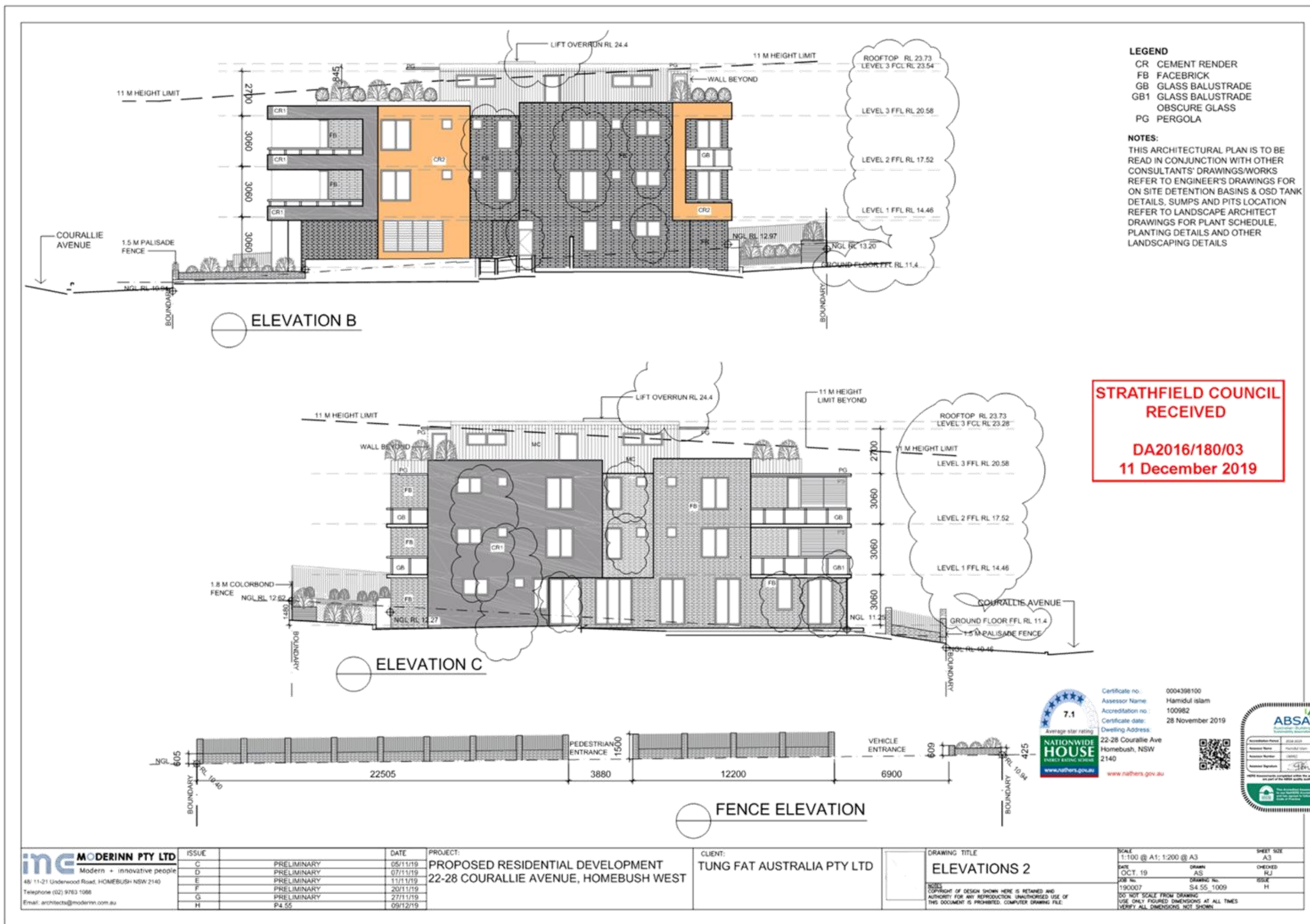
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PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
 22-28 COURALLIE AVENUE, HOMEBUSH WEST**

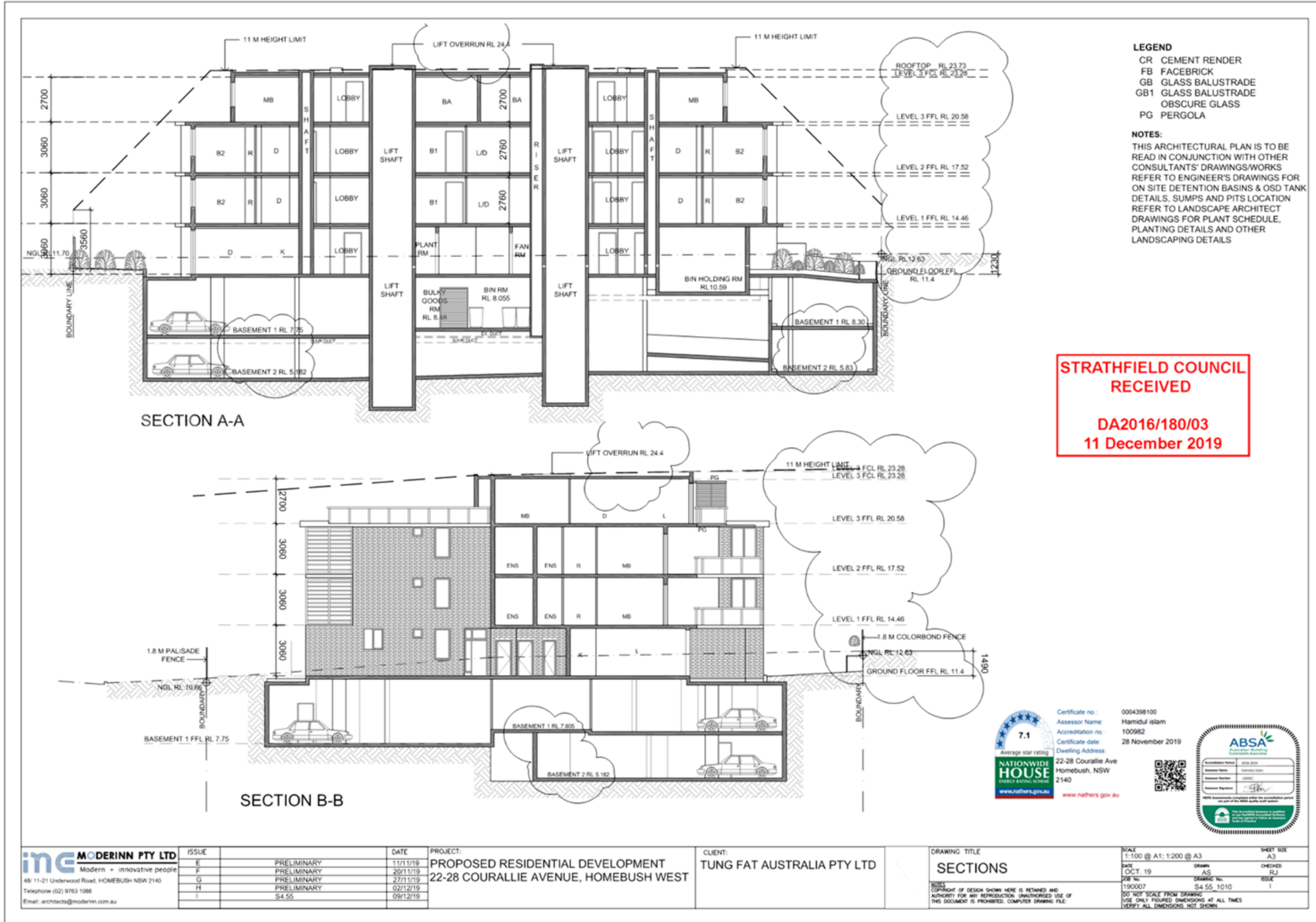
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PROJECT:
**PROPOSED RESIDENTIAL DEVELOPMENT
22-28 COURALLIE AVENUE, HOMEBUSH WEST**

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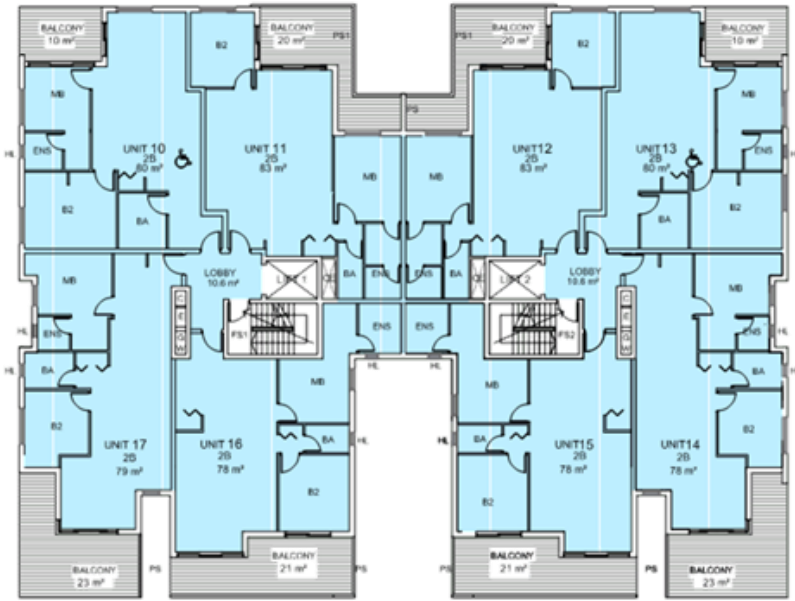
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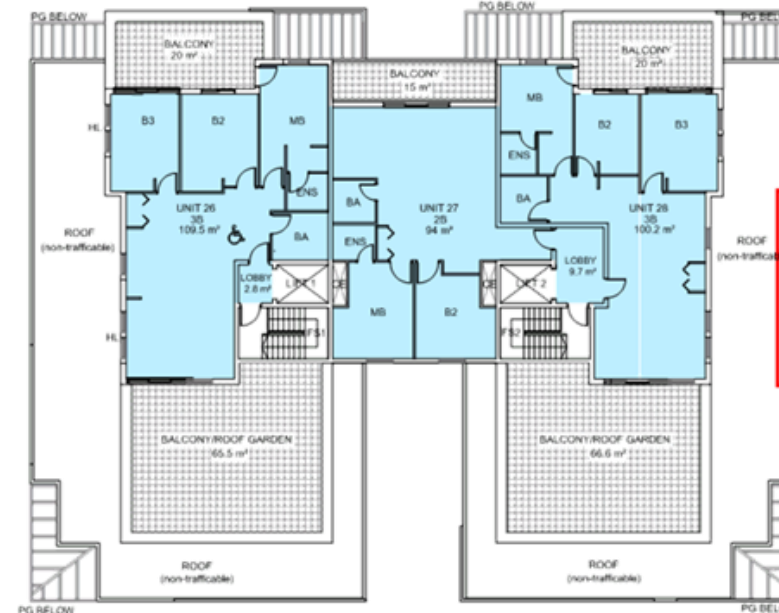


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FIRST LEVEL FLOOR PLAN



THIRD LEVEL FLOOR PLAN



GROUND LEVEL FLOOR PLAN



SECOND LEVEL FLOOR PLAN



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AREA CALCULATIONS
 SITE AREA: 1932 m²
 FSR: 1.2:1
 MAXIMUM GFA: 2318.4 m²

GROUND FLOOR	643.10 m ²
FIRST FLOOR	679.10 m ²
SECOND FLOOR	679.10 m ²
THIRD FLOOR	317.10 m ²
TOTAL GFA	2318.40 m²

LEGEND

- B BEDROOM
- BA BATHROOM
- C COMMUNICATION
- CE CAR PARK EXHAUST
- E ELECTRICITY
- ENS ENSUITE
- FS FIRE STAIRS
- G GAS
- HC HOSE COCK
- HL HIGH LEVEL WINDOW @ 1.5 m
- MB MASTER BEDROOM
- MR METAL ROOF
- PG PERGOLA
- PS PRIVACY SCREEN 1.5m HIGH
- PS1 FLOOR TO CEILING PRIV. SCREEN
- W WATER
- GFA

NOTES:

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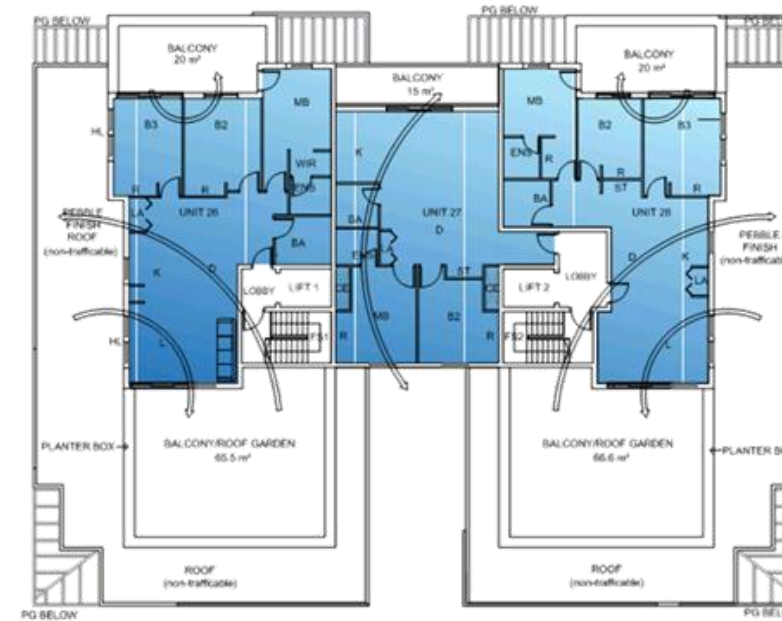
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CROSS VENTILATION

TOTAL AVAILABLE UNIT : 28
PROPOSED NATURAL CROSS VENTILATION : 26 UNITS (92.85 %)

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B PRELIMINARY	21/11/19
C SECTION 4.55	09/12/19

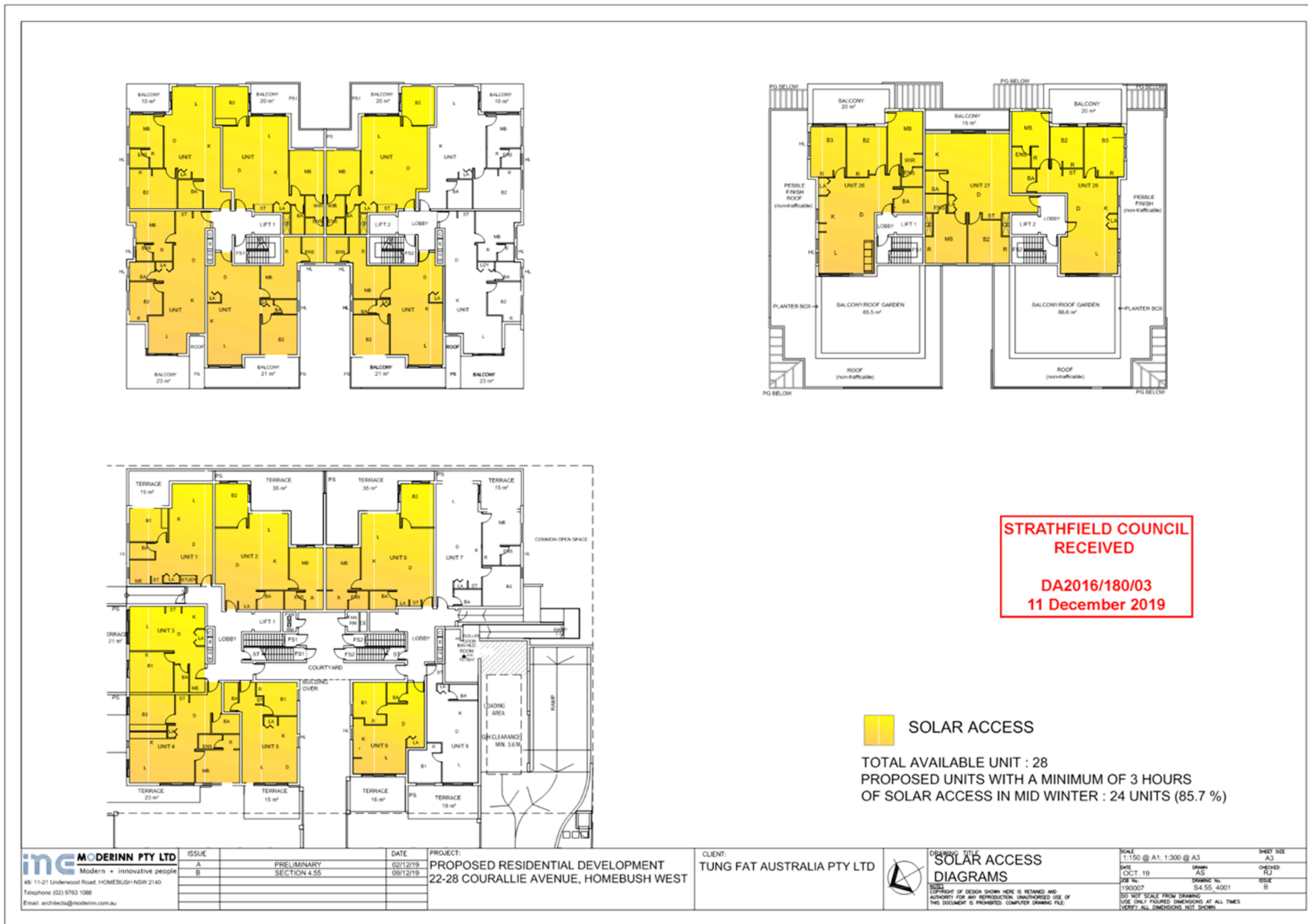
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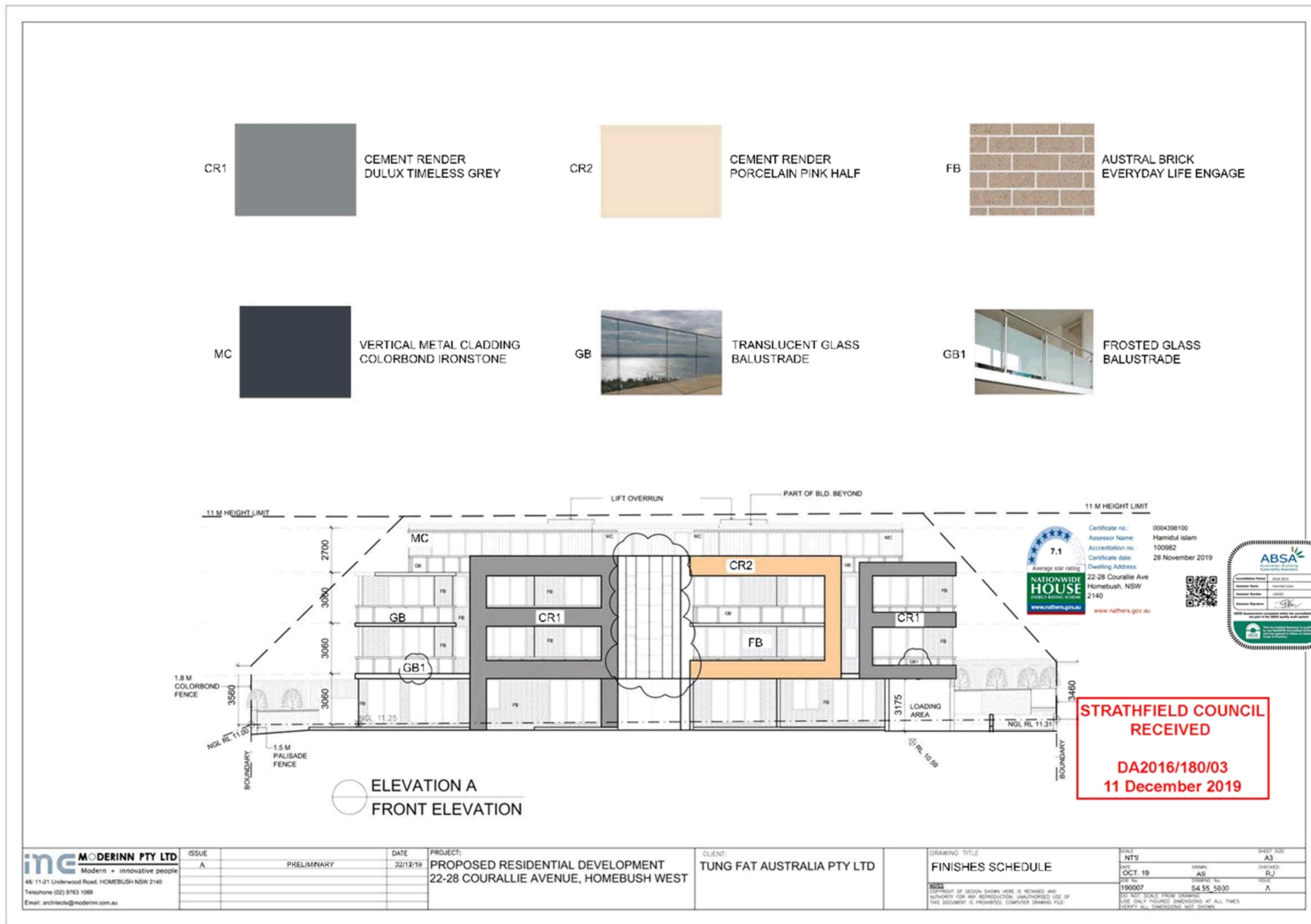
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NATURAL CROSS VENTILATION DIAGRAMS

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TO: Strathfield Local Planning Panel Meeting - 5 March 2020
REPORT: SLPP – Report No. 4
SUBJECT: DA2019/192 33 MYRNA ROAD, STRATHFIELD
LOT 54 DP 14613
DA NO. 2019/192

SUMMARY

Proposal: Demolition of existing buildings and construction of a two (2) storey dwelling with basement level and attached secondary dwelling.

Applicant: Ridge Design

Owner: M. Ghazzawy

Date of lodgement: 14 November 2019

Notification period: 25 November 2019 to 9 December 2019

Submissions received: Three (3) written submissions received.

Assessment officer: ND

Estimated cost of works: \$956,152

Zoning: R2 Low Density Residential - SLEP 2012

Heritage: No

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

The application seeks Council approval for the demolition of existing buildings and construction of a two (2) storey dwelling with basement level and attached secondary dwelling.

The application was notified in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005 from 14 November 2019 to 9 December 2019. Three (3) written submissions were received raising concerns regarding loss of privacy, streetscape compatibility, driveway placement and asbestos removal.

The proposal has been modified multiple times throughout the assessment process to address the flood affectation of the site and concerns raised in the submissions regarding visual privacy and streetscape compatibility.

The revised design achieves a bulk and scale which is compatible with the transitioning streetscape and provides a reasonable level of visual privacy between the adjoining properties.

The development application is recommended for approval, subject to the imposition of conditions of consent.

BACKGROUND

14 November 2019: The subject application (DA2019/192) was lodged.

DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)

25 November 2019 to

9 December 2019: The application was notified in accordance with Part L of the SCDCP 2005.

16 January 2020: A letter was sent to the applicant requesting additional information and amended plans to address the following:

- a) Clarification if the proposal includes subdivision;
- b) Elongated building is not compatible with the lot size and streetscape, particularly when viewed from Ada Avenue;
- c) Reduce the height of the parapets along the roof line of the dwelling;
- d) Non-compliant two (2) storey portico;
- e) Non-compliant secondary dwelling setbacks;
- f) Non-compliant minimum deep-soil landscaping;
- g) Detailed Cost Report prepared by a registered quantity surveyor;
- h) Flood Impact Assessment Report;
- i) Direct overlooking opportunities into adjoining properties; and
- j) Additional detail on shadow diagrams.

18 February 2020: Amended plans and documentation was submitted to Council to address the above matters raised as follows:

- a) Reduction in the height of the two (2) storey portico to a single storey structure;
- b) Flood Risk Management Plan;
- c) Shadow diagrams illustrating the southern adjacent property;
- d) Quantity Surveyor Costing Report;
- e) Modifications to the finished floor levels of the development and incorporation of split levels in accordance with flooding recommendations;
- f) Separation of the principal dwelling and secondary dwelling; and
- g) Replace the pier and infill style of the fencing to vertical picket style in accordance with the flooding recommendations.

18 February 2020: Emails were sent to all objectors advising of the submission of amended plans.

21 February 2020: Site inspections and discussions were held with the Assessment Officer and the objectors.

21 February 2020: A revised submission was received from the western adjoining property.

24 February 2020: Amended plans were submitted to Council to address visual privacy and streetscape appearance.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located at the north-western corner of the intersection of Myrna Road and Ada Avenue, legally described Lot 57 in DP 14613 and is commonly known as 33 Myrna Road, Strathfield (Figure 1). The site is relatively rectangular with a splay in the south-eastern corner, comprises a total site area of 619.7m² with a slope towards the rear.

DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)



Figure 1: Locality plan. The subject site is outlined in yellow.

The site is presently occupied by a two (2) storey dwelling and detached garage located at the rear (Figure 2). Vehicle access is provided to the site via an existing driveway from Ada Avenue. The existing streetscape is undergoing transition, with a mixture of traditional-style dwelling featuring exposed facebrick exterior walls and pitched tiled roof forms and more modern dwellings with pitched and flat roof forms, rendered masonry and cladding.

DA2019/192 33 Myrna Road, Strathfield
 Lot 54 DP 14613 (Cont'd)



Figure 2: View of the existing dwelling from the corner of Myrna Road and Ada Avenue.

PROPERTY BURDENS AND CONSTRAINTS

A Sydney Water sewerage pipe runs adjacent to the western side boundary (Figure 3).

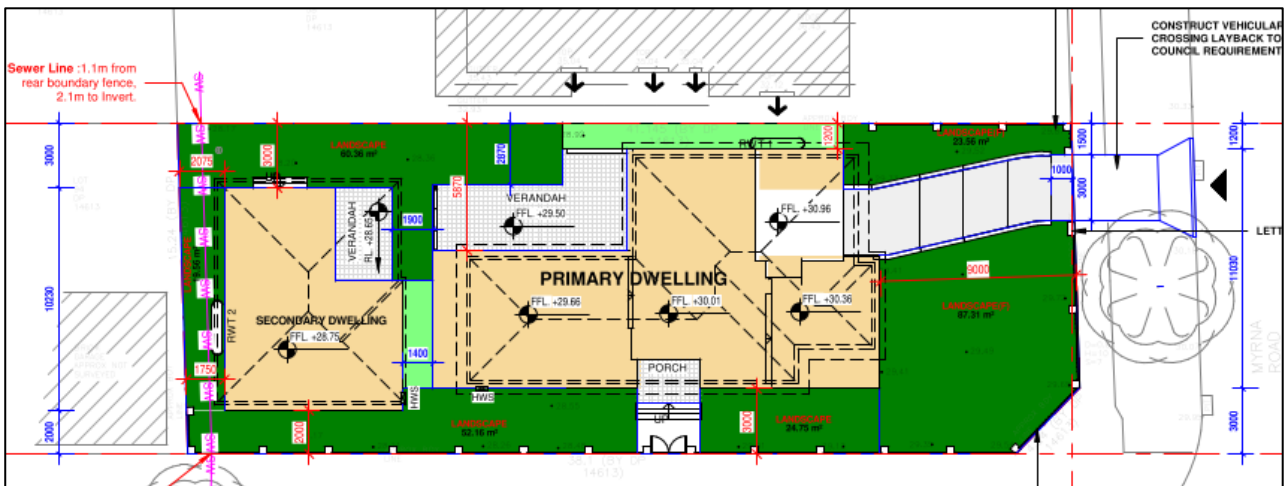


Figure 3: Extract of the site plan with the location of the sewerage pipe.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application originally sought Council consent for demolition of existing buildings and construction of a two (2) storey dwelling with basement level and attached secondary dwelling.

The specific elements of the proposal are:

Demolition:

- Two (2) storey dwelling;
- Detached garage;

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Basement Level:

- Two (car) parking spaces;

Ground Floor Level:

- Guest room;
- Office;
- Living room;
- Dining room;
- Kitchen;
- Pantry;
- Laundry;

First Floor Level:

- TV room;
- Three (3) bedrooms;
- Master bedroom with ensuite and walk-in-wardrobe;

Secondary dwelling:

- Kitchen;
- Bathroom;
- Bedroom; and
- Living area.

Amended plans were been received during the course of the assessment period which detaches the secondary the secondary dwelling detached from the principal dwelling. The other main amendments to the proposal include:

- Reduction in the height of the two (2) storey portico to a single storey;
- Amend the fencing style from pier and infill to picket;
- Increase the provision of deep soil landscaping;
- Increase the distance of the existing street tree to the proposed driveway to 3m;
- Introduce stepped levels in the principal dwelling;
- Modify the internal layout of the secondary dwelling, location of the pedestrian entrance and verandah;
- Introduce marble tiling to the portico;



Photomontage of the proposed development from the corner of Myrna Road and Ada Avenue.

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Photomontage of the proposed development from Ada Avenue.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

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

"The subject site is affected by overland of stormwater of the 1 in 100yr ARI storm event in accordance with Cooks River and Cox's Creek flood study. Basement access ramp needs a crest and a Flood Impact Assessment report in accordance with Council Interim Flood Prone Land Policy needs to be submitted along with the development application. The proposed driveway crossover conflicts with Council's existing kerb inlet lintel pit and conversation of the pit to a butterfly surface grated pit not permitted."

In response to the comments by Council's Engineer, amended plans converting the existing kerb inlet lintel pit to a butterfly pit and a Flood Risk Management Plan were submitted. Council's Engineer provided the following additional comments:

"I have reviewed the Flood Risk Management Plan for 33 Myrna Road prepared by Australian Consulting Engineers issue A project no. ACE190959 19 February 2020 and can advise that it doesn't suffice as the proposed basement requires a 300mm crest above the 1 in 100yr ARI flood level to prevent overland flow of stormwater entering the basement. The butterfly pit is supported subject to being a commercial heavy duty grade."

In accordance with the above comments a condition of consent has been recommended for the driveway to incorporate a 300mm crest above the 1 in 100 year flood level.

Landscaping Comments

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

"The proposed driveway crossing is not supported. As it cannot be constructed without either relocation of the stormwater pit or the relocation of the driveway closer to the tree. Both options

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will significantly impact on the large Lophostemon confertus street tree. Should however this proposal be approved the driveway crossing and layback is to be located not less than 500mm from the northern side property boundary and have a maximum width of 2.5 metres otherwise the excavation will be less than 2 metres from the tree trunk."

Amended plans were provided that re-located the driveway 3m from the existing street and 1.6m from the northern side property boundary; thereby providing sufficient separation from the existing street tree.

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters within Section 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the application:

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

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

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

A BASIX Certificate was submitted as part of the application which indicates that the proposed principal and secondary dwellings 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 (SEPP 55)

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration.

A review of the available history for the site indicates that the subject site has historically been used for residential purposes. As such there is no indication that the land is contaminated and would trigger further site investigations.

The objectives outlined within SEPP55 are considered to be satisfied.

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 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.

There are no trees on the subject site that require development consent for removal and the proposal is substantially setback from trees located on neighbouring sites. In response to Council's Tree Coordinator objections to the proposed driveway, amended plans were submitted providing a sufficient 3m separation between the existing street tree and the driveway. Conditions of consent are to be imposed to ensure the protection of the existing street trees during the demolition and construction phases of the development. As such, the proposal is considered to be acceptable in regards to the objectives and provisions of this SEPP.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012 (SLEP 2012)

An assessment of the proposal against the aims of SLEP 2012 is as follows:

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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>	N/A
(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>	N/A
(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 proposed development proposes in a dwelling house and secondary dwelling that incorporates architectural features including pitched roof and rendered masonry external walls that are consistent with the characteristics of the streetscape. Additionally the principal and secondary dwellings have been appropriately designed in response to the flood affection of the site. Accordingly the proposal is generally consistent with the aims of the SLEP 2012.

Permissibility

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

Dwelling houses and secondary dwellings are permissible within the R2 Low Density Residential Zone with consent and is defined under SLEP 2012 as follows:

“dwelling house means a building containing only one dwelling”

“secondary dwelling means a self-contained dwelling that -

- (a) Is established in conjunction with another dwelling (the principal dwelling), and*
- (b) Is on the same lot of land as the principal dwelling, and*
- (c) Is located within, or is attached to, or is separate from, the principal dwelling.*

The proposed development being for the purpose of a dwelling house and an attached secondary dwelling is consistent with the definitions above and is permissible within the R2 Low Density Residential Zone with consent.

Zone Objectives

An assessment of the proposal against the objectives of the R2 Low Density Residential Zone is as follows:

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

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Comments: The proposed development involves the construction of a two (2) storey dwelling and secondary dwelling; providing for the housing needs of the community. Accordingly, the proposal generally complies with the objectives of the R2 – Low Density Residential zone.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions of this part is as follows.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	8.72m	Yes
Objectives				Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area			Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area			N/A
(c)	To achieve a diversity of small and large development options.			N/A

Comments: The proposed principal dwelling has a maximum building height of 8.72m, achieving compliance with the maximum building height standard. The proposed height responds appropriately to the building rhythm of the street and has incorporated split levels in response to the topography of the site.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	0.60:1 (371.82m ²)	0.55:1 (344.46m ²)	Yes
Objectives				Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area			Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas			Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties			Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items			N/A
(e)	In relation to Strathfield Town Centre: i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development			N/A
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor			N/A

Comments: The proposed development achieves an appropriate form and scale with a compliant FSR of 344.46m².

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

An assessment of the proposal against the relevant provisions of this part is provided below:

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6.1 Acid sulfate soils

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

6.2 Earthworks

The proposal involves the construction of a two (2) storey dwelling with single level basement and a secondary dwelling requiring the excavation and removal of soil. The size of the basement is considered reasonable. A condition of consent is recommended to ensure the appropriate management of soils during the excavation and construction phases of the development.

6.3 Flood planning

The subject site is identified as being affected by overland flooding in the 1 in 100 year flood event. The submitted plans demonstrate compliance with the minimum finished floor levels for habitable and non-habitable areas for the 1 in 100 year flood event. The proposed suspended floor configuration will provide adequate open space for flood waters to pass through the site. Council's Engineer reviewed the Flood Risk Management Plan and architectural plans has raised no objection to the proposal subject to a 300m driveway crest above the 1 in 100 year flood level incorporated in the driveway design to prevent overland flow of stormwater entering the basement.

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.

4.15(1)(a)(ii) The provisions of 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) The provisions of any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN 2005 (SCDCP 2005)

An assessment of the proposal against the relevant provisions of this development control plan is provided below:

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

2: Architectural Design & Streetscape Presentation

2.1	Objectives	Satisfactory
A.	To ensure that development respects the predominant height, scale, character, type, form, colour, materials and architectural qualities of the existing dwelling house (in the case of alterations and additions) and surrounding neighbourhood especially any adjoining or nearby heritage item or heritage conservation area.	Yes
B.	To achieve quality architecture in new development through the appropriate composition and articulation of building elements.	Yes
C.	To ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements.	Yes

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D.	To ensure that new dwellings have facades, which define, address and enhance the public domain.	Yes
E.	To encourage contemporary architecture that is innovative, uses high quality detailing, and incorporates elements characteristic of Strathfield.	Yes
F.	To promote the continuance of pyramidal roof forms within Strathfield where they are already prevalent.	Yes
G.	To retain a feeling of openness and space between built elements by maintaining landscaped setbacks and preserve the appearance of dwellings set in the treelined streets and park-like environment.	Yes
H.	To reduce the use of highly reflective colours and materials that create visual prominence.	Yes
I.	To ensure fencing is sympathetic to the design of the dwelling and the street and enhances the character of both the individual house and street whilst maintaining casual surveillance of the neighbourhood.	Yes
J.	To protect and retain the amenity of adjoining properties.	Yes

2.2	Development Controls	Complies	
.1.	<i>Streetscape Presentation</i>		
	1	New dwellings address street frontage with clear entry.	Yes
	2	Consistently occurring building features integrated within dwelling design.	Yes
	3	Consideration of streetscape elements	Yes
	4	Integrated security grilles/screens, ventilation louvres and garage doors	Yes
.2.	<i>Scale, Massing & Rhythm of Street</i>		
	1	Scale, massing, bulk and layout complement the existing streetscape and the dominant building rhythm	Yes
	2	Building height and mass maintains amenity to adjacent properties open space or the public domain	Yes
.3.	<i>Building Forms</i>		
	1	Building form articulated.	Yes
	2	Dwellings on corner sites address both street frontages and articulated	Yes
.4.	<i>Roof Forms</i>		
	1	Roof form complements predominant form in the locality	Yes
	2	Roof form minimises bulk and scale of building and remains an important architectural element in the street.	Yes
	<i>Materials</i>		
	5	Materials compatible with the existing dwelling house, adjoining dwelling houses and the streetscape (type, form and colour)	Yes
	<i>Colours</i>		
9	The external colours integrate harmoniously with the external design of the building	Yes	

Comments: The principal dwelling has been designed to address both Myrna Road (primary street frontage) and Ada Avenue (secondary street frontages) with an articulated building including upper level balconies facing both streets. The proposed location of the pedestrian entrance on Ada Avenue and the driveway on Myrna Road is considered acceptable within the existing pattern of

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the streetscape with the pedestrian entrance of No.35 and 36 Myrna Road facing the secondary frontage (Figure 4).



Figure 4: Pedestrian entrance on the secondary street frontage at No. 35 Myrna Road.

The initial proposal had the secondary dwelling attached to the rear of the principal dwelling. The attached design was not supported due to the excessive building bulk and length viewed from the Ada Avenue streetscape elevation. Over the course of the assessment process, the proposal has undergone multiple amendments with the revised design achieving a building form that complements the existing streetscape and the emerging contemporary styles. The detachment of the secondary dwelling and principal dwelling with the pedestrian entrance of the secondary dwelling not visible to the public domain portrays the appearance of an ancillary structure such as a detached outbuilding or garage, a characteristic of the locality.

The neutral colour scheme comprising of 'Dulux Vivid White' rendered masonry and 'Black French' terracotta roof tiles for the pitched roof are found throughout the street, particularly with more recently constructed contemporary styled dwellings such as No.27 and 25 Myrna Road (Figure 5, 6 and 7). The inclusion of 'Invisible Grey Gold' marble tiles to the single storey portico provides visual relief to the strong colour palette.



Figure 5: Photomontage of proposed development.

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Figure 6: Existing dwellings at No. 26 and 28 Myrna Road.

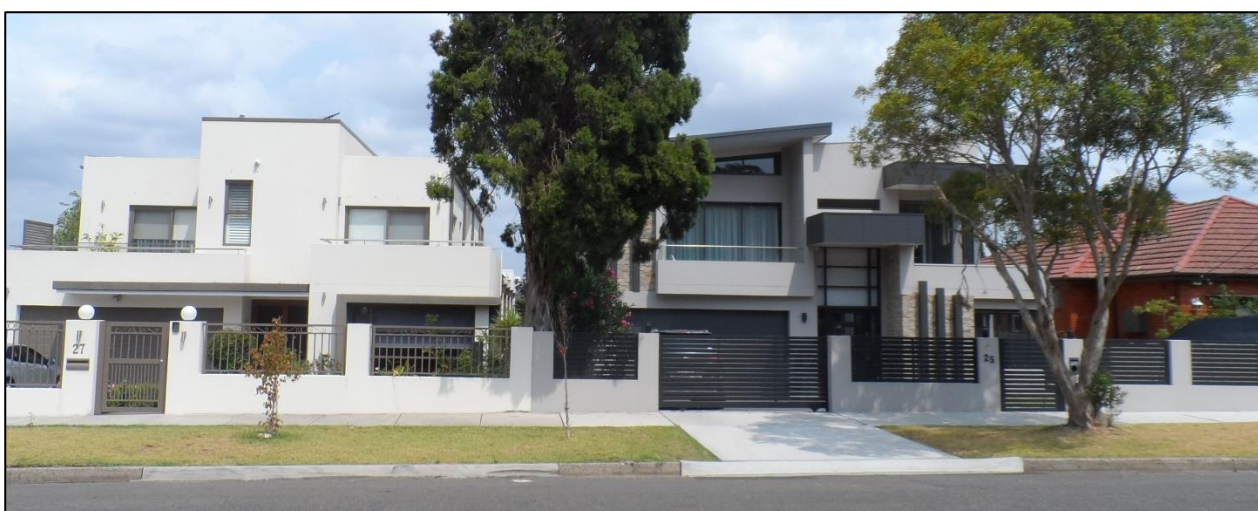


Figure 7: Existing dwellings at No. 27 and 25 Myrna Road.

4: Building Envelope

4.1	Objectives	Satisfactory
A.	To ensure that dwellings are compatible with the built form of the local area and that overall bulk and scale, size and height of dwellings relative to natural ground level responds to the adjoining dwellings, topography and desired future character.	Yes
B.	To minimise impact on the amenity of adjoining properties.	Yes
C.	To establish and maintain the desired setbacks from the street and define the street edge.	Yes
D.	To create a perception or reinforce a sense of openness in the locality.	Yes
E.	To maintain view corridors between dwellings	Yes
F.	To assist in achieving passive surveillance whilst protecting visual privacy.	Yes
G.	To provide a transitional area between public and private space.	Yes

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4.2 Development Controls		Complies	
<i>Floor Space Ratio</i>			
.1.	1	Floor Space Ratio permissible pursuant to SLEP 2012	Yes
	2	Development compatible with the lot size	Yes
<i>Building Height</i>			
.2.	1	Height of building permissible pursuant to SLEP 2012	Yes
	4	Maximum height of the external wall from the existing ground level to the underside of the uppermost ceiling level is to be 7.2m	No. Refer to comments.
	5	Max internal floor to ceiling height is to be 3.0m for any residential level.	No. Refer to comments.
	7	Dwelling houses and any ancillary structures 2-storeys (max)	Yes
	4	Building height responds to the gradient of the site to minimise cut and fill	Yes
<i>Street Setbacks</i>			
.3.1.	1	Setbacks consistent with minimum requirements of Table A.1	Yes
<i>Side and Rear Setbacks</i>			
.3.2.	1	A combined side setback of 20% of the width of the block (incorporating a 1.2m min side setback on each side).	Yes
	2	A rear setback of 6m (min)	Yes
<i>East-West Lots</i>			
.4.	1	Where primary street frontage faces east, the minimum side setback located on northern side.	No, refer to comments.
	2	The southern side setback utilised for driveway/garage entry.	No, refer to comments.

Comments: The proposed principal dwelling achieves numerical compliance with the FSR and building height provisions under Clause 4.3 and 4.4C of the SLEP 2012. The proposed front, side and rear boundary setbacks of the dwelling house comply with the relevant controls.

The rear building line of the principal dwelling house was increased during the course of the assessment process to align with the rear building line of the adjoining northern dwelling, thereby minimising direct overlooking opportunities in the private open space of the property and accord with building rhythm of the street.

The proposal incorporates floor to ceiling heights of 2.45m for the guest room, 2.75m for the office, 2.8m to the middle component of the dwelling and 3.15m at the rear component. The rear component of the dwelling comprising of the dining room, kitchen, laundry and pantry exceeds the 3m planning control. The floor to ceiling height of the first floor level is a compliant 2.7m. The non-compliance is acceptable as the variation is attributed to the split level design of the dwelling accommodating for the topography and flood affectation of the site and providing a compliant basement design.

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The proposed maximum height of the external walls (measured from the existing ground level to the underside of the eaves) is 7.7m. The development controls set out a maximum external wall height of 7.2m from the existing ground level to the uppermost ceiling level. This non-compliance is attributed to the freeboard requirements to accommodate the flood affectation of the site.

5: Landscaping

5.1 Objectives		Satisfactory	
A.	To encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development, and to the streetscape.	Yes	
B.	To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings, structures, vehicle circulation and ancillary areas.	Yes	
C.	To preserve existing landscape elements on site (such as existing trees) and encourage their integration into the design of proposals.	Yes	
D.	To ensure adequate deep soil planting is retained on each allotment.	Yes	
E.	To ensure developments make an equitable contribution to the landscape setting of the locality.	Yes	
F.	To ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer.	Yes	
G.	To encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna.	Yes	
H.	To ensure that landscaped areas are designed to minimise water use.	Yes	
I.	To provide functional private open spaces for active or passive use by residents.	Yes	
J.	To provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place.	Yes	
K.	To ensure the protection of trees during construction	Yes	
L.	To ensure suitable fencing is provided to reduce acoustic impacts and enhance visual privacy between neighbouring residents whilst enabling front fences passive surveillance of the street.	Yes	
M.	To maximise the amenity of existing and proposed developments, including solar access, privacy and open space.	Yes	
5.2 Development Controls		Complies	
<i>Landscaped area</i>			
.1.	1	Landscaped area in accordance with Table A.3	Yes
	2	At least 50% of the minimum landscaped area located behind the building line to the rear boundary	No
	3	At least 50% of the front yard maintained as deep soil soft landscaping	Yes
	6	Front gardens respond and contribute to the garden character of Strathfield.	Yes
<i>Tree Protection</i>			
.2.	3	Development provides for the retention and protection of existing significant trees	Yes

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	6	Opportunities for planting new canopy trees within the front setback	Yes
	7	At least one (1) canopy tree provided in the rear yard.	No
	10	Driveway construction does not result in the removal, lopping or root damage to any street tree	Yes
	<i>Private Open Space</i>		
.3.	1	Provided in a single parcel rather than a fragmented space, directly accessible from internal living areas	Yes
	2	Includes a deep soil area compliant with the minimum landscaped area.	Yes
	3	Terraces and decks (at least 10m ²) with one length or width 3m (min) and directly accessible from an internal living area. Decks cannot be located more than 500mm above NGL	No, refer to comments.
	5	Private open space located at the rear of the property.	Yes
	<i>Fencing</i>		
.4.	1	Fencing designed to be compatible and sympathetic to the style of the dwelling, adjoining properties and the streetscape	Yes
	3	Fencing forward of FBL shall not exceed 1.5m. Solid components shall not exceed 0.7m above NGL with the exception of brick piers	Yes
	7	Front fences visually permeable	Yes
	10	Corner allotments incorporate a 1.5m x 1.5m (min) splay adjacent to the road intersection	Yes
	14	Stormwater flows through or under fencing on sloping sites	Ye

Comments: The development seeks to relocate the existing driveway from Ada Avenue to Myrna Road. The revised proposal positions the driveway a compliant 3m from the existing street tree. The principal and secondary dwellings do not conflict with existing street trees or trees on adjoining properties. The controls require a minimum of 41.5% (257.18m²) of the site to be provided as deep soil landscaping. The proposal complies with 265m² of the site provided as deep soil landscaping comprising a mixture of grass and shrubs. The submitted tree planting schedule does not include any canopy trees, consequently a condition of consent has been recommended for two (2) canopy trees to be planted within the site that will contribute to the leafy character of the locality.

The private open space of the principal dwelling is directly accessible from the dining room and is orientated to the north to optimize solar access. The private open space of the principal dwelling comprises a verandah with an adjustable louvre shade structure and grass. Contrary to the planning controls, the verandah is elevated more than 500mm above the natural ground level due to the flood affectation of the site.

The primary and secondary fencing of the original development proposal is comprised of a pier and infill style fencing. However due to flood affectation, the fencing design was modified to a vertical picket style 1.5m maximum in height. The vertical picket style ensures that the fence is permeable to allow flood waters to pass through the site.

6: Solar Access

6.1	Objectives	Satisfactory
A.	To ensure the design of new dwelling houses and alterations and additions maximises solar access to living areas and open space areas.	Yes
B.	To minimise overshadowing of adjoining properties.	Yes

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6.2 Development Controls		Complies
.1.	Sunlight Access	
	1 New dwellings - 3 hours solar access between 9.00am and 3.00pm on June 21 to the windows of habitable rooms and 50% of private open space	Yes
	3 50% of the principal private open space of any adjoining premises receives 3 hours solar access between 9.00am and 3.00pm on June 21	Yes
	4 The proposed development does not further reduce the amount of solar access	Yes

Comments: The corner location of the subject site enables the adjoining properties to maintain three (3) hours of solar access to habitable rooms and private open space (Figure 8). Further, the living areas and verandah of the principal dwelling are located towards the northern property boundary to optimize the northerly solar access.



Figure 8: Winter solstice shadow diagrams of the proposed development at 9am, 12pm and 3pm.

7: Privacy

7.1 Objectives		Satisfactory
A.	Development that is designed to provide reasonable privacy to adjacent properties	Yes
B.	To maintain reasonable sharing of views from public places and living areas	Yes
C.	To ensure that public views and vistas are protected, maintained and where possible, enhanced	Yes
D.	To ensure that canopy trees take priority over views	Yes

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E.	<i>To ensure that the siting and design of buildings minimises noise impacts from abutting roads, rail corridors and other noise-generating land uses</i>		Yes
<hr/>			
7.2	Development Controls		Complies
<hr/>			
	<i>Visual Privacy</i>		
.1.	1	Protect POS, bedrooms, balconies and living rooms of proposed and any existing adjoining dwellings from direct overlooking	Yes
	2	Provide adequate separation of buildings	Yes
	3	Ensure elevation of finished floor levels above NGL is not excessive	Yes
<hr/>			
	<i>Windows</i>		
.2.	1	Windows do not directly face the windows, balconies and courtyards of adjoining dwelling	No, refer to comments.
	2	A window within 9m of another window in a habitable room of an adjoining dwelling is offset by 0.5m (min) or a sill height of 1.7m (min) above the FFL	No, refer to comments.
<hr/>			
	<i>Elevated Decks Verandahs and Balconies</i>		
.3.	1	Elevated decks, verandahs and upper storey balconies not permitted on side boundaries except where the facing the secondary frontage of a corner lot and provided other setback controls can be achieved.	Yes
	2	Elevated decks, verandahs and balconies incorporate privacy screens	Yes
	3	Rear balconies (no more than 1m (depth) x 2m (length) permitted if the balcony does not unreasonably impact on adjoining premises	
<hr/>			
	<i>Acoustic Privacy</i>		
.4.	2	Noise-sensitive rooms located away from noise sources	Yes
	3	Suitable acoustic screen barriers or other noise mitigation measures are required where physical separation cannot be achieved	Yes

Comments: During the assessment process, the residents of the adjoining western property raised concerns that the positioning of the proposed windows and verandah of the secondary dwelling would result in overlooking opportunities into their swimming pool. In response to the neighbor concerns, amended plans were submitted which included modifying the western elevation window to a highlight window and re-positioning the location of the verandah.

Visual privacy concerns were also raised in the submission of the adjoining northern property in regards to the secondary dwelling and principal dwelling. Subsequently, a solid 1.8m wall to the northern elevation of the BBQ was added and the living room window (13) shifted so is off-set to the adjoining staircase windows in accordance with Section 7.2.2 of the SDCDP 2005. Whilst Window 13 (Living Room) and Window 27 (Bedroom 3) align with frosted windows of the adjoining northern property as the windows are frosted it would not be reasonable to require the proposed windows to be obscure or substituted with highlight windows. The rear building line of the dwelling and deck has been amended to align with the adjoining northern dwelling, thereby minimising direct overlooking opportunities into the private open space of the neighbouring property. The remaining windows of the secondary and principal dwelling are appropriately off-set or located in excess of 9m from the adjoining dwelling.

The upper level balconies facing on the secondary frontage facing Ada Avenue are acceptable, providing articulation and passive surveillance opportunities to the secondary frontage.

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8: Vehicle Access and Parking

8.1	Objectives	Satisfactory
A.	To provide adequate and convenient on-site car parking.	Yes
B.	To ensure that the location and design of driveways, parking spaces and other areas used from the movement of motor vehicles are efficient, safe and convenient.	Yes
C.	To ensure garages, carports, basements and hard standing areas for cars do not visually dominate the street façade of the dwelling.	Yes
D.	To ensure that construction materials used for driveways respect the architectural qualities of the dwelling.	Yes
E.	To minimise the area of access driveways to minimise impermeable surfaces and maximise landscaped areas.	Yes
F.	To ensure basements have discreet entries, safe access and a high degree of natural cross-ventilation.	Yes
G.	To minimise excavation to reduce disturbance to natural ground level particularly adjacent to site boundaries.	Yes
H.	To ensure that any proposed basement minimises disturbance to natural drainage systems and that flooding, drainage or ventilation impacts would not be created for the site, or for adjoining or nearby properties.	Yes

8.2	Development Controls	Complies	
.1.	<i>Driveway and Grades</i>		
	1	Existing driveways must be used (exceptions apply)	Yes
	2	The width of driveways at the property boundary is to be 3m	Yes
	3	The edge of driveway crossings located 1m (min) clear of any existing stormwater pits or poles and 2m clear of tree trunks	Condition recommended.
	4	Parking and access points easily accessible and recognisable, non-disruptive to pedestrian flow and safety and located to minimise traffic hazards and potential for vehicles to queue.	Yes
	5	One (1) vehicular crossing (max) to any public road (exceptions apply)	Yes
	8	Rear lane / secondary street frontage - parking and access provided from the secondary street/lane	
	9	Driveways avoid long and straight appearance by using variations and landscaping	Yes
	10	Driveway set back 0.5 metres (min) from side boundaries	Yes
	.2.	<i>Garages, Carports and Car Spaces</i>	
1		Two (2) car parking spaces required behind the FBL of all new dwellings (exceptions apply)	Yes
4		Dimensions of parking spaces and garages comply with the Australian Standards	Yes
.3.	<i>Basements</i>		
	1	The area of a basement shall be limited to and contained within the ground level footprint of the dwelling	No. Acceptable on merit.
	2	Excavation not permitted within the minimum side setbacks.	Yes
	3	The maximum height of the basement above NGL is limited to 1m measured to the predominant finished floor level of the level above.	Yes

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Lot 54 DP 14613 (Cont'd)

4	Internal clearance of 2.2m (min)	Yes
5	Driveways have a maximum 1:4 gradient and comply with Australian Standards	Yes
6	Basement entries and ramps/driveways not greater than 3.5m wide	Yes
7	Driveway ramps are perpendicular to the property boundary at the street frontage	Yes
8	Basements permit vehicles to enter and exit the basement in a forward direction	Yes
9	Basements are discretionary on flood affected sites	Yes
10	Pump-out systems and stormwater prevention in accordance with Council's Stormwater Management Code	Yes
11	Basements are not to be used for habitable purposes	Yes

Comments: The proposal seeks to re-locate the existing driveway from Ada Avenue to Myrna Road. The re-location is acceptable on its merits as the existing driveway is for a detached garage and is not in a suitable location to service a basement design. The proposed location of the driveway is positioned 3m from the existing street tree and a condition of consent has been recommended for the stormwater pit to be replaced with a butterfly pit of a commercial heavy duty grade to minimise damage attributed to vehicular movements.

The driveway will provide vehicular access to the basement with a 2.2m internal height clearance. The basement is contained within the ground level footprint of the dwelling, except for a portion in the north-western corner as a result of the verandah. In this particular instance the non-compliance is considered to be acceptable as it is not more than is considered necessary for the provision of two (2) car parking spaces and maneuvering room for the cars to enter and exit the basement in a forward direction. A driveway crest is provided to prevent floodwater from entering the basement and the provision of a grate at the basement entrance.

9: Altering Natural Ground Level (Cut and Fill)

9.1	Objectives	Satisfactory
A.	To maintain existing ground levels and minimise cut and fill to reduce site disturbance.	Yes
B.	To ensure existing trees and shrubs are undisturbed, ground water tables are maintained and impacts on overland flow/drainage are minimised.	Yes
9.2	Development Controls	Complies
1	Fill limited to 1m (max) above NGL	Yes
2	Clean fill used only	Yes
3	Cut and fill batters stabilised consistent with the soil properties	Yes
4	Vegetation or structural measures are implemented when the site is disturbed.	Yes
5	Areas of excavation setback from property boundaries in line with building setback controls. No excavation permitted within the minimum required setbacks.	Yes
6	The work does not affect or undermine the soil stability or structural stability of buildings and Council assets on adjoining properties.	Yes
7	A dilapidation report for all buildings which adjoin proposed excavation areas as required	Condition recommended.

Comments: The dwelling has been appropriately designed in response to the topography and flood affectation of the site including the incorporation of stepped levels to the principal dwelling.

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Excavation associated with the construction of the basement level are appropriately setback from the property boundaries and are limited to a reasonable footprint. Conditions of consent requiring the undertaking of a dilapidation report on the adjoining properties prior to the commencement of works has been included in the recommendation. Additionally conditions are to be imposed ensuring the appropriate management of soils during the excavation and construction phases of the development.

10: Water and Soil Management

10.1	Objectives	Satisfactory	
A.	To encourage the incorporation of Water Sensitive Urban Design (WSUD) and Botany Improvement Plan principles in the development.	N/A	
B.	To ensure compliance with Council's Stormwater Management Code	Yes	
C.	To ensure compliance with the NSW State Government's Flood Prone Lands Policy.	Yes	
D.	To ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction.	Yes	
E.	To ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality.	Yes	
F.	To ensure that new development in areas that may be affected by acid sulphate soils do not adversely impact the underlying ground conditions, soil acidity and water quality.	Yes	
G.	To appropriately manage stormwater and overland flow to minimise damage to occupants and property	Yes	
<hr/>			
10.2	Development Controls	Complies	
.1.	Stormwater Management and Flood Prone areas		
	2	Compliance with Council's Stormwater Management Code	Yes
	3	Flood affected properties comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas & Through Site Drainage)	Yes
	4	Minimum habitable floor height advice obtained for flood affected sites	Yes
	5	A drainage/flood report prepared by a hydraulics engineer submitted for sites affected by overland flows	Yes
.2.	Acid Sulfate Soils		
	1	Site managed consistent with the provisions contained in Clause 6.1 SLEP 2012	Yes
.3.	Soil Erosion and Sediment Control		
	1	Soil erosion and sediment control measures detailed and implemented prior to the commencement of work.	Yes
	2	Sediment control measures applied	Yes

Comments: A Flood Risk Management Plan was submitted during the assessment process. Council's Engineer reviewed the Flood Risk Management Plan and architectural plans and has raised no objection to the proposal subject to a 300m driveway crest above the 1 in 100 year flood level be included in the driveway design to prevent overland flow of stormwater entering the basement. Conditions of consent have been imposed in accordance with Council's Engineer recommendations. An adequate erosion and sediment control plan was submitted with the development application.

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11: Access, Safety and Security

11.1	Objectives	Satisfactory	
A.	To encourage the incorporation of crime prevention principles in the design of the proposed developments.	Yes	
B.	To increase the safety and perception of safety in public and semi-public spaces.	Yes	
C.	To provide passive surveillance of the public domain to promote a safe pedestrian environment whilst maintaining the privacy of residents	Yes	
D.	To ensure the safety of pedestrians by separating pedestrian access from vehicular access.	Yes	
11.2	Development Controls	Complies	
.1.	<i>Address and Entry Sightlines</i>		
	1	Occupants able to overlook public places to maximise passive surveillance	Yes
	2	Landscaping design around dwellings and ancillary structures to accommodate plant maturation	Yes
	3	External lighting enhance safe access and security and light spill does not adversely impact on adjoining properties.	Yes
.2.	<i>Pedestrian Entries</i>		
	1	Pedestrian entries and vehicular entries suitably separated	Yes
	2	Dwelling entrances easily identifiable	Yes

Comments: The vehicular and pedestrian entranceways are suitably separated and clearly distinguishable. Opportunities for passive surveillance of Ada Avenue and Myrna Road are provided by way of the multiple windows and first floor balconies.

12: Ancillary Development

12.1	Objectives	Satisfactory	
A.	To ensure that ancillary development is compatible with the design of the principal dwelling, streetscape and adjoining dwellings in form, materials and colours	Yes	
B.	To limit the size, bulk and scale of ancillary structures and minimise their visibility from the public domain.	Yes	
C.	To ensure that the provision of ancillary structures improves the amenity of residents whilst ensuring that the amenity of surrounding dwellings and neighbouring lots is maintained.	Yes	
D.	To ensure that the provision of ancillary structures, such as air conditioning units, are considered at the design stage of a proposed development.	Yes	
12.2	Development Controls	Complies	
.1.	<i>Secondary Dwellings</i>		
	1	Floor area is not greater than either 60m ² ; or 20% of the total floor area of the dwelling	Yes
	2	A minimum setback of 3m to a secondary frontage, 1.5m to the side, 3m to rear	No, refer to discussion.
	3	Located at the rear of the primary dwelling	Yes

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4	Deep soil planting within the rear setback	Yes	
5	The design, materials, colours, bulk and scale, and location of a compatible with the existing dwelling and surrounding character	Yes	
6	Comply with solar access, visual and acoustic privacy controls	Yes	
7	Accessed via the same street as the principal dwelling	Yes	
8	No blank walls facing the street	Yes	
9	The roof design compatible with the predominant roof forms in the neighbourhood	Yes	
10	A primary private open space provided for the secondary dwelling, directly accessible to the internal living areas and 12sqm (min) and 3m (min) dimension	Yes	
11	Private open space located to maximise solar access	Yes	
12	Private open space appropriately landscaped and screened to ensure privacy	Yes	
13	No additional parking or driveway access	Yes	
14	No garages or carports are to be attached to secondary dwellings	Yes	
<i>Air-conditioning</i>			
1	Located away from the habitable rooms of adjoining properties and/or screened by acoustic treatments	Insufficient information, condition imposed.	
.4.	3	Installation of residential grade air conditioners only	Insufficient information, condition imposed.
	4	Installation to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008	Insufficient information, condition imposed.

Comments: The proposal includes a secondary with a floor area of 59.73m² located at the western portion of the site with a revised maximum building height of 4.2m. The finished floor level of the secondary dwelling is in accordance with the recommendations in the Flood Risk Management Plan.

The original development design proposed the principal and secondary dwelling as an attached structure with the residential entrance of the secondary dwelling facing Ada Avenue and its own pedestrian gate. During the course of the assessment process, amended plans were submitted separating the secondary dwelling from the principal dwelling by 1.4m and the pedestrian entrance located on the eastern elevation. The design amendments soften the streetscape appearance of the structure and present as a detached garage or outbuilding not dissimilar to the ancillary structures in the immediately surrounding streetscape (Figure 9s and 10).

The secondary dwelling has a 3m northern side setback, 2m southern (secondary frontage) setback and 1.75m to 2.07m rear setback contrary to the Section 12.2.1 setback requirements. The proposed setbacks of the secondary dwelling are considered to be suitable on the merits of the subject site. Specifically the northern side setback provides a private open space and living areas that will receive three (3) of solar access with setbacks that do not result in adverse amenity impacts. Additionally, the detached positioning of the secondary dwelling is not dissimilar when viewed from the streetscape to detached garages and outbuildings with minimal setbacks that are found in the immediately surrounding streetscape. Visual privacy between the principal and secondary dwelling is achieved by the 1.8m privacy screen to the western side elevation of the principal dwelling verandah.

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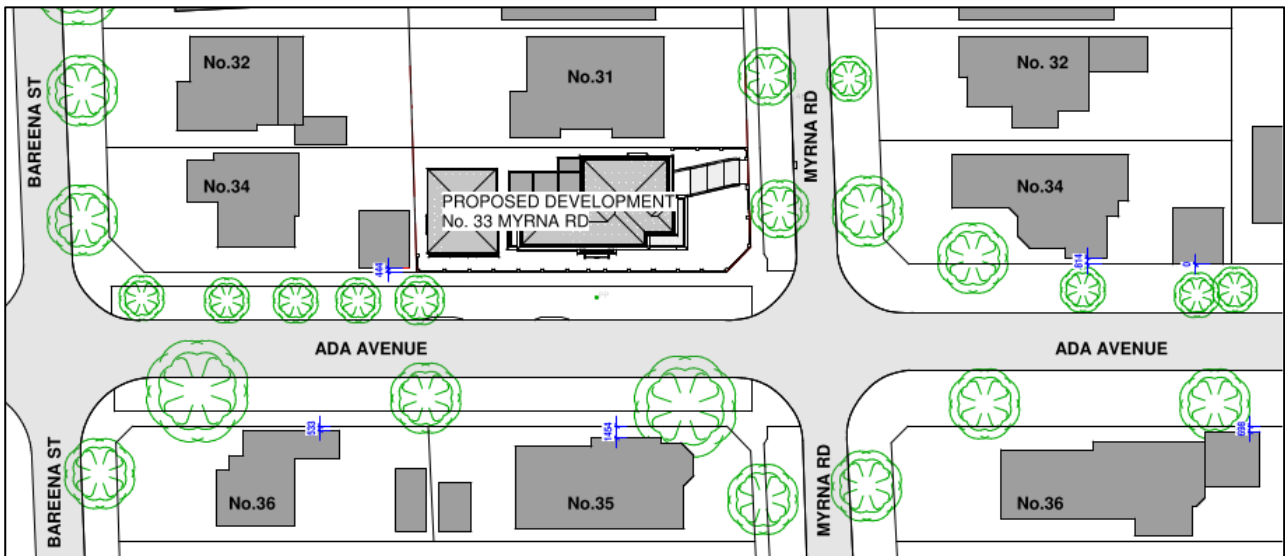


Figure 9: Site plan of the proposed development and surrounding locality. Note outbuildings and detached garages with minimal setbacks at No. 34 and 36 Bareena St and No. 34, 35 and 36 Myrna Road.

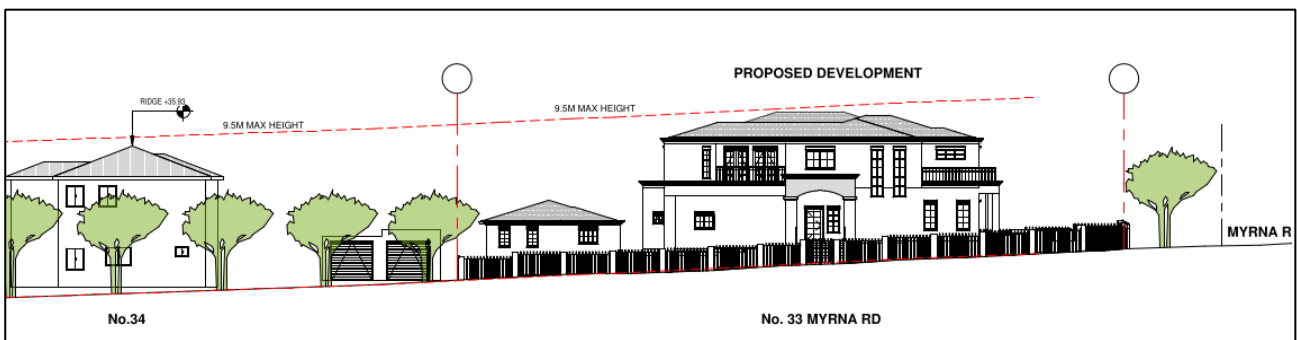


Figure 10: Proposed Ada Avenue streetscape elevation.

Insufficient information accompanied the application regarding the location of the air-conditioning unit. Consequently, conditions of consent have been recommended to ensure a residential grade air-conditioning unit is installed and complies with the relevant pollution control legislation.

13: Ecologically Sustainable Development

13.1	Objectives	Satisfactory
A.	To encourage passive and active strategies in the design of dwellings and ancillary structures that promotes the achievement of ecologically sustainable practices and BASIX requirements.	Yes
B.	To ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating.	Yes
C.	To minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies.	Yes
D.	To encourage the use of new technology that reduces energy consumption, minimises greenhouse emissions and results in cost savings	Yes
E.	To encourage the re-use of building materials, thereby reducing waste to landfill, transportation costs, conserving raw materials and reducing energy expenditure. (Refer to Part H Waste Minimisation and Management of SCDCP 2005).	Yes
13.2	Development Controls	Complies

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<i>Natural Lighting and Heating</i>			
.1.	1	Living areas facing north, sleeping areas facing east/south, and utility areas orientated west/south to maximise winter solar access.	Yes
	3	Materials used of high thermal mass	Yes
<i>Natural Cooling and Ventilation</i>			
.2.	1	Windows and walls on northern facades shaded by shading devices, trees, eaves and louvres sympathetic to the dwelling	Yes
	2	Windows positioned to capture breezes and allow for cross-ventilation	
<i>Water Tanks</i>			
.3.	1	Located behind the dwelling or behind the front building line and screened from view from the public domain	Yes
	2	Associated support structures and plumbing are a colour that complements the dwelling.	Yes
	3	Above ground water tanks located 450mm (min) from any property boundary	Yes
	4	Above ground water tanks do not exceed 3m in height above NGL	Yes
	5	Overflow piped directly to the approved stormwater drainage system except in cases where stormwater is required to be directed to on-site stormwater detention (OSD) storage	Yes
	9	Support structure installed to the requirements of a qualified practicing structural engineer or to the maker's specifications.	Compliance conditioned.

Comments: BASIX Certificates for the principal and secondary dwellings have been submitted meeting the designated targets for energy and water reduction. In accordance with the BASIX Certificate an instantaneous gas hot water system and 2,500L rainwater tank for the principal dwelling and 2,00L for the secondary dwelling are to be installed. Conditions of consent are included to ensure the hot water system and rainwater tanks are installed in accordance with the relevant Australian Standards. The windows and openings of the dwelling provide ample opportunities for cross-ventilation. The northern orientated verandah is covered by a pergola fitted with adjustable louvres to provide shade in the summer months.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A Waste Management Plan prepared in accordance with Part H of the SCDCP 2005 accompanied the development application. Compliance with the Waste Management Plan shall be enforced via the conditions of consent.

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.

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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*

Visual Privacy

Objective A of Section 7 of Part of the SCDP 2005 requires development to be designed to provide reasonable privacy to adjacent properties. During the assessment process the window schedule and verandahs of the principal dwelling and secondary have been modified to provide adequate off-sets and the addition of privacy measures (privacy screens) to achieve a reasonable level of privacy between the adjoining properties and the site.

Flooding

The subject site is affected by overland flooding in the 1 in 100 year flood event. The design of the principal and secondary dwellings has incorporated overland flow voids between the ground and structure to enable the flood waters to flow through the site. The finished floor levels of the dwellings meet the requirements of Council's Interim Flood Prone Land Policy. The modified picket design of the fence along the primary and secondary frontages will enable flood water to flow through the site. In accordance with Council's flooding guidelines a condition has been imposed for a driveway crest 300mm above the 1 in 100 year flood level be incorporated to prevent flood waters from entering the basement. Through the incorporate of the above design measures and proposed conditions it is not anticipated that the proposal will impact on the surrounding drainage and flood behaviour.

Overall the likely impacts of the development, including environmental impacts on the natural and built environments and social and economic impacts in the locality are considered to be acceptable.

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

The site is suitable for the proposed development as dwelling houses and secondary dwellings are permissible in the R2 Low Density Residential zone, the surrounding area is characterized by one (1) and two (2) storey dwellings and the size of the allotment is sufficient for the construction of the development. The proposed development appropriately responds to the topography and flood affection of the site. In summary the site is considered suitable for the development.

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

The application was publicly notified from 25 November 2019 to 9 December 2019 in accordance with the provisions of Part L of SCDP 2005. Three (3) written submissions were received as a result. All three (3) objectors were contacted and discussions with the assessment officer to resolve the concerns raised.

The issues raised in the submissions received are summarised and addressed as follows:

1. *Noise and smell*

Concern is raised that the BBQ area is located too close to the northern adjoining property and any cooking smells or smoke will blow directly into the dwelling. Concern is also raised that noise from the verandah area will reverberate through the large window located on the southern side of the northern adjoining property into the house.

Assessing officer's comment: In response to the concerns raised in the submission regarding smell and privacy from the BBQ area, amended plans were submitted incorporating a 1.8m solid wall on the northern elevation of the built-in BBQ. In the event that offensive smells and unreasonable noise occur, appropriate action will be taken by Council's compliance team.

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2. Visual privacy – Principal dwelling and secondary dwelling

Concern is raised that the windows on the northern elevation of the proposed principal dwelling and secondary dwelling provide direct overlooking opportunities into the dwelling and clothes line area of the northern adjoining property. Specifically, Window 13 and the verandah looks directly into the laundry, bathroom, backyard and clothesline. The windows of the downstairs bathroom and open are regularly kept open for ventilation, this will not be possible in the future because of the development. The verandahs and BBQ should be placed on the other side (southern) of the site with the nearest neighbours much further away.

Assessing officer's comment: Revised plans have been submitted shifting the position of W13 so the window is offset from the edge of the adjoining property window by 500mm in accordance with Section 7.2.2 of Part A of the SDCDP 2005. Overlooking opportunities from the verandah into the private open space of the northern adjoining property have been addressed by aligning the rear building line of the dwelling and verandah to the rear building line of the northern adjoining property. A clothes line area and laundry are categorised as a low-use areas and no privacy measures are required. Similarly the bathroom windows are fitted with frosted glass and is unreasonable for privacy measures to be conditioned. A re-location of the verandah and BBQ area to the southern side of the site is not supported as the overshadowing would result in non-compliance with the solar access controls of the SDCDP 2005.

3. Secondary dwelling

The secondary dwelling is excessively raised of the existing ground level which results in the living room and verandah to look into the private open space of the adjoining northern and western properties. The secondary dwelling does not comply with the setbacks requirements prescribed in the SDCDP 2005.

Assessing officer's comment: In response to the concerns raised in the submission, a modified design of the secondary was submitted. The modified design separated the secondary dwelling from the principal dwelling and reducing the finished floor level from RL29.16 to RL28.75 in accordance with the recommendations of the Flood Risk Management Plan. The verandah re-positioned to the east minimising direct view to the northern and western adjoining properties whilst providing adequate solar access. As discussed in the report, the proposed setbacks of the secondary dwelling are suitable for the characteristics of the site such as solar access, streetscape appearance and amenity.

4. Visual privacy – Secondary dwelling

Concern is raised that the elevation of the window and verandah of the secondary dwelling provides direct overlooking opportunities into the swimming pool of the western adjoining property.

Assessing officer's comment: During the assessment process site inspections of the subject site and the adjoining neighbours property was undertaken. Consequently amended plans were submitted which re-positioned the verandah of the secondary dwelling to the north east and the only window facing the western adjoining property as a highlight window.

5. Streetscape compatibility

The proposed development is too bulky in comparison to the size of the land and is not compatible with the surrounding streetscape. The bulk and scale of the development will have stormwater implications. The inclusion of a secondary dwelling is not in keeping with the streetscape.

Assessing officer's comment: Myrna Road is undergoing a state of transition with traditional style houses being demolished and replaced with two (2) storey dwellings in varying styles including modern and contemporary. As discussed throughout this report, the development was modified separating the principal and secondary dwellings thereby breaking the bulk of the development that is in keeping with the surrounding streetscape. The revised design has the pedestrian entrance of the secondary dwelling so it is not visible from the public domain giving the streetscape appearance

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of an outbuilding and not a dual occupancy or secondary dwelling. Additionally, the two (2) storey portico was reduced to a single storey element and a marble external finish to the structure providing visual interest to the building form. Council's Engineer has reviewed the proposed stormwater plan and the Flood Risk Management Plan, raising no objections subject to the recommended conditions of consent.

6. *Driveway placement*

The proposed driveway on Myrna Road cuts across a stormwater drain which take the run-off the our property (No. 31 Myrna Road). Moving the driveway from Ada Avenue to Myrna Road, one car parking space out the front of 33 Myrna Road is lost. The secondary dwelling does not allow for any off-street parking mean that the parking will need to be on-street.

Assessing officer's comment: Council's Development Control Engineer raised no objection to the position of the driveway over the existing Council kerb inlet intel pit, subject to the pit being converted to a commercial heavy duty grade butterfly pit. A condition of consent is imposed for the surplus vehicular crossing to be removed and reinstated with concrete kerb and gutter, thereby providing one (1) car parking space on Ada Avenue. There is no requirement for off-street parking to be provided for secondary dwellings.

7. *Landscaping*

The proposal fails to comply with the minimum landscape area requirements (43% total site area) for the site in accordance with the SCDCP 2005.

Assessing officer's comment: In accordance with Section 5.2.1 of the SCDCP 2005 the minimum landscape area requirement for the subject site is 41.5% as the site falls within the 601-700m² category.

8. *Asbestos*

Concerns is raised that the submitted Waste Management Plan makes no reference to the removal of asbestos. It is requested that Council ensures that any asbestos removal is undertaken in accordance with the relevant laws and regulations.

Assessing officer's comment: Standard conditions pertaining to asbestos removal have been included in the recommended conditions of consent. Specifically the conditions require all demolition to be carried out in accordance with Australian Standard AS 2601-2001, the demolition is carried out by a registered demolition contractor and the disposed of in accordance with the requirements of the Protection of the Environment Operations Act 1997.

9. *Dilapidation report*

The proposal includes the excavation of a basement level. It is requested that a dilapidation report be conducted prior to the commencement of building works.

Assessing officer's comment: A condition of consent has been included requiring a dilapidation report be undertaken of the adjoining properties prior to the commencement of works.

10. *Subdivision*

The Statement of Environmental Effects states that the development is to be subdivided.

Assessing officer's comment: A letter seeking clarification was sent to the applicant during the assessment process. Consequently an amended Statement of Environmental Effects was submitted clarifying that the application does not seek approval for subdivision.

11. *Cost of works*

The development application form states that the estimated cost of works is \$850,000. It is requested that this estimate is reviewed.

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Assessing officer's comment: A Quantity Surveyors Report has been submitted with a cost of works of \$956,152.

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.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

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

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

STRATHFIELD DIRECT CONTRIBUTIONS PLAN

Section 7.11 Contributions are applicable to the proposed development in accordance with the Strathfield Direct Contribution Plan as follows:

Provision of Community Facilities	\$ 1,878.64
Provision of Major Open Space	\$ 8,547.23
Provision of Local Open Space	\$ 1,880.89
Provision Roads and traffic Management	\$ 500.33
Administration	\$ 161.99
TOTAL	\$12,969.07

CONCLUSION

Having regard to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, the proposal is considered to be acceptable on its merits and is recommended for approval subject to 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. 2019/192 for the demolition of existing buildings and construction of a two (2) storey dwelling with basement level and a detached secondary dwelling at 33 Myrna Road, Strathfield be **APPROVED**, subject to the following conditions:

1. **VEHICULAR CROSSING (SC)**

Amended plans demonstrating compliance with the followings conditions are to be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

- i. The existing Council kerb inlet intel pit is to be replaced with a butterfly pit of a

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- commercial heavy duty grade;
- ii. All stormwater plans are amended to reflect the approved architectural basement design including the deletion of the car turn table;
- iii. A driveway crest 300mm above the 1 in 100 year flood level is to be incorporated into the driveway design to prevent overland flow of stormwaters from entering the basement.

Prior to the issue of an Occupation Certificate the constructed butterfly pit is to be inspected to the satisfaction of Council's Engineer and at full cost to the applicant.

(Reason: Stormwater matters.)

2. NON-TRAFFICABLE ROOF (SC)

All parts of the roof of the principal and secondary dwelling shall be non-trafficable, except for the purpose of maintenance only.

(Reason: To protect the privacy of adjoining properties.)

3. AIR CONDITIONING UNIT (SC)

All air-conditioning units are to be installed as follows:

- a) Only residential grade air conditioners are to be installed; and b) Installed to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008; and

Documentation demonstrating compliance with the above measures is to be submitted to and approved by the Principal Certifying Authority prior to the issue of the Occupation Certificate.

(Reason: Acoustic privacy).

GENERAL CONDITIONS (GC)

4. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

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

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No.2019/192:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
1.01	Site Layout & Site Analysis Plan	Ridge Designs	D	24 February 2020
1.02	Demolition Plan	Ridge Designs	A	24 February 2020
2.01	Basement Plan	Ridge Designs	D	24 February 2020
2.02	Driveway Detail	Ridge Designs	D	24 February 2020
2.03	Ground Floor	Ridge Designs	D	24 February

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	Plan			2020
2.04	First Floor Plan	Ridge Designs	B	24 February 2020
2.05	Roof Plan	Ridge Designs	B	24 February 2020
3.01	Elevations Sheet 1	Ridge Designs	D	24 February 2020
3.02	Elevations Sheet 2	Ridge Designs	D	24 February 2020
4.01	Sections	Ridge Designs	D	24 February 2020
4.03	Fence Detail	Ridge Design	D	24 February 2020
-	Finishes Schedule	Ridge Designs	-	24 February 2020
E.01	Erosion & Sediment Control Plan	Ridge Designs	D	24 February 2020
L.01	Concept Landscape Plan	Ridge Designs	D	24 February 2020
101	Stormwater Concept Plan Basement Level Sheet 1 of 2	Australian Consulting Engineers	B	18 February 2020
102	Stormwater Concept Plan Basement Level Sheet 2 of 2	Australian Consulting Engineers	B	18 February 2020
103	Stormwater Concept Plan	Australian Consulting Engineers	B	18 February 2020
104	Sediment & Erosion Control Plan & Miscellaneous Details	Australian Consulting Engineers	B	18 February 2020
105	Miscellaneous Details Sheet	Australian Consulting Engineers	B	18 February 2020

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No.2019/192:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
BASIX Certificate	No. 993002S_02	Issued on 18 February 2020	18 February 2020
BASIX Certificate	No. 994207S_2	Issued on 18 February 2020	18 February 2020
Flood Risk Management Plan	Australian Consulting Engineers Pty Ltd	Issue A	18 February 2020
Waste Management Plan	Ridge Designs	Rev A	14 November 2019

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

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

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

The height of the building measured from Australian Height Datum (AHD) must not exceed Relative Level (RL) 37.82AHD to the ridge of the building.

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

6. **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.)

7. **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.)

8. **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.)

9. **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/fencing along the street frontage(s) complying with WorkCover requirements must be obtained including:

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

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

(Reasons: Statutory requirement and health and safety.)

10. 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.

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

- 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.
- 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.
- 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.
- Root protection is to be provided in the form of mulching to a depth of 50-100mm, inside of the fenced tree protection zone.
- 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.
- Temporary signs, cables, wires must not be attached to, or suspended, on any street tree or protected tree.
- Above ground utilities must not be placed within the canopy of an existing protected tree, or create the future need for clearance pruning.
- Below ground utilities/services must not be located inside the fenced tree protection zone.
- 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
- 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.

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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.)

11. LANDSCAPING - CANOPY TREES (GC)

New development shall provide at least two (2) canopy trees within the site with a minimum of one (1) located within the front setback. New canopy trees shall be planted from 200 litre containers at the time of planting and capable of reaching a potential mature height of 8m.

The new trees must not be planted closer than 1.5 metres from a structure or property boundary.

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

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

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

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

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

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

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

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

12. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

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

(Reason: To ensure compliance with this consent.)

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

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

- i) the Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- ii) the Principal Contractor by showing the Principal Contractor's name, address and

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- iii) telephone number (outside of work hours) for that person; and
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.)

14. **SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)**

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- ii) Demolition must be carried out by a registered demolition contractor.
- iii) A single entrance is permitted to service the site for demolition and construction. 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.
- 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

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- 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.)

15. **STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)**

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by an Accredited Civil/Hydraulic Engineer and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

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

16. **SYDNEY WATER - TAP IN™ (GC)**

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)

17. **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.

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

(Reason: Statutory compliance.)

18. **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.)

19. **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.)

20. **CAR PARKING - VEHICULAR ACCESS RAMPS (CC)**

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

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

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- 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.)

21. 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.)

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

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

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

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

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

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

The vehicular crossing (and all associated excavation works) must not be constructed closer than 2 metres from a retained protected street tree.

(Reason: Compliance with SCDCP 2005.)

24. 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.)

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

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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.)

26. **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,

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

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

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

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

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

27. **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.)

28. **EXCAVATION - AFFECTING ADJOINING LAND (CC)**

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

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

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

(Reason: Structural safety.)

29. FEES - ADDITIONAL DEVELOPMENT APPLICATION FEES (CC)

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

Based on the submitted DA Elemental Cost Estimate Report prepared by AUBC Consulting the cost of works of the development are \$956,152. The applicable Development Application Fee on this amount would be \$2,493.09 which includes a Planning Reform Fee of \$611.94. As a Development Application fee of \$2,319 was paid when lodging the application, the difference of \$174.09 (including \$67.94 Planning Reform Fee) shall be paid to Council prior to the issue of a Construction Certificate.

(Reason: Statutory requirement.)

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

The applicant shall comply with the flood recommendations provided in the Flood Risk Management Plan prepared by Australian Consulting Engineers Pty Ltd. A certificate from a suitably qualified Engineer shall be submitted to the Certifying Authority stating compliance with these recommendations, prior to the issue of a Construction Certificate.

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

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

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

(Reason: Privacy amenity.)

32. 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:

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Provision of Community Facilities	\$ 1,878.64
Provision of Major Open Space	\$ 8,547.23
Provision of Local Open Space	\$ 1,880.89
Provision Roads and traffic Management	\$ 500.33
Administration	\$ 161.99
TOTAL	\$12,969.07

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

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

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

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

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

A security (damage deposit) of **\$12,200.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

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

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

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

34. STORMWATER - RAINWATER RE-USE (CC)

A rainwater re-use system shall be provided in accordance with either the BASIX minimum requirements, any relevant Council Rainwater Policy and/or specification of the

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management of stormwater, whichever is applicable. A detailed stormwater plan showing the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

35. **STORMWATER DRAINAGE (CC)**

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the driveway/basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

(Reason: To ensure the site is drained appropriately and does not interfere with the natural flow of flood waters.)

36. **TREE BONDS (CC)**

A tree bond of **\$23,000** (two x 5m-10m trees and one x under 5m) (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

A refund of the Tree Bond must be made in writing.

Tree Bonds may be forfeited if a tree is dead, made dangerous or has been terminally damaged, or will be held until tree/s have fully recovered from the construction damage or were replacement/planted trees have become fully established and are over 6 metres in height.

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

37. **VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)**

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)

38. WATER SUSTAINABILITY – GENERALLY (CC)

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

- i) Toilet flushing;
- ii) Clothes washing;
- iii) Garden irrigation;
- iv) Car washing and similar outdoor uses;
- v) Filling swimming pools, spa pools and ornamental ponds; and
- vi) Fire fighting.

(Reason: To promote sustainable water management practice.)

39. WATER HEATING SYSTEMS - LOCATION OF (CC)

Water heating systems shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To maintain streetscape character.)

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

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

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

- i) A construction certificate for the building work has been issued by the consent 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

DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)

payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

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

(Reason: Statutory requirement.)

41. HOME BUILDING COMPENSATION FUND (CW)

No residential building work within the meaning of the Home Building Act 1989 may commence until:

- i) A contract of insurance in accordance with Part 6 of the Home Building Act 1989 is entered into and in force, where such a contract is required under that Act (this is a prescribed condition of consent pursuant to clause 981(b) Environmental Planning and Assessment Regulation 2000.
- ii) The PCA is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the Home Building Act 1989 (unless the work is to be carried out by an owner-builder).
- iii) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner -builder permit required under the Home Building Act 1989.
- iv) Written notice of the following information has been provided to Council (this is a prescribed condition of consent pursuant to clause 98B of the Environmental Planning and Assessment Regulation 2000):
 - In the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of the Home Building Act 1989.
 - In the case of work to be done by an owner-builder:
 - the name of the owner-builder; and
 - if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989, the number of the owner-builder permits.

Where Council is not the PCA, the PCA is responsible for notifying Council of the above matters.

Note: Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the PCA (where not the Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement.)

42. NOTICE OF COMMENCEMENT (CW)

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

- 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;

DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)

- 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)

43. 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.)

44. 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.)

45. 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.)

46. 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.

DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)

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

47. 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 (POC)

48. 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.)

49. 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.)

50. 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 an Accredited Civil/Hydraulic Engineer demonstrating that:

- i) The stormwater drainage system; and/or
- ii) The car parking arrangement and area; and/or

**DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)**

- 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.)

51. 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.)

52. 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.)

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

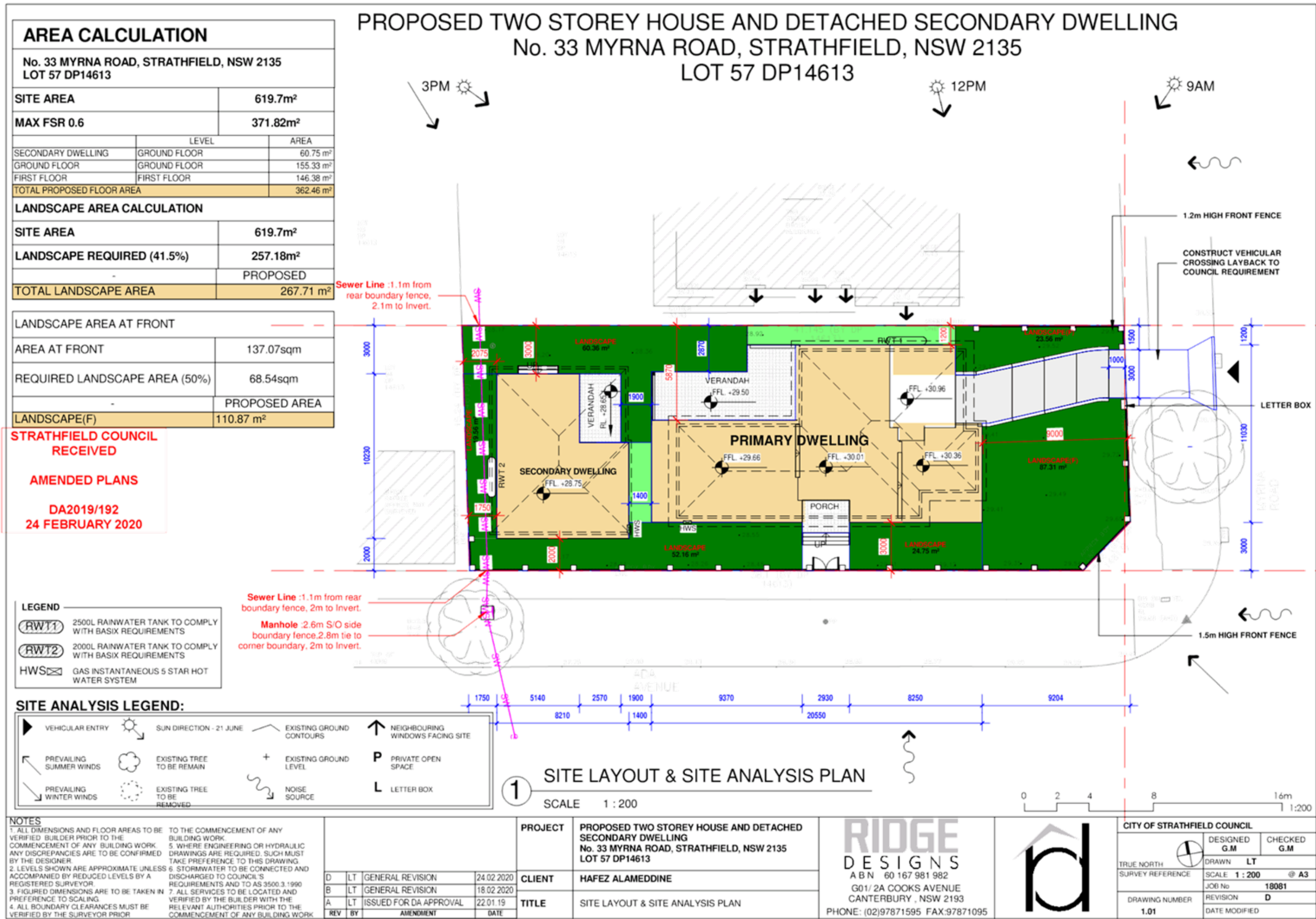
The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

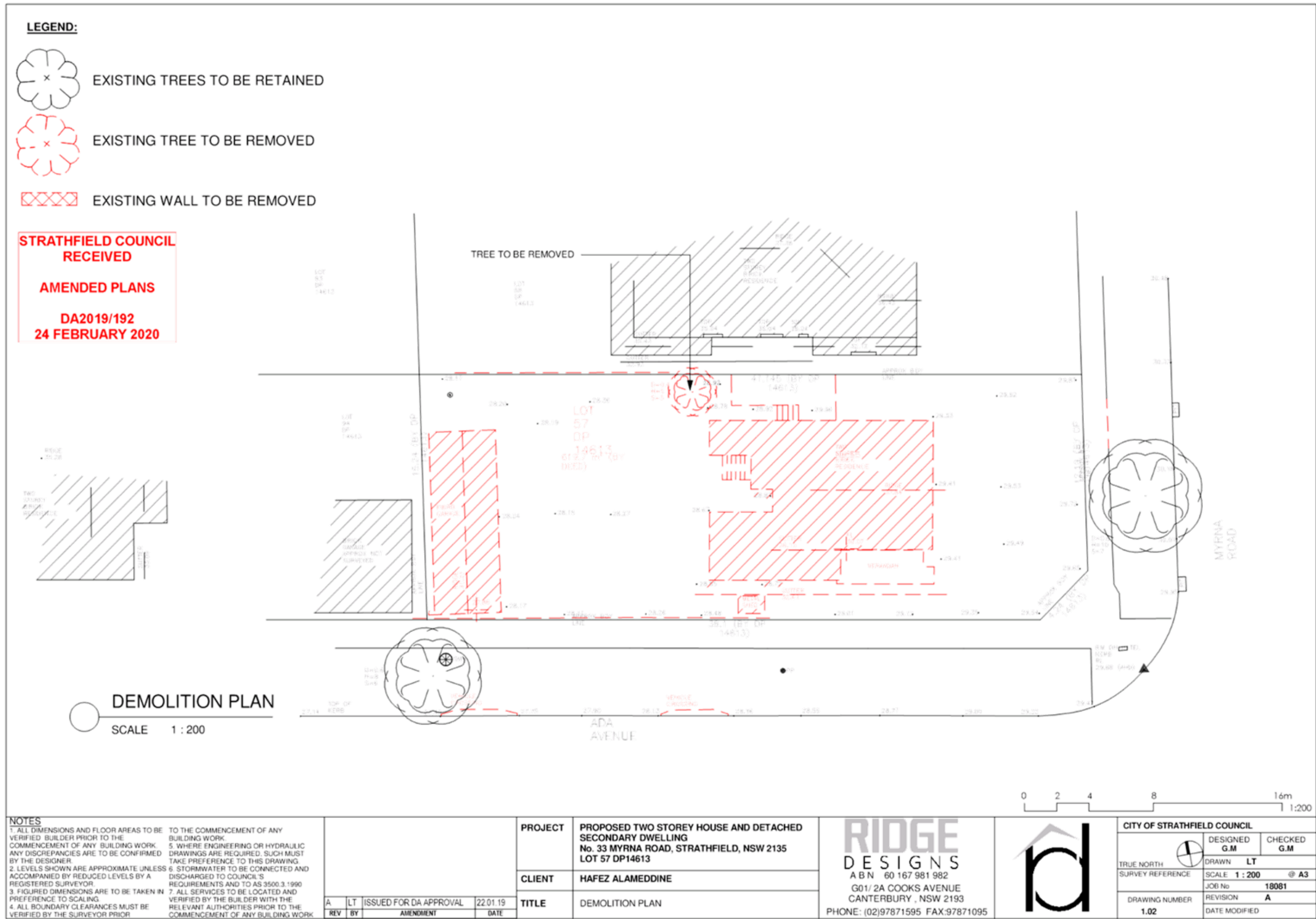
DA2019/192 33 Myrna Road, Strathfield
Lot 54 DP 14613 (Cont'd)

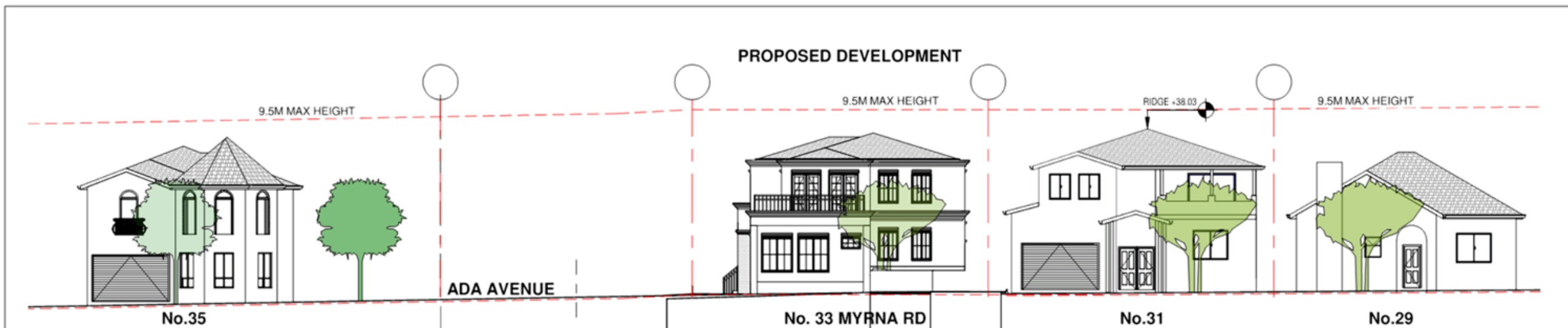
(Reason: Adequate stormwater management.)

ATTACHMENTS

1. [↓](#) 33 Myrna Road Architectural Plans







1 STREETSCAPE- MYRNA RD
SCALE 1 : 200



2 STREETSCAPE- ADA AVE
SCALE 1 : 200

**STRATHFIELD COUNCIL
RECEIVED**
AMENDED PLANS
DA2019/192
24 FEBRUARY 2020



NOTES
1. ALL DIMENSIONS AND FLOOR AREAS TO BE VERIFIED BY THE BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. ANY DISCREPANCIES ARE TO BE CONFIRMED BY THE DESIGNER.
2. LEVELS SHOWN ARE APPROXIMATE UNLESS ACCOMPANIED BY REDUCED LEVELS BY A REGISTERED SURVEYOR.
3. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING.
4. ALL BOUNDARY CLEARANCES MUST BE VERIFIED BY THE SURVEYOR PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.
5. WHERE ENGINEERING OR HYDRAULIC DRAWINGS ARE REQUIRED, SUCH MUST TAKE PREFERENCE TO THIS DRAWING.
6. STORMWATER TO BE CONNECTED AND DISCHARGED TO COUNCIL'S REQUIREMENTS AND TO AS 3500.3.1990
7. ALL SERVICES TO BE LOCATED AND VERIFIED BY THE BUILDER WITH THE RELEVANT AUTHORITIES PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.

REV	BY	AMENDMENT	DATE
D	LT	GENERAL REVISION	24.02.2020
B	LT	GENERAL REVISION	18.02.2020
A	LT	ISSUED FOR DA APPROVAL	22.01.19

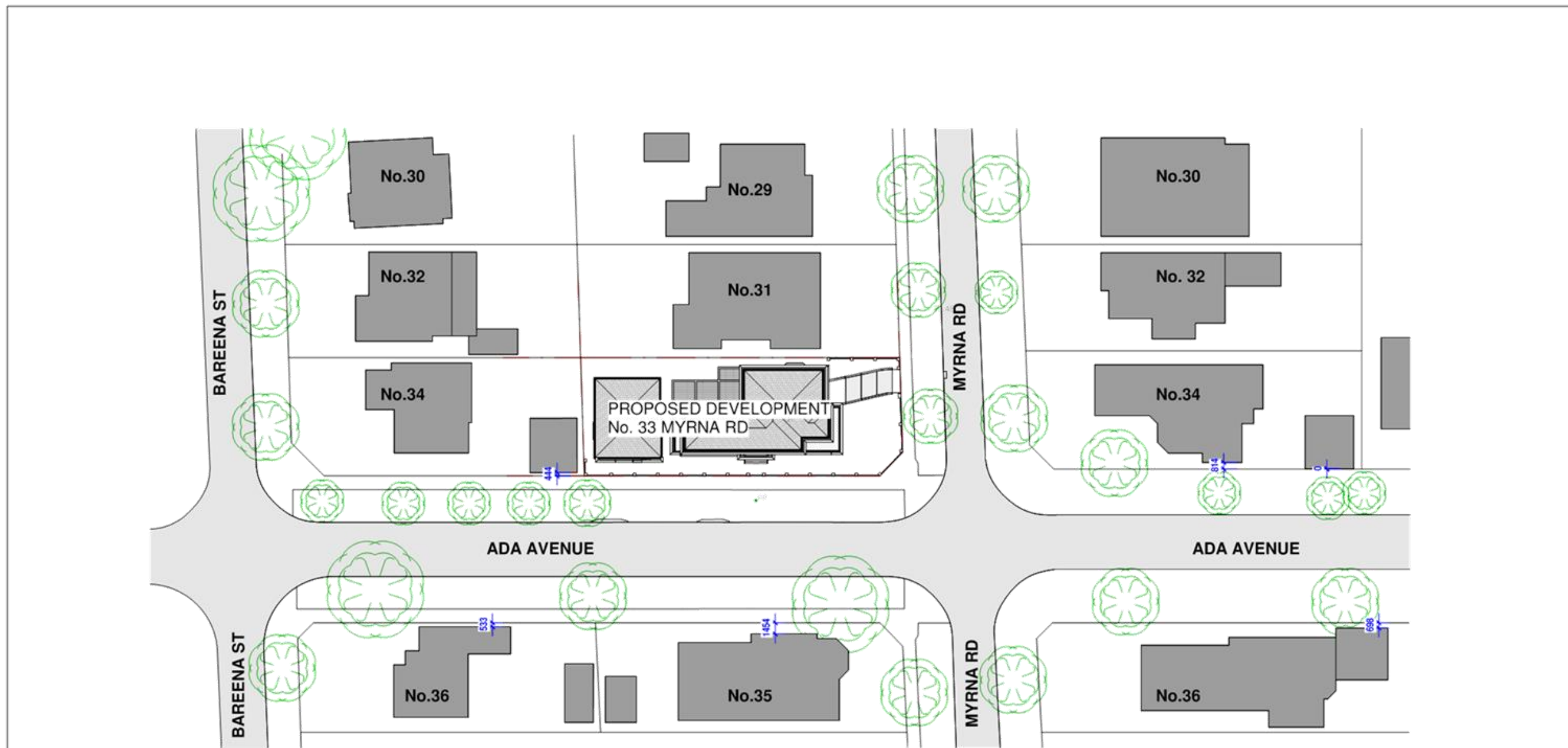
PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	STREETSCAPE

**RIDGE
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CITY OF STRATHFIELD COUNCIL	
DESIGNED G.M	CHECKED G.M
TRUE NORTH	DRAWN LT
SURVEY REFERENCE	SCALE 1 : 200 @ A3
DRAWING NUMBER 1.03	JOB No 18081
	REVISION D
	DATE MODIFIED

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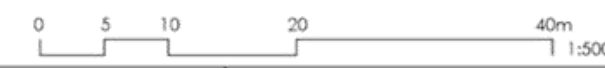


1 SITE PLAN
SCALE 1 : 500

**STRATHFIELD COUNCIL
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AMENDED PLANS

**DA2019/192
24 FEBRUARY 2020**



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5. WHERE ENGINEERING OR HYDRAULIC DRAWINGS ARE REQUIRED, SUCH MUST TAKE PREFERENCE TO THIS DRAWING.

6. STORMWATER TO BE CONNECTED AND DISCHARGED TO COUNCIL'S REQUIREMENTS AND TO AS 3600.3.1990.

7. ALL SERVICES TO BE LOCATED AND VERIFIED BY THE BUILDER WITH THE RELEVANT AUTHORITIES PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.

REV	BY	AMENDMENT	DATE
B	LT	GENERAL REVISION	18.02.2020
A	LT	ISSUED FOR DA APPROVAL	22.01.19

PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	SITE PLAN @SCALE 1-500

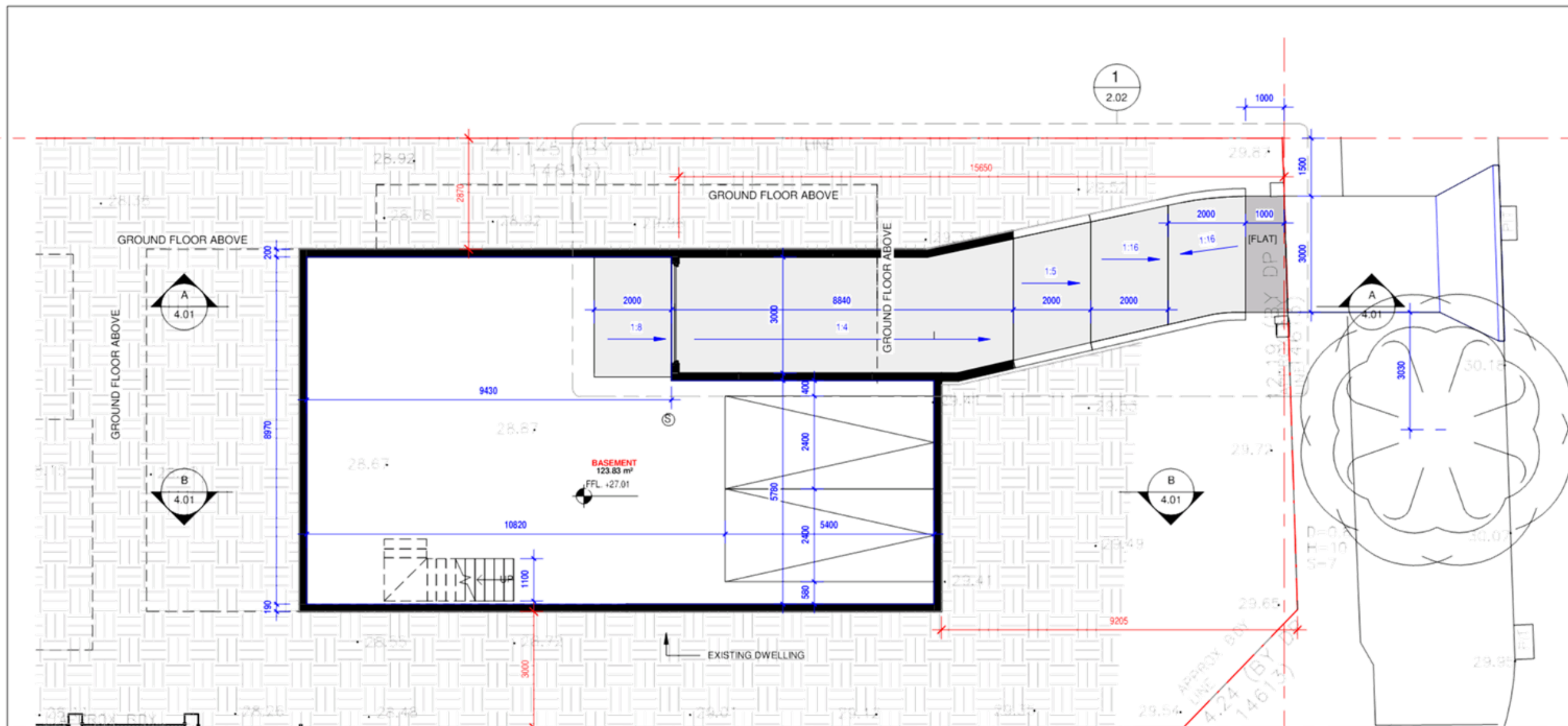
**RIDGE
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SURVEY REFERENCE	SCALE 1 : 500 @ A3
DRAWING NUMBER 1.04	JOB No 18081
	REVISION B
	DATE MODIFIED

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1 BASEMENT PLAN
SCALE 1 : 100

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24 FEBRUARY 2020**

NOTE:

- MECHANICAL VENTILATION TO COMPLY WITH THE BCA NCC 2016 PART 3.8.5 VENTILATION / 3.8.5.2 VENTILATION REQUIREMENTS
- SKY LIGHT
- SMOKE ALARM TO COMPLY WITH PART 3.7.2 OF THE NCC 2016

HEIGHTS OF THE BALUSTRADE OF THE BALCONY TO COMPLY WITH BCA 3.9.2.3 CONSTRUCTION OF BARRIERS TO PREVENT FALLS



NOTES

1. ALL DIMENSIONS AND FLOOR AREAS TO BE VERIFIED BY THE BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. ANY DISCREPANCIES ARE TO BE CONFIRMED BY THE DESIGNER.

2. LEVELS SHOWN ARE APPROXIMATE UNLESS ACCOMPANIED BY REDUCED LEVELS BY A REGISTERED SURVEYOR.

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5. WHERE ENGINEERING OR HYDRAULIC DRAWINGS ARE REQUIRED, SUCH MUST TAKE PREFERENCE TO THIS DRAWING.

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7. ALL SERVICES TO BE LOCATED AND VERIFIED BY THE BUILDER WITH THE RELEVANT AUTHORITIES PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.

REV	BY	AMENDMENT	DATE
D	LT	GENERAL REVISION	24.02.2020
B	LT	GENERAL REVISION	18.02.2020
A	LT	ISSUED FOR DA APPROVAL	22.01.19

PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	BASEMENT PLAN

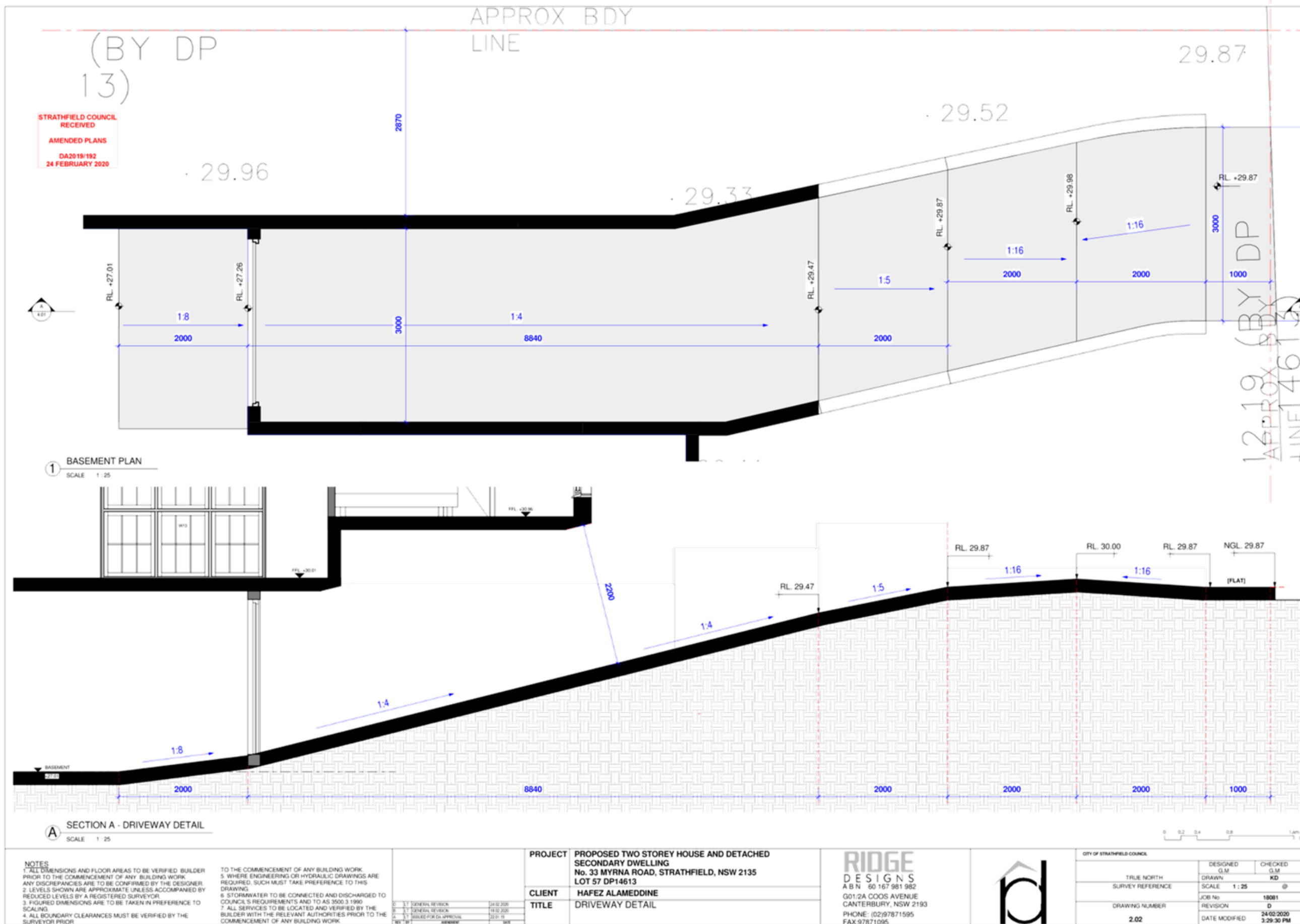
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DESIGNS**

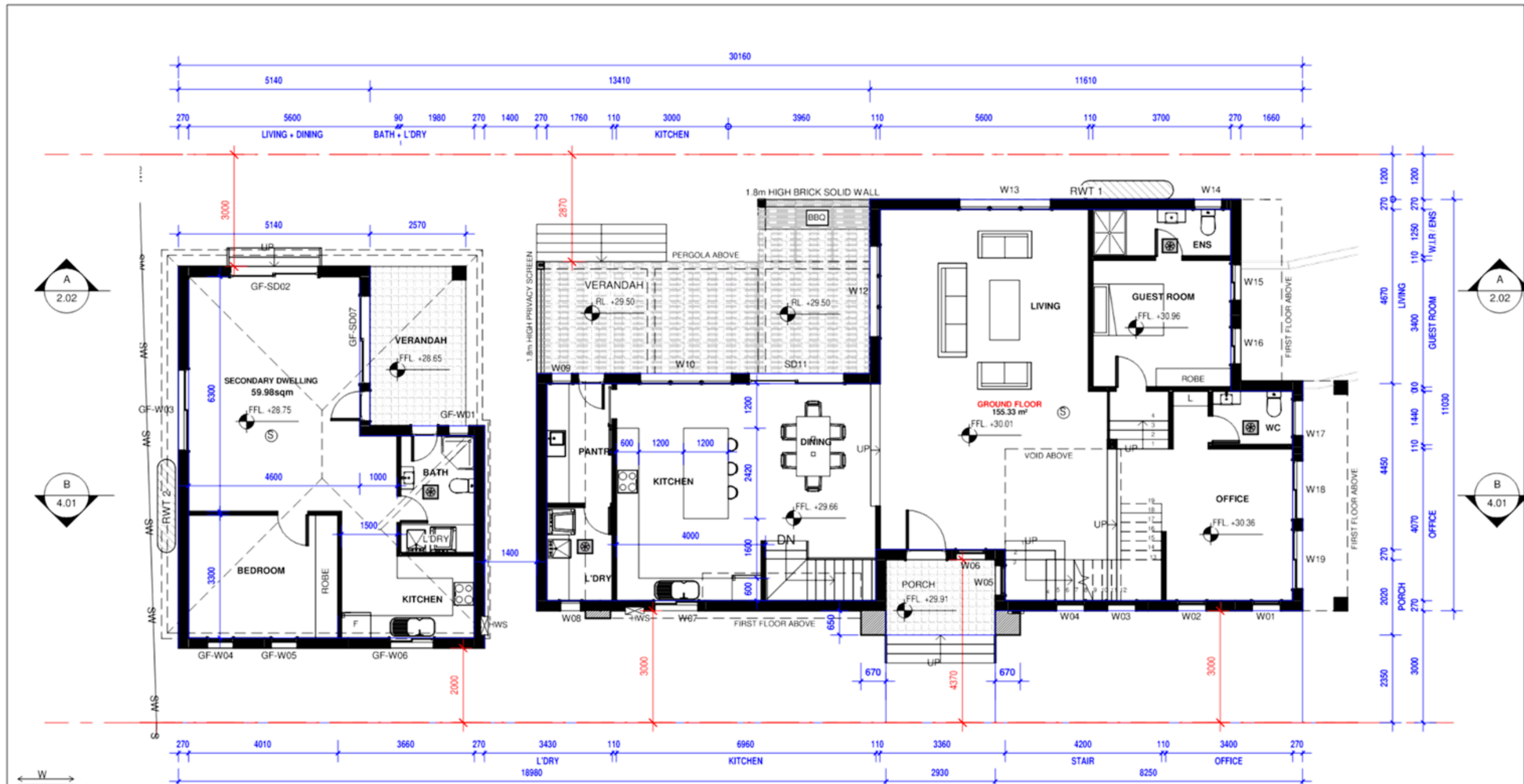
A B N 60 167 981 982
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CANTERBURY . NSW 2193
PHONE: (02)97871595 FAX:97871095



CITY OF STRATHFIELD COUNCIL	
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SURVEY REFERENCE	SCALE 1 : 100 @ A3
DRAWING NUMBER 2.01	JOB No 18081
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	DATE MODIFIED

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NOTES:

- ALL WINDOWS & DOORS SCHEDULE DIMENSIONS ARE TO BE CHECKED AND VERIFIED ON-SITE BY THE BUILDER PRIOR TO THE COMMENCEMENT OF WORKS INCLUDING ANY MANUFACTURING, ORDERING, INSTALLATION AND THE LIKE. ANY INCONSISTENCIES OR CONFLICTS ARE TO BE BROUGHT TO THE ATTENTION OF RIDGE DESIGNS.
- ALL WINDOWS TO COMPLY WITH PART 3.9.2 SECTION 3.9.2.5 PROTECTION OF OPENABLE WINDOWS

NOTE:

- MECHANICAL VENTILATION TO COMPLY WITH THE BCA NCC 2016 PART 3.8.5 VENTILATION / 3.8.5.2 VENTILATION REQUIREMENTS
- SKY LIGHT
- SMOKE ALARM TO COMPLY WITH PART 3.7.2 OF THE NCC 2016

HEIGHTS OF THE BALUSTRADE OF THE BALCONY TO COMPLY WITH BCA 3.9.2.3 CONSTRUCTION OF BARRIERS TO PREVENT FALLS

LEGEND

- 2500L RAINWATER TANK TO COMPLY WITH BASIX REQUIREMENTS
- 2000L RAINWATER TANK TO COMPLY WITH BASIX REQUIREMENTS
- GAS INSTANTANEOUS 5 STAR HOT WATER SYSTEM

1 GROUND FLOOR PLAN
SCALE 1 : 100

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
DA2019/192
24 FEBRUARY 2020



NOTES

- ALL DIMENSIONS AND FLOOR AREAS TO BE VERIFIED BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. ANY DISCREPANCIES ARE TO BE CONFIRMED BY THE DESIGNER.
- LEVELS SHOWN ARE APPROXIMATE UNLESS ACCOMPANIED BY REDUCED LEVELS BY A REGISTERED SURVEYOR.
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- WHERE ENGINEERING OR HYDRAULIC DRAWINGS ARE REQUIRED, SUCH MUST TAKE PREFERENCE TO THIS DRAWING.
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D	LT	GENERAL REVISION	24.02.2020
B	LT	GENERAL REVISION	18.02.2020
A	LT	ISSUED FOR DA APPROVAL	22.01.19

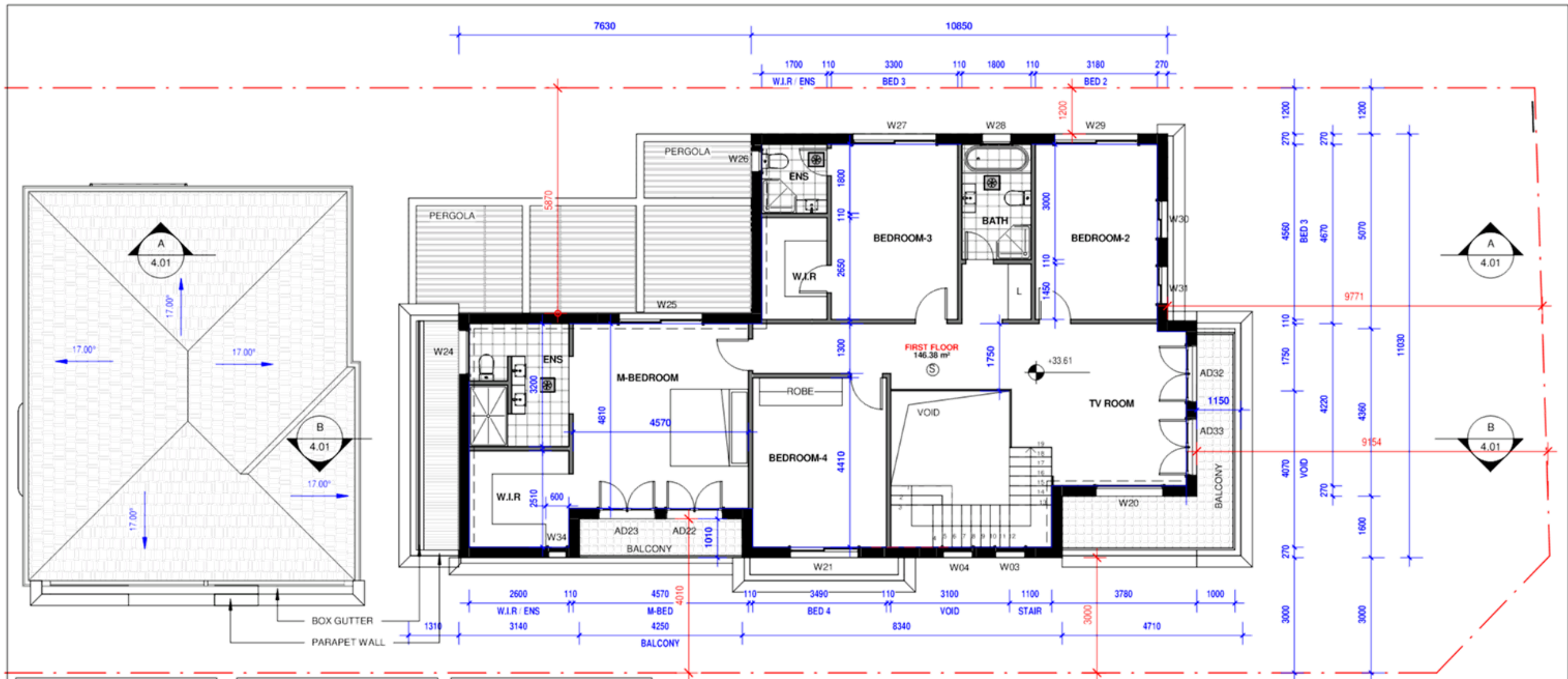
PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	GROUND FLOOR PLAN

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CITY OF STRATHFIELD COUNCIL	
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SURVEY REFERENCE	SCALE 1 : 100 @ A3
DRAWING NUMBER 2.03	JOB No 18081
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	DATE MODIFIED

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WINDOW/ DOOR SCHEDULE PRIMARY DWELLING			
REF	HEIGHT	WIDTH	NO.OFF
W01	1700	800	1
W02	1700	800	1
W03	2900	800	1
W04	2900	800	1
W05	1500	800	1
W06	1500	800	1
W07	900	1200	1
W08	600	600	1
W09	600	600	1
W10	2100	2500	1
W12	2100	2500	1
W13	2100	2500	1
W14	600	800	1
W15	1500	1000	1
W16	1500	1000	1
W17	600	1000	1
W18	1800	1600	1

WINDOW/ DOOR SCHEDULE PRIMARY DWELLING			
REF	HEIGHT	WIDTH	NO.OFF
W19	1800	1600	1
W20	600	1800	1
W21	1200	1800	1
W24	600	1200	1
W25	600	2200	1
W26	600	600	1
W27	600	2200	1
W28	600	800	1
W29	600	2200	1
W30	1500	1000	1
W31	1500	1000	1
W34	1800	500	1
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AD32	2100	1500	1
AD33	2100	1500	1
SD11	2100	2600	1

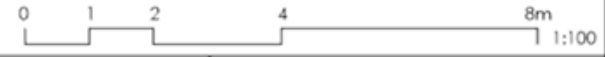
WINDOW/ DOOR SCHEDULE SECONDARY DWELLING			
REF	HEIGHT	WIDTH	NO.OFF
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GF-W03	600	2200	1
GF-W04	1100	700	1
GF-W05	1100	700	1
GF-W06	900	1200	1
GF-SD02	2100	2400	1
GF-SD07	2100	2400	1

1 FIRST FLOOR PLAN
SCALE 1 : 100

NOTE:
 [Symbol] MECHANICAL VENTILATION TO COMPLY WITH THE BCA NCC 2016 PART 3.8.5 VENTILATION / 3.8.5.2 VENTILATION REQUIREMENTS
 [SK] SKY LIGHT
 [S] SMOKE ALARM TO COMPLY WITH PART 3.7.2 OF THE NCC 2016
 HEIGHTS OF THE BALUSTRADE OF THE BALCONY TO COMPLY WITH BCA 3.9.2.3 CONSTRUCTION OF BARRIERS TO PREVENT FALLS

- ALL WINDOWS & DOORS SCHEDULE DIMENSIONS ARE TO BE CHECKED AND VERIFIED ON-SITE BY THE BUILDER PRIOR TO THE COMMENCEMENT OF WORKS INCLUDING ANY MANUFACTURING, ORDERING, INSTALLATION AND THE LIKE. ANY INCONSISTENCIES OR CONFLICTS ARE TO BE BROUGHT TO THE ATTENTION OF RIDGE DESIGNS.
 - ALL WINDOWS TO COMPLY WITH PART 3.9.2 SECTION 3.9.2.5 PROTECTION OF OPENABLE WINDOWS

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A	LT	ISSUED FOR DA APPROVAL	22.01.19

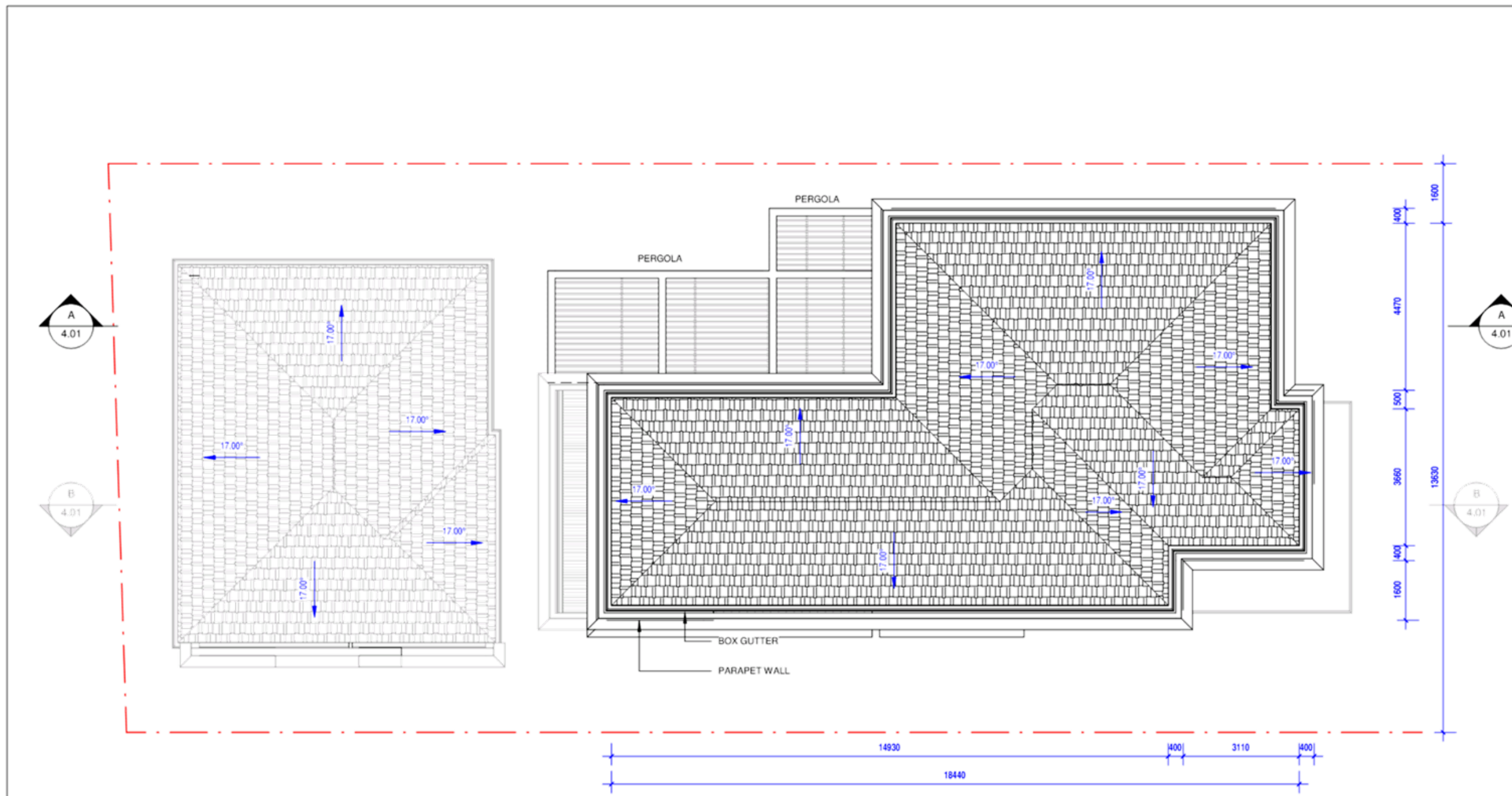
PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	FIRST FLOOR PLAN

RIDGE DESIGNS
 A B N 60 167 981 982
 G01/ 2A COOKS AVENUE
 CANTERBURY, NSW 2193
 PHONE: (02)97871595 FAX:97871095



CITY OF STRATHFIELD COUNCIL	
DESIGNED G.M	CHECKED G.M
TRUE NORTH DRAWN LT	SCALE 1 : 100 @ A3
JOB No 18081	REVISION B
DRAWING NUMBER 2.04	DATE MODIFIED

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1 ROOF PLAN
SCALE 1 : 100

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PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	ROOF PLAN

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A B N 60 167 981 982
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CANTERBURY , NSW 2193
PHONE: (02)97871595 FAX:97871095

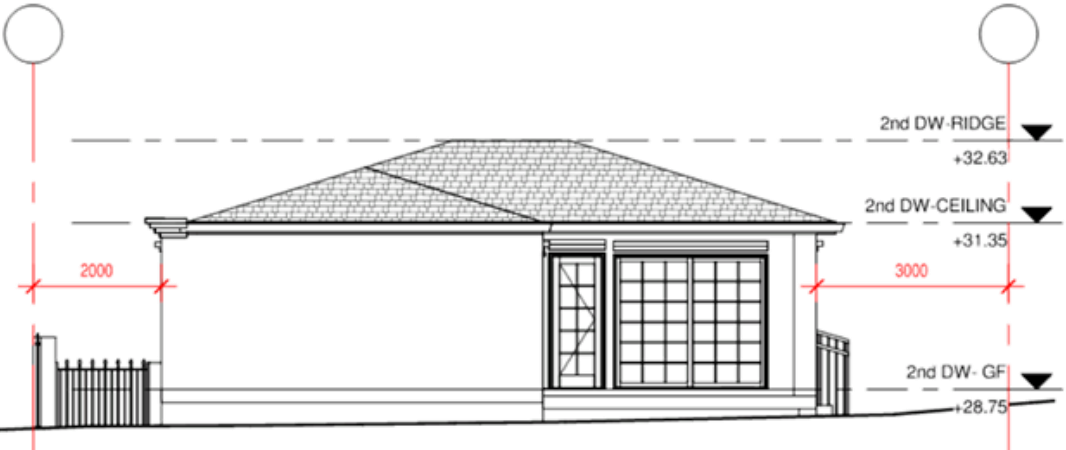


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SURVEY REFERENCE	SCALE 1 : 100 @ A3
DRAWING NUMBER 2.05	JOB No 18081
	REVISION B
	DATE MODIFIED

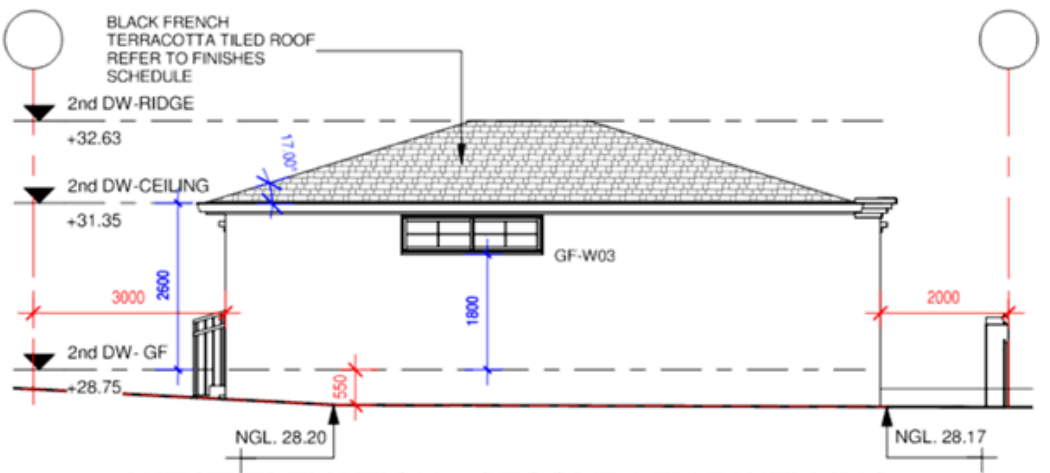
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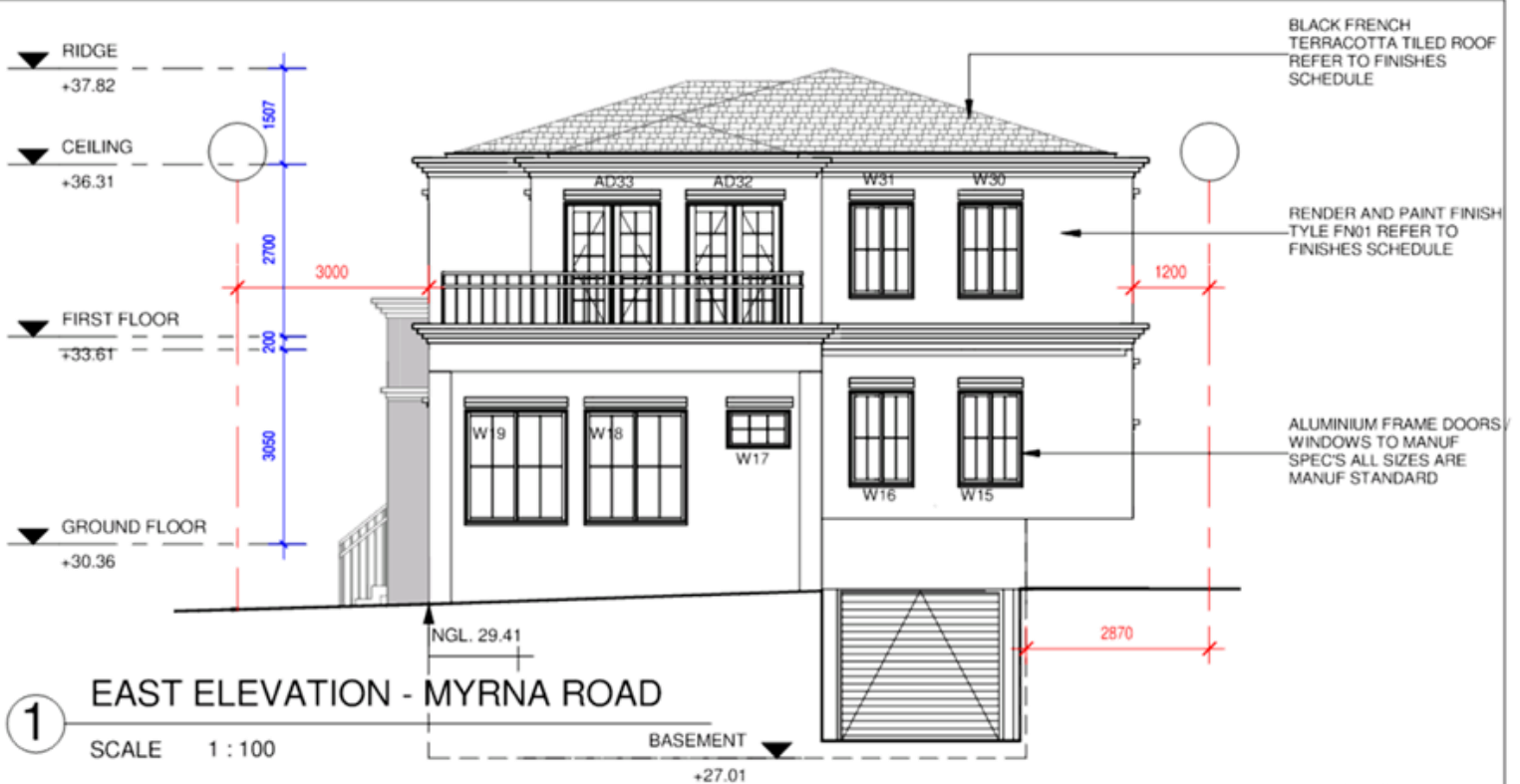
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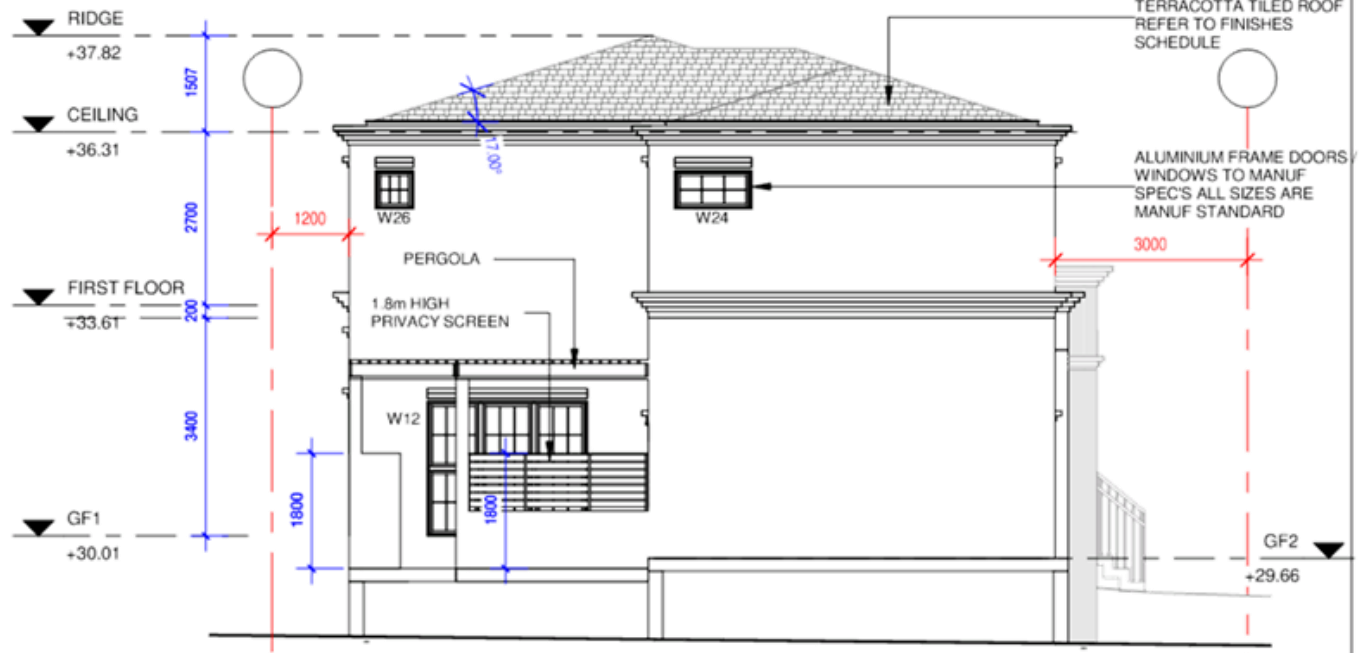
4 EAST ELEVATION - SECONDARY DWELLING
SCALE 1 : 100



2 WEST ELEVATION - SECONDARY DWELLING
SCALE 1 : 100



1 EAST ELEVATION - MYRNA ROAD
SCALE 1 : 100



3 WEST ELEVATION
SCALE 1 : 100



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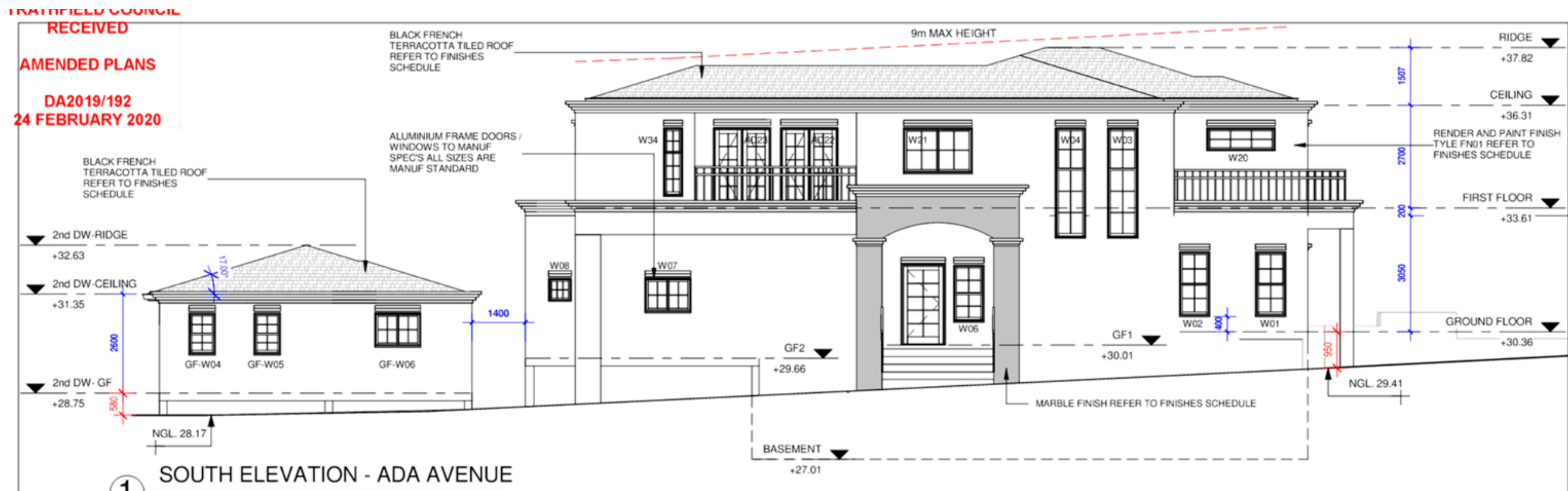
PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	ELEVATIONS - SHEET 1

RIDGE DESIGNS
A B N 60 167 981 982
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CANTERBURY . NSW 2193
PHONE: (02)97871595 FAX:97871095

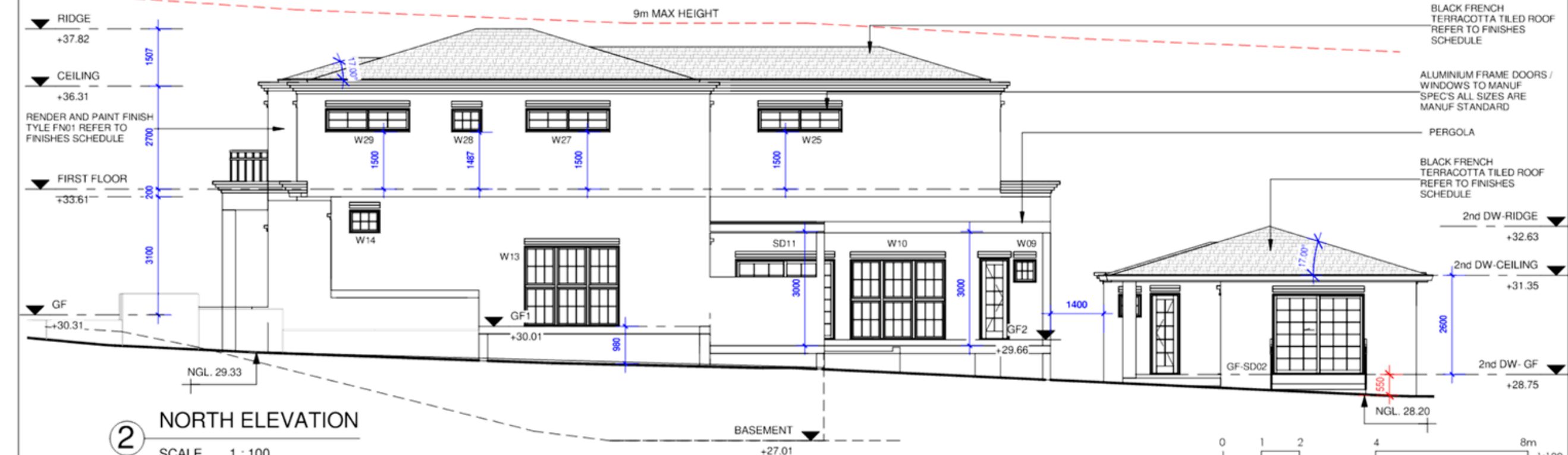


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TRUE NORTH	SCALE 1 : 100 @ A3
SURVEY REFERENCE	JOB No 18081
DRAWING NUMBER 3.01	REVISION D
	DATE MODIFIED

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1 SOUTH ELEVATION - ADA AVENUE
SCALE 1 : 100



2 NORTH ELEVATION
SCALE 1 : 100

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CLIENT	HAFEZ ALAMEDDINE
TITLE	ELEVATIONS - SHEET 2

RIDGE DESIGNS
 A B N 60 167 981 982
 G01/ 2A COOKS AVENUE
 CANTERBURY, NSW 2193
 PHONE: (02)97871595 FAX:97871095

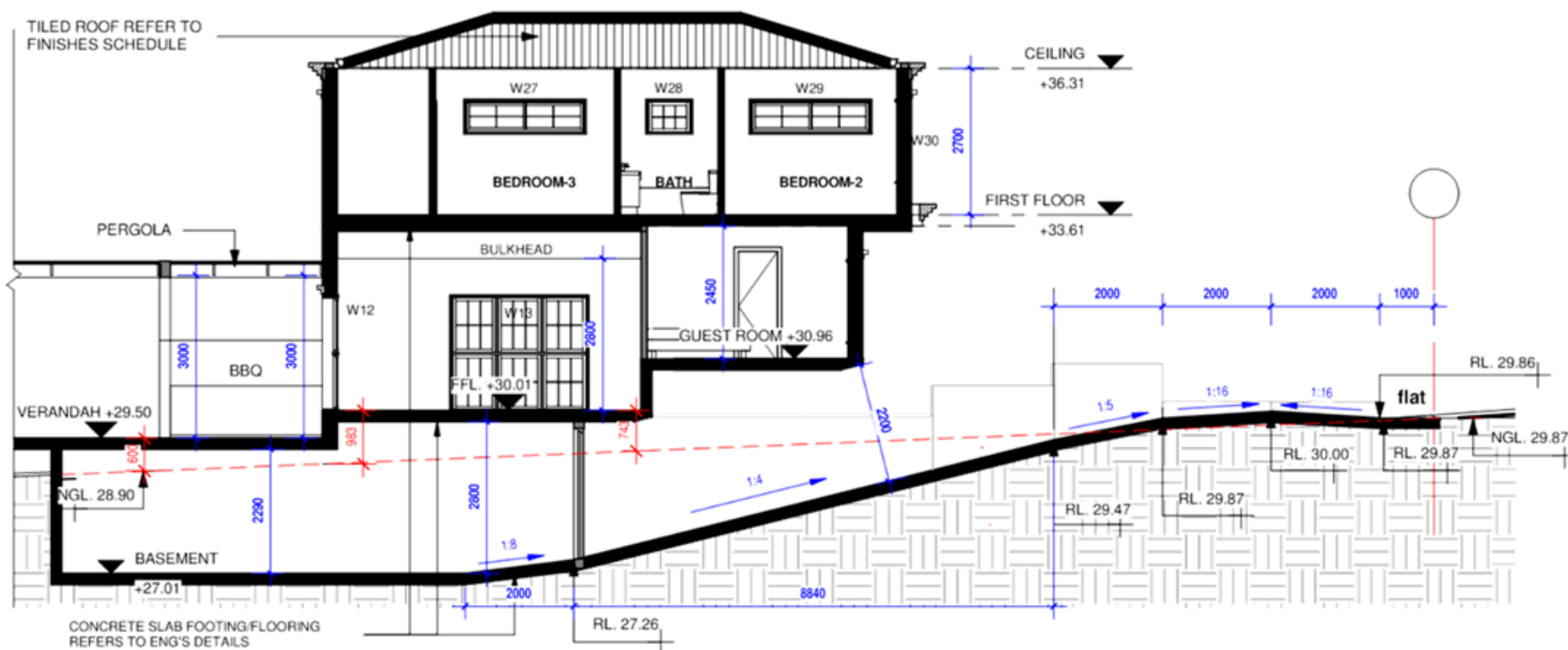


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JOB No 18081	REVISION D
DRAWING NUMBER 3.02	DATE MODIFIED

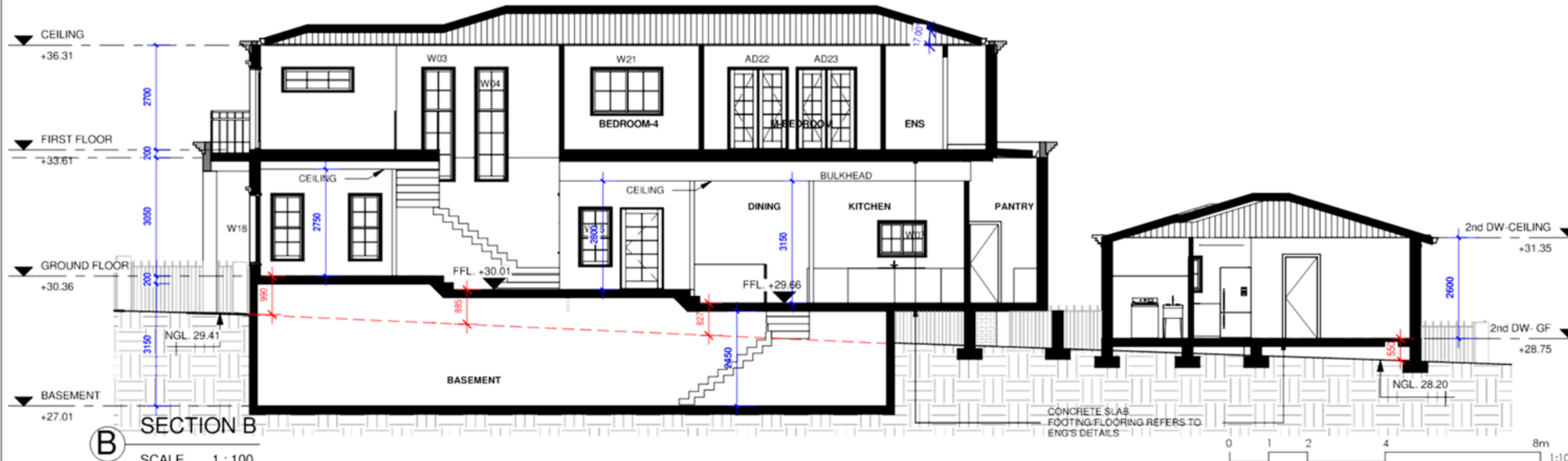
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(A) SECTION A
SCALE 1 : 100



(B) SECTION B
SCALE 1 : 100



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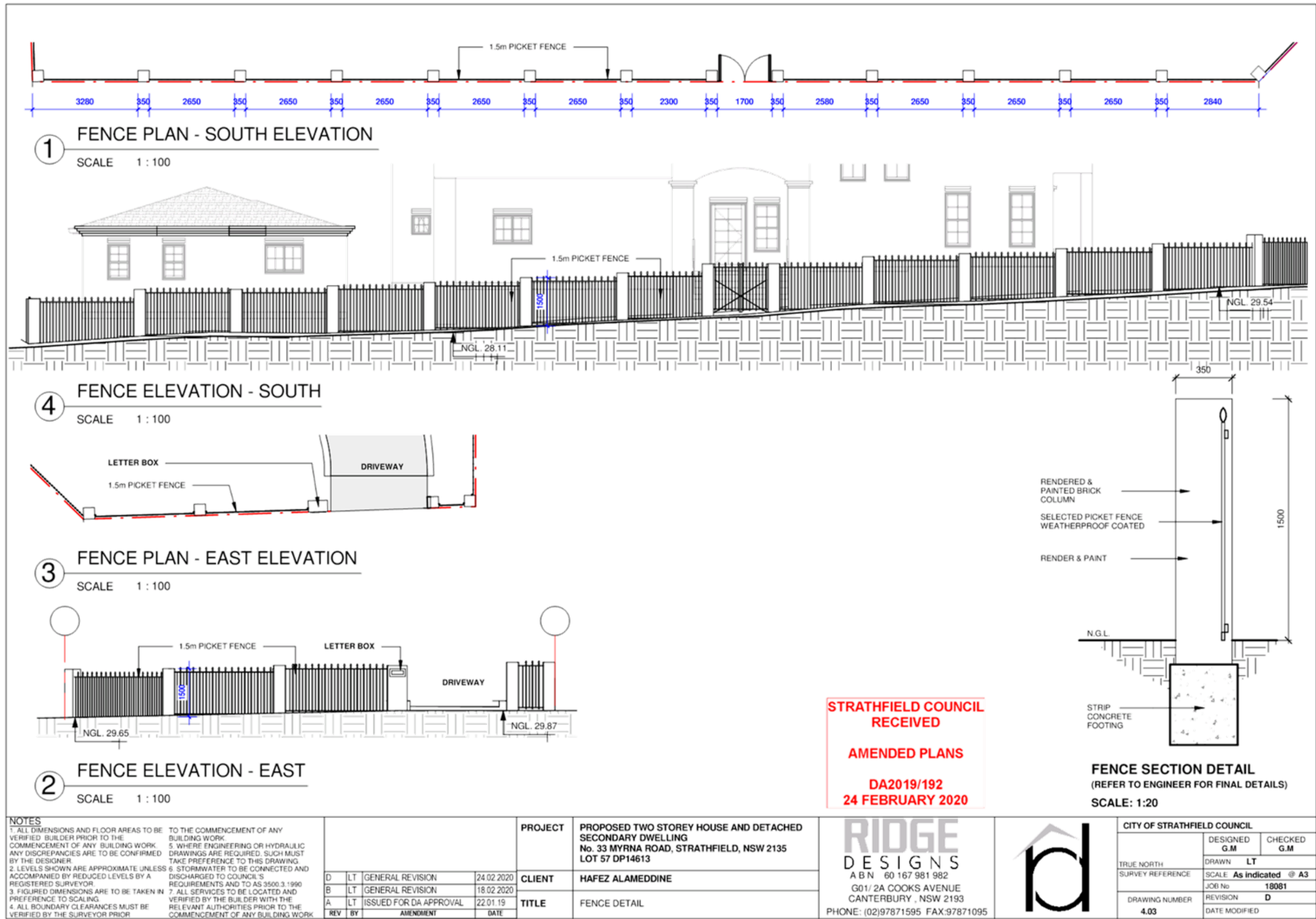
PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	SECTIONS

**RIDGE
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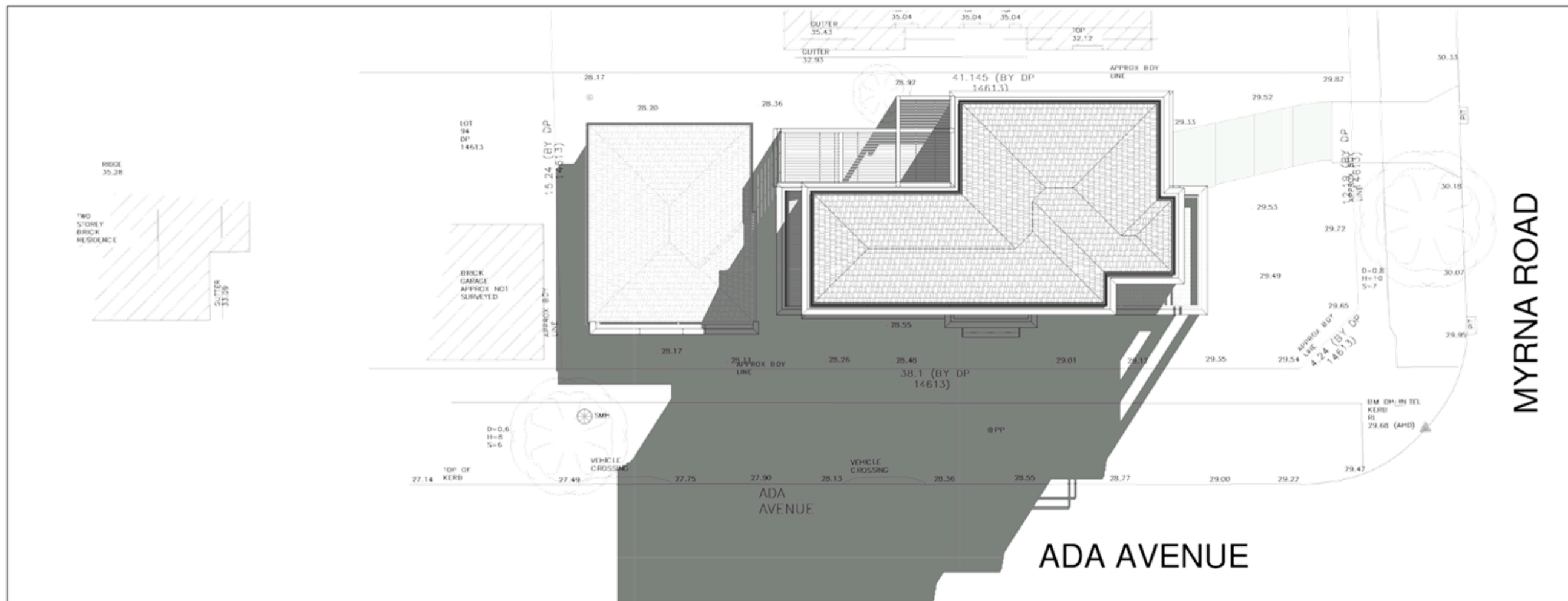


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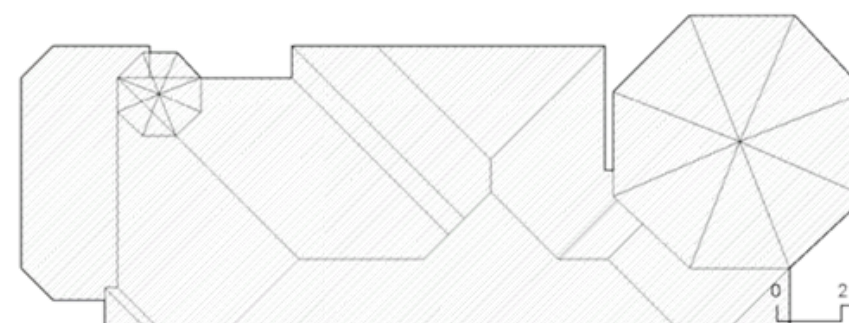


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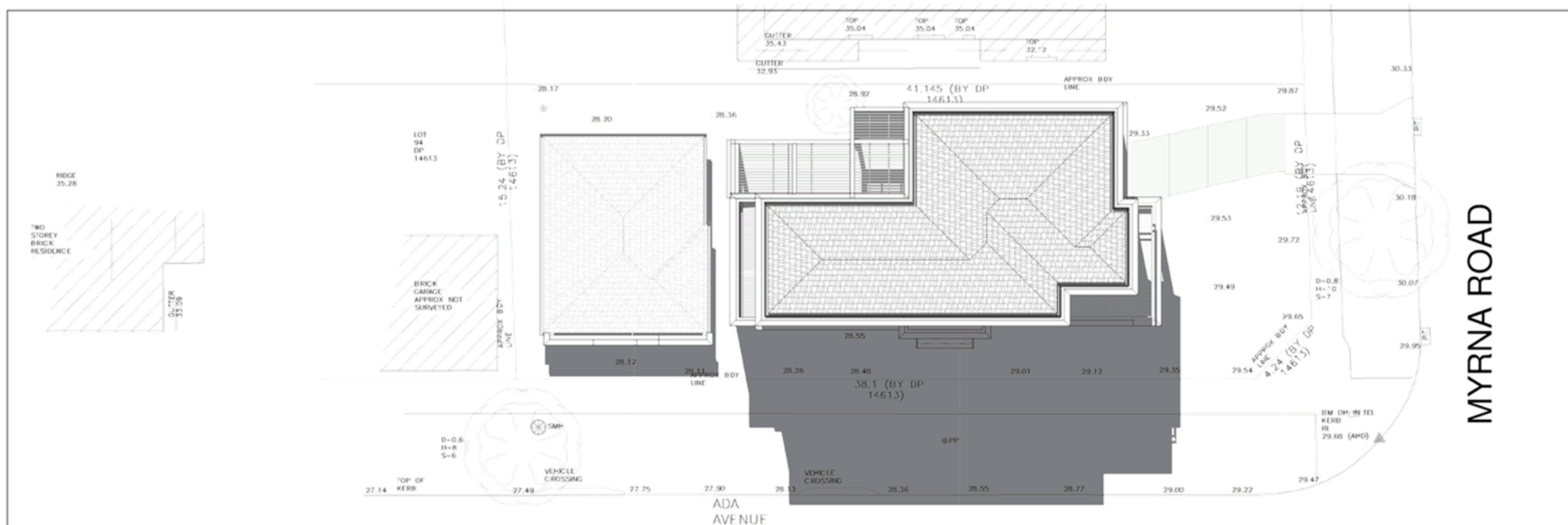
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1 SHADOW DIAGRAM - 9AM
 SCALE 1 : 200



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ADA AVENUE

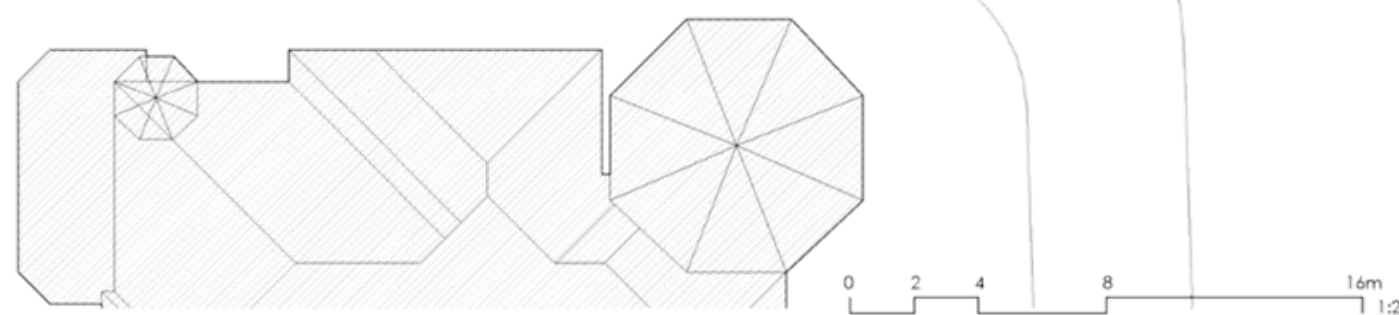
MYRNA ROAD

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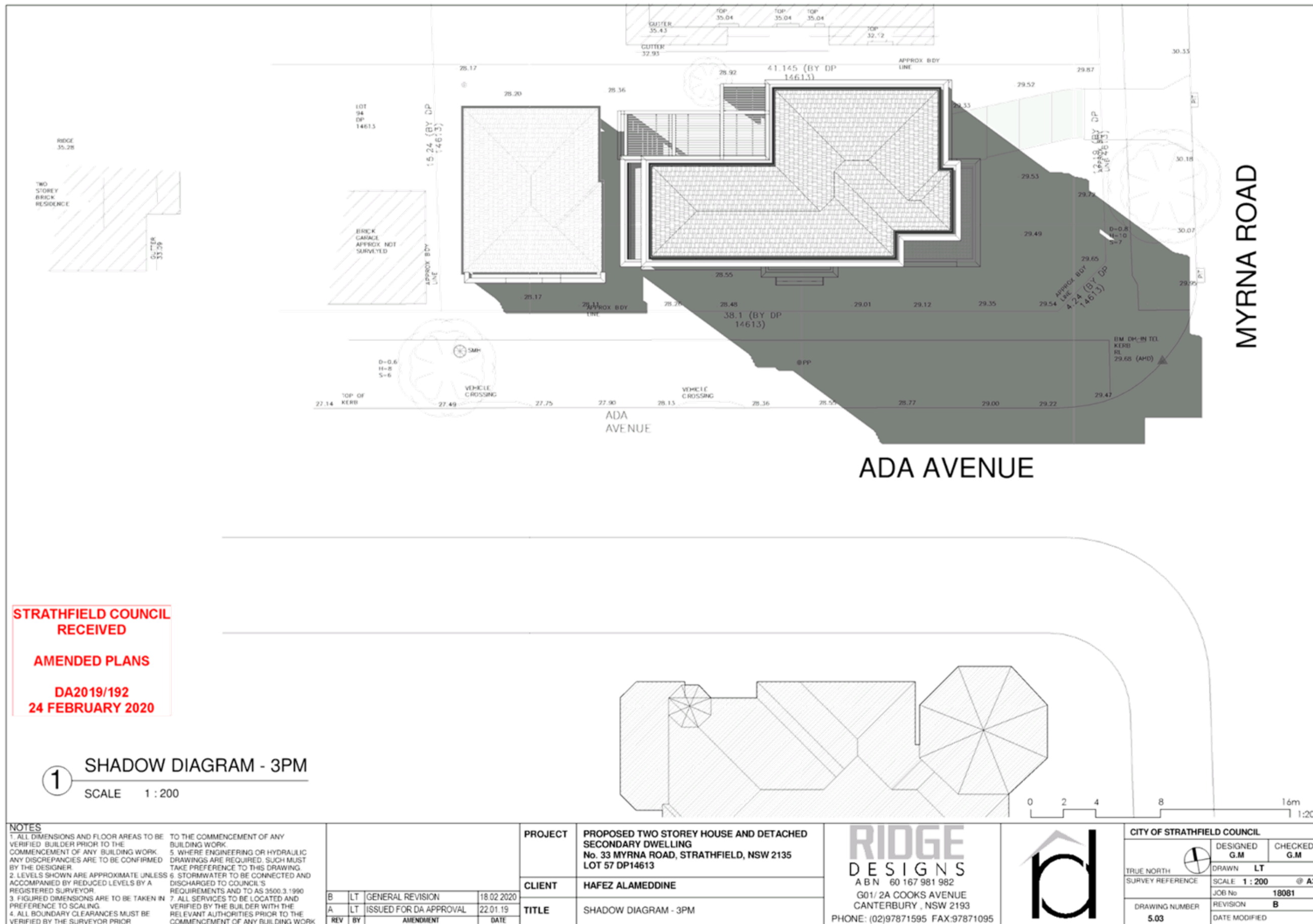
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24 FEBRUARY 2020**

1 SHADOW DIAGRAM - 12PM
SCALE 1 : 200



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TITLE SHADOW DIAGRAM - 12PM		TRUE NORTH SURVEY REFERENCE DRAWING NUMBER 5.02																												

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1 SHADOW DIAGRAM - 3PM
SCALE 1 : 200

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CLIENT	HAFEZ ALAMEDDINE
TITLE	SHADOW DIAGRAM - 3PM

**RIDGE
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TRUE NORTH	DRAWN LT
SURVEY REFERENCE	SCALE 1 : 200 @ A3
DRAWING NUMBER 5.03	JOB No 18081
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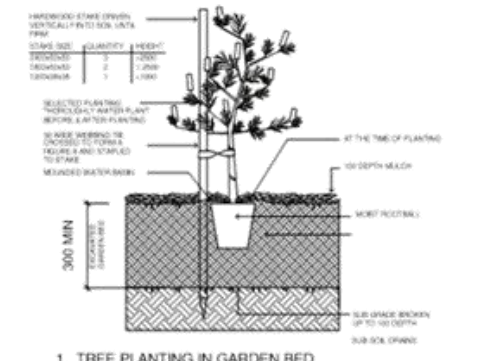
1 CONCEPT LANDSCAPE PLAN
 SCALE 1 : 200

LANDSCAPING NOTES AND SPECIFICATIONS

- EXCAVATIONS**
 - Any services drawn on the plan have been indicatively located. Further services may be present prior to any construction or excavation on site. The relevant authorities should be contacted for possible location of further underground services and detailed of all services.
- GARDEN BED/MULCH**
 - The topsoil to all garden bed areas shall be 1 part site topsoil and two parts organic compost thoroughly mixed together prior to placing into position. Where site topsoil is not suitable imported topsoil meeting the requirements of AS4419-1998 shall be used. Topsoil depth to all garden bed areas to be garden mix 300mm deep.
 - Mulch consisting of pine bark is to be spread over all planter beds to a depth of 100 mm. Reduce depth of mulch around base of plants to form "watering dish" to facilitate watering
- GARDEN EDGING**
 - All garden edging as denoted by GE on the plan is to be constructed using either insitu concrete or brick laid over 100mm layer mortar. Extruded bricks shall not be used
- PLANT MATERIAL**
 - All plants to be healthy and well developed without being root bound and disease free.
- PROPOSED TREES**
 - All tree planting holes are to be excavated 200mm wider and at least 200mm deeper than the rootball size. All trees are to be double staked and secured with hessian ties in figure eight arrangement.
- TURF**
 - Apply 150mm layer of topsoil to all turfed areas laid over deep soil. Prior to laying turf, contractor to ensure all topsoiled areas are smoothly graded with no surface depressions or other irregularities, large stones or building debris. Turf used for this site shall be cultivated kikuyu. Unless specified otherwise, turf shall be laid flush with adjacent finished surface levels.

- EXISTING TREES**
 - Unless specified otherwise existing trees which are to be retained are to be protected for the duration of the construction period. Install a 1.5 m high temporary protective fence at a distance of 3.0 m around the base of the tree or group of trees. The protective fencing shall be constructed using Parra webbing. The area to be protected is to be mulched with a 100mm layer of organic mulch such as pine bark or similar. Attach sign on fence to advise contractors. Do not store or otherwise place any harmful materials under or near such trees. Where it is absolutely necessary to cut tree roots firstly obtain Council approval. Do not carry out any tree work until all council approvals have been obtained in advance. In order to minimise root damage, any excavation work occurring near an existing tree that is to be retained shall be carried out under the supervision of a qualified arborist.
 - Prior to the occupation of the dwellings all existing trees to be retained are pruned of dead or dying limbs, carried out (only with council approval) to ensure safety of future occupants.
- PAVING**
 - All pavement areas including driveways and pathways are to have a stencilled concrete finish. All pavement surfaces to comply with the requirements of AS/NZ 3661.1 1993 Slip resistance of pedestrian surfaces.
- STANDARDS**
 - All materials and standards of workmanship used on this project is to comply with the latest revision of the relevant Australian Standards.
- DISCREPANCIES**
 - Should there be any discrepancies on the drawings and or on site, landscape contractor to notify the superintendent for resolution prior to the commencement of the works. Where the situation is not readily resolved onsite, the superintendent is to notify the landscape planner immediately for correction.
- IRRIGATION**
 - Provide one housecock in the front and rear landscape of each unit or the installation of automatic/manual water system as owner choice

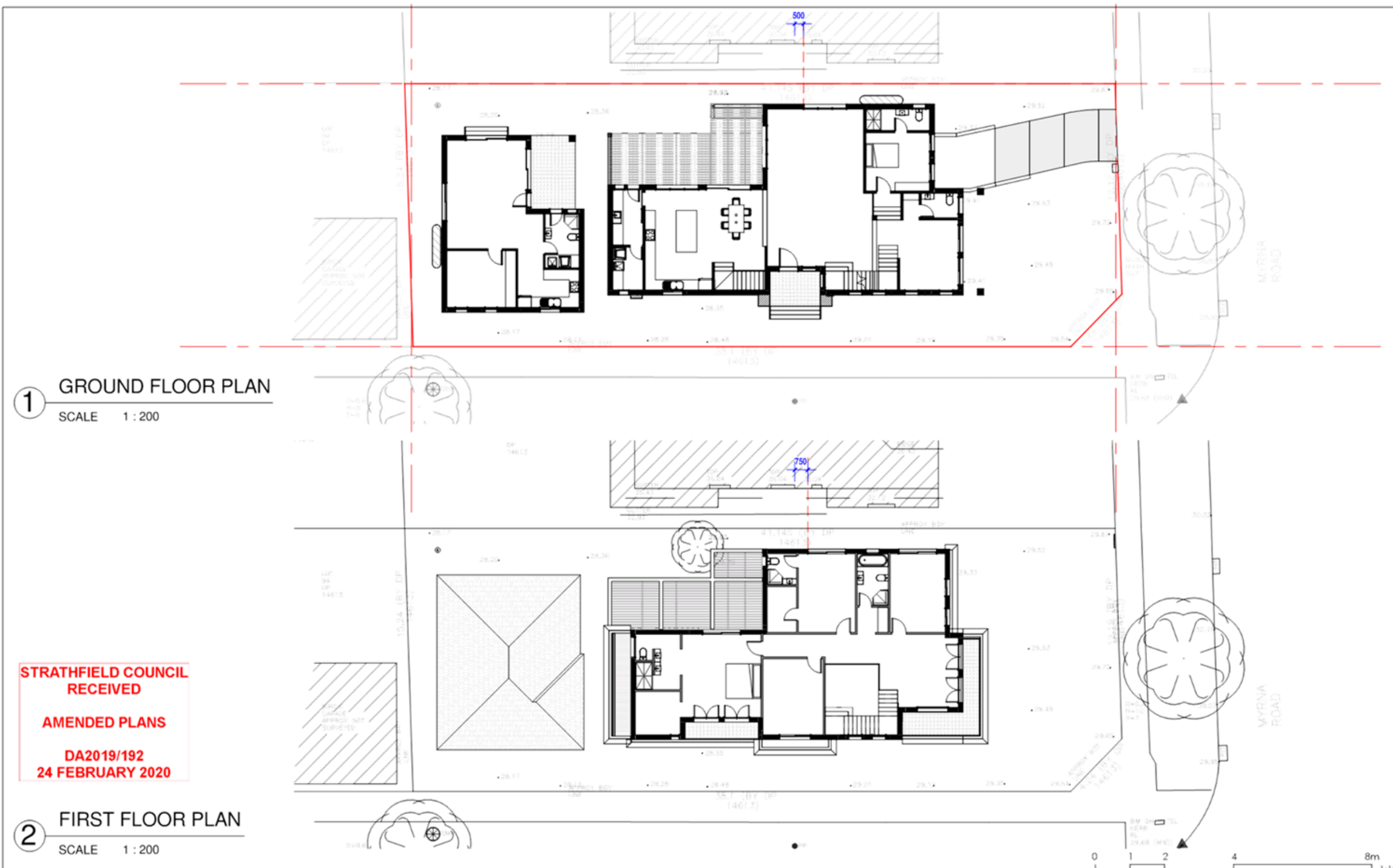
- MAINTENANCE**
 - Maintain all landscape areas to ensure plant health and occupant safety for a period of 12 months beginning from date of practical completion to the satisfaction of council.
 - Maintenance will include but not limited to the following activities, mowing, edging, pruning and top dressing of turf areas also all plants to be fed slow release fertilizer according to manufacturer's recommendations. Regular ongoing observation and maintenance is required.



SYMBOL	BOTANIC NAME	COMMON NAME	WIDTH	HEIGHT	POT SIZE	NUMBER	COLOUR
BE	BANKSIA ERICIFOLIA	HEATH BANKSIA	2.0m	2.0m	200mm	04	RED
GSG	G.SESSILIS*PTERIDIFOLIA	SANDRA GORDON	2.0m	3.0m	200mm	04	YELLOW
GR	GLABRA RUBENS	PHOTINIA	1.0m	3.0m	200mm	31	N/A

NOTES 1. ALL DIMENSIONS AND FLOOR AREAS TO BE VERIFIED BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. 2. LEVELS SHOWN ARE APPROXIMATE UNLESS ACCOMPANIED BY REDUCED LEVELS BY A REGISTERED SURVEYOR. 3. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING. 4. ALL BOUNDARY CLEARANCES MUST BE VERIFIED BY THE SURVEYOR PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. 5. WHERE ENGINEERING OR HYDRAULIC DRAWINGS ARE REQUIRED, SUCH MUST TAKE PREFERENCE TO THIS DRAWING. 6. STORMWATER TO BE CONNECTED AND DISCHARGED TO COUNCIL'S REQUIREMENTS AND TO AS 3600.3 1990. 7. ALL SERVICES TO BE LOCATED AND VERIFIED BY THE BUILDER WITH THE RELEVANT AUTHORITIES PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.		PROJECT PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613	RIDGE DESIGNS A B N 60 167 981 982 G01/ 2A COOKS AVENUE CANTERBURY , NSW 2193 PHONE: (02)97871595 FAX:97871095		CITY OF STRATHFIELD COUNCIL																																						
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1 GROUND FLOOR PLAN
SCALE 1 : 200

2 FIRST FLOOR PLAN
SCALE 1 : 200

**STRATHFIELD COUNCIL
RECEIVED
AMENDED PLANS
DA2019/192
24 FEBRUARY 2020**

NOTES
 1. ALL DIMENSIONS AND FLOOR AREAS TO BE VERIFIED BY THE BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. ANY DISCREPANCIES ARE TO BE CONFIRMED BY THE DESIGNER.
 2. LEVELS SHOWN ARE APPROXIMATE UNLESS ACCOMPANIED BY REDUCED LEVELS BY A REGISTERED SURVEYOR.
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REV	BY	AMENDMENT	DATE
D	LT	GENERAL REVISION	24.02.2020
B	LT	GENERAL REVISION	18.02.2020

PROJECT	PROPOSED TWO STOREY HOUSE AND DETACHED SECONDARY DWELLING No. 33 MYRNA ROAD, STRATHFIELD, NSW 2135 LOT 57 DP14613
CLIENT	HAFEZ ALAMEDDINE
TITLE	PRIVACY PLANS

**RIDGE
DESIGNS**
 A B N 60 167 981 982
 G01/ 2A COOKS AVENUE
 CANTERBURY , NSW 2193
 PHONE: (02)97871595 FAX:97871095



CITY OF STRATHFIELD COUNCIL	
DESIGNED G.M	CHECKED G.M
TRUE NORTH	DRAWN Author
SURVEY REFERENCE	SCALE 1 : 200 @ A3
DRAWING NUMBER P01	JOB No 18081
	REVISION D
	DATE MODIFIED

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FINISHES SCHEDULE
PROPOSED TWO STOREY HOUSE &
DETACHED SECONDARY DWELLING
 No.33 MYRNA ROAD, STRATHFIELD - LOT 57 DP 14613
 LOT 26 DP 26321

Address : G01/2A COOKS AVENUE,
 CANTERBURY NSW 2193
Phone : (02) 9787 1595
Fax : (02) 9787 1095
Email : info@ridgedesigns.com.au
Website : www.ridgedesigns.com.au



RENDER & PAINT
 FINISH TYPE FN01

EURO MARBLE-
 INVISIBLE GREY
 GOLD MARBLE

A. Black tile roof



BORAL- TERRACOTTA TILES
 - BLACK FRENCH

B. External Walls - Render Front Facade / Sides / Rear Walls - Dulux



RENDER & PAINT
 FINISH TYPE FN01
 DULUX : 1W-VIVID WHITE



EURO MARBLE-
 INVISIBLE GREY GOLD MARBLE

STRATHFIELD COUNCIL
RECEIVED

AMENDED PLANS

DA2019/192
24 FEBRUARY 2020

C. Courtyard, walkways, patios - Pavers

Clay street pavers with colours shown to blend in with selected surrounding colours. Porous Paving in soft soil areas.

D. Porch

Tiles to suite render finish

E. Handrails/Balustrades

Colour to match Roof Tiles/Gutters/DPs