

IDAP REPORT

Property:	15 Coventry Road STRATHFIELD Lot: 4 DP: 31617 DA2021.87
Proposal:	Demolition of existing structures and construction of a two (2) storey dwelling house with basement, swimming pool, outbuilding, front fence and associated landscaping works.
Applicant:	Swa Group
Owner:	Z Tan
Date of lodgement:	3 May 2021
Notification period:	7 May 2021 to 21 May 2021
Submissions received:	One
Assessment officer:	J W Brown
Estimated cost of works:	\$1,485,000.00
Zoning:	R2-Low Density Residential - SLEP 2012
Heritage:	Adjacent to two (2) heritage items: <ul style="list-style-type: none"> • I127 – 13 Coventry Road • I128 – 17 Coventry Road
Flood affected:	Yes
Is a Clause 4.6 Variation Proposed:	No
RECOMMENDATION OF OFFICER:	APPROVAL

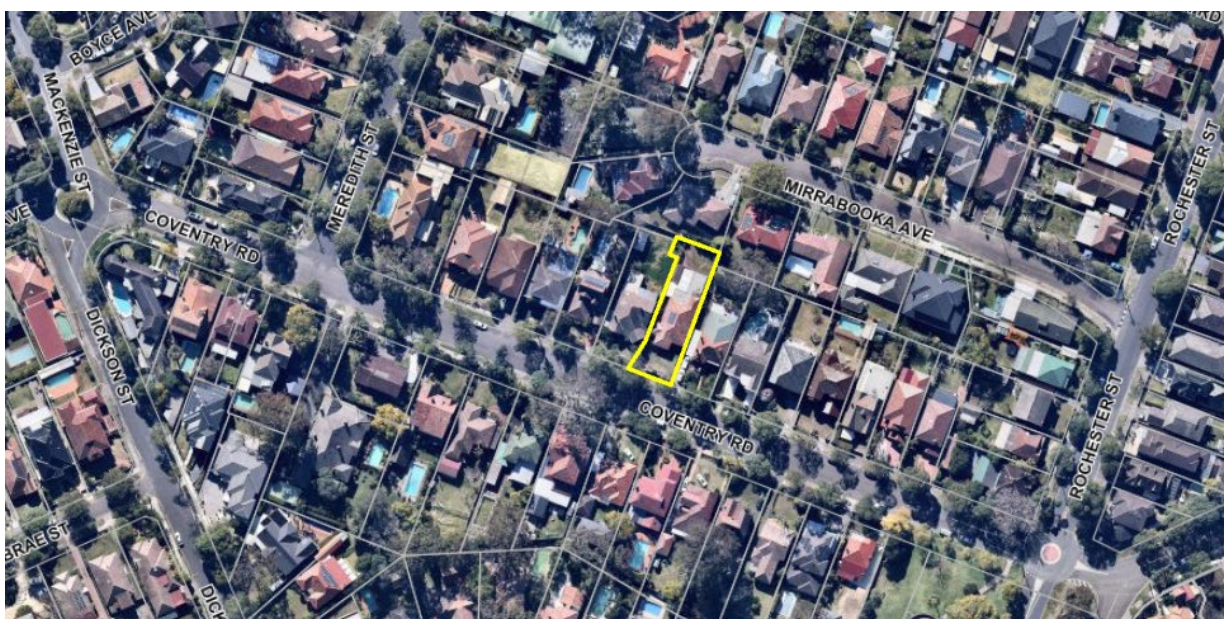


Figure 1: Aerial image of the site

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the demolition of existing structures and construction of a two (2) storey dwelling house with basement, swimming pool, outbuilding, front fence and associated landscaping works.

Site and Locality

The site is identified as 15 Coventry Road Strathfield and has a legal description of Lot: 4 DP: 31617. The site is a regular shaped parcel of land and is located on the northern side of Coventry Road.

The site has a width of 15.5m, a depth of 50m and an overall site area of 695.6m².

The locality surrounding the subject site contains a mixture of single and two (2) storey dwelling houses of differing 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, where one (1) submission was received raising the following concerns:

- Acoustic privacy;
- Visual privacy; and
- Bulk and scale.

Issues

- Potential impacts on adjacent heritage items.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, Development Application 2021/87 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, swimming pool, outbuilding, front fence and associated landscaping works. More specifically, the proposal includes;

Basement level:

- Three (3) car spaces
- Home cinema
- Gym
- Water closet (WC)

Ground floor level:

- Home office with bathroom
- Study
- Water closet (WC)
- Laundry
- Open plan kitchen, dining and living room
- Pantry

First floor level:

- Master bedroom with an ensuite, walk in wardrobe and balcony
- Bedroom with an ensuite, walk in wardrobe and balcony
- Two (2) bedrooms with an ensuite
- A void over the ground floor living room

External works:

- Porch
- Outdoor seating area
- Swimming pool
- Outbuilding containing bathroom and plant room

The Site and Locality

The subject site is legally described as Lot: 4 DP: 31617 and commonly known as 15 Coventry Road Strathfield. It is located off the north side of Coventry Road between Meredith Street and Rochester Street.

The site is rectangular in shape but has irregular features. It has a frontage of 15.24m to the south, rear boundary of 16.59m to the north and average depth of 50m with an overall area of 695.6m².

The site slopes gradually from the south west front corner of the property to the rear north east corner of the property.

The site is occupied by an existing dwelling. Vehicular access is provided to the site via an existing driveway from street to an existing garage and carport located at the rear of the property.

The current streetscape is characterised by single and two (2) storey dwelling houses of differing architectural designs. Directly adjacent to the east and west are two (2) heritage

dwelling houses. The eastern house at 13 Coventry Road is a Victorian era dwelling (heritage item I127) and the western house at 17 Coventry Road is a Federation era dwelling (heritage item I128).

The surrounding area is characterised by low density residential properties. Davey Square Reserve is 100m east of the proposed development on the southern side of Coventry Road. This reserve connects with Inveresk Park to the west.



Figure 2: Closer image of the site (Nearmaps 6 Aug 2021)



Figure 3: Front façade of the existing dwelling



Figure 4: *Western boundary facing the street*



Figure 5: *Backyard facing the eastern boundary*



Figure 6: *Backyard facing the western boundary*



Figure 7: *Eastern boundary facing the street*

Background

3 May 2021	The subject development application (DA2021/87) was lodged with Council.
7 May 2021	The application was publicly exhibited until the 21 May 2021
18 June 2021	Council's Planner carried out a site visit.
30 June 2021	An additional information letter was sent to applicant raising the following issues/concerns: <ul style="list-style-type: none"> • Updates to architectural plans to meet heritage officer's requirements • Reconfigure the basement • Landscape area to be compliant • Address noise concern with plant room • Reduce size of balcony
31 July 2021	The following information was provided by the applicant: <ul style="list-style-type: none"> • Updated architectural plans meeting most of the items requested • Geotechnical report
16 August 2021	A 2 nd additional information letter was sent to the applicant raising the following outstanding matters: <ul style="list-style-type: none"> • Geotechnical report needed to confirm that the basement will not affect heritage items either side • Façade of the proposed dwelling needs to compliment adjacent heritage items • An updated Landscape plan needs to be provided matching the compliant calculations
18 August 2021	The following additional information was received <ul style="list-style-type: none"> • Updated landscape plan and elevations showing changes that were requested • An updated geotechnical report

Referrals – Internal and External

Traffic Manager Comments

The application was referred to Council's Traffic Manager who offered suggestion that basement could be reconfigured to reduce size. After reviewing the updated plans with a small modification to the basement, Council's Manager for traffic had no objection subject to the conditions of consent.

Development Engineer Comments

The application was referred to Council's Development Engineer who offered no objection subject to the conditions of consent.

Heritage Officer Comments:

The application was referred to Council's Heritage Officer who requested the following items to be amended on the plans

1. *Change the design so that it includes a pitch roof to meet the heritage DCP controls*
2. *Delete the screen, the metal fabric and replace the glass balustrade to meet the heritage DCP controls. Introduce, colour and material that reflects the surrounding character or the period of the adjoining heritage items rather than having a stark contrasting colour such as the black.*
3. *Redesign the frontage to include windows that reflect the period style of neighbouring dwelling houses. Centre the windows and French doors (in line with the rhythm and pattern of the street) and consider rounded corners on the façade.*
4. *The hard surfaces within the front setback are excessive and not in keeping with the heritage items- look at reducing hard surfaces and increase the landscaping.*
5. *Consider the lowering of the fence and include a top rail.*
6. *The basement carpark ramp is steep and will impact the streetscape. The entrance to ramp needs to be gradual with the entrance further back. This will lessen the visual impact and the required excavation.*
7. *Reduce overshadowing of heritage item at Number 13 Coventry Rd.*

The following was also requested by the Council's Heritage Officer

- A geotechnical report detailing how the basement will not impact the heritage item
- A streetscape elevation showing how the fence and the dwelling fits in with the streetscape

The applicant provided the relevant documentation as well as amending the plans to meet the requested amendments. Council's heritage officer reviewed the relevant documentation and found the proposal to be acceptable subject to conditions of consent.

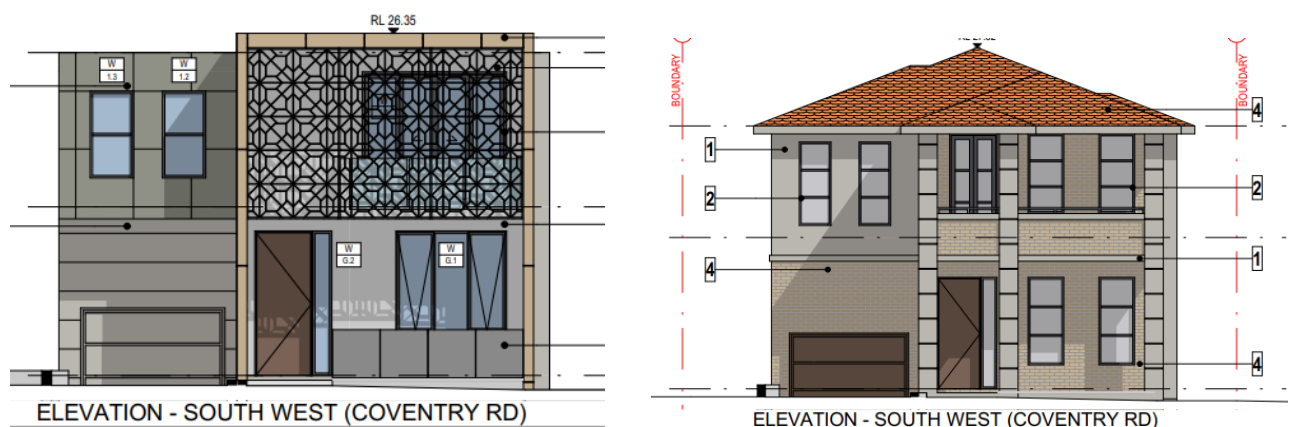


Figure 8: Original Front façade (left) and amended front façade (right)

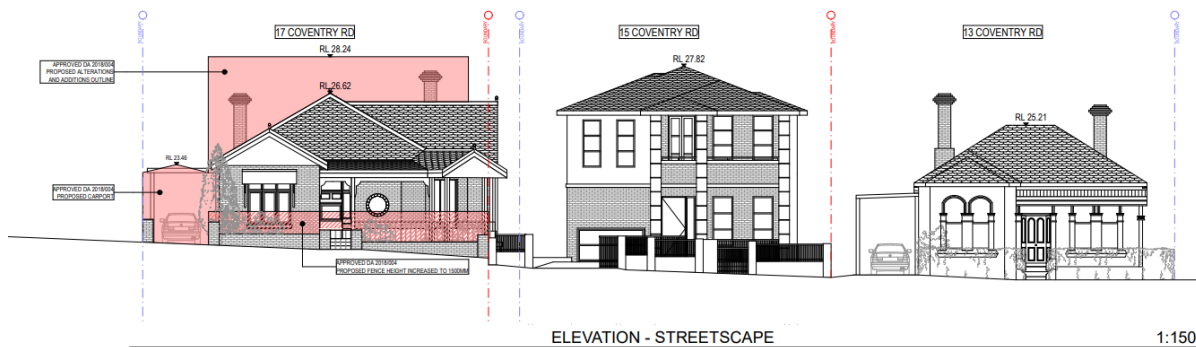


Figure 9: Streetscape with the updated proposal

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*.

(1) Matters for consideration – general

In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provision of:**
- (i) any environmental planning instrument,**

Strathfield Local Environmental Plan

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

Part 2 – Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

The subject site is zoned R2-Low Density Residential and the proposal is a permissible form of development with Council's consent.

Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development Standards	Development Proposal	Compliance/ Comment
4.3 Height of Buildings	9.5m	9.3m	Yes
4.4 Floor Space Ratio	0.60:1 (417.36m ²)	0.57:1 (394.9m ²)	Yes

Part 5 – Miscellaneous Provisions

Heritage Conservation

The subject site does not contain any heritage items and is not located within a heritage conservation area. Accordingly, Clause 5.10 does not apply to the proposal.

Flood Planning

The subject site has been identified as being at or below the flood planning level. The application has been reviewed by Council's Engineer who has advised that subject to suitable conditions, the development is considered compatible with the flood hazard of the land, will not result in significant adverse effects on flood behaviour or environment and is not likely to result in unsustainable social and economic loss. The proposed development is considered to satisfy the objectives of this clause.

Part 6 – Additional Local Provisions

Acid Sulfate Soils

The subject site is identified as having Class 5 Acid Sulfate Soils but is not located within 500m of a Class 1, 2 3 or 4 soils. Therefore, development consent under the provisions of this section is not required and as such an Acid Sulfate Soils Management Plan is not required.

Earthworks

The proposal involves significant excavation works for the provision of a basement, driveway ramps and ancillary works. The extent of excavation 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 and all ancillary works have been limited to what is required to provide access to and from the basement. The proposed works are unlikely to disrupt or effect existing drainage patterns or soil stability in the locality or 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. The proposed excavation works are considered to satisfactorily address the objectives of this clause.

Essential Services

Clause 6.4 of the SLEP 2012 requires consideration to be given to the adequacy of essential services available to the subject site. The subject site is located within a well serviced area and features existing water and electricity connection and access to Council's stormwater drainage system. As such, the subject site is considered to be adequately serviced for the purposes of the proposed development.

It is considered that the proposed development satisfies the aims, objectives and development standards, where relevant, of the Strathfield LEP 2012.

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

A BASIX Certificate has been issued for the proposed development and the commitments required by the BASIX Certificate have been satisfied.

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

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

A review of the available history for the site gives no indication that the land associated with this development is contaminated. There were no historic uses that would trigger further site investigations.

The objectives outlined within SEPP 55 are considered to be satisfied.

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

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

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

The proposed development does result in the removal of any significant trees or vegetation at the rear of the property. Also replacement planting will be provided as shown on the landscape plan.

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

(ii) *any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*

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

(iii) *any development control plan,*

The proposed development is subject to the provisions of the Strathfield Consolidated Development Control Plan 2005. The following comments are made with respect to the proposal satisfying the objectives and controls contained within the DCP.

Applicable DCP Controls	DCP Controls	Development Proposal	Compliance/ Comment
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Building Envelope			
Heights:			
Floor to ceiling heights:	3.0m	3.0m	Yes
Height to underside of eaves:	7.2m	6.35m	Yes
Basement height above NGL:	1.0m	900mm	Yes
Number of Storeys/Levels:	2	2	Yes
Setbacks:			
Front:	9m	9m	Yes
Side:	1.2m (min)	1.5m	Yes
Side:	1.2m (min)	1.5m	Yes
Combined Side Setback:	2.646m (20%)	3m	Yes
Rear:	6m	12.8m	Yes
Landscaping			
Landscaping/Deep soil Provisions:	41.5% (288.67m ²)	41.7% (290m ²)	Yes
Fencing			
Height (overall/piers):	1.5m (maximum)	1.5m	Yes
Solid Component:	0.7m	0.7m	Yes
Solar Access			
POS or habitable windows	3hrs to habitable windows and to 50% of POS	Achieved	Yes
Vehicle Access and Parking			
Driveway width at Boundary:	3m	3.76m	No – Conditioned to comply
Vehicular Crossing:	1	1m	Yes
Driveway setback – side:	0.5m	1.8m	Yes
No. of Parking Spaces:	2	3	Yes
Basement:			
Basement protrusion:	Less than 1.0m	900mm	Yes
Basement ramp/driveway	3.5m	3.5m – 3.76m	No – Conditioned to comply
Internal height:	2.2m	2.1m	No – Conditioned to comply
Ancillary Development			
OUTBUILDINGS			
Area:	40m ²	12.21m ²	Yes
Height:	3.5m	3.5m	Yes
Side/Rear setback:	0.5m	>900mm	Yes
SWIMMING POOL			
Side/Rear Setback	1.0m	1.7m	Yes

Building Envelope

The proposed development satisfies the objectives and controls within the development control plan relevant to:

- Building scale, height and floor space ratio
- Rhythm of built elements in the streetscape,
- Fenestration and external materials, and
- Street edge.

Landscaping and Open Space

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005. The development is considered to enhance the existing streetscape, adequate areas for deep soil planting have been provided and can accommodate large canopy trees and where possible trees have been retained and protected.

Fencing

The proposed front fencing satisfies the relevant objectives and controls within SCDCP 2005. It is considered to be sympathetic to the existing and desired character of the locality and is compatible to the height and style of adjoining fences.

Solar Access

Given the orientation of the site, solar access to windows of habitable rooms and to at least 50% of the private open space is achieved or maintained for a minimum period of 3 hours between 9.00am-3:00pm at the winter solstice. Solar access is also achieved or maintained to the private open space of the adjoining premises. The proposal is considered to generally satisfy the relevant objectives and controls of the SCDCP 2005.

Privacy

The proposed development satisfies the relevant objectives and controls of the SCDCP 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. Balconies are either screened, setback or of limited size so as to not impact on the amenity or privacy of the adjoining dwellings whilst providing good amenity to the occupant of the dwelling.

Vehicular access, Parking and Basements

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005 in that it provides the minimum number of required parking spaces and adequate vehicular access provisions. The basement has been kept to less than 1m above natural ground level. The basement extends into the courtyard on the eastern boundary but still maintains the minimum setback to the boundary. This also allows for the manoeuvrability of vehicles within the basement to be achieved, therefore it is considered acceptable. The driveway width and the basement height will be conditioned to comply with the requirements of the SCDCP 2005.

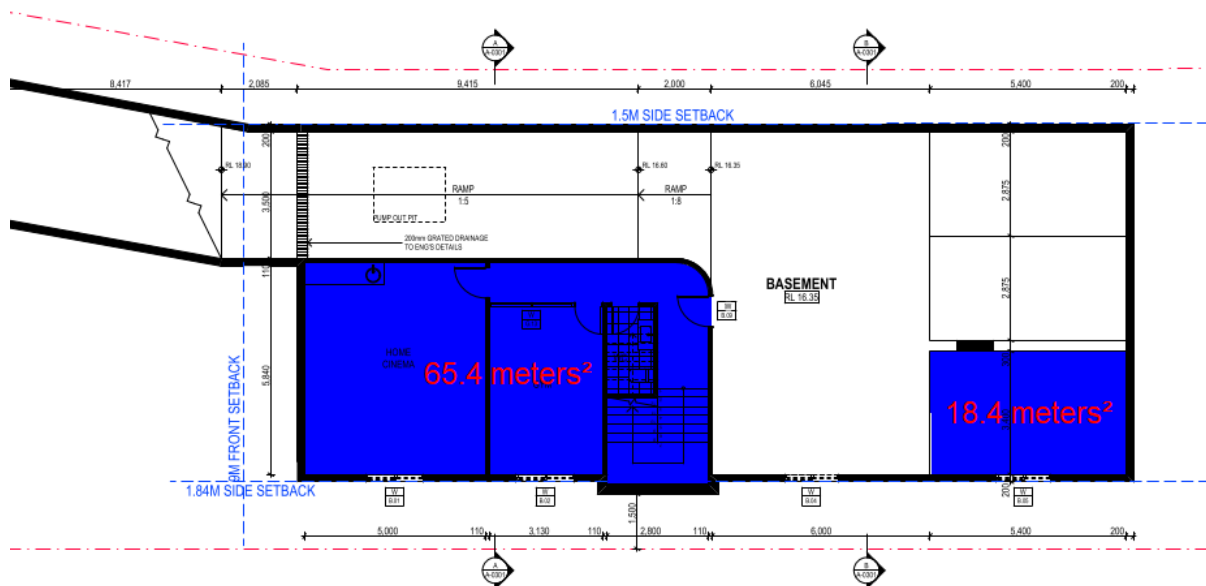


Figure 10: Basement with calculations of floor space

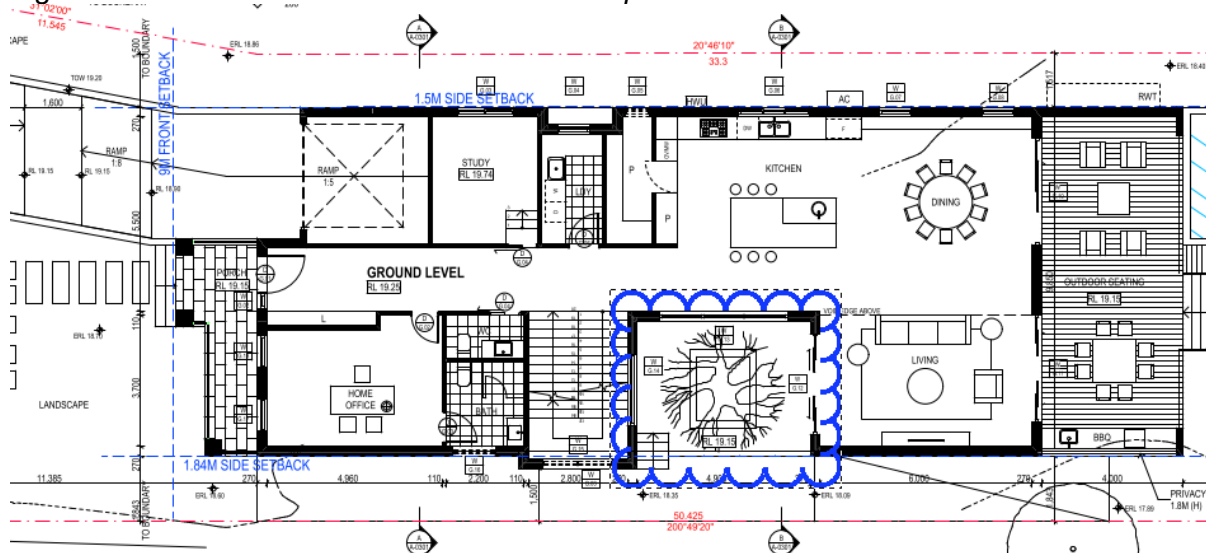


Figure 11: Ground Floor over basement with courtyard clouded

Cut and fill

The proposed development is considered to satisfy the relevant objectives and controls of the SCDP 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.

Water and Soil Management

The proposed development satisfies the relevant objectives and controls of the SCDP 2005 and complies with Council's Stormwater Management Code. A soil erosion plan has been submitted with the application to prevent or minimise soil disturbances during construction.

Access, Safety and Security

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.

ANCILLARY STRUCTURES

Outbuildings

The proposed development satisfies the relevant objectives and controls the SCDCP 2005 complying with the height, setbacks and floor space controls.

Swimming Pools, Spas & Associated Enclosures

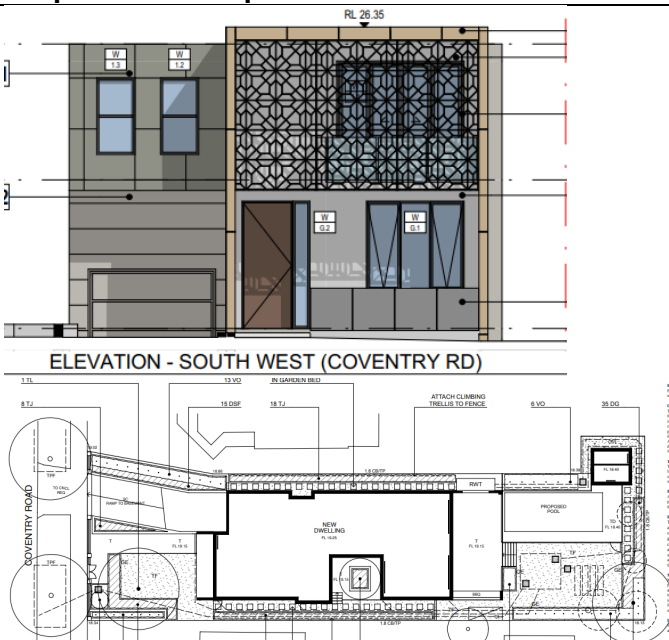
The proposed development satisfies the relevant objectives and controls with SCDCP 2005. The pool has been adequately setback from all adjoining boundaries, allowing for screen planting if required. The pool pump equipment has been located in a sound proof enclosure and the pool coping has been designed to suit the existing ground level of the site. The swimming pool fence/enclosure will comply with the swimming pools act and relevant standards.

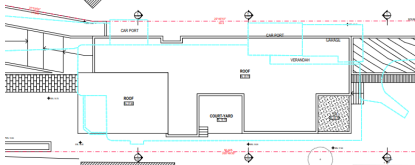



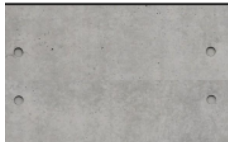





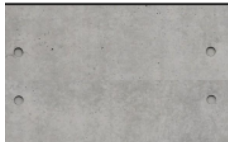





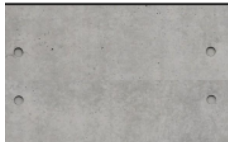



PART H – Waste Management (SCDCP 2005)

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.

PART P – Heritage (SCDCP 2005)

The following Part P Heritage SCDP Table was for the original design submitted and assessed by Council's Heritage Officer.

DCP Control	Proposed Development	Comment
3.2 Settings - 3) Where a heritage item is part of a streetscape of buildings of consistent style, form and materials, development in the vicinity of the heritage item should incorporate elements of the dominant style, form and materials in the streetscape		<p>The design is not in character with the street or the heritage in the vicinity. The french doors need to be centered on the upper and lower level of the proposed dwelling.</p> <p>Removal of the screen – no dwellings have this. Pitched roof. No glass balustrades. Balustrades to reflect the character of the surrounding area.</p>

<p>3.1 General A. To ensure that development located in the vicinity of a heritage item is designed and sited in a manner sympathetic to the significance of the heritage property and its setting.</p>		<p>Rounded corners which reflect artdeco – such as the current building could also be incorporated within the façade.</p>						
<p>i) Applications involving excavation adjacent to a heritage item must demonstrate that the proposed excavation will not compromise the structural integrity of the heritage item and will not detract from its setting.</p>		<p>Existing driveway to be used as entry to the basement is close to the heritage item. The size of the basement and location may impact this item.</p> <p>Geotech report to see if the basement is feasible needs to be submitted.</p>						
<p>3.5 Materials and colours</p> <p>i) Materials and colours for development in the vicinity of a heritage item shall be selected to avoid stark contrast with the adjacent development where this would result in the visual importance and significance of the heritage item being reduced.</p>	<p>FINISHES SCHEDULE:</p> <table><tr><td><p>1. CEMENT RENDERED DULUX - GREY PEBBLE OR SIMILAR</p></td><td><p>2. CEMENT RENDERED DULUX - MONUMENT OR SIMILAR</p></td></tr><tr><td><p>3. OFF-FORM CONCRETE WHITE COLOR OR SIMILAR</p></td><td><p>4. ALUMINIUM CLADDING ALPOLIC LIGHT BRONZE METALLIC OR SIMILAR</p></td></tr><tr><td><p>5. BALUSTRADE FRAMELESS GLASS</p></td><td><p>6. LASER CUT PRIVACY SCREEN</p></td></tr></table>	 <p>1. CEMENT RENDERED DULUX - GREY PEBBLE OR SIMILAR</p>	 <p>2. CEMENT RENDERED DULUX - MONUMENT OR SIMILAR</p>	 <p>3. OFF-FORM CONCRETE WHITE COLOR OR SIMILAR</p>	 <p>4. ALUMINIUM CLADDING ALPOLIC LIGHT BRONZE METALLIC OR SIMILAR</p>	 <p>5. BALUSTRADE FRAMELESS GLASS</p>	 <p>6. LASER CUT PRIVACY SCREEN</p>	<p>Metallic material, glass balustrades are not appropriate. A new color palate should be submitted in line with the DCP. Black is a stark contrasting colour.</p>
 <p>1. CEMENT RENDERED DULUX - GREY PEBBLE OR SIMILAR</p>	 <p>2. CEMENT RENDERED DULUX - MONUMENT OR SIMILAR</p>							
 <p>3. OFF-FORM CONCRETE WHITE COLOR OR SIMILAR</p>	 <p>4. ALUMINIUM CLADDING ALPOLIC LIGHT BRONZE METALLIC OR SIMILAR</p>							
 <p>5. BALUSTRADE FRAMELESS GLASS</p>	 <p>6. LASER CUT PRIVACY SCREEN</p>							

Most of the recommendations have been incorporated into the final design of the proposed development. A pitched roof has been added to ensure the architectural expression is in keeping with the adjoining heritage items. The design and rhythm of the windows has been improved in the amended scheme.

The use of a hump in the driveway to hide the basement from the street and the introduction of the top rail is also an improvement. The overall height is compliant under the SLEP 2012 but further reduction would will improve solar access and amenity to the neighbouring residences. A condition has been added to reduce the overall height of the dwelling by reducing the ceiling to floor heights of both ground floor and first floor by 200mm (overall

400mm). Further conditions have been added to improve the front façade and to protect the adjacent heritage items.

Overall the revised plans meet the requirements and objectives of Part P of the SCDCP 2005

(iv) Any matters prescribed by the regulations, that apply to the land to which the development application relates,

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

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

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

The proposed development is of a scale and character that is in keeping with other developments being constructed in the locality. 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.

(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.

(d) any submissions made in accordance with this Act or the regulations,

In accordance with the provisions of Council's 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. One (1) submission was received raising the following concerns:

1. Acoustic Privacy

Comment: The neighbouring property at 10 Mirrabooka Avenue raised concern regarding noise generated by the proposed plant room at the rear of the property. The outbuilding has been setback to comply with the relevant separation requirements of the SCDCP 2005. The window to the plant room has been removed to reduce the possibility of noise spillage. A condition will be imposed to ensure any noise generated by the plant room and pool pump equipment are less than or equal to maximum thresholds under relevant noise policies.

2. Visual Privacy

Comment: Concern was raised with regard to overlooking from the rear façade of the proposed dwelling. It is noted that the dwelling has a significant setback from the rear boundary to the proposed dwelling of 12m, which is double the rear setback requirement of the SCDCP 2005. This separation will help to mitigate overlooking. Further conditions are recommended to

alleviate this issue including reducing the balcony size to be compliant with SCDCP 2005 and the addition of screen planting along the entire extent of the rear boundary.

2. Bulk and Scale of the Main Dwelling and Plant Room

Comment: The rear neighbouring property had a concern with regard to the bulk and scale of the new dwelling and plant room. The dwelling has been modified to be of a design, bulk and scale that are consistent and compatible with surrounding development and streetscape. Further, a condition will be imposed to reduce its overall height by 400mm.

The proposed outbuilding is of reasonable height (3.5m) that demonstrates full compliance with the relevant outbuilding controls under the SCDCP 2005. It is noted that this structure will assist in screening any views from the new dwelling (towards the rear neighbour).

Note: There is was also a concern about blockages of a sewage line which is part of Sydney Water's asset. This can be dealt with during construction phase as Sydney water will need to approve any adjustments to a main sewage line.

(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

Section 7.12 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan as follows:

Based on the Cost of Works of \$1,485,000.00 and in accordance with Council's s7.12 Indirect Contributions Plan, a contribution of 1% of the cost of works is applicable to the proposal. In this regard, the contribution is as follows;

Local Amenity Improvement Levy	\$14,850
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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. DA2021/87 should be approved.



Signed:
J W Brown
Planner

Date: 5 October 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 7.11/7.12 Contributions are applicable to this development and have been levied accordingly;

Report and recommendations have been peer reviewed and concurred with.



Signed:
Miguel Rivera
Senior Planner

Date: 5 October 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.

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/Roof/Demolition Plan	DA-11/B	31/7/21	B	SWA Group
Overall Floor Plan 1	DA-12/B	31/7/21	B	SWA Group
Overall Floor Plan 2	DA-13/B	31/7/21	B	SWA Group
Floor Plan - Basement	DA-14/B	31/7/21	B	SWA Group
Floor Plan – Ground Level	DA-15/B	31/7/21	B	SWA Group
Floor Plan – Level 1	DA-16/B	31/7/21	B	SWA Group
Floor Plan – Site / Roof / Demolition	DA-17/B	31/7/21	B	SWA Group
Elevations - 01	DA-21/C	17/8/21	C	SWA Group
Elevations - 02	DA-22/C	17/8/21	C	SWA Group
Elevations - Outbuilding	DA-23/B	31/8/21	B	SWA Group
Elevations –	DA-24/B	31/8/21	B	SWA Group

Fence Detail				
Section 1 - 3	DA-31/B	31/8/21	B	SWA Group
Section A & B	DA-32/B	31/8/21	B	SWA Group
Landscape Planting Plan	L01/1	17/8/21	A	Michael Siu Landscape Architects
Stormwater Drainage Plan	S1	15/4/21		MBC Engineering
Stormwater Drainage Plan	S2	15/4/21		MBC Engineering
Geotechnical Investigation Report	ESWN-PR-2021-1007	18/8/21		ESWNMAN PTY LTD
Waste Management Plan	Issue 01	April 2021		SWA Group

SEPRARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

2. 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) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.
- (b) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (c) Establishing a "works zone";
- (d) Placing or storing materials or equipment;
- (e) Placing or storing waste containers or skip bins;

- (f) Stormwater & ancillary to public infrastructure on private land
- (g) Erecting a structure or carrying out work

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

- (h) Pumping water from the site into the public road;
- (i) Constructing a vehicular crossing or footpath;
- (j) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (k) Stormwater & ancillary works in the road reserve; and
- (l) Pumping concrete from a public road;

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the activities commencing.

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.

3. **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

4. 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 A CONSTRUCTION CERTIFICATE

5. 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://longservice.force.com/bci/s/levy-calculator	\$5,197
Security Damage Deposit	\$15,000
Tree Bond	\$10,000
Administration Fee for Damage Deposit	\$130
Administration Fee for Tree Bond	\$130

DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$14.850

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.

6. Tree Bond

A tree bond of \$10,000 (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to 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.

7. **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. 1193416S must be implemented on the plans lodged with the application for the Construction Certificate.

8. **Erosion & Sedimentation Control**

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.

9. **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.

10. **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.

11. **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.

These plans shall be prepared in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (1987) and Council's Stormwater Management Code.

12. **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.

13. **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.

14. **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.

15. 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).

16. Tree Protection and Retention

Details of the trees to be retained on the landscape plan 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*.

Specific Street Tree Protection Measures

- (c) A sound protection barrier anchored firmly into the ground 1.8m in height x 2 metres clear of the base of the tree at any one point and that the fence is to extend up to the back of the kerb and to the edge of the footpath.

Excavation works near tree to be retained

- (d) Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not adversely be affected.
- (e) Where the Tree Protection Zone (TPZ) 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.
- (f) Tree Protection Zone around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

Details satisfying this condition shall be shown on the Construction Certificate plans.

17. On Site Detention

The submitted stormwater plan has been assessed as a concept plan only. Final detailed

plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

An on-site detention (OSD) facility designed by a professional engineer who specialises in Hydraulic Engineering must be designed, approved and installed. The design must include the computations of the inlet and outlet hydrographs and stage/storage relationships of the proposed OSD using the following design parameters:

- (a) peak flow rates from the site are to be restricted to a permissible site discharge (PSD) equivalent to the discharge when assuming the site contained a single dwelling, garage, lawn and garden,
- (b) at Annual Recurrence Intervals of 2 years, 10 years and 100 years.

The OSD facility shall be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign is to be placed at the OSD facility and must bear the words:

"BEWARE: This is an on-site detention basin/tank for rainwater which could overflow during heavy storms."

Full details shall accompany the application for the Construction Certificate.

18. Compliance with Flood Study

The development shall be designed to conform to the recommendations and conclusions of the submitted flood certificate prepared by MBC Engineering dated 20.04.2021

This shall include, but not be limited to, any recommendations for the following:

- (a) Minimum floor levels
- (b) Fencing
- (c) Site regrading
- (d) Overland flow path construction
- (e) Protection of the basement from inundation of surface waters

Evidence from professional engineer that specialises in hydraulic engineering that all design requirements have been adhered to shall be submitted with the Construction Certificate application.

19. Required Design Changes

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

Amendments made in red on	All changes made in red on the approved plans shall be updated and shown on the Construction Certificate plans.
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approved plans	
Privacy Screen Planting	The Landscape Plan shall be updated to provide privacy screen planting abutting the rear boundary to improve privacy to the rear neighbour
Dwelling Height	The dwelling height is to be reduced by 200mm on both ground and first floor. Thereby the maximum dwelling height must be reduced from the proposed RL27.82 to RL27.42 or below.
Driveway width	The vehicular access driveway width must be reduced from the proposed 3.7 metres to 3 metres to achieve a maximum allowed width of 3m at the boundary. The driveway ramp must have maximum width of 3.5m. Any front fence or gate opening adjustments required as a result of this reduction must be illustrated on the plans lodged with the application for the Construction Certificate.
Rear Balcony	The rear balcony must be reduced so that it is no more than 1m in depth by 2m in length
Basement Height	The basement clearance height must be no more than 2.2m.
Front fence encroachment	No part of the front fence, including any footings or support work is permitted to encroach on Council's public footway.
Front fence opening	The front fence vehicular access gate must not open onto Council's public footway. The access gate is to open inwards onto private property.

20. Sites in The Vicinity of a Heritage Item – Major Development

A protection strategy for the duration of the construction works, is to be submitted to and approved by Council's Heritage Advisor prior to the issue of the Construction Certificate. The Strategy is to detail how the proposed works will ensure that the buildings at 13 and 17 Coventry Road are to be suitably protected and stabilised during the construction process including from any construction waste, dust, damp, water runoff, vibration or structural disturbance or damage.

Additionally, the protection strategy is to include:

- (a) Details of temporary hydraulic drainage works to ensure that all water both in ground and above ground is channelled to the street and that no such water is channelled onto the adjacent property fabric or interiors.
 - i. Construction debris on neighbouring properties, in drainage lines or in cavities between the boundary walls of the adjacent buildings, is to be removed progressively as the works progress.
 - ii. (for sites requiring large scale excavation that is below the level of adjacent heritage

items) A geotechnical report detailing the investigation of the location and depth of footings of the adjacent buildings. This report should address details of lateral ground movement, advice of any additional boundary offsets that may be required as a result of the location of footings and on the suitability of structural engineer's proposals for underpinning or other support to adjacent footings

21. Pre-Construction Dilapidation Report – Private Land

A professional engineer specialising in structural or geotechnical engineering shall prepare a Pre-Construction Dilapidation Report detailing the current structural condition of adjoining premises including but not limited to:

- (a) All neighbouring buildings likely to be affected by the excavation as determined by the consulting engineer.
- (b) 13 Coventry Road
- (c) 17 Coventry Road

The report shall be prepared at the expense of the applicant and submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

A copy of the pre-construction dilapidation report is to be provided to the adjoining properties (subject of the dilapidation report), a minimum of 5 working days prior to the commencement of work. Evidence confirming that a copy of the pre-construction dilapidation report was delivered to the adjoining properties must be provided to the PCA.

Should the owners of properties (or their agents) refuse access to carry out inspections, after being given reasonable written notice, this shall be reported to Council to obtain Council's agreement to complete the report without access. Reasonable notice is a request for access in no sooner than 14 days between 8.00am-6.00pm.

22. Façade brick work detailing and wall above garage.

The upper course of protruded brick work is to be extended to the area above the garage to match the lower brick work course. A brick pattern or other visual element to reduce the bulk of the blank wall between the top of the garage door and lower brick work course is to be introduced. The changes shall be submitted to Council Heritage Officer for approval prior to the Construction Certificate.

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

23. 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.

24. 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.

25. 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.

26. 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

27. 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.

28. 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.

29. 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.

30. 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.

31. 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.

32. 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.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

33. 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.

34. 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.

35. 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.

36. 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.

37. 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.

38. 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.

39. Maintenance Schedule – On-site Stormwater Management

A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted to Council. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

40. Post Construction Dilapidation Report – Private Land

At the completion of the construction works, a suitably qualified person is to be engaged to prepare a post-construction dilapidation report. This report is to ascertain whether the construction works associated with the subject development created any structural damage to the following adjoining premises:

- (a) 13 Coventry Road
- (b) 17 Coventry Road

The report is to be prepared at the expense of the applicant and submitted to the PCA prior to the issue of the Occupation Certificate. In ascertaining whether adverse structural damage has occurred to the adjoining premises, the PCA, must compare the post-construction dilapidation report with the pre-construction dilapidation report required by conditions in this consent.

Evidence confirming that a copy of the post-construction dilapidation report was delivered to the adjoining properties subject of the dilapidation report must be provided to the PCA prior to the issue of any Occupation Certificate.

OPERATIONAL CONDITIONS (ON-GOING)

41. 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.

42. 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.

43. Greywater System

In order to conserve and re-use water, Council encourages all developments for new dwellings to incorporate a greywater reuse system. The system can incorporate a *greywater diversion device* or a *domestic greywater treatment system*. Any system installed is to ensure that it complies with the Plumbing Code of Australia, maintained at all times and does not result in any adverse amenity impacts on the subject premises and surrounding properties.

44. Entering & Exiting of Vehicles

All vehicles shall enter and exit the premises in a forward direction.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

45. Requirement for a Construction Certificate

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

46. 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.

47. 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.

48. 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.

49. 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](#).

50. 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.

51. 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

52. Clause 97A – BASIX Commitments

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

53. 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.

54. 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.

55. 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](#).

ADVISORY NOTES

1. Review of Determination

Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney East Planning Panel or the Land & Environment Court.

2. Appeal Rights

Division 8.3 (Reviews and appeals) Part 8 of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

3. Lapsing of Consent

This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

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

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

5. 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. (eg. Year/DA 2021/87) and reference this condition number (e.g. Condition 23)
- (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.

6. 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).

7. 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.