

IDAP REPORT

Property:	3 Wakeford Road STRATHFIELD LOT: B DP: 386343 DA2021.89
Proposal:	Demolition of existing structures and construction of a two (2) storey dwelling house with basement level, in-ground swimming pool and associated landscaping works.
Applicant:	Bechara Chan & Associates
Owner:	Northpoint Living Pty Ltd
Date of lodgement:	23 April 2021
Notification period:	5 May 2021 to 19 May 2021
Submissions received:	NIL
Assessment officer:	Gary Choice
Estimated cost of works:	\$1,426,072.00
Zoning:	R2-Low Density Residential - SLEP 2012
RECOMMENDATION OF OFFICER:	APPROVAL



EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the demolition of all existing structures and construction of a two (2) storey dwelling house with basement level, in-ground swimming pool and associated landscaping works.

Site and Locality

The subject site is legally described as Lot: B DP: 386343 and commonly known as 3 Wakeford Road S. It is located on the northern side of Wakeford Road between Llandilo Avenue to the north; The Boulevarde to the east; Highgate Street to the south; and Kingsland Road to the west.

The site is rectangular with a frontage and rear width of 16.535m; side boundary lengths of 40.235m; and an area of 663.9m². The topography of the site is relatively flat.

Existing development on the site comprises a two-storey dwelling, attached carport, detached garage/outbuilding and swimming pool.

The current streetscape is characterised by a mix of single-storey and two-storey dwellings and various architectural styles.

Strathfield Local Environmental Plan

The site is zoned R2-Low Density Residential under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal satisfies all relevant objectives contained within the LEP.

Development Control Plan

The proposed development generally satisfies the provisions of Strathfield Consolidated DCP 2005. This is discussed in more detail in the body of the report.

Notification

The application was notified in accordance with Council's Community Participation Plan from 5 May 2021 to 19 May 2021 where no submissions were received.

Issues

- The driveway profile shows a summit grade change of 15% (circled in red below) which would result in vehicle scraping.
- The proposed basement is not fully contained within the ground floor dwelling footprint
- Rear first floor balcony presents visual privacy impacts to adjoining east property.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2021/89 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the demolition of existing structures and construction of a two (2) storey dwelling house with basement level, in-ground swimming pool and associated landscaping works. Specifically, the proposal includes;

Basement level:

- Two parking spaces and basement lift access
- Wine cellar store
- Data comms room

Ground floor level:

- Open plan kitchen/living/dining w/ butler pantry
- Separate laundry
- Powder room
- Separate lounge
- Office/study/guest bed w/ en suite

First floor level:

- Four (4) bedrooms – each with en suite; Master bed with WIRs and separate sitting room and wet bar
- Separate sitting room

External works:

- Alfresco
- Separate deck
- New swimming pool with spa
- Outdoor WC and shower
- Associated landscaping

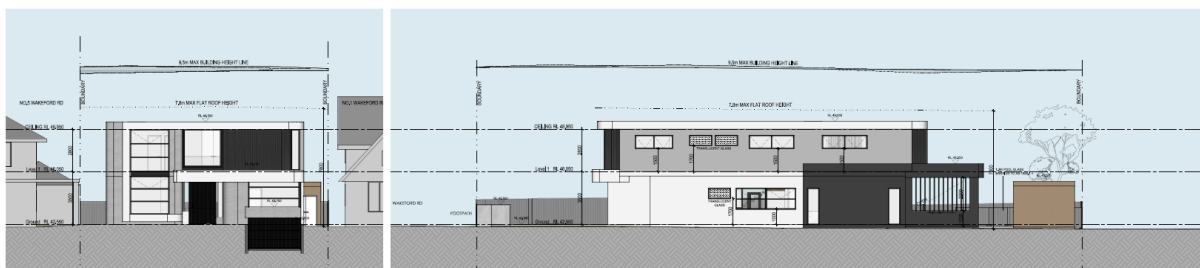


Figure 1: Proposed south and east elevations

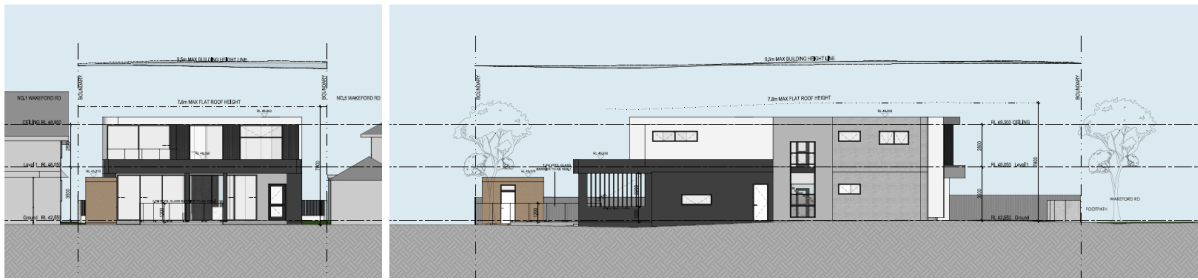


Figure 2: Proposed north and west elevations
The Site and Locality

The subject site is legally described as Lot: B DP: 386343 and commonly known as 3 Wakeford Road STRATHFIELD. It is located on the northern side of Wakeford Road between Llandilo Avenue to the north; The Boulevarde to the east; Highgate Street to the south; and Kingsland Road to the west.

The site is rectangular with frontage and rear width of 16.535m; side boundary lengths of 40.235m; and an area of 663.9m². The topography of the site is relatively flat.

Existing development on the site comprises a two-storey dwelling, attached carport, detached garage/outbuilding and swimming pool. Vehicular access from Wakeford Road is provided to the site via an existing single driveway on the west boundary.

The current streetscape is characterised by a mix of single-storey and two-storey dwellings and various architectural styles. The street is not characterised by a single prevailing roof form or style and there are several examples of new flat-roofed design dwellings in the immediate context. The streetscape exhibits various style of low-set fencing. Open-construction masonry fencing is prominent with a variety of decorative ironwork and hedging.



Figure 3: Subject site cadastral mapping



Figure 4: Subject site existing dwelling



Figure 5: 1 Wakeford Road STRATHFIELD



Figure 6: Adjoining streetscape (west)



Figure 7: Adjoining streetscape (west)

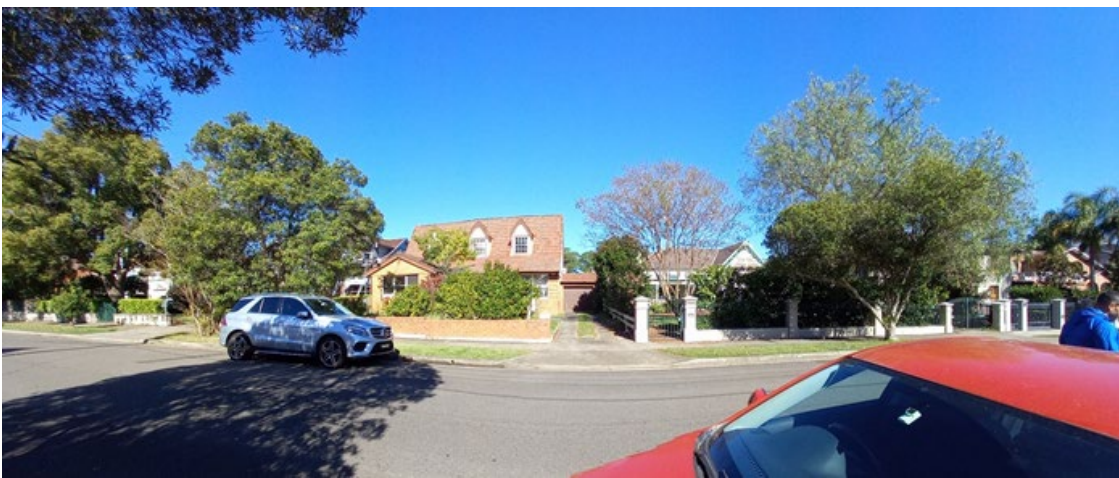


Figure 8: Adjacent streetscape (west)



Figure 9: Adjacent streetscape (east)

Background

Council records show no previous applications related to the subject site.

- 26 April 2021

DA 2021/89 lodged for the demolition of existing structures and construction of a two (2) storey dwelling house with basement level, in-ground swimming pool and associated landscaping works.

- 13 May 2021

A site inspection and photographic survey was completed by the Assessing Officer

- 28 May 2021

A Council request for additional information was issued to the Applicant requiring an amended elevations plan.

- 1 June 2021

Additional information submitted to Council by Applicant.

Referrals – Internal

Traffic Manager (Parking and vehicle access)

The proposed development has been assessed by Council's Traffic Manager who has recommended amendments to the internal driveway profile as discussed elsewhere in this report.

Development Engineer (Stormwater)

The proposed development has been assessed by Council's Development Engineer whom supports the application subject to appropriate conditions discussed elsewhere in this report.

Section 4.15 Assessment – EP&A Act 1979

The following is an assessment of the application with regard to Section 4.15 (1) of the *Environmental Planning and Assessment Act 1979*.

Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

State Environmental Plan (Sydney Harbour Catchment) 2005

All stormwater from the proposed development can be treated in accordance with Council's Stormwater Management Code and would satisfy the relevant planning principles of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ("BASIX") applies to the proposed development. The development application was accompanied by BASIX Certificate No.1195325S dated 19 April 2021 prepared by Eco Certificates Pty Ltd committing to environmental sustainable measures.

The commitments made result in the following reductions in energy and water consumption:

Reduction in Energy Consumption: 50%

Reduction in Water Consumption: 40%

Thermal Comfort: Pass

The proposed development satisfies the provisions of the SEPP BASIX.

State Environmental Planning Policy No. 55 – Remediation of Land

The provisions of SEPP 55 have been considered in the assessment of the development application, along with the requirements of Part 3K- Contamination of the Botany Bay Development Control Plan 2013. The likelihood of encountering contaminated soils on the subject site is considered to be extremely low given the following:

1. The site appears to have been continuously used for residential purposes;
2. The adjoining and adjacent properties are currently used for residential purposes;
3. The site and surrounding land were not previously zoned for purposes identified under Table 1 of the contaminated land-planning guide in SEPP 55, in particular industrial, agricultural or defence uses.

On this basis, the site is considered suitable in its present state for the proposed residential development. No further investigations of contamination are considered necessary.

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 proposed development does not result in the removal or loss of any trees or vegetation subject to the provision of this SEPP. Appropriate conditions are imposed including a tree protection zone and tree preservation bond to insure the protection and retention of a single *tristianiopsis laurina* (water gum) located in the public domain.

The proposal has provided sufficient information and therefore is satisfactory with regards to the SEPP (Vegetation in Non-Rural Areas) 2017 and Part O of the Strathfield Consolidated Development Control Plan 2005

Strathfield Local Environmental Plan

The development site is subject to the Strathfield Local Environmental Plan 2012.

Part 2 – Permitted or Prohibited Development

Applicable SLEP 2012 Clause	Development Proposal	Compliance/ Comment
2.1 Land use zones R2 – Low Density Residential	The subject site is zoned R2 - Low Density Residential under the SLEP 2012. <i>Dwelling Houses</i> are a permissible form of development with Council's consent.	Yes
2.3 Zone Objectives R2 – Low Density Residential <ul style="list-style-type: none"> - To provide for the housing needs of the community within a low density residential environment. - To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas 	The proposed dwelling house and new swimming pool satisfies the objectives of the R2 zone as it will provide appropriate housing for future occupants with minimal impacts on the amenity of neighbouring properties or the heritage significance of the locale.	Yes
2.7 Demolition requires development consent	The subject development application proposes the demolition of all existing structures on the site and therefore satisfies the provisions this clause.	Yes

Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development Proposal	Compliance/ Comment
4.3 Height of Buildings Maximum building height Area J = 9.5 metres	Proposed maximum HOB = 7.08m	Yes
4.4C Exceptions to floor space ratio (Zone R2) Lot area (m ²) 800-699 = 0.6:1	Site Area: 663.9m ² GFA (m ²) Ground floor: 205.3 First Floor: 193.31 Total: 397.4	Yes

	Total FSR $397.4 / 663.9 = 0.6:1$	
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Part 5 – Miscellaneous Provisions

Clause 5.1 – Heritage Conservation

The subject site is not listed as a heritage item or located within a heritage conservation area. The site does not adjoin nor is in close proximity to a heritage item and as such, the provisions of this clause are not applicable.

Part 6 – Additional Local Provisions

Applicable SLEP 2012 Clause	Development Proposal	Compliance/ Comment
6.1 Acid Sulfate Soils Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	Acid Sulfate Soils (ASS) – Class 5 affects the property. However, development consent is not required as the site is not within 500 metres of adjacent Class 1, 2, 3 or 4 that is below 5 AHD.	Yes
6.2 Earthworks Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters— a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, b) the effect of the development on the likely future use or redevelopment of the land, c) the quality of the fill or the soil to be excavated, or both,	The proposal involves significant excavation works for the provision of a basement, driveway ramp and swimming pool. The extent of excavation for the basement has been limited to the footprint of the ground floor above and access to and from the basement. The depth of excavation has been kept to minimum requirements to comply with Council's DCP controls for basements and swimming pools. The proposed works are unlikely to disrupt or effect existing drainage patterns or soil stability in the locality or	Yes

<ul style="list-style-type: none"> d) the effect of the development on the existing and likely amenity of adjoining properties, e) the source of any fill material and the destination of any excavated material, f) the likelihood of disturbing relics, g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. 	<p>effect the future use or development of the land. It is unlikely to effect the existing and likely amenity of adjoining properties and there is no potential for adverse impacts on any waterways, drinking water catchment or environmentally sensitive areas.</p> <p>The proposed excavation works are considered to satisfactorily address the objectives of this clause.</p>	
<p>6.4 Essential services</p> <p>Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) the disposal and recycling of waste, (e) stormwater drainage or on-site conservation, (f) suitable vehicular access. 	<p>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</p> <p>It is considered that the proposed development satisfies the aims, objectives and development standards, where relevant, of the Strathfield LEP 2012.</p>	<p>Yes</p>

Section 4.15(1)(a)(ii) - Provisions of any Draft EPI's

There are no draft planning instruments that are applicable to this site.

Section 4.15(1)(a)(iii) – Provisions of any development control plan

The following comments are made with respect to the proposal satisfying the objectives and controls contained within the Strathfield Consolidated Development Control Plan 2005.

Applicable DCP Controls	DCP Controls Development Proposal	Compliance / Comment
2 ARCHITECTURAL DESIGN AND STREETSCAPE PRESENTATION		
2.2.1 Streetscape Presentation		
1. New dwellings must be positioned and oriented on their site to address the street frontage with a clearly identifiable entry.	The proposed dwelling will address Wakeford Road with a main entrance clearly visible from the street.	Yes
2. Consistently occurring positive building façade features within the existing streetscape should be incorporated into the proposed dwelling design such as roof shape, pitch and overhangs; entry porches, verandas, balconies and terraces; materials, finishes, fixtures, patterns, fenestrations, colours and detailing; and the location and proportion of windows and doors.	<p>It is considered that Wakeford Road is street in transition with a number of modern flat-roof dwellings now existing in immediate proximity to the subject site. The flat roof and flat parapet façade are similar to existing development in the street.</p> <p>Proposed materials and finishes includes light grey smooth render and concrete look finishes and paint that are in-keeping with several of the existing modern dwellings in the immediate context.</p>	Yes
3. Streetscape elements that should be taken into account in the design of new and altered residential development include topography; width and location of carriageway; street tree planting and landscaping; allotment size/width; boundary fences; setbacks; building character and scale; bulk; setback and rhythm; and roof forms.	<p>The proposed dwelling incorporates architectural features that create a modern style dwelling that is sympathetic the existing streetscape.</p> <p>The proposed development will remove the existing vehicle entrance and create a new vehicle entrance and driveway on the east side of the site to correspond with 1 Wakeford Road. The front setback is</p>	Yes

<p>1. The proposed roof design must be similar in pitch, materials and colour to roofs in the immediate streetscape. Roof forms should complement, but not necessarily replicate the predominant form in the locality.</p> <p>2. The proposed roof form shall minimise the appearance of bulk and scale of the building and be treated as an important architectural element in the street.</p> <p>3. For flat roofed dwellings, the height of the parapet is to be kept to the minimum height required to ensure adequate screening of the proposed flat or low pitch skillion roof.</p> <p>4. Roof structures must be designed so that roof installations including solar energy panels, telecommunication facilities, hot water tanks or skylights are not visible from the public domain and are integrated into the design of the development.</p>	<p>The flat roof is of similar design to 1 The Boulevard and the flat parapet-facade is of a similar style to that at 4 Wakeford Road. The proposed roof form is considered acceptable.</p> <p>The proposed front façade sits comfortably below the roof pitch of both 1 and 5 Wakeford Road and is considered appropriate in scale. The proposal has address this control.</p> <p>Adequate screening of the proposed flat roof is provided.</p> <p>The proposed roof design is such that such rooftop installations can be appropriately hidden from street view.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>Materials</p> <p>6. Monotone face brick walls and terracotta tiles for roofs shall be used where they are existing in the immediate streetscape. Alternative materials may be considered as architecturally appropriate to the style of the dwelling and the locality in some circumstances.</p> <p>7. Highly reflective materials are not acceptable for roof or wall cladding. New buildings and facades must not result in glare that causes discomfort or threaten the safety of pedestrians or motorists. A Reflectivity Report that analyses the effects of potential glare from the proposed new development on pedestrian and motorists may be required by Council.</p>	<p>The proposed smooth light grey render finish is sympathetic to the colours and finishes of the existing development in the immediate context.</p> <p>Proposed roof materials are low glare. An appropriate condition is imposed to ensure reflectivity is minimised.</p>	<p>Yes</p> <p>Yes</p>

<p>Colours</p> <p>8. New development must incorporate colour schemes that have a hue and tonal relationship with the traditional colours or the predominant colours of the street.</p> <p>9. The colours of garages, window frames, ventilation and downpipes and balustrading on main facades and elevations must be integrated harmoniously with the external design of the building.</p>	<p>The proposed smooth light grey render finish and dark grey/charcoal roof colour are sympathetic to the colours and finishes of existing development along Wakeford Road.</p> <p>An appropriate condition is imposed to ensure this control is satisfied.</p>	<p>Yes</p> <p>Yes</p>
4 Building Envelope		
<p>4.2.1 Floor Space Ratio</p> <p>1. The maximum floor space ratio (FSR) permitted on a site is indicated on the <i>SLEP 2012</i> Floor Space Ratio Map.</p> <p>2. Development must be compatible with the lot size. Larger sites should not allow dwellings that are so large and bulky that they would create undesirable environmental impacts. Smaller sites must provide for adequate sized dwellings.</p>	<p>The proposed development complies with the maximum allowable FSR for the site – see cl 4.4C in SLEP 2012 section of this report.</p> <p>The proposed dwelling is designed to minimise impacts to the amenity of adjoining properties and the public domain.</p>	<p>Yes</p> <p>Yes</p>
<p>4.2.2 Building Height</p> <p>1. The maximum height of dwelling houses in accordance with the <i>SLEP 2012</i> Height of Buildings Map is 9.5 metres.</p> <p>2. The maximum height to the top of parapet for flat roofed dwelling houses is to be 7.8 metres.</p> <p>3. The maximum height of the parapet wall for flat roofed dwelling houses is to be 0.8 metres above the uppermost ceiling level.</p> <p>4. The maximum height of the external wall from the existing ground level to the</p>	<p>Proposed dwelling height: 7.08m</p> <p>Proposed parapet height: 6.81m</p> <p>The proposed parapet will sit a maximum of 0.4m above the uppermost ceiling level.</p> <p>Ceiling heights do not exceed 6.5m and external walls do not exceed 7.2m.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

<p>underside of the uppermost ceiling level is to be 7.2 metres.</p> <p>5. The maximum internal floor to ceiling height is to be 3.0 metres for any residential level.</p> <p>8. The building height should respond to the gradient of any given site and minimise the need for cut and fill.</p>	<p>Proposed ceiling heights are a maximum 3.2m on Floor. This is considered acceptable as the slight exceedance does not result in excessive building height or bulk.</p> <p>The proposed dwelling responds appropriately to the slope of the land minimising cut and fill.</p>	<p>Accepted on merit</p> <p>Yes</p>
<p>4.2.3.1 Street Setbacks</p> <p>1. Primary street setback: 9m</p>	<p>Proposed Setbacks</p> <p>Front parapet feature: 7.7m Main front building: 9.5m</p>	<p>Accepted Yes</p>
<p>4.2.3.2 Side and Rear Setbacks</p> <p>1. New dwellings and extensions (where the building footprint is proposed to be altered) are to have a combined side setback equivalent to 20% of the width of the block (measured at right angles for splayed frontages). The combined side setback may be unevenly distributed between both sides as long as a minimum side setback of 1.2m is provided on each side.</p> <p>2. Dwellings are to have a minimum rear setback of 6m to provide adequate open space and deep soil areas for shading/screening trees.</p> <p>3. Subject to meeting the minimum landscaped area (as per section 5 of this part of the DCP) in the rear of the site, ancillary facilities such as garages/outbuildings may be located within the rear setback area. Minimum setback from side and rear boundaries = 0.5m</p>	<p>Combined Side Setback: 3.35m or 20.2% of 16.535m site frontage</p> <p>East Side: 1.65m West Side: 1.7m</p> <p>Rear: 11.74m</p> <p>Outbuilding (side and rear): 500mm</p>	<p>Yes</p> <p>Yes Yes</p> <p>Yes</p> <p>Accepted</p>

5 Landscaping		
5.2.1 Landscaped Area 1. The minimum landscaped area required $601-700\text{m}^2 = 41.5\%$ Site area 663.9m^2 Min. Landscaped area = 275.71	Landscaped area is calculated as follows: $275.71\text{m}^2 / 663.9\text{m}^2 = 41.5\%$	Yes
2. At least 50% of the minimum landscaped area should be located behind the building line to the rear boundary.	A minimum 139m^2 or 55.8% of total landscaped area is located behind the building line.	Yes
3. At least 50% of the front yard should be maintained as deep soil soft landscaping.	A minimum 110m^2 or 65.5% of the total front setback shall be deep soil landscaped area.	Yes
4. The amount of hard surface area (in the form of concrete/brick/stone paving and bitumen) shall be minimised to reduce run-off and to maintain the prevailing early twentieth century garden character. Run off from hard surfaces is to be directed to permeable surfaces such as garden beds.	Landscaped areas are usable with the capacity to absorb stormwater.	Yes
5. Planting areas shall include a mix of low-lying shrubs, medium-high shrubs and canopy trees in locations where they will soften the built form.	Proposed landscaping is varied to satisfy this control.	Yes
6. The design and quality of front gardens must respond to the character of the street and surrounding area and contribute to the garden character of Strathfield.	The proposed landscaped plan is in keeping with the character of the surrounding locale.	
5.2.2 Tree Protection 1. Applicants must engage an Australian Qualification Framework (AQF) Level 5 Arborist to prepare an Arboricultural Impact Assessment Report in accordance with <i>Australian Standards 4970: Protection of trees on development sites</i> to determine	See section: State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 of this report for more details.	Yes

the feasibility of retaining existing site trees prior to the design of a development.		
6. New developments should provide opportunities for planting new canopy trees within the front setback, except where the existing front setback already contains at least two (2) trees. These trees should achieve a minimum mature height of 10m.	The front setback has sufficient space for the planting of a large canopy tree.	Yes
7. At least one (1) canopy tree must be provided in the rear yard if not already provided.	The proposed landscape plan provides one (1) new canopy tree in the rear yard.	Yes
8. Generally, the trunk of a proposed canopy tree must be planted a minimum of 4m from built structures, or a minimum of 3m from pier beam footings. New trees must have a minimum setback of 3m from all boundaries, unless a species with non-invasive root system is proposed.	This control is achievable.	Yes
11. A minimum of 25% of canopy trees and other vegetation shall be locally sourced indigenous species.		Conditioned
5.2.3 Private Open Space		
1. Private open space is to be provided in a single parcel rather than a fragmented space and shall be directly accessible from internal living areas of the dwelling.	The proposal provides a minimum 110m ² in the rear yard.	Yes
2. The principal private open space area should be generally level and may be in the form of a deck, patio, terrace or paved area. The principal private open space must include a deep soil area compliant with the minimum landscaped area.	Private open spaces are level, usable with sufficient landscaping.	Yes
3. For terraces and decks to be included in calculations of areas for private open space, they must be of a usable size (at least 10m ²) with one length or width being at least 3 metres and be directly accessible from an internal living area of	Both proposed deck and alfresco meet the minimum size control.	Yes

<p>the dwelling. To be included in a calculation of private open space, decks cannot be located more than 500mm above natural ground level.</p>		
<p>5.2.4 Fencing</p> <p>1. Front and side fencing including fencing facing the secondary street on a corner site must be designed to be sympathetic to the particular style of the dwelling and be compatible with the style and height of fencing on adjoining properties and the streetscape.</p> <p>3. Fencing forward of the building line (including the building line to a secondary street frontage on a corner site) shall not exceed a height of 1.5m. In these cases, a solid fence shall not exceed a height of 0.7m above natural ground level and may be topped by an additional maximum 0.8m high open timber picket, wrought iron, palisade or similar element. Brick piers over 1m in height are permitted to support the decorative elements, provided they are equally spaced along the street and do not exceed a height of 1.5m. Where the predominant height of fencing in the street is higher, the solid fence component shall not exceed a height of 1m.</p> <p>7. Front fences should be designed to be visually permeable and where applicable, the main infill panels should have an appropriate width and spacing to provide an open appearance and enable casual surveillance.</p>	<p>The proposed front fencing is an open construction masonry design with a smooth render finish and vertical slats are in-keeping with the existing Wakeford Road streetscape.</p> <p>Proposed front fencing: Height (overall/piers): 1.5m Solid Component: 0.7m</p> <p>An appropriate condition is imposed to require spacing between the proposed fencing vertical slats is sufficient to allow casual surveillance.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
6 Solar Access		
<p>6.2.1 Sunlight access</p> <p>1. In new dwellings, solar access to the windows of habitable rooms and to at least 50% of private open space must be provided or achieved for a minimum period</p>	<p>The subject site is north-south orientation. The dwelling has been designed a number of skylights and sufficient glazing to the east and north elevations</p>	<p>Yes</p>

<p>of 3 hours between 9.00am and 3.00pm at the winter solstice (June 21).</p> <p>3. 50% of the principal private open space of any adjoining premises should receive solar access for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 21).</p>	<p>to allow sunlight into kitchen and living areas in the morning. The rear private open space area will receive in excess of three (3) hours solar access daily.</p> <p>Shadow diagrams were submitted with the subject proposal which demonstrate minimal overshadowing impacts to adjoining properties both internally and externally.</p>	<p>Yes</p>
7 PRIVACY		
<p>Visual Privacy</p> <p>7.2.1 Building Envelope and Dwelling Layout</p> <p>1. Private open space, bedrooms, balconies and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking by locating living areas on the ground floor and orientating them towards the rear and front setback.</p> <p>2. Provide adequate separation of buildings.</p> <p>3. Ensure finished floor levels are not excessively elevated above natural ground level.</p>	<p>The proposed development satisfies the relevant objectives and controls of the SCDP 2005, in that adequate privacy is maintained between adjoining properties and any potential overlooking is minimised. Windows are offset from adjoining dwellings where required, they are screened, obscured or off low active use rooms so as not to negatively impact on adjoining properties.</p> <p>Side setbacks exceed the minimum 1.2m.</p> <p>Finished Ground Floor levels are acceptable and will not create inappropriate opportunities for overlooking.</p>	<p>Yes</p> <p>Yes</p>
<p>7.2.3 Elevated Decks, Verandahs and Balconies</p>		

<p>2. The width of driveways at the property boundary is to be 3m.</p> <p>5. A maximum of one (1) vehicular crossing to any public road will be permitted per property except for corner allotments where Council may consider one on each frontage in appropriate circumstances.</p> <p>6. Vehicles accessing sites which front main roads shall be capable of entering and exiting in a forward direction (i.e. vehicle manoeuvring shall be fully maintained within the site).</p> <p>7. Vehicular turning areas for garages shall comply with the relevant Australian Standard.</p> <p>9. Driveways must be designed to avoid a long and straight appearance by using landscaping and variations in alignment.</p> <p>10. A driveway should be set back a minimum of 0.5 metres from side boundaries to provide for landscaping between the driveway and side boundary.</p>	<p>of consent. The new driveway does not pose any significant environmental impacts such as the removal of significant vegetation and is therefore considered acceptable.</p> <p>Driveway width at Boundary: 3m</p> <p>Vehicular Crossing: 1</p> <p>Adequate swept-path in the basement parking area is provided.</p> <p>The proposal provides adequate landscaping on both sides of the driveway to soften the appearance of hardstand surface.</p> <p>Driveway setback – side: 1.65m</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes – conditioned</p> <p>Yes</p> <p>Yes</p>
<p>8.2.2 Garages, Carports and Car Spaces</p> <p>1. Two (2) car parking spaces are to be provided and maintained behind the front building line of all new dwellings (i.e. garage, carport or car space).</p>	<p>The proposal includes two (2) basement parking spaces.</p>	<p>Yes</p>
<p>8.2.3 Basements</p>		

<p>1. The maximum area of a basement shall be limited to and contained within the footprint of the dwelling at ground level.</p> <p>2. No excavation is permitted within the required minimum side setbacks. Furthermore, the location of basement walls may warrant increased setbacks to provide sufficient area for water proofing, drainage etc.</p> <p>3. Where a basement is proposed, the maximum height of the basement above natural ground level measured to the floor level of the storey immediately above is to be less than 1 metre.</p> <p>4. Minimum internal clearance of 2.2m in accordance with the <i>Building Code of Australia</i> requirements.</p> <p>5. Driveways shall comply with the relevant <i>Australian Standards (AS2890.1: Parking Facilities, AS1248.1: Design for access and mobility)</i> and a maximum 1:4 gradient.</p> <p>6. Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.</p>	<p>The proposed basement extends beyond the building footprint and under the proposed rear deck which extends from the front ground floor family area.</p> <p>A condition is imposed requiring the reconfiguration of the basement garage so as to be contained within the ground level dwelling footprint. The proposed development is acceptable subject to this condition.</p> <p>Excavation for the proposed basement does not extend closer than 1.65m from the east boundary.</p> <p>The proposed basement ceiling will sit below the existing NGL.</p> <p>Proposed minimum internal clearance is 2.24m.</p> <p>The proposed driveway gradient is 1:4</p> <p>The proposed driveway ramp does not exceed 3.5m.</p>	<p>No - Design change conditioned</p> <p>Yes</p> <p>Yes - see Note 1</p> <p>Yes - Note 1</p> <p>Yes - see Note 1</p> <p>Yes</p>
9 ALTERING NATURAL GROUND LEVEL (CUT & FILL)		
<p>9.2 Controls</p> <p>1. Fill is limited to a maximum of 1m above natural ground level.</p>	<p>The proposed development is considered to satisfy the relevant objectives and controls</p>	<p>Yes</p>

<p>2. For all excavation works that require the use of fill, only clean fill is to be used.</p> <p>3. Cut and fill batters must be stabilised consistent with the soil properties.</p> <p>4. Vegetation or structural measures are to be implemented as soon as the site is disturbed.</p> <p>5. All areas of excavation shall be setback from property boundaries in accordance with the building setback controls. No excavation is permitted within the minimum required setbacks.</p> <p>6. Where excavation work is proposed, the work must not affect or undermine the soil stability or structural stability of any buildings and Council assets on adjoining properties.</p>	<p>of the SCDGP 2005, in that the need for cut and fill has been kept to a minimum and existing ground levels have been maintained where appropriate to reduced site disturbance. Existing trees and shrubs have been retained where possible and ground water tables are maintained and impact on overland flow and drainage is minimised.</p>	
10 WATER AND SOIL MANAGEMENT		
<p>10.2 Controls</p> <p>10.2.1 Stormwater Management and Flood Prone Areas</p> <p>6. Applicants must comply with Council's Stormwater Management Code with regard to drainage and stormwater detention matters. Full details and plans of the stormwater system are to be submitted for approval as part of the development application.</p>	<p>The site is mapped as flood affected. The proposal has been assessed by Council's Development Engineer whom has reviewed the stormwater drainage concept plan prepared by Danmor Consulting Engineers (dated 14 April 2021). The site discharges to the street kerb and gutter by means of a gravity pipe via the boundary pit. All roof runoffs drain into above ground rainwater tank in accordance with BASIX requirements by charged means via downpipes. From an engineering perspective, the <u>concept plan is feasible</u> and</p>	<p>Yes</p>

	there are no objections to its approval subject to the following conditions.	
10.2.3 Soil Erosion and Sediment Control 1. Appropriate soil erosion and sediment control measures during construction must be detailed in the development application and implemented prior to the commencement of work.	The proposed development satisfies the relevant objectives and controls of the SCDCP 2005 and complies with Council's Stormwater Management Code. An Erosion and Sediment Control Plan has been submitted with the application to prevent or minimise soil disturbances during construction.	Yes
11 ACCESS, SAFETY AND SECURITY		
11.2.1 Address and Entry Sightlines 1. Buildings are to be designed to allow occupants to overlook public places in order to maximise passive surveillance. 2. Design landscaping around dwellings and ancillary structures so that when plants are mature they do not unreasonably restrict views of pathways, parking and open space areas. 3. External lighting should enhance safe access and security around the dwelling and light spill must not adversely impact on adjoining properties. Lighting must be designed and located so that it minimises the opportunity for vandalism or damage, is appropriate for the street and minimises glare.	The proposed development satisfies the relevant objectives and controls of the SCDCP 2005. Separate pedestrian and vehicle access provisions are provided, passive surveillance of the public street has been provided providing safety and perception of safety in the street. It is considered that the proposed landscaping plan can be reasonably maintained to prevent obstacles due to overgrowth in the long term Appropriate conditions are imposed to ensure that external lighting does not impact of the amenity of adjoining properties and the public domain.	Yes Yes Yes
11.2.2 Pedestrian Entries		Yes

<p>1. Pedestrian entries and vehicular entries should be suitably separated to ensure the safety of pedestrians and residents.</p> <p>2. Dwelling entrances should be easily identifiable with walkways and landscaping used to direct visitors to the main dwelling entrance.</p>	<p>Pedestrian and vehicular paths are separated by 2.25m setback.</p> <p>The proposed main primary entrance to the dwelling is clearly identifiable from the site frontage.</p>	<p>Yes</p>
<p>12.2.6 Swimming Pools</p> <p>1. The minimum side and rear setback of a swimming pool from the outside edge of the pool concourse (and any paved/concreted area adjacent to the concourse) must be at least 1m wide and consist of a deep soil soft landscape area containing a continuous planting of screening shrubs.</p> <p>3. The pool filter and pump equipment is to be designed and located so as not to emit a noise level that exceeds 5dBA above the ambient background noise level measured at any property boundary. The pool equipment shall be located within an enclosed structure so as to not be readily visible.</p> <p>4. Any lighting associated with a swimming pool should be positioned to prevent light spillage and minimise any nuisance to adjoining premises.</p> <p>5. Swimming pool enclosures shall comply with the <i>Swimming Pools Act</i> and relevant Australian Standards as amended.</p>	<p>The proposed swimming pool setbacks are:</p> <p>West side: 6.92m East side: 4.09m Rear: 2.315m</p> <p>A condition is imposed to ensure appropriate attenuation measures are taken and pool pump, filter and equipment are housed effectively to prevent noise impacts to adjoining properties.</p> <p>Appropriate conditions imposed.</p> <p>Appropriate conditions imposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>13 ECOLOGICALLY SUSTAINABLE DEVELOPMENT</p>		
<p>13.2.3 Water Tanks</p> <p>1. Above ground water tanks shall be located behind the dwelling. Where it is not possible to locate a water tank wholly behind the dwelling, it should be located behind the front building line and screened</p>	<p>Proposed plans depict a 4000 litre (as per BASIX requirements) water tank located on the west elevation of the proposed dwelling.</p>	<p>Yes</p>

from view from the public domain with appropriate landscaping.		
2. Where water tanks are visible, the tanks and any associated support structure and plumbing must be a colour that complements the dwelling.	Proposed Site Stormwater Drainage Plan depicts a 4000 litre (as per BASIX requirements) water tank located on the west elevation of the proposed dwelling.	Yes
3. Above ground water tanks must be located at least 450mm from any property boundary.	The proposed water tank will be setback a minimum 450mm from the east boundary.	Yes

SCDCP 2005

Discussion Note 1 – Driveway access

The proposed development has been assessed by Council's Traffic Manager whom has identified that the driveway profile shows a summit grade change of 15% (**Figure 10** circled in red below) which would result in vehicle scraping.

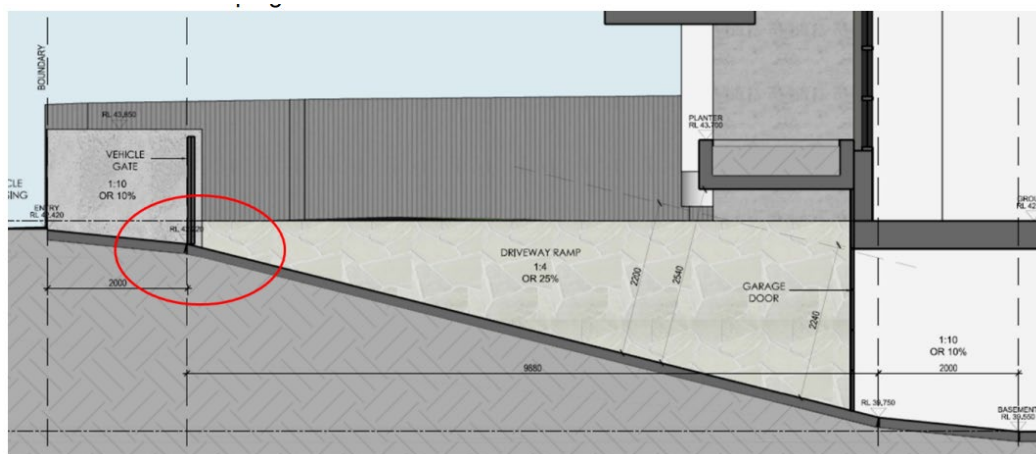


Figure 10: Proposed driveway ramp profile

Appropriate conditions are imposed for an amended driveway profile design to be provided prior to the issue of any Construction Certificate by increasing the grade of the first 2m section to 1 in 8 to achieve a maximum allowed summit change of 12.5 percent as per AS/ANZ2890.1. The maximum grade for the remaining domestic driveway shall not exceed 25% whilst the minimum headroom of 2.2 metres is to be maintained. Any adjustments must be illustrated on the plans lodged with the application for the Construction Certificate.

The proposed development is considered acceptable subject to the abovementioned conditions of consent.

PART H – Waste Management (SCDCP 2005)

In accordance with Part H of Strathfield CDCP 2005, a waste management plan was submitted with the application. The plan details measure for waste during demolition and construction, and the on-going waste generated by the development during its use. It is considered that this plan adequately address Part H and considered satisfactory.

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

The proposed development is of a scale and character that is in keeping with other dwellings being constructed in the locality. Appropriate conditions are imposed to see a reduction of the proposed basement to be contained wholly within the dwelling ground floor footprint. Accordingly, the proposal is not considered to have a significant impact on the natural and built environment or any negative social or economic impacts on the locality.

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

It is considered that the proposed development is of a scale and design that is suitable for the site having regard to its size and shape, its topography, vegetation and relationship to adjoining developments.

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

In accordance with the provisions of Councils Community Participation Plan, the application was placed on neighbour notification for a period of fourteen (14) days where adjoining property owners were notified in writing of the proposal and invited to comment. Council received no submissions.

Section 4.15(1)(e) - The public interest

The proposed development is of a scale and character that does not conflict with 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 INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

The proposed development has a value of greater as \$100,000. In order to provide additional public facilities and infrastructure to meet the demand created by development, the proposed development will attract Section 7.12 Indirect Contributions in accordance with the Strathfield Indirect Development Contributions Plan (3 September 2010). This contribution is based on the proposed cost of works for the development and has been calculated at 1% of \$1,426,072.00 (the estimated cost of development identified in the development application). Therefore, the Section 94 Indirect Contributions for the proposed development is **\$14,260.72**

Conclusion

The application has been assessed having regard to the Heads of Consideration under Section 4.15 (1) of the *Environmental Planning and Assessment Act 1979*, the provisions of the SLEP 2012 and SCDCP 2005.

Following detailed assessment it is considered that Development Application No. 89/2021 should be approved subject to the following conditions.

Signed:

**G I Choice
Planner**

Date: 6 July 2021

- ☐ I confirm that I have determined the abovementioned development application with the delegations assigned to my position;
- ☐ I have reviewed the details of this development application and I also certify that Section 7.12 Contributions are applicable to this development and have been levied accordingly;

Report and recommendations have been peer reviewed and concurred with.

Signed:

**Jake Brown
Planner**

Date: 6 July 2021

The following conditions of consent are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instrument and/or Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To protect the environment.
- (c) To ensure that there is no unacceptable impact on the amenity of the area, or to private and public property.
- (d) It is in the public interest.

DEVELOPMENT DETAILS

1. Approved Plans & Documentation

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Site Analysis & Site Location Plan Streetscape Analysis 210118	DA.01	08/04/21	A	Bechara Chan & Associates Pty Ltd
Ground Floor Plan / First Floor Plan 210118	DA.02	08/04/21	E	Bechara Chan & Associates Pty Ltd
Basement Plan / Roof & Site Plan 210118	DA.03	08/04/21	E	Bechara Chan & Associates Pty Ltd
Elevations 210118	DA.04	08/04/21	E	Bechara Chan & Associates Pty Ltd
Section A-A, B-B & Front Fence 210118	DA.05	01/06/21	F	Bechara Chan & Associates Pty Ltd
Driveway Section 210118	DA.06	08/04/21	E	Bechara Chan & Associates Pty Ltd
Schedule of Colours and Finishes		22/04/21	A	Bechara Chan & Associates Pty Ltd

Demolition Plan	D.01	08/04/21	A	Bechara Chan & Associates Pty Ltd
Landscape Planting Plan	L01/1 K25415 –	17/03/21		Michael Siu Landscape Architects
Basement Stormwater Drainage Plan D21089	ST01	14/04/21	A	Danmor Consulting Engineers
Site Stormwater Drainage Plan D21089	ST02	14/04/21	A	Danmor Consulting Engineers
Erosion and Sediment Control Plan and Details D21089	ST03	14/04/21	A	Danmor Consulting Engineers
Document	Reference No.	Date	Revision	Prepared by
BASIX Certificate	1195325S	19/04/21		Eco Certificates Pty Ltd
Waste Management Plan	3 Wakeford Road STRATHFIELD	21/04/21		Gihad Bechara
Survey Plan 210048	001	22/01/21	A	RGM Property Surveys

2. Duration of Consent

The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.

3. Amended Basement Plan & Driveway Ramp Profile

The following development specific design changes are required:

- i) Basement Plan shall be amended so that the entire basement area is limited to and contain within the footprint of the dwelling at ground level.
- ii) Driveway Ramp Profile shall be amended to achieve a maximum allowed summit as per AS/ANZ2890.1.

Note: External patios, courtyards, alfresco areas etc. are excluded from the dwelling footprint.

4. Section 138 Roads Act 1993 and Section 68 Local Government Act 1993

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a “works zone”;
- (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (j) Stormwater & ancillary works in the road reserve; and
- (k) Stormwater & ancillary to public infrastructure on private land
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council’s roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council's website www.strathfield.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9748 9999.

5. Vehicular Crossing - Minor Development

Constructing a vehicular crossing and/or footpath requires a separate approval under Section 138 of the [Roads Act 1993](#) prior to the commencement of those works.

To apply for approval, complete the *Works Permit Application Form* which can be downloaded from Strathfield Council's Website at www.strathfield.nsw.gov.au. Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Civic & Urban Services Section in Council's adopted *Fees and Charges* for the administrative and inspection charges associated with *Works Permit* applications.

An approval for a new or modified vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out in accordance with Council's specifications applicable at the time, prior to the issue of an Occupation Certificate.

REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES

6. Sydney Water – Tap in™

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.

PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

7. Fees to be Paid

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.strathfield.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Please contact council prior to the payment of s7.11 or s7.12 Contributions to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council.

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://portal.longservice.nsw.gov.au/bci/levy/	\$ 4,991.00
Security Damage Deposit	\$ 15,000.00
Tree Bond	\$ 3050.00
Administration Fee for Damage Deposit	\$ 130.00
Tree Bond Administration Fee	\$ 130.00
DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$ 14,260.72

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

The Section 7.11 contribution (s94) is imposed to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area.

A Section 7.12 contribution has been levied on the subject development pursuant to the Strathfield Section 94A Indirect Development Contributions Plan.

Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Development Contributions Plan.

Timing of Payment

The contribution must be paid and receipted by Council prior to the release of the Construction Certificate.

Further Information

A copy of the *current Development Contributions Plans* may be inspected at Council's Customer Service Centre at 65 Homebush Road, Strathfield or on Council's website www.strathfield.nsw.gov.au.

8. Required Design Changes

The following changes are required to be made and shown on the Construction Certificate plans:

Amendments made in red on approved plans	All changes made in red on the approved plans shall be updated and shown on the Construction Certificate plans.
Basement Plan	<p>The Basement Plan shall be amended so that the entire basement area is limited to and contained within the footprint of the dwelling at ground level. The amended basement plan shall be submitted to the Principle Certifying Authority for approval prior to the issue of any Construction Certificate.</p> <p>Note: External patios, courtyards, alfresco areas etc. are excluded from the dwelling footprint.</p>
Driveway ramp profile	<p>The internal driveway profile shall be amended by increasing the grade of the first 2m section to 1 in 8 to achieve a maximum allowed summit change of 12.5 percent as per AS/ANZ2890.1. The maximum grade for the remaining domestic driveway shall not exceed 25% whilst the minimum headroom of 2.2 metres is to be maintained. Any adjustments must be illustrated on the plans lodged with the application for the Construction Certificate.</p>
Front fence opening	The front fence vertical slats shall be spaced so as to achieve 30% transparency and enable casual surveillance.
Privacy Screen	<p>A privacy screen shall be provided to the first floor balcony of Bedroom 4 to prevent overlooking into the rear yard of 1 Wakeford Road STRATHFIELD. The privacy screen is to be a minimum of 1.8m high from the finished floor level of the balcony and comprise of a material that cannot be seen through, such as translucent glazing. If louvres are to be used, they are to be fixed in a position that does not allow downward viewing of the adjoining properties.</p>

9. Schedule of External Finishes

A schedule detailing all external materials, colours and finishes including windows, doors and roofing materials shall be submitted to Council for approval.

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.

10. Damage Deposit – Major Works

In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a security damage deposit for the cost of making good any damage caused to any Council property as a result of the development: \$15,000.00
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable administration fee to enable assessment of any damage and repairs where required: \$130.00
- (c) Submit to Council, before the commencement of work, a dilapidation report of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will review the dilapidation report and the Works-As-Executed Drawings (if applicable) and inspect the public works.

The damage deposit will be refunded in full upon completion of work where no damage occurs and where Council is satisfied with the completion of works. Alternatively, the damage deposit will be forfeited or partly refunded based on the damage incurred.

11. Tree Bond

A tree bond of \$3050.00 (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

A request for 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.

12. BASIX Commitments

The approved BASIX Certificate shall be submitted to the Accredited Certifier with the application for a Construction Certificate.

All measures and commitments as detailed in the BASIX Certificate No. 1195325S must be implemented on the plans lodged with the application for the Construction Certificate.

13. Low Reflectivity Roof (CC8016)

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

14. Erosion & Sedimentation Control (CC8036)

Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) 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)
- (c) All clean water run-off is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with [Managing Urban Stormwater – Soils and Construction \(Blue Book\) produced by Landcom 2004.](#)

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

15. Stormwater System

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system in accordance with Council stormwater management code and AS/NZS 3500.3: 2015 (as amended), prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

16. Pump-Out System Design for Stormwater Disposal

The design of the pump-out system for storm water disposal will be permitted for drainage of basement areas only, and must be designed in accordance with the following criteria:

- (a) The pump system shall consist of two pumps, connected in parallel, with each pump being capable of emptying the holding tank at the rate equal to the rate of inflow for the one-hour duration storm. The holding tank shall be capable of holding four hour's runoff from a one-hour duration storm of the 1 in 100 year storm;
- (b) The pump system shall be regularly maintained and serviced, every six (6) months; and
- (c) Any drainage disposal to the street gutter from a pump system must have a stilling sump provided at the property line, connected to the street gutter by a suitable gravity line.

Details and certification of compliance from a professional engineer specialising in civil engineering shall be provided for approval with the Construction Certificate application.

17. Stormwater Drainage Plan Details

Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineering specialising in hydraulic engineering shall be submitted with the Construction Certificate application.

18. Waste Management Plan (WMP)

Prior to the issue of a Construction Certificate, a Waste Management Plan (WMP) must be submitted and it must comply with the requirements contained within Part H of Strathfield Development Control Plan 2005 (DCP 2005). A WMP will become part of any development consent issued and aims to facilitate better waste management, waste minimization and resource recovery.

The WMP is an important planning document that will not only be utilised as part of the development application process, but during construction and for the ongoing use of the development. The WMP will continue to apply as a working reference for the life of the development.

At least one copy of the WMP is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

19. Compliance with Swimming Pool Act 1992

The alterations and additions to the dwelling house and/or the construction of the new dwelling house subject of this consent must not generate any non-compliances with the Swimming Pools Act 1992, Swimming Pool Regulation 2018 and the Building Code of Australia. Details of compliance to be illustrated on the plans lodged with the application for the Construction Certificate.

20. Fire Safety Measures

Prior to the issue of a construction certificate a list of the existing and proposed essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a PCA. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or PCA will then issue a Fire Safety Schedule for the building.

21. Structural Details

Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the PCA.

22. Swimming Pools – Use and Maintenance

The following apply to the construction, use and maintenance of swimming pools and spas:

- (a) no ground level may be raised or filled except where shown specifically on the approved plans;
- (b) all pool/spa waste water is to be discharged to the sewer according to the requirements of Sydney Water;
- (c) the swimming pool must not be used for commercial or professional purposes;
- (d) drain paved areas to the landscaped areas or a suitable lawful drainage system; and
- (e) arrange any external pool/spa lighting to minimise glare nuisance to adjoining owners.

23. Off Street Parking – Compliance with AS2890

All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1 (for car parking facilities), AS 2890.6 (parking for people with disabilities) and AS 2890.2 (for commercial vehicle facilities).

24. Landscape Plan

A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted prior to the issue of the Construction Certificate. The plan must include:

- (a) Location of existing and proposed structures, services and existing trees;
- (b) Details of earthworks including mounding and retaining walls and planter boxes;
- (c) Location of proposed plants and a plant schedule showing the plant symbol, botanical

name/ common name; quantity; pot size/; and mature height x width.

- (i) One (1) canopy tree must be provided in the rear yard if not already provided.
- (ii) One (1) canopy tree must be provided in the front yard if not already provided.
- (iii) A minimum of 25% of canopy trees and other vegetation shall be locally sourced indigenous species.

(iv) Details of planting procedure and maintenance;

(v) Landscape specification;

(vi) Details of garden edging and turf; and

(vii) Any required fencing, retaining walls and other structures not shown on other approved architectural and engineering plans.

25. Tree Removal/Pruning Prohibited

This consent does not approve the removal or pruning (branches or roots) of any trees on the subject property, Council's public footway, public reserves or on neighbouring properties.

26. Tree Protection and Retention

The following trees shall be retained and protected:

Tree No.	Tree Species	Location of Tree	Tree Protection Zone (metres)
1	<i>tristaniopsis laurina</i> (water gum)	Public domain at 3 Wakeford Road STRATHFIELD	If front fencing, driveway or entry paving is within the AS4970 -2009 TPZ of this specimen, the TPZ shall be constructed using tree sensitive excavation (for piers) and construction techniques such as either permeable paving or pier and beam construction with a suspended slab to reduce any impact on its stability with piers to be dug by hand with non-motorised machinery to

			further assist in its protection.
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Details of the trees to be retained must be included on the Construction Certificate plans.

General Tree Protection Measures

- (a) All trees to be retained shall be protected and maintained during demolition, excavation and construction of the site.
- (b) The tree protection measures must be undertaken in accordance *AS4970 -2009 Protection of trees on development sites*.
- (c) Details of the tree protection measures to be implemented must be provided with the application for a Construction Certificate by a suitably qualified Arborist (AQF Level 5 or above in Arboriculture).
- (d) The Arborist must be present on-site during the stages of construction when works are being undertaken that could impact on the tree canopy or root zone within the tree protection zone to implement the tree protection measures as required.
- (e) Unless otherwise specified in AS 4970-2009, a protective fence consisting of 1.8 metres high, fully supported chainmesh fence shall be erected around the base of the tree. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed in the table above. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.
- (f) No services shall be installed within the TPZ of the tree unless approved by Council. This fence shall be kept in place during demolition, construction and also have a sign displaying 'Tree Protection Zone' attached to the fence and must also include the name and contact details of the Project Arborist.

PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)

27. Demolition & Asbestos

The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015)

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

28. Demolition Notification Requirements

The following notification requirements apply to this consent:

- (a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.
- (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
- (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

29. Dial Before You Dig

The applicant shall contact "Dial Before You Dig on 1100" to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from "Dial Before You Dig" shall be forwarded to Council's Engineers for their records.

30. Registered Surveyors Report - During Development Work

A report must be submitted to the PCA at each of the following applicable stages of construction:

- (a) Set out before commencing excavation.
- (b) Floor slabs or foundation wall, before formwork or commencing brickwork.
- (c) Completion of Foundation Walls - Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.
- (d) Completion of Floor Slab Formwork - Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey must be provided at each subsequent storey.
- (e) Completion of any Pool Formwork - Before concreting of pool shell, detailing the location of the pool relative to the adjacent boundaries and its height relative to the datum shown on the approved plans.

- (f) Completion of any Roof Framing - Before roof covered detailing eaves/gutter setback from boundaries.
- (g) Completion of all Work - Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey must indicate the reduced level of the main ridge.

Work must not proceed beyond each stage until the PCA is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

31. Utility Arrangements

Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicants expense.

DURING CONSTRUCTION

32. Site Sign – Soil & Erosion Control Measures

Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all site and building works.

33. Hours of Construction for Demolition and Building Work

Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8:00am to 1:00pm on Saturdays. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

Note: A penalty infringement notice may be issued for any offence.

34. Cost of Work to be Borne by the Applicant

The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.

35. Obstruction of Road or Footpath

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the [Roads Act 1993](#) and/or under Section 68 of the [Local Government Act 1993](#). Penalty infringement Notices may be issued for any offences and severe penalties apply.

36. Swimming Pools – Filling with Water

The pool/spa shall not be filled until the safety fences have been completed in accordance with the approved plans and specifications and inspected by the PCA.

37. Waste Management Facility

All materials removed from the site as a result of demolition, site clearing, site preparation and, or excavation shall be disposed of at a suitable Waste Management Facility. No vegetation, article, building material, waste or the like shall be ignited or burnt.

Copies of all receipts for the disposal, or processing of all such materials shall be submitted to the PCA and Council, where Council is not the Principal Certifying Authority.

38. Excavation Works Near Tree to be Retained

Excavation around the tree/s to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not be adversely affected.

Where the Tree Protection Zone of trees on site or adjoining sites become compromised by any excavation works, the Project Arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

39. BASIX Certificate

All energy efficiency measures as detailed in the approved BASIX Certificate in the plans approved with the Development Consent, must be implemented before issue of any Occupation Certificate.

40. BASIX Compliance Certificate

A Compliance Certificate must be provided to the PCA regarding the implementation of all energy efficiency measures as detailed in the approved BASIX Certificate before any Occupation Certificate is issued.

41. Completion of Landscape Works

At the completion of all works, a certificate is to be submitted to the Principal Certifying Authority from a qualified Landscape and/or Arboricultural Consultant certifying that the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been established.

42. Minor Development

Internal driveways and parking spaces are to be adequately paved with concrete or bitumen, or interlocking pavers to provide a dust-free surface.

43. Restricted Use for Basement Comms Room

The area under the stair case nominated as "Data Com Room" shall be fitted out and used for electrical, wiring and housing CCTV and other related equipment.

44. Restriction to User and Positive Covenant for On-Site Detention Facility

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

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

The wording on the 88E and or 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.

45. Stormwater Certification of the Constructed Drainage Works (Minor)

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.

46. Requirements Prior to the Issue of the Occupation Certificate

The following shall be completed and or submitted to the PCA prior to the issue of the Occupation Certificate:

- (a) All the stormwater/drainage works shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
- (b) The internal driveway construction works, together with the provision for all services (conduits and pipes laid) shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
- (c) Construct any new vehicle crossings required.
- (d) Replace all redundant vehicle crossing laybacks with kerb and guttering, and replace redundant concrete with turf.
- (e) A Section 73 (Sydney Water) Compliance Certificate for the Subdivision shall be issued and submitted to the PCA prior to the issue of the Occupation Certificate.
- (f) Work as Executed Plans prepared by a Chartered Professional Engineer or a Registered Surveyor when all the site engineering works are complete shall be submitted to the PCA prior to the issue of the Occupation Certificate.

47. Vehicular Crossing - Minor Development

The vehicular crossing and/or footpath works shall be constructed by a private contractor at the expense of the applicant, in accordance with the Works Permit Approval issued by Council's Civic & Urban Services and in accordance with Council's Driveway Specifications.

Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant and in accordance with Council's Driveway Specifications.

The work must be completed before the issue of an Occupation Certificate.

48. Stormwater Drainage Works – Works As Executed

Prior to the issue of the Occupation Certificate, stormwater drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) The structural adequacy of the On-Site Detention system (OSD);
- (c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the

submitted calculations;

- (d) Pipe invert levels and surface levels to Australian Height Datum;
- (e) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

Council's Engineering Services section must advise in writing that they are satisfied with the Works-As-Executed prior to the issue of an Occupation Certificate.

OPERATIONAL CONDITIONS (ON-GOING)

49. Swimming Pools – Resuscitation Notice

An expired air resuscitation warning notice complying with the [Swimming Pools Act 1992](#) must be affixed in a prominent position adjacent to the pool.

50. No Structures on Street-Facing Roof Plane or Awning

No solar hot water heater storage tanks, solar panels, ventilators, air conditioning units, satellite dishes and antennae or the like are to be placed on roof planes, parapets or street awnings of the building which are visible from a public street (other than rear laneways).

51. Lighting – General Nuisance

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.

Flashing, moving or intermittent lights or signs are prohibited.

52. Private Swimming Pools & Spas – Pump Noise

The swimming pool/spa pump and associated equipment must be located so that the noise emitted does not exceed 5dB(A) above the background level. If this cannot be achieved, a ventilated and sound-proofed enclosure must enclose the pump to achieve the required noise levels.

Swimming pool is to be installed with a timer that limits the recirculation and filtration systems operation such that it does not emit noise that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):

- (a) before 8 am or after 8 pm on any Sunday or public holiday, or
- (b) before 7 am or after 8 pm on any other day.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

53. Requirement for a Construction Certificate

The erection of a building must not commence until a Construction Certificate has been issued.

54. Appointment of a PCA

The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

55. Notification of Critical Stage Inspections

No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

56. Notice of Commencement

The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

57. Critical Stage Inspections

The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the [Environmental Planning and Assessment Regulation 2000](#).

58. Notice to be Given Prior to Critical Stage Inspections

The principal contractor for a building site, or the owner-builder, must notify the PCA at least 48 hours before each required inspection needs to be carried out.

59. Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

PRESCRIBED CONDITIONS

Prescribed conditions are those which are mandated under Division 8A of the [Environmental Planning and Assessment Regulation 2000](#) and given weight by Section 4.17(11) of the Environmental Planning and Assessment Act 1979.

Detailed below is a summary of all the prescribed conditions which apply to development in New South Wales. Please refer to the full details of the prescribed conditions as in force, at www.legislation.nsw.gov.au.

60. Clause 97A – BASIX Commitments

This Clause requires the fulfilment of all BASIX Commitments as detailed in the BASIX Certificate to which the development relates.

61. Clause 98 – Building Code of Australia & Home Building Act 1989

Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the [Home Building Act 1989](#) relates, there is a requirement for a contract of insurance to be in force before any work commences.

62. Clause 98B – Home Building Act 1989

If the development involves residential building work under the [Home Building Act 1989](#), no work is permitted to commence unless certain details are provided in writing to Council. The name and licence/permit number of the Principal Contractor or Owner Builder and the name of the Insurer by which work is insured under Part 6 of the [Home Building Act 1989](#).

63. Clause 98F – Site Excavation

Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site.

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition or building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods or preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

ADVICES

1. Access to NSW Legislations (Acts, Regulations and Planning Instruments)

NSW legislation can be accessed free of charge at www.legislation.nsw.gov.au

2. Long Service Levy

The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

3. Stormwater & Ancillary Works – Applications under Section 138 Roads Act and/or Section 68 Local Government Act 1993

To apply for approval under Section 138 of the [Roads Act 1993](#):

- (a) Complete the Works Permit Application Form which can be downloaded from Strathfield Council's Website at www.strathfield.nsw.gov.au.
- (b) In the Application Form, quote the Development Consent No. (DA 2021/89/1) and reference this condition number (Condition 66)
- (c) Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Council's adopted Fees and Charges for the administrative and inspection charges associated with Works Permit applications.

An approval for a new or modified vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out by a private contractor in accordance with Council's specifications prior to the issue of an Occupation Certificate.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements) required to carry out the approved development.

4. Site Safety Fencing

Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

5. Electricity Supply

This development may need a connection to the Ausgrid network which may require the network to be extended or its capacity augmented. You are advised to contact Ausgrid on 13 13 65 or www.ausgrid.com.au (Business and Commercial Services) for further details and information on lodging your application to connect to the network.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Australian Height Datum	Is a system of control points for height based on a network of levelling measurements that covered the whole of Australia and was fitted to mean sea level, as measured at tide gauges distributed around the Australian coast, over a period 1968-1970 see cl.5 Surveying and Spatial Information Regulation 2012.
Applicant	The applicant referred to at the front of this consent notice or anyone else entitled to act on this consent.
Application	The development application and the accompanying drawings plans and documentation described in this consent.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Strathfield Council
Certification of Crown Building works	Certification under s6.28 of the EP&A Act [delete if not a Crown application]
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning, Industry & Environment or its successors

Development Application (DA)	A DA is a formal request for consent to carry out a proposed development, such as a change of use of land, subdivision of land and/or carrying out of building, landscaping or any other works.
Council's approval, agreement or satisfaction	A written approval from the General Manager of Council (or nominee/delegate)
Evening	The period from 6pm to 10pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Landscape Designer	A person eligible for membership of the Australian Institute of Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect.
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water, or its successor
HNSW	Heritage NSW, Department of Premier & Cabinet
OSD	On-site Stormwater Detention. OSD involves the temporary storage and controlled discharge of stormwater generated within a site.
PCA	Principal Certifying Authority, or in the case of Crown development, the supervising Certifying Authority, who will fulfil an equivalent role
Professional Engineer	Has the same meaning as in the BCA
TfNSW	Transport for New South Wales
Subject Site	Lot 19 DP 582
TPZ	Tree Protection Zone