

IDAP REPORT – SECTION 4.55(1A)

Property:	16 Florence Street STRATHFIELD Lot: 20 Sec: 1 DP: 581 DA 2013/43/8
Proposal:	S4.55 (1A) Redesign the space of the first-floor rumpus and WC
Applicant:	M Romic
Owner:	Ms J. Michael
Date of lodgement:	22 September 2021
Notification period:	30 September 2021 to 15 October 2021
Submissions received:	Nil
Assessment officer:	Gary Choice
Estimated cost of works:	\$400,000.00
Zoning:	R2-Low Density Residential - SLEP 2012
Heritage:	Yes
Flood affected:	No
Is a Clause 4.6 Variation Proposed:	No
RECOMMENDATION OF OFFICER:	APPROVAL

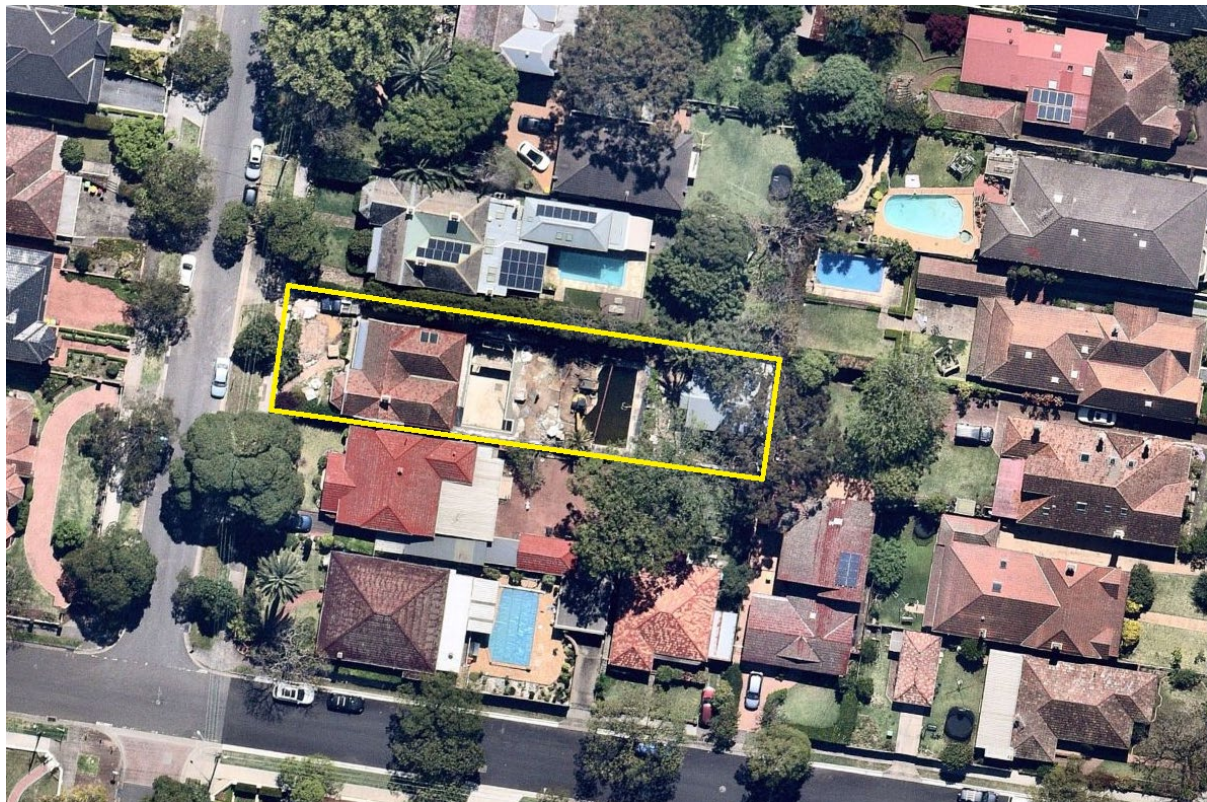


Figure 1: Subject site aerial photograph (highlighted in yellow)

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the S4.55 (1A) modification application to redesign the space of the first-floor rumpus and WC.

Site and Locality

The site is identified as 16 Florence Street, Strathfield and has a legal description of Lot: 20 Sec: 1 DP: 581. The site is a rectangular shaped parcel of land and is located on the eastern side of Florence Street between Redmyre Road to the north; Homebush Road to the east; Elwin Street to the south and Chalmers Road to the west.

The site has a width of 15.25m, a depth of 60.35m and an overall site area of 920.3m².

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 30 September 2021 to 15 October 2021, where no submissions were received.

Issues

There are no outstanding issues with this application.

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act* 1979, Development Application 2013/43/8 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the S4.55 (1A) Redesign the space of the first-floor rumpus and WC. More specifically, the proposal comprises a minor extension to the approved first floor rumpus room and bathroom including minor wall extension to create a rear cantilever and stepped rear building line.

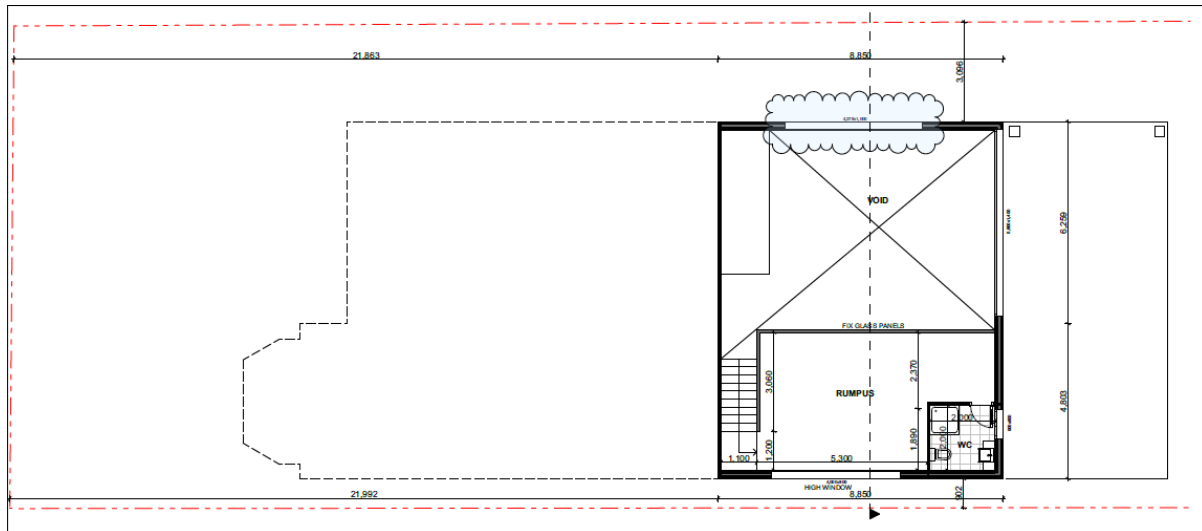


Figure 2: Current approved first floor plan DA2013/43/6

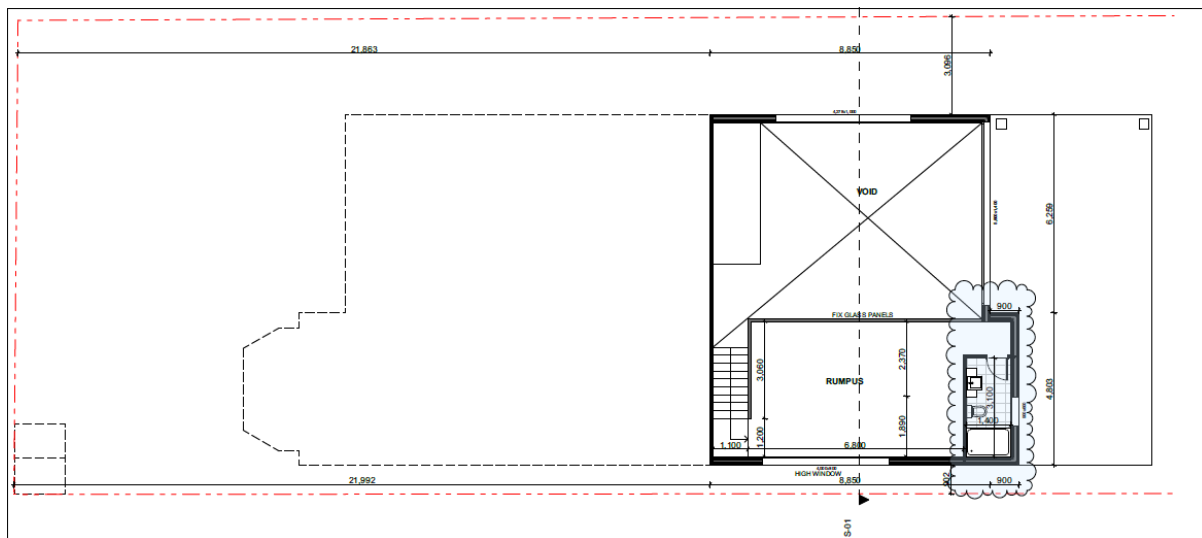
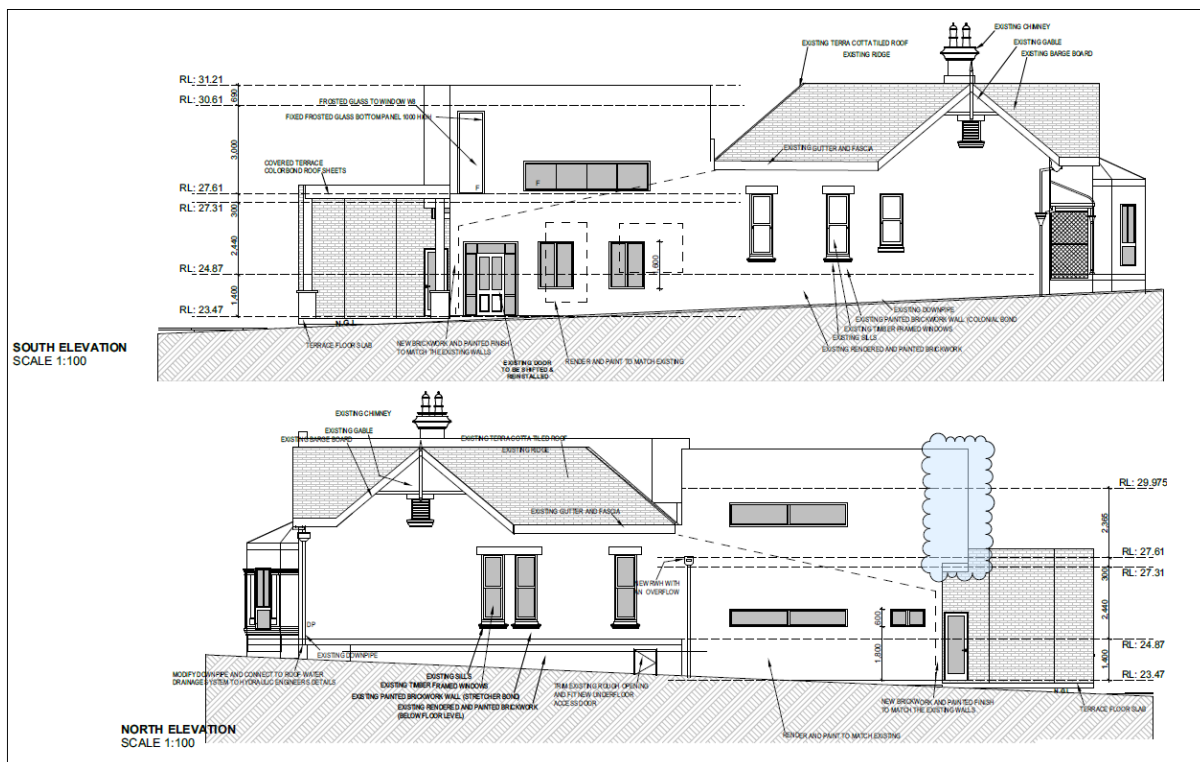
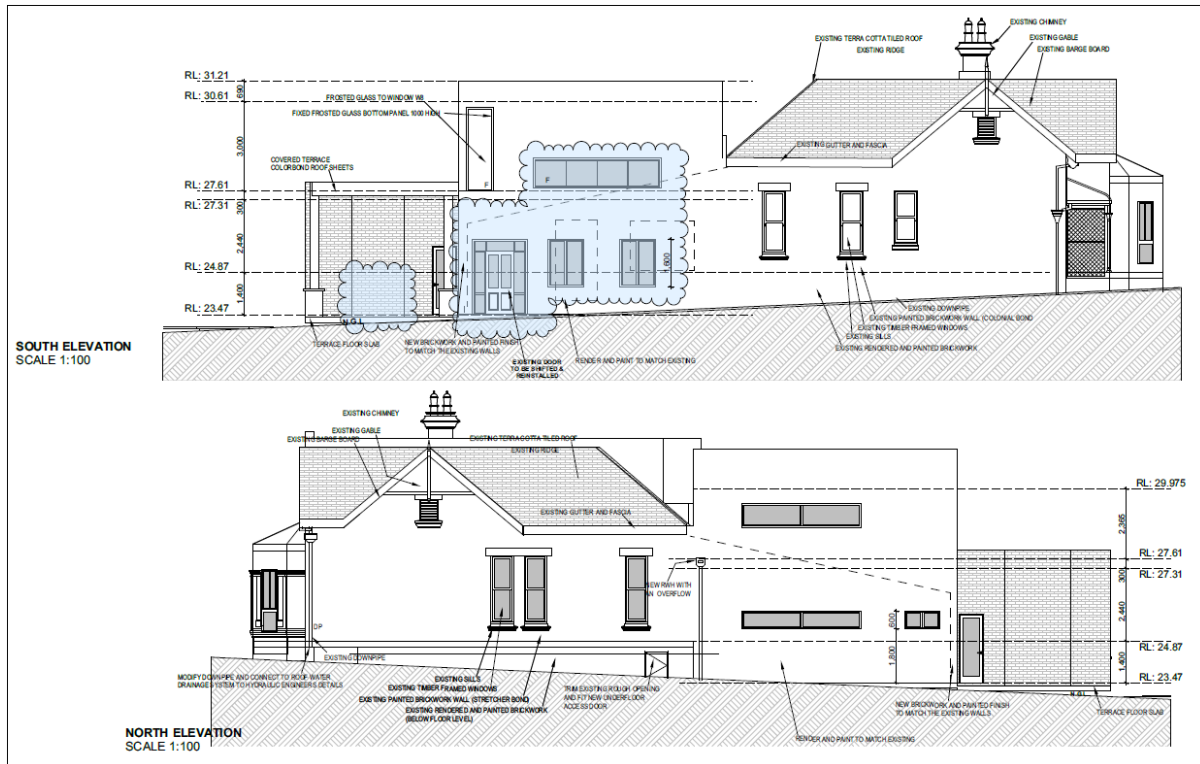


Figure 3: Proposed first floor plan



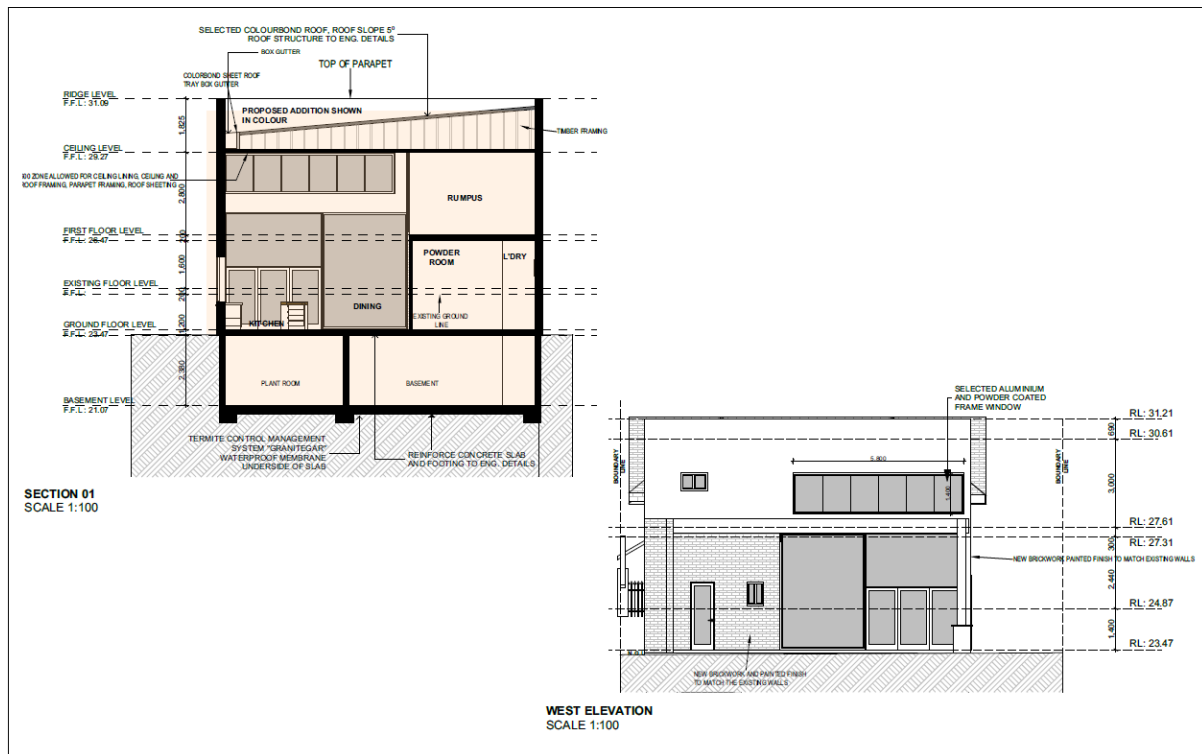


Figure 6: Current approved section & west elevation DA2013/43/6

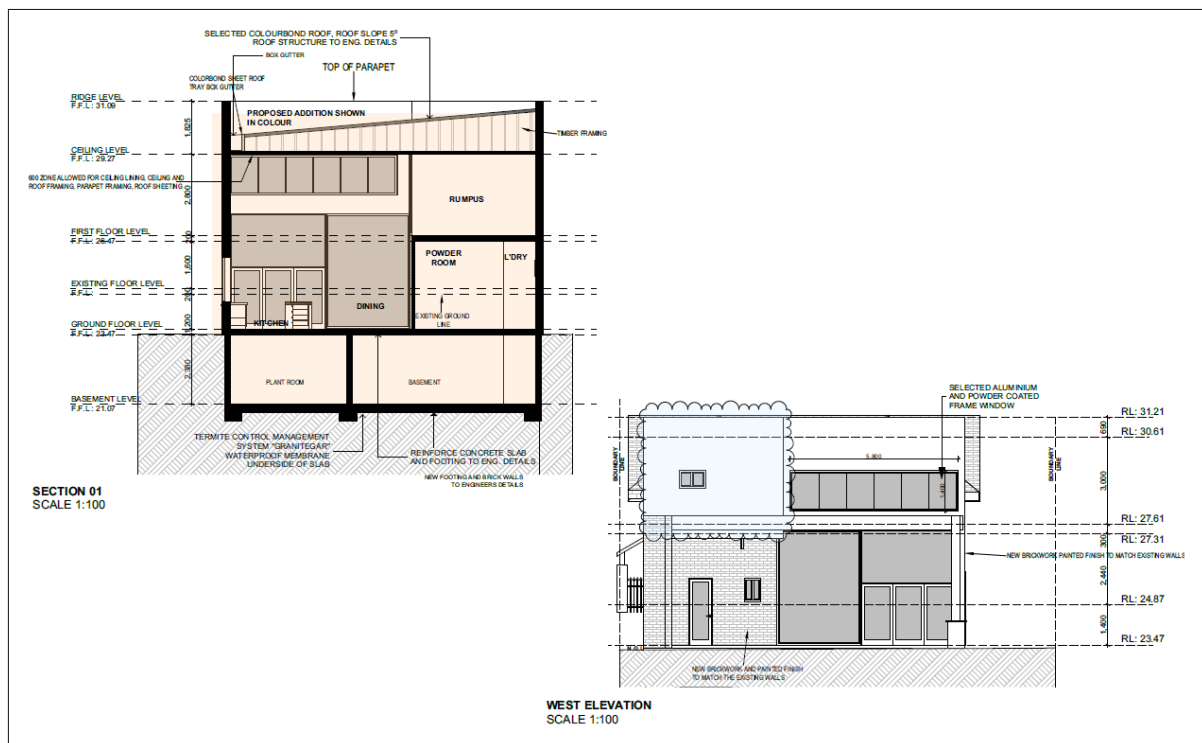


Figure 7: Proposed section & west elevation

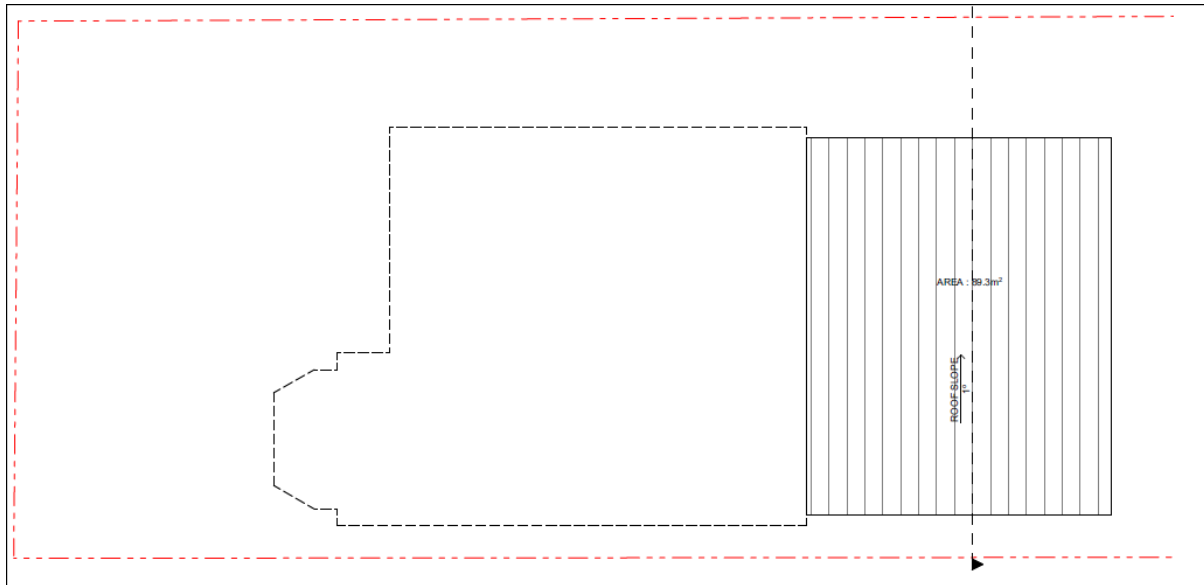


Figure 8: Current approved roof plan DA2013/43/6

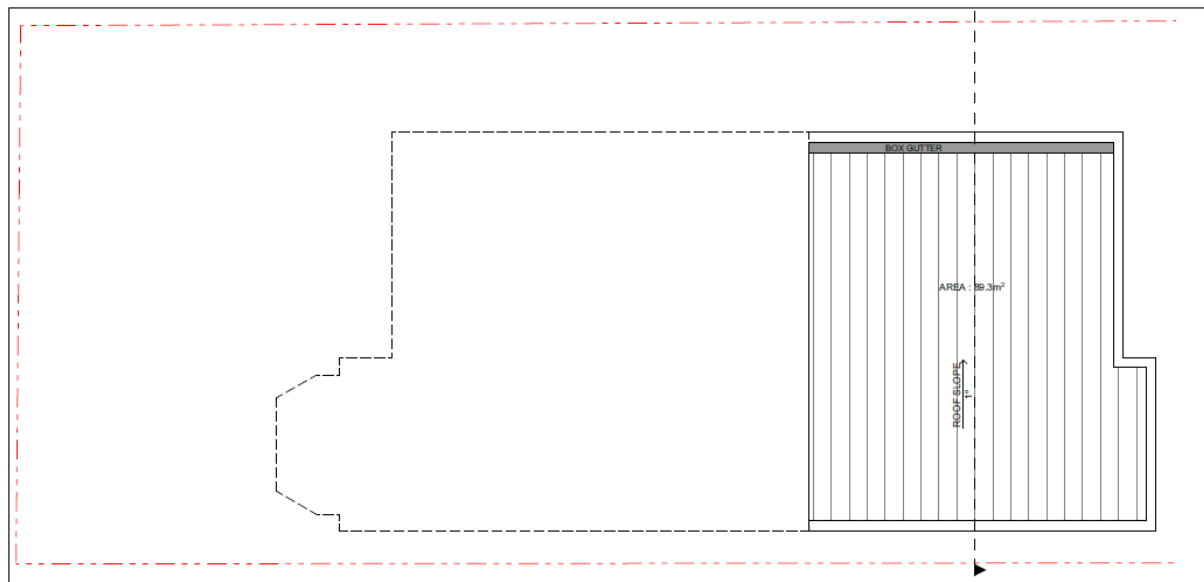


Figure 9: Proposed roof plan

The Site and Locality

The site is identified as 16 Florence Street, Strathfield and has a legal description of Lot: 20 Sec: 1 DP: 581. The site is a rectangular shaped parcel of land and is located on the eastern side of Florence Street between Redmyre Road to the north; Homebush Road to the east; Elwin Street to the south and Chalmers Road to the west.

The site has a width of 15.25m, a depth of 60.35m and an overall site area of 920.3m².

Existing development on the site is described as a heritage listed Victorian Italianate Villa known as 'Wrexham' (The subject site and the adjoining property at 14 Florence Street comprise two (2) dwellings listed as Item I136 – Norwood and Wrexham – under Schedule 5 of the SLEP 2012. The dwelling presents an asymmetrical facade to the street with a projecting gable bay

and offset bullnose verandah. The facade has a rendered finish with rendered detail including quoining and reeded architraves. The roof is gabled and steeply pitched and features painted chimneys with terracotta pots. The verandah features reproduction decorative detail including cast iron lace, brackets and posts, tessellated tiles and timber lattice end panels. It appears that a large skillion addition has occurred to the rear. The dwelling is set within a large garden site. The site is currently undergoing works associated with the DA 2013/43 approval and related s4.55 modifications.

The streetscape within which the subject site is located includes a mixture of single-storey and two-storey dwellings. The site adjoins other heritage listed dwelling to the north, east and west.



Figure 10: Subject site existing dwelling frontage



Figure 11: Subject site rear east elevation



Figure 12: Rear yard and southern boundary

Background

19 September 2013 DA2013/43 was approved by Council for demolition of part of the existing dwelling and construction of a two (2) storey addition to the rear and the construction of a first floor studio above the existing garage to the rear of the site

23 August 2019	DA2013/43/1 Section 4.55(2) application was approved by Council for alterations and additions to the two (2) storey rear extension, alfresco and garage/studio.
24 Jul 2020	DA2013/43/3 Section 4.55(1A) application was approved by Council to change the roof form of the approved detached studio.
27 April 2021	DA2013/43/4 Section 4.55(1A) application for changes to the gate, slate roofing and awning was rejected by Council.
31 May 2021	DA2013/43/5 Section 4.55(1A) application involving alterations and additions to existing approved two (2) storey addition to the existing dwelling was rejected by Council.
19 August 2021	DA2013/43/6 Section 4.55(2) application was approved by Council for internal and external alterations to the approved addition to the dwelling and construction of a basement following a stop works order issued on 25 May 2021 by Council relating to unauthorised excavation in the rear yard of the subject site.
26 August 2021	DA2013/43/7 Section 4.55(1A) modification application was lodged and withdrawn.
22 September 2021	DA2013/43/8 Section 4.55(1A) modification application to redesign the space of the first-floor rumpus and WC was lodged.
15 October 2021	End of neighbour notification period.

Sufficient information has been provided to complete a full and thorough assessment of the proposal.

Section 4.55 of the EP&A Act 1979

The application has been lodged under the provisions of s4.55 (1A) of the EPA Act. The application is considered to be of minor environmental impact, is substantially the same development for which consent was originally granted, has been notified in accordance with the provisions of Council's CPP and any submissions made will be considered as part of this assessment. In addition, under the provisions of s4.55 (3), the reasons for the granting on the consent that sought to be modified will be taken into consideration during the detailed assessment of the application.

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 as modified 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	Maximum building height 9.5m	The proposal does not alter the approved building heights as shown: Rear extension: 7.81m Studio/garage: 7.28m	Yes Yes
4.4C Exceptions to floor space ratio (Zone R2)	Site area: 920.3 Maximum FSR 0.525:1 or GFA: 483.2m ²	Proposed FSR 0.33:1 or GFA: 305.3m ²	Yes

Part 5 – Miscellaneous Provisions

Clause 5.10 - Heritage Conservation

The subject site and the adjoining property at 14 Florence Street comprise two (2) dwellings listed as Item I136 – Norwood and Wrexham – under Schedule 5 of the SLEP 2012.

The site is identified as Heritage Item *I136 (Norwood and Wrexham 14 and 16 Florence Street, Strathfield)—Victorian villas, garden and front fence* under Schedule 5 of the SLEP 2012. The proposal is generally consistent with the Heritage Conservation objectives under Clause 5.10 of the SLEP which seek to:

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

The proposed alterations to the rear first floor will not detract from the original heritage dwelling features. The modifications are considered acceptable with regard to the provisions of this clause as the development will continue to remain hidden from view from the street so as not to impact upon the presentation of the heritage dwelling in the streetscape.

STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

A BASIX Certificate has not been issued for the proposed development as modified, however it is considered that the commitments required by the BASIX Certificate A420650 (DA 2013/43/6) can 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, as modified, 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, where applicable to the proposed changes;

Applicable DCP Controls	DCP Controls	Development Proposal	Compliance/ Comment
Building Envelope			
Floor Space Ratio:	Site area: 920.3 Maximum FSR 0.525:1 GFA: 483.2m ²	The proposal does not alter the approved FSR. FSR of 0.33:1 GFA: 305.3m ²	Yes

The proposed modification does not alter the approved building height or dimensions of the principal dwelling basement and ground floor; or secondary dwelling. The proposed development as modified remains compliant with regard to landscaping and private open space. Additional overshadowing created by the first floor extension is considered acceptable and will not result in major impacts to the solar access of adjoining properties.

The proposed development is considered to satisfy the relevant controls of the SCDCP 2005.

PART H – Waste Management (SCDCP 2005)

A waste management plan was submitted with the original application. The existing plan adequately accommodates the modified development.

PART P – Heritage (SCDCP 2005)

The proposed first floor modification to the rear dwelling addition does not modify the height, and will not result in excessive or inappropriate bulk or scale compared to the approved development as approved under the existing development consent. The location of the proposed modifications will retain the minimisation of visibility of the structure from the streetscape and will not detract from the architectural qualities of the heritage listed item.

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

The provisions of this clause are not relevant to the modification and have been addressed/considered as part of the original development consent.

(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, as modified, 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, as modified, 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 Councils Community Participation Plan, the application was placed on neighbour notification for a period of 14 days where adjoining property owners were notified in writing of the proposal and invited to comment. No submissions were received during this period.

(e) *the public interest.*

The proposed development, as modified, 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).

This Section 4.55(1A) application does not trigger any changes to the original condition of consent requiring payment of a Section 7.12 contribution in accordance with Strathfield Council's Indirect Development Contributions Plan.

Conclusion/Recommendation

The application for modification 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.

Pursuant to Section 4.55(1A) of the Environmental Planning & Assessment Act 1979 and following detailed assessment of the proposed modifications to Development Consent No. 2013/43 it is recommended that Development Application 2013/43/8 to redesign the space of the first-floor rumpus and WC be approved subject to the following:

The proposed modification does not result in the change to the description of the approved development and is to be maintained.

1. The original conditions of consent of Development Consent No. 2013/43 as approved except were amended and including the following:
2. As part of this Section 4.55(1A) application, the following condition is to be modified;
 - i. Modify Condition 1 with amended plans

Accordingly, Development Consent 2013/43/8 is approved as per the following;



**G I Choice
Planner**

- ☐ I confirm that I have determined the abovementioned development application with the delegations assigned to my position;
- ☐ I have reviewed the details of this modified 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:
Jake Brown
Planner

Date: 19 October 2021

CONDITIONS

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

Approved Plans & Documentation

1. 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
New Site Plan	121003	1/02/2013	-	Peter Burford
Demolition Works and Plan at Existing Ground Level	121005	1/02/2013		Peter Burford
Ground Floor Plan	Sheet 2	3/06/2021	E	Archi-Build International
First Floor Plan First Floor Plan	Sheet 3 Sheet 3	3/06/2021 23/08/2021	E F	Archi-Build International Archi-Build International
Roof Plan Roof Plan	Sheet 4 Sheet 4	3/06/2021 23/08/2021	E F	Archi-Build International Archi-Build International
Basement	Sheet 5	3/06/2021	E	Archi-Build International
AS Built Ground Floor Plan	Sheet 6	3/06/2021	E	Archi-Build International
Section/Elevations Section/Elevations	Sheet 8 Sheet 8	3/06/2021 23/08/2021	E F	Archi-Build International Archi-Build International

Elevations Elevations	Sheet 9 Sheet 9	3/06/2021 23/08/2021	E F	Archi-Build International Archi-Build International
Schedule of Colours and Finishes (Studio and Garage)	-	8/05/2021		Archi-Build International
Studio Elevations	Sheet 8	1/05/2020	C	Archi-Build International
Studio Sections	Sheet 9	1/05/2020	C	Archi-Build International
Studio Floor Plans	Sheet 12	1/05/2020	C	Archi-Build International
Sediment And Erosion Control Plan		-	-	-
New Rear Garden Plan and Landscape Plan	121012	1/02/2013	-	Peter Burford
Site and Roof Drainage Plan, 12MB5433/D01	1 of 2	18/01/2013	-	-
Lower Ground Floor Drainage Plan	C05150	29/06/2021	1	Structa
Colours Schedule	-	-	-	-
Document	Reference No.	Date	Revision	Prepared by
BASIX Certificate	991071S	8/05/2019		Archi-Build International
BASIX Certificate	A420650	17/06/2021		Plan for Tomorrow
Waste Management Plan	-	208/2021	-	-
Arborist Assessment with Pruning Specification	-	22/06/2020	-	NSW Trees

MODIFIED: DA2013/43/08 22 October 2021

- Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.

- 2a. A Building Information Certificate application is required to be lodged to Council to regularise any unauthorised work prior to occupancy.

ADDED: DA2013/43/06 19 August 2021

3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
4. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

5. The detached studio shall be used in association with the dwelling house on the allotment and must not be used as a separate domicile.

General

6. The building shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate has been issued by the Principal Certifying Authority.
7. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit must be retained on site at all times.
8. Prior to the issue of a Construction Certificate, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
9. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

10. In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Local Amenity Improvement Levy **\$4,000. 00**

The total amount of the contribution is valid as at the date of determination and is subject to annual indexation. If the contribution is paid after 1st July in any year, the amount of the

contribution under this condition shall be indexed in accordance with clause 4. 12 of the Strathfield Indirect Development Contributions Plan 2010-2030.

The required contribution shall be paid prior to the issue of a Construction Certificate or as otherwise specified in writing by Council.

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

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

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

- (a) Road and stormwater drainage works in roadways and public areas;
 - (b) Connection to Council's stormwater drainage system;
 - (c) Installation and maintenance of sediment control measures for the duration of construction activities;
 - (d) Tree final inspection to ensure that Council's street trees have been retained, protected or replanted in accordance with conditions of consent and/or Arborists' report for the post final inspection twelve (12) month period; and
 - (e) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs incurred by Council in cleaning and restoring the land to its original condition.
12. Fees are payable where Council is appointed as principal certifying authority to carry out the post-approval inspections. A quotation for the fees can be obtained by contacting Council and the fees shall be paid prior to the carrying out of any of the inspections.

Any re-inspection which is necessary due to site access not being available, defective work, or the matter not being ready for inspection will be charged in accordance with Council's Fees and Charges Policy. Council will advise in writing if an additional re-inspection is required and the re-inspection fee shall be paid prior to release of the damage deposit. If the additional fee is not paid it will be deducted from the damage deposit.

Drainage/Stormwater

13. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a pump out system via a silt arrester pit to the kerb & gutter on Florence Street and as depicted on the stormwater drainage concept plans prepared by United

Consulting Engineers Pty Ltd, Drawing Number 12MB5433/D01, Sheet 1 of 2 dated 18/1/13.

14. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with the endorsed concept plans and the requirements of Council's Stormwater Management Code.

In this project the above engineering plans are satisfactory as Concept plans. The assessment authority, (either (a) Council, or (b) a Private Certifier), is to satisfy themselves of the adequacy of the above plans for the purposes of Construction. They are to independently determine what details, if any, are to be added to the Construction Certificate plans, in order for the issue of the Construction Certificate.

Where a Private Certifier issues the Construction Certificate a copy must be provided to Council, prior to the issue of a Construction Certificate.

15. On-site stormwater detention/Pump Out storage shall be provided in conjunction with the stormwater disposal system. The storage system shall be designed in accordance with the endorsed concept stormwater plans and Council's Stormwater Management Code. The proposed back-up absorption trench system shall be designed at 1 lineal metre for every 15m² of impervious area draining into it. Details of the storage system and absorption trench system shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
16. The proposed Back-up Absorption Trench System design and location shall be certified by a Structural Engineer with NPER Registration that the trench system seepage created by the absorption trench system during all storm events will not impact on the structural integrity of the new studio and existing garage prior to the issue of a Construction Certificate.
17. Prior to the issue of an Occupation Certificate/use of the building, written verification from a suitably qualified professional civil engineer shall be obtained, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans.

In addition, detailed works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.

18. Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated August 1998 shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

19. For drainage works within public land or connecting to Council's stormwater drainage system the following inspections will be required:-

- (a) After the excavation of pipeline trenches.
- (b) After the laying of all pipes prior to backfilling.
- (c) After the completion of all pits and connection points.

A minimum of 48 hours-notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Engineering Works and Services section on 9748-9999 during office hours. Work is not to proceed until the works are inspected and approved by Council.

20. All pits shall be constructed in accordance with Australian Standard AS3500.3.
21. All subsoil drainage must be designed to meet the requirements of AS3500.
22. Allowance shall be made for surface runoff from adjacent properties (if any), and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties.
23. The rainwater tank shall be located at least 450mm from any property boundary.
24. A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the:
- a. On-site stormwater detention/Pump Out system incorporated in the development. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building.

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

Landscaping/Tree Matters

25. The trees listed below shall be retained at all times:

Tree	Height/spread	location	Protection zone (m)	Structural Root Zone (m)
1) Syncarpia glomulifera (Turpentine)	17.0x9.0	Rear set back eastern side	8.4	2.85

2) Corymbia citriodora (Lemon Scented Gum)	18. 0x11.0	Rear set back, eastern side	6.0	2.47

and protected by the establishment of a protection zone (in accordance with Australian Standard AS4970-Protection of trees on development sites) before any site works begin (including any demolition/excavation). The protection zone shall be maintained for the duration of works and implemented as follows:

- (a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-7-empora/-y fencing and hoardings for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area. Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.
 - (b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS 1319- Safety signs for the occupational environment.
 - (c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
 - (d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
 - (e) The tree protection zone shall be regularly watered.
 - (f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
 - (g) No excavation or construction shall be carried out within the stated Structural Root Zone distances from the base of the trunk surface.
 - (h) Only permeable surfaces (e. g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.
26. All noxious weeds on the site shall be removed and destroyed as per their classification under the Noxious IVeec/s/AcM993.
27. General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).

28. The following branch pruning works are permitted to accommodate the proposed development:

Tree	Approved Works
1) Synarpia glomulifera (Turpentine)	Works as per Arborist Assessment with Pruning Specification prepared by NSW Trees dated 22 June 2020. ADDED: DA2013/043/03 - 24 July 2020
2) Corymbia citriodora (Lemon Scented Gum)	Works as per Arborist Assessment with Pruning Specification prepared by NSW Trees dated 22 June 2020. MODIFIED: DA2013/043/03 - 24 July 2020

- (a) All pruning work must be undertaken by a minimum level 2 (AQF 2) qualified Arborist who is currently a member or eligible for membership to Arboriculture Australia (AA) or the Tree Contractors Association Australia (TCAA) and in accordance with AS4373-Pruning of amenity trees.
 - (b) No climbing spikes/spurs are to be worn.
 - (c) Root pruning/root barrier installation must be undertaken by a minimum level 4 (AQF 4) qualified Arborist who is currently a member or eligible for membership to the Arboriculture Australia (AA) or Tree Contractors Association Australia (TCAA) and in accordance with AS4373-Pruning of amenity trees.
29. A minimum level 5 (AQF5) Consultant Arborist who is currently a member or is eligible for membership to the Institute of Australian Consulting Arboriculturists (IACA) or Arboriculture Australia (AA) is to be contracted by the applicant to undertake/monitor pruning of the required branches of the Corymbia cithodora (Lemon Scented Gum) located at the rear of the site.

Construction Matters

30. The proposed development shall comply with the National Construction Code and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.
- 30a. 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.

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- 31. Footings shall be designed in accordance with the soil classification of H, or Highly Reactive (unless determined to the contrary by a suitably qualified person).
- 32. If the soil conditions require it retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and adequate provision must be made for drainage.
- 32a. A protection strategy for the duration of the construction works, is to be submitted to and approved by Council's Heritage Advisor and Building Surveyor prior to the issue of the Construction Certificate. The Strategy is to detail how the proposed works will ensure that the buildings at 14, 16 & 18 Florence Street STRATHFIELD 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:

- i. 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.
- iii. (for sites exposing party walls previously never exposed) Details of the proposed protection of party walls from damp and water ingress during the works.

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- 33. If the existing ground levels are altered during construction, Council may require a survey plan of the finished ground levels to be prepared and submitted prior to the issue of an Occupation Certificate to determine if there have been changes to the pre-development levels and if there are any impacts on adjoining properties as a result.

34. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
35. The existing ground levels shall not be altered except in accordance with the levels shown on the approved plans as part of this consent. Finished ground surface levels shall match the existing levels at the property boundary. Any survey plan shall also show the extension of these levels in relation to adjoining properties.

Building Matters

36. Where building intruder alarms are installed in the building they shall be fitted with an automated "cut-off" timing device and operated as per the Protection of the Environment Operations (Noise Control) Regulation 2008.

Sustainability

37. Water collected in the rainwater tank must be roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:
 - (a) Toilet flushing;
 - (b) Clothes washing;
 - (c) Garden irrigation;
 - (d) Car washing and similar outdoor uses;
 - (e) Filling swimming pools, spa pools and ornamental ponds; and
 - (f) Fire fighting.

Demolition

38. Demolition shall be carried out in accordance with Australian Standard 2601 - The demolition of structures' or any subsequent standard and the relevant legislation.
39. The demolition of the building shall be carried out by a licensed demolition contractor. A copy of the licence shall be submitted to Council and the Principal Certifying Authority prior to any work commencing on site.
40. Details demonstrating that excavated and demolished materials including asbestos-based materials will be disposed of at an approved site shall be submitted to the Principal Certifying Authority prior to any work commencing on site.

Waste Management

41. Submission of a comprehensive Waste Management Plan to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate. Such plan shall address demolition, construction and operation waste arising from the development and shall include:-

- (a) Type and likely quantity of waste arising from the demolition and construction activities;
- (b) Storage, disposal and recycling measures for all demolition and construction waste, including specific disposal points and arrangements;

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

42. The chimney flue to the new rear addition above the alfresco area shall be deleted.

(Reason: To protect the heritage fabric of existing heritage dwelling).

43. The first floor rear addition to the dwelling shall not encroach within the existing roof line of the original heritage dwelling so to achieve improved visual separation between the new addition and the original heritage dwelling. The roof line of the original dwelling shall remain intact. Amended plans demonstrating compliance with this requirement shall be prepared and submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.

(Reason: To protect the heritage fabric of existing heritage dwelling).

You are reminded that the other conditions and terms of the original consent still apply and must be complied with.

An amended Construction Certificate may also be required, if the modification relates to changes to the building.

- 43a. An expired air resuscitation warning notice complying with the [Swimming Pools Act 1992](#) must be affixed in a prominent position adjacent to the pool.

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- 43b. If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.

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ADVISORY NOTES

i. 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.

ii. 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.

iii. Lapsing of Consent

This consent will lapse unless the development is physically commenced prior to the date specified in this determination, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

vi. Register your Swimming Pool

All swimming pools in NSW are required to be registered. Fines apply for pools that are not registered. To register please visit: www.swimmingpoolregister.nsw.gov.au