

## IDAP REPORT

<b>Property:</b>	10 Myall Crescent, Strathfield Lot 10 in DP 236435 DA2021.203
<b>Proposal:</b>	Demolition of existing structures and construction of two storey dwelling house with pool and front fence.
<b>Applicant:</b>	Cedar Designs
<b>Owner:</b>	W Fakh and C Attar
<b>Date of lodgement:</b>	18 August 2021
<b>Notification period:</b>	30th August 2021 to 15th September 2021
<b>Submissions received:</b>	Nil
<b>Assessment officer:</b>	L Fanayan
<b>Estimated cost of works:</b>	\$1,135,062.00
<b>Zoning:</b>	R2-Low Density Residential - SLEP 2012
<b>Heritage:</b>	No
<b>Flood affected:</b>	Yes
<b>RECOMMENDATION OF OFFICER:</b>	<b>APPROVAL</b>



**Figure 1:** Aerial of subject site (outlined in red) and surrounding area

## **EXECUTIVE SUMMARY**

### **Proposal**

Development consent is being sought for the demolition of existing structures and construction of two storey dwelling house with pool and front fence.

### **Site and Locality**

The site is identified as 10 Myall Crescent Strathfield and has a legal description of Lot 10 in DP 236435. The site is an irregular shaped parcel of land and is located on the eastern side of Myall Crescent, at the end of a cul-de-sac.

The site has a width of 18.715m, a depth of 41.45m and an overall site area of 694m<sup>2</sup>.

The locality surrounding the subject site contains a mixture of low density residential (dwelling houses). Architectural styles vary, predominantly pitched roofing with brick and/or rendered façades. There is a mixture of double storey and single storey dwellings. Some flat roofed, modern style examples exist along the street.

### **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 30th August 2021 to 15th September 2021, where no submissions were received.

### **Conclusion**

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2021/203 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 two storey dwelling house with pool and front fence. More specifically, the proposal includes;

Demolition of existing structures including dwelling house and pergola.

Construction of a new dwelling house including:

Ground floor level:

- Attached two (2) car garage
- Bathroom;
- Formal Living;
- Guest bedroom/study with ensuite;
- Cinema room;
- Study;
- Dining room;
- Living room;
- Kitchen with butler's pantry;
- Laundry.

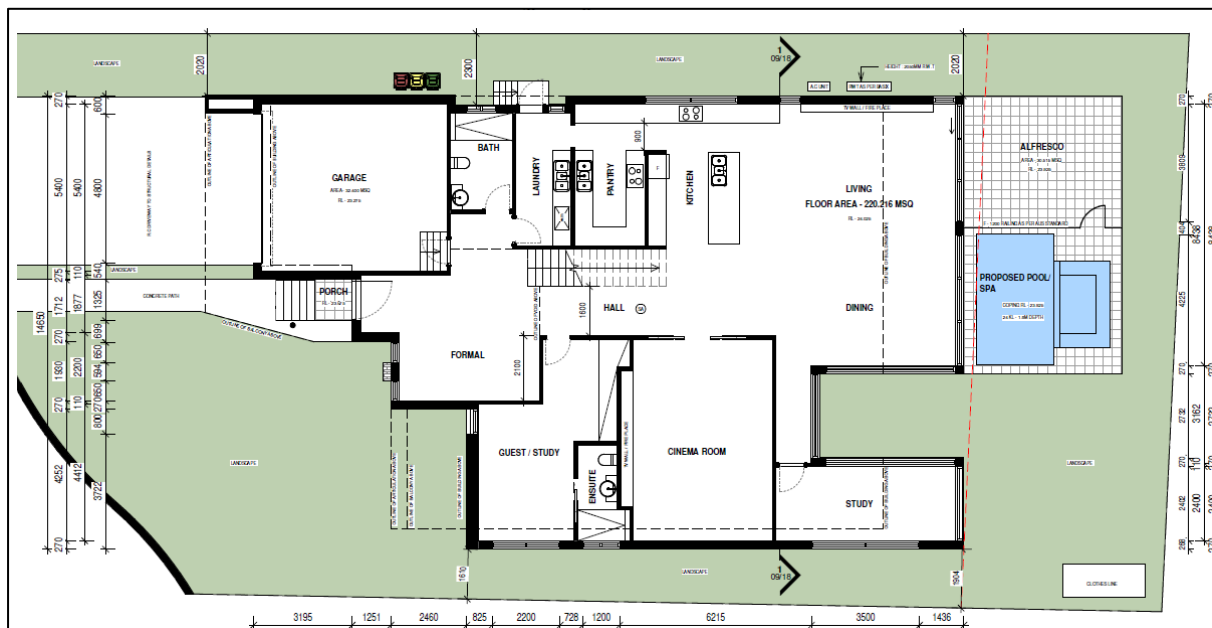
First floor level:

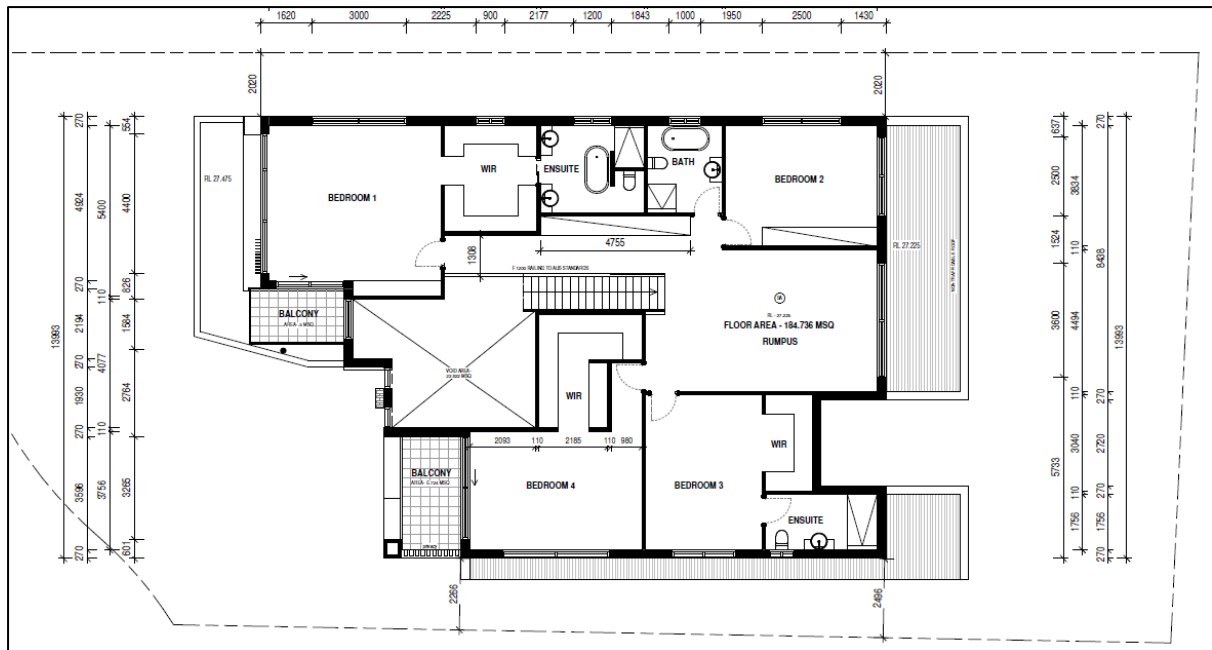
- Two (2) bedrooms (one (1) with walk in robe and balcony);
- Two (2) bedrooms with walk in robes and ensuites (one (1) with balcony);
- One (1) bedroom;
- Bathroom;
- Rumpus room

External works:

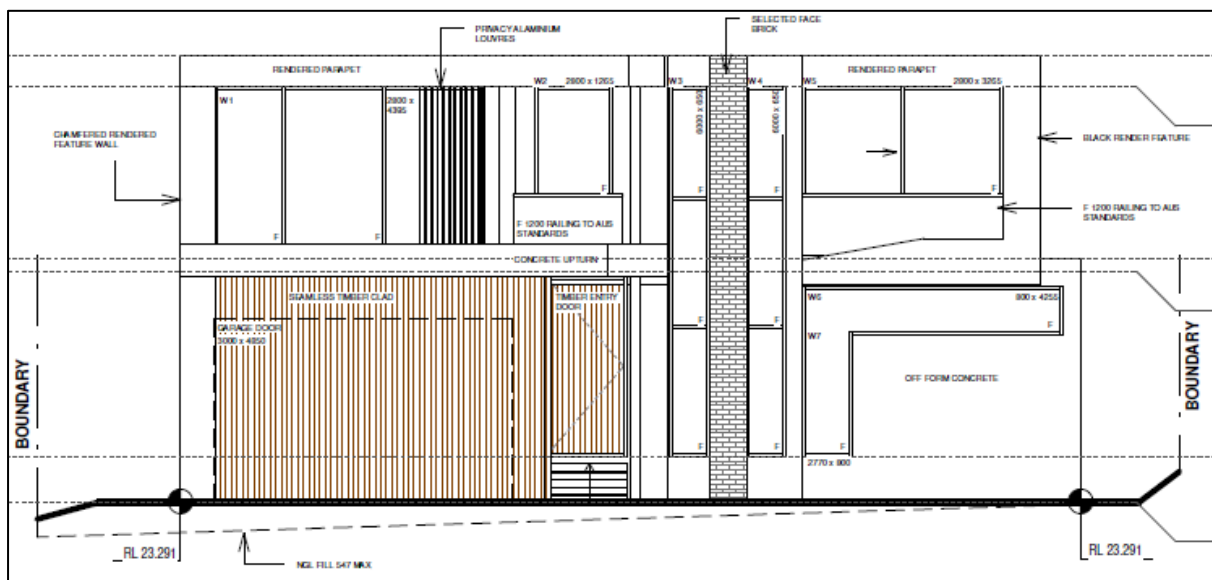
- Alfresco area;
- Pool/spa;
- Landscape works

Figure 2 to 10 illustrate the site plan, floor plans, elevations, section and landscape plan of the proposal.

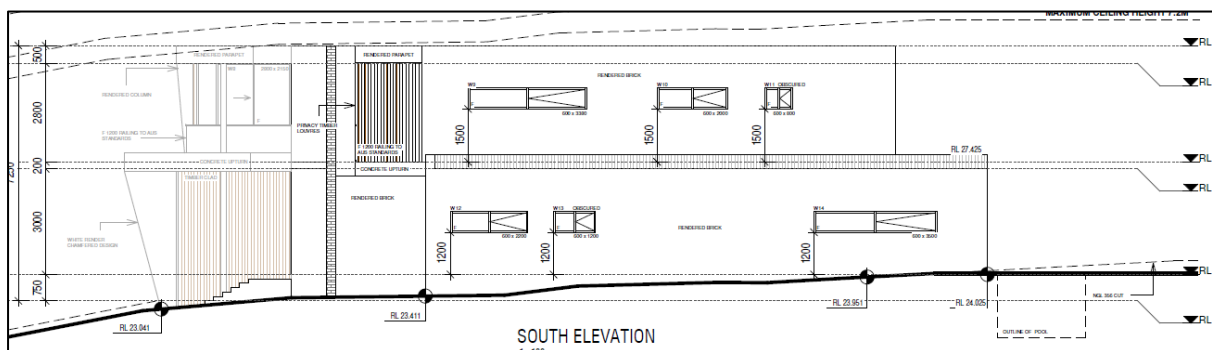




### Figure 4: First Floor Level



**Figure 5: West Elevation**



**Figure 6: South Elevation**

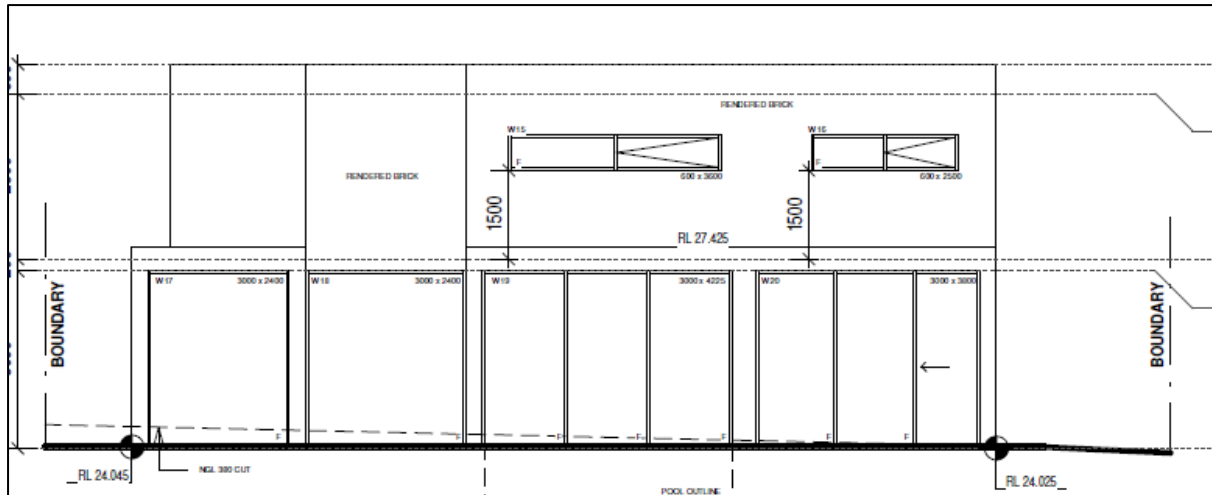


Figure 7: East Elevation

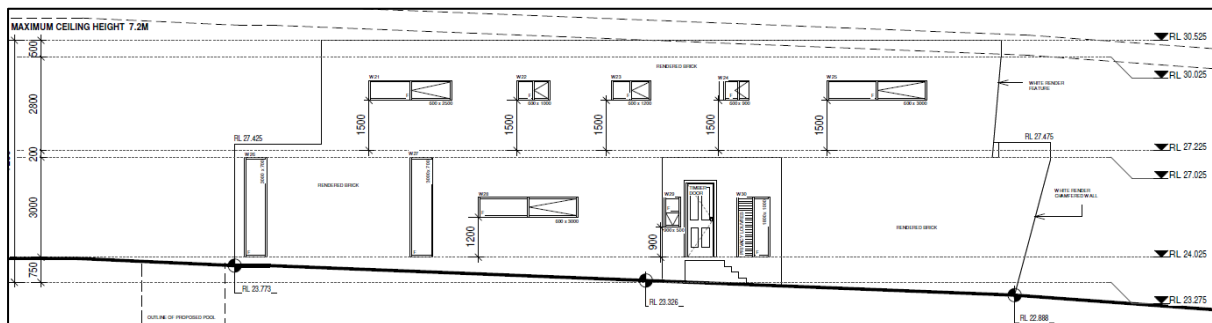


Figure 8: North Elevation

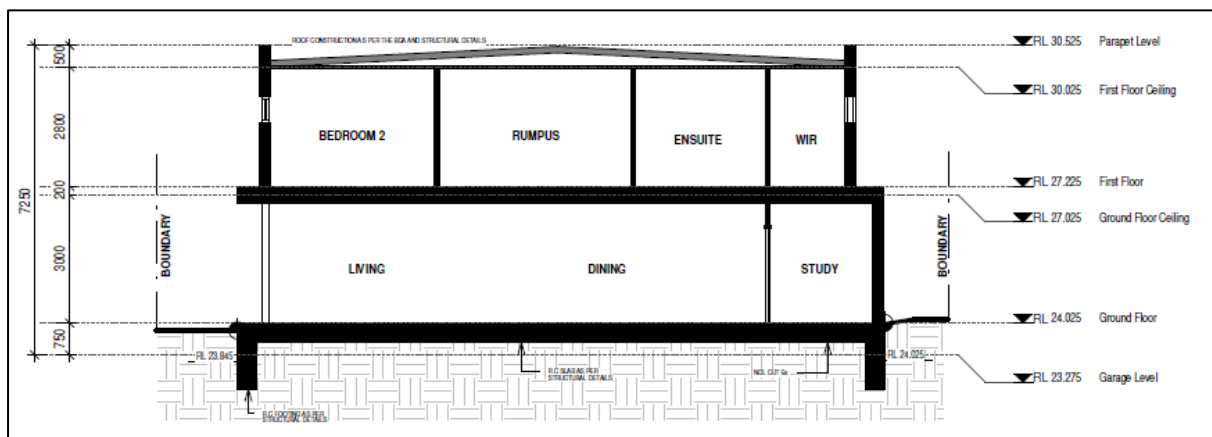
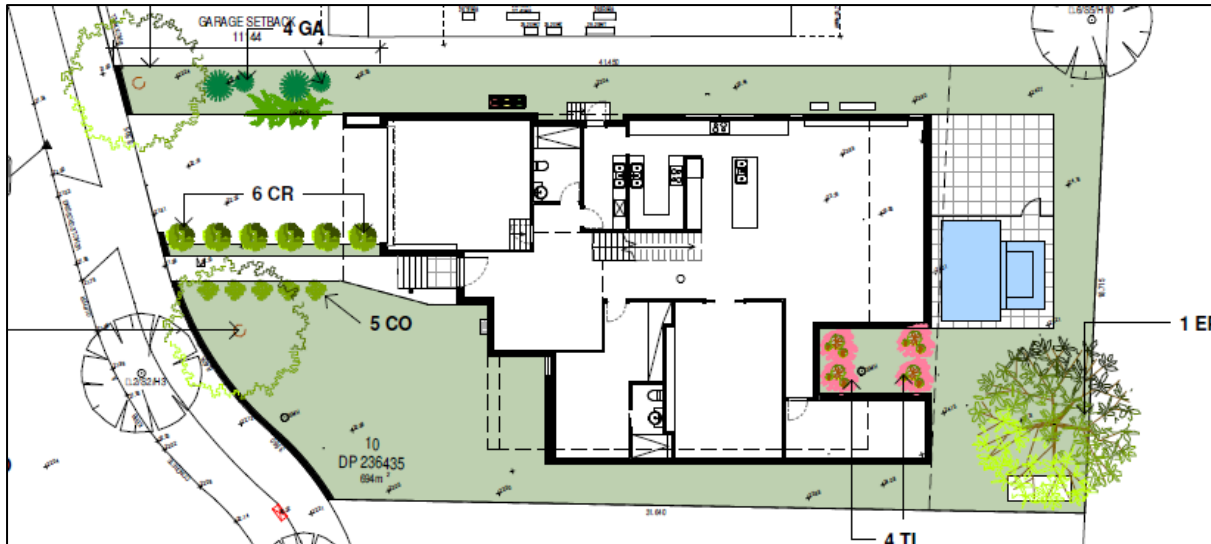


Figure 9: Dwelling Section





**Figure 10: Landscape Plan**

### **The Site and Locality**

The subject site is legally described as Lot 10 in DP 236435 and commonly known as 10 Myall Crescent, Strathfield. It is located off the east side of Myall Crescent between Shortland Avenue and Myall Crescent.

The site is irregular in shape and has a frontage of 20.66m to the west, rear boundary of 18.715m to the east, side boundary length of 41.45m to the north, and side boundary length of 31.64m to the south and an area of 694m<sup>2</sup>.

The site slopes from south-east to north-west and has a cross-fall of 2.17m across the site.

The site is occupied by a two (2) storey dwelling house and pergola. Vehicular access is provided to the site via an existing driveway from Myall Crescent to an existing attached garage.

The current streetscape is characterised by contains a mixture of low density residential (dwelling houses). Architectural styles vary, predominantly double storey with pitched roofing and brick and/or rendered façades. Some flat roofed, modern style examples exist along the street. Myall Crescent is a cul-de-sac street with many street trees.



**Figure 11:** Front of No. 10 Myall Crescent showing neighbouring properties



**Figure 12:** Photo of streetscape looking towards the boundary of No. 8 and 10 Myall Crescent



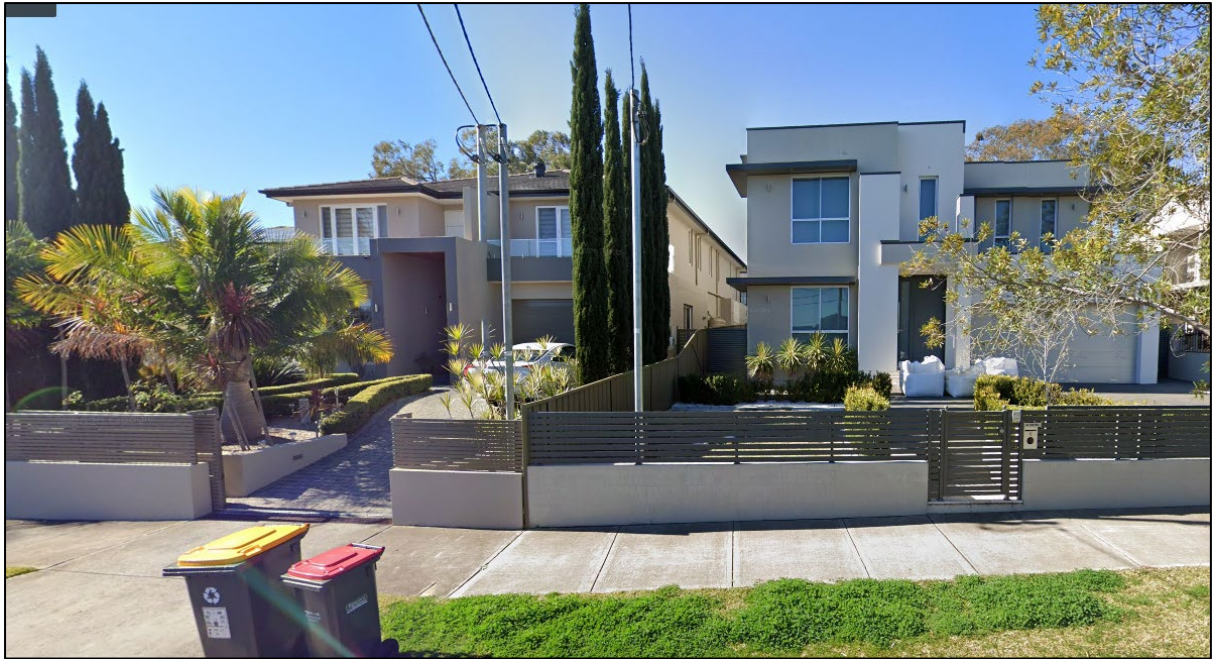


**Figure 13:** Photo of streetscape looking towards the boundary of No. 10 and 12 Myall Crescent



**Figure 14:** Photo looking across the road from subject site





**Figure 15:** Image of modern style design at No. 4 and 6 Myall Crescent (Source: Google Street View)



**Figure 16:** Image of modern style design at No. 1A Myall Crescent (Source: Google Street View)

### **Background**

- |                         |   |
|-------------------------|---|
| <b>18 August 2021</b>   | The subject application was lodged to Council.  |
| <b>30 August 2021</b>   | The application was notified as per Council's Community Participation Plan, with the final date for public submissions being 15 September 2021. No submissions were submitted during this period. |
| <b>7 September 2021</b> | <p>A Request for Further Information letter was sent to the applicant raising the following issues:</p> <ul style="list-style-type: none"> <li>• Tree removal</li> <li>• Landscaping</li> </ul>   |

- Setbacks
- Bulk, scale and amenity
- Pool pumps, rain water tanks and FSR plan.

**9 September 2021** A site visit was undertaken by a Council officer.

**24 September 2021** The applicant provided additional information to address the issues raised in the letter.

### **Referrals – Internal and External**

#### **Stormwater**

Council's Development Engineer provided the following advice:

*I have referred to the development application referenced above and reviewed the stormwater drainage concept plan prepared by MBC Engineering issue 1 sheet no. S1 and S2 job no. 2021523 dated 22.07.2021. The subject site has a natural fall to the front and disposal by means of gravity is attainable hence enabling the applicant to submit a compliant design. The provision of water sensitive urban design is not required as the site is less than 2000m<sup>2</sup>. OSD provision is not required as the site cumulative imperviousness is less than 65% of total site area. The site discharges to the street kerb and gutter by means of a gravity pipe via the boundary pit. Roof runoff drains into above ground rainwater tank in accordance with BASIX requirements via downpipes. Overflow from the tank drains into boundary pit by gravity means via overflow pipe. Drive runoff drains into boundary pit by gravity means via grated trench drain. Pervious runoffs drain into boundary pit by gravity means via grated surface pits. From engineering perspective, concept plan is feasible and there are no objections to its approval subject to the following conditions.*

Accordingly, Council's Developer Engineer offered no objections to the proposal subject to the imposition of conditions.

### **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

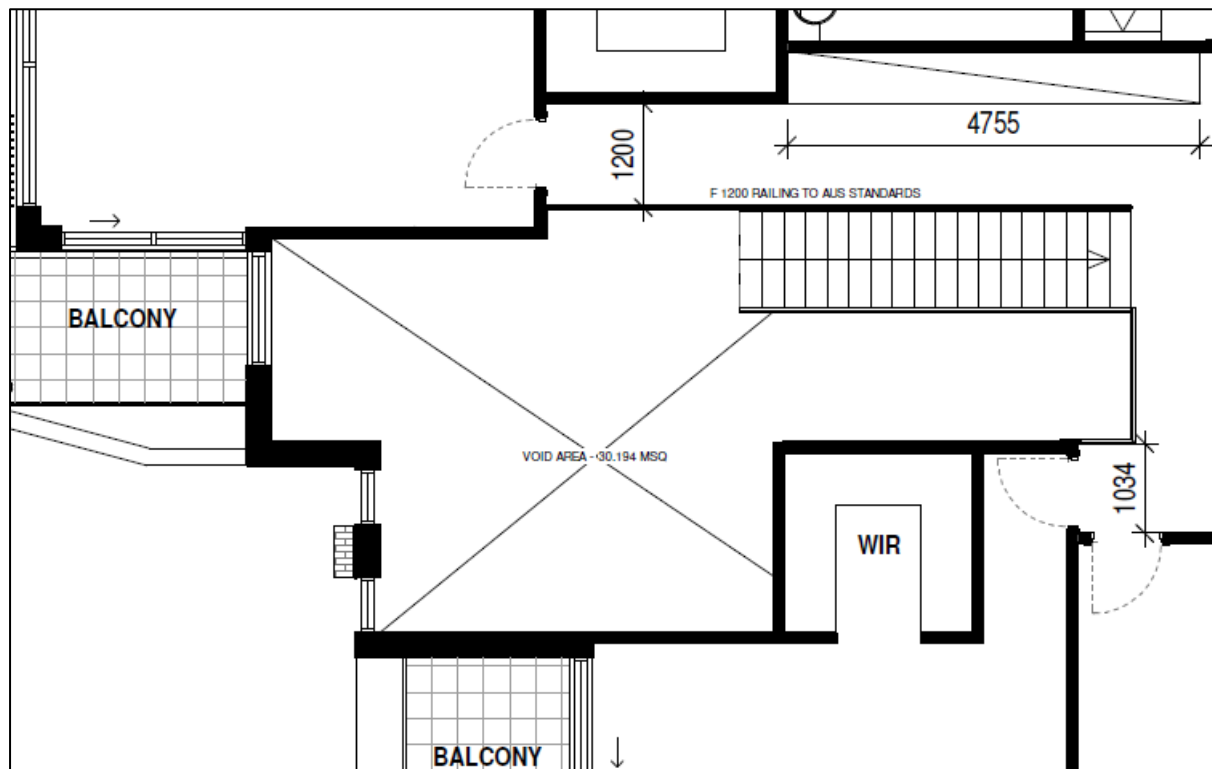
The subject site is zoned R2-Low Density Residential and the proposal is a permissible form of development with Council's consent.

## Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development Standards	Development Proposal	Compliance/ Comment
<b>4.3</b> Height of Buildings	9.5m	7.8m	Compliant
<b>4.4</b> Floor Space Ratio	0.6:1 (416.4m <sup>2</sup> )	0.583:1 (404.3m <sup>2</sup> )	Compliant

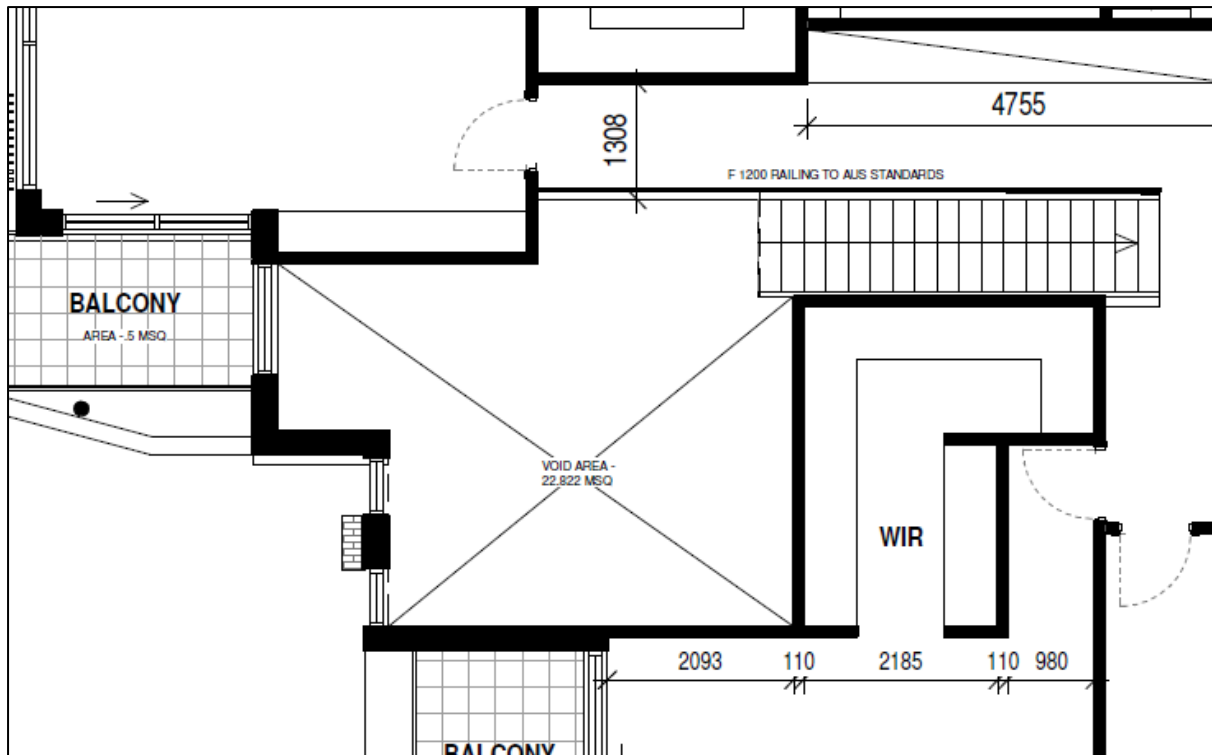
The amended design features an increased northern setback, a reduced void, reduced floor plan on both the ground floor and first floor and a fully compliant floor space ratio (FSR), which has been calculated to not include the garage and void area on the first floor.

This void relates to the formal living room (refer to Figure 18). The amended void space included in the first floor has been reduced from 30.19m<sup>2</sup> to 22.82m<sup>2</sup>.



**Figure 17:** Originally proposed void space adjacent to the stairwell and above living room.





**Figure 18:** Amended void space adjacent to the stairwell and above living room.

Although the void space has been reduced through the increase in wardrobe space in both bedroom 1 and 4, the overall Floor Space Ratio has also been reduced in the amended plans from 0.594:1 (412.3m<sup>2</sup>) to 0.582:1 (404.3m<sup>2</sup>). This has been achieved through increasing the northern side setback and reducing the width of the dwelling and ultimately some of its bulk.

The void does provide some additional amenity and additional solar access in winter. Further, the void is recessed from the building line and is broken up by articulated walls to reduce the impact of bulk and massing on the streetscape. The façade and associated void provide visual interest as a feature of design. The void glazing does not face the side boundaries.

It is noted that whilst the void was not counted towards gross floor area and FSR it does contribute to the bulk and scale of the built form. The proposal is not at the limit of FSR for this site and on balance, this void is considered an acceptable component given that it provides additional amenity. A condition will be imposed to ensure this void remains a void in perpetuity.

It is considered that bulk and scale is mitigated through design, articulated forms and varied cladding treatments to all elevations.

## Part 5 – Miscellaneous Provisions

### 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 does not include any significant excavation or basement works. Any excavation for footings or levelling of the site is considered to be minor and will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

### **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.

### **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 SEPP55 are considered to be satisfied.

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

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

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

The proposed development involves the removal of three (3) trees including two (2) *Ligustrum spp.* (Privet) and one (1) *Citrus spp.* (Lemon tree).

No objections are raised to the removal of the three (3) trees on the site subject to replacement planting identified in 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
<b>Building Envelope</b>			
<b>Floor Space Ratio:</b>	0.6:1 (416.4m <sup>2</sup> )	0.583:1 (404.3m <sup>2</sup> )	Compliant
<b>Heights:</b>			
Floor to ceiling heights:	3.0m	3.0m	Compliant
Height to underside of eaves:	7.2m	6.9m	Compliant
Parapet height:	0.8m	0.5m	Compliant
Overall height for flat roof dwelling:	7.8m	7.8m	Compliant
Number of Storeys/Levels:	2	2	Compliant
<b>Setbacks:</b>			
Front:	9m	9.58m	Compliant
Side (north):	1.2m (min)	2.02m	Compliant
Side (south):	1.2m (min)	1.61m	Compliant
Combined Side Setback:	3.63m (20%)	3.63m	Compliant
Rear:	6m	6.5m	Compliant
<b>Landscaping</b>			
Landscaping/Deepsoil Provisions:	41.5% (284.54m <sup>2</sup> )	42.1% (292.8m <sup>2</sup> )	Compliant
Front landscaped area	Min. 50%	64.7m <sup>2</sup>	Compliant
<b>Fencing</b>			
Height (overall/piers):	1.5m (maximum)	1.2m	Compliant
Solid Component:	0.7m	1.2m	No – see comments below
<b>Solar Access</b>			
POS or habitable windows	3hrs to habitable windows and to 50% of POS	Min. 3hrs provided	Compliant
<b>Vehicle Access and Parking</b>			

Driveway width at Boundary:	3m	5.6m	No – see comments below
Vehicular Crossing:	1	1	Compliant
Driveway setback – side:	0.5m	2.02m	Compliant
No. of Parking Spaces:	2	2	Compliant
<b>Ancillary Development</b>			
<b>SWIMMING POOL</b>			
Side/Rear Setback	1.0m	1.6m	Compliant

## 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

### *Bulk, Scale and Amenity*

The amended design features increase northern side setback and a reduced building footprint on both the ground floor and first floor levels. This reduces the overall bulk and scale of the original proposal. The general massing, scale and presentation of the development is considered appropriate and corresponds to site size. The appearance of the architectural design is predominantly modern and features a mixture of materials and modulation and recessing of components throughout the development to mitigate bulk and scale whilst providing visual interest that is visible to the street frontage. The overall aesthetic and bulk of the final scheme is considered compatible and consistent within the streetscape and thus, an acceptable outcome for the site.

### *Setbacks*

The proposed development complies with the combined side setback control under the DCP. The northern setback has been amended and increased from 1.5 to 2.02m and overall providing 20% of the width of the site. The larger side setback assists in reducing the internal void and achieving the minimum landscape requirements. The proposal is considered to generally satisfy the relevant objectives and controls of the SCDCP 2005.

## 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.

To reinforce the provision of quality landscaping areas, conditions are recommended to change the landscape plan to replace the two (2) Eucalyptus Botryodes in the front yard with two (2) trees that are capable of achieving 15m in order to achieve the conditions of DA 2021/21 (a list is provided in DA2021/21 Notice of Determination conditions).

## Fencing



The proposed front and side 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.

Proposed front fence has its solid component 1.2m high at one end (north) and 0.9m at the other (south). The solid components exceed the maximum 0.7m height control for solid fencing. In order to achieve a more appropriate outcome, conditions are recommended to reduce the overall proposed fence height by 0.2m across its length. The solid components would then measure 1m at the northern end and 0.7m at the southern end. This allows for the top of the fence line to be level and also better reflect the intended outcome of the front fence requirements in a streetscape that has limited front fencing as a part of its residential character. The fences is of a minimalist design with no additional elements aside from the masonry walls.

### **Solar Access**

Despite the east-west orientation of the site the development manages to provide the minimum 3 hours of solar access to the private open space of neighbouring properties.

The first floor level features a setback of 2.27m, an additional 0.656m from the ground floor. This provides some overshadowing relief ensuring the design has considered site orientation and maximises any opportunities to provide solar access to neighbouring residences. 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. The first floor rumpus room is centrally located and comprises highlight window, with a sill height 1.5m, ensuring any privacy impacts from this space are minimised.

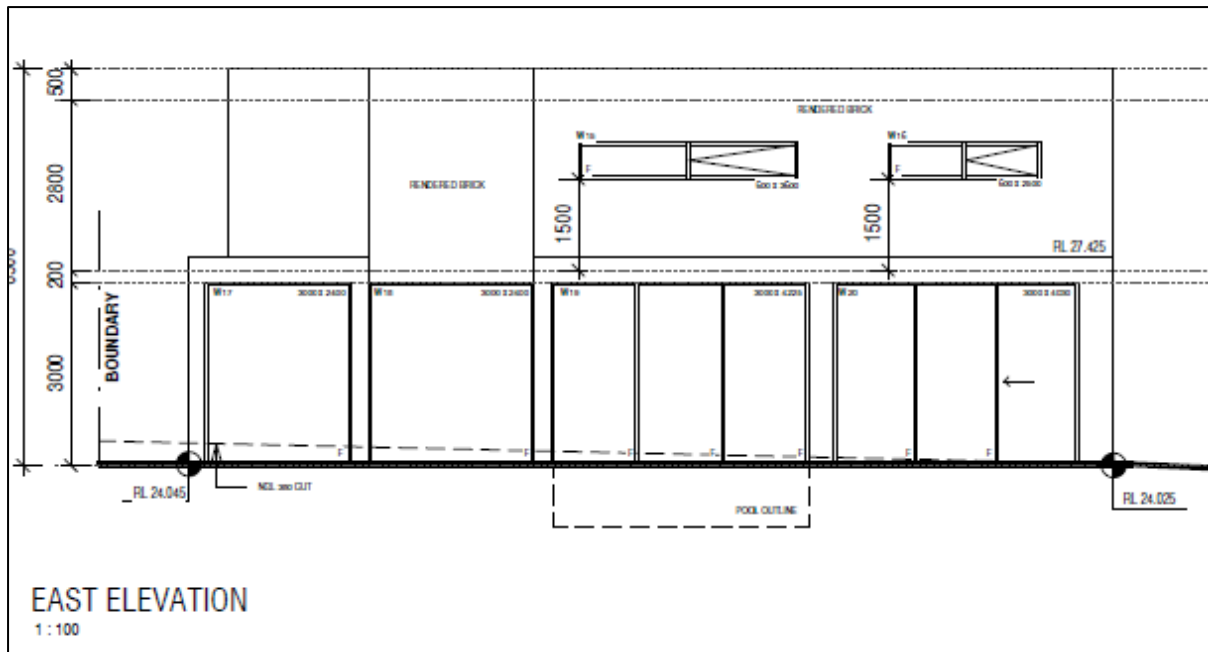
### **Vehicular access, Parking and Basements**

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.

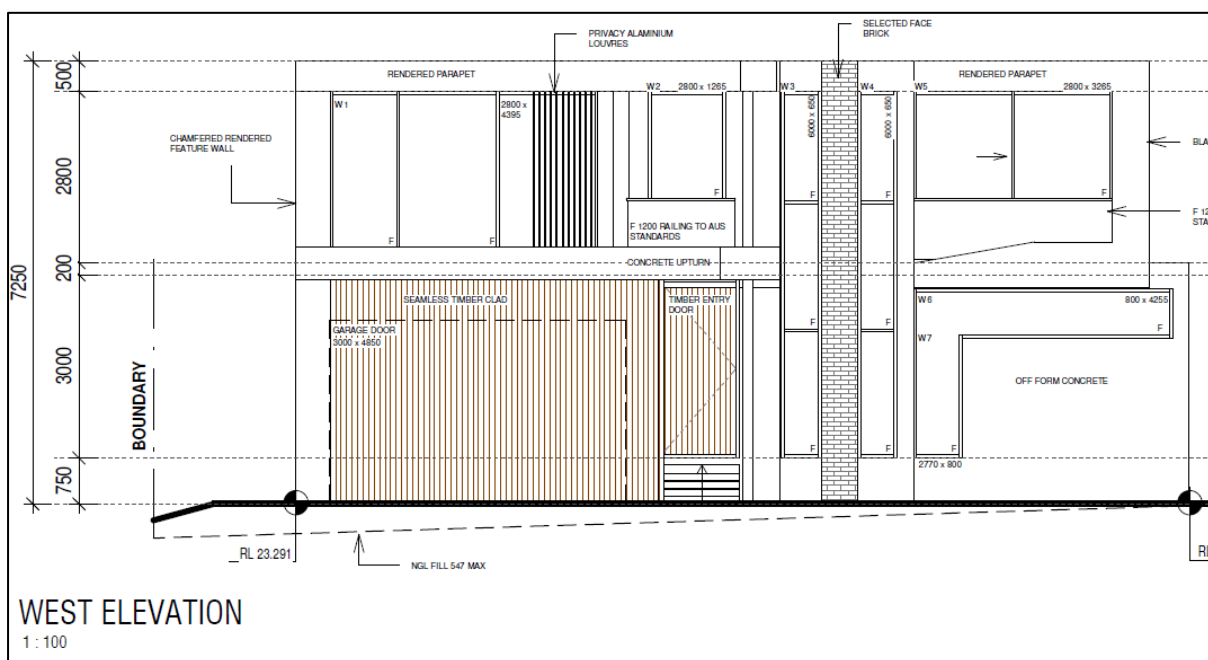
The proposed driveway at the boundary is 5.6m. Conditions are recommended to change the width of the driveway at the boundary to be 3m to meet Clause 8.2.1.2 of SCDCP 2005 and to better reflect the streetscape character of the immediate area.

### **Cut and fill**

The proposed development is considered to satisfy the relevant objectives and controls of the SCDCP 2005. In order to provide a level the site for development it is proposed for a maximum cut of 0.38m on the south-eastern portion of the site and 0.547m on the north-western portion of the site. It is consider that cut and fill has been kept to a minimum to provide a developable foundation for the proposed development. Ground water tables are maintained and impact on overland flow and drainage is minimised.



**Figure 18:** East elevation showing cut from the rear yard



**Figure 19:** West elevation showing fill front the front yard

## 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 SCDP 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

### 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 CDGP 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 O – Tree Management (SCDCP 2005)**

#### *Tree removal*

The proposed development removes three (3) trees from the subject site. These include two (2) *Ligustrum spp.* (Privet) and one (1) *Citrus spp.* (Lemon tree).

These trees are accordingly, in the exempt species list and their removal does not require consent.

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

**(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 \$1,135,062.00 and in accordance with Council's s7.12 Indirect Contributions Plan, a contribution of 1% of the cost of works is applicable. In this regard, the contribution is as follows;

Local Amenity Improvement Levy	\$11,350.62
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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 SCDP 2005.

Following detailed assessment it is considered that Development Application No. 203/2021 should be approved subject to conditions.

Signed:   
**L Fanayan**  
**Planner**

**Date: 9 November 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:**

**M Rivera**  
**Senior Planner**

**Date: 9 November 2021**

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

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

## **DEVELOPMENT DETAILS**

### **(1) Approved Plans & Documentation**

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

<b>Description</b>	<b>Reference No.</b>	<b>Date</b>	<b>Revision</b>	<b>Prepared by</b>
Site Plan	Page 2 of 18	20 September 2021	A	Cedar Designs
Ground Floor Plan	Page 3 of 18	20 September 2021	A	Cedar Designs
First Floor Plan	Page 4 of 18	20 September 2021	A	Cedar Designs
Roof Plan	Page 5 of 18	20 September 2021	A	Cedar Designs
Building Elevations (West	Page 7 of 18	20 September 2021	A	Cedar Designs

and South)				
Building Elevations (North and East)	Page 8 of 18	20 September 2021	A	Cedar Designs
Section	Page 9 of 18	20 September 2021	A	Cedar Designs
Colours and Finishes	Page 10 of 18	20 September 2021	A	Cedar Designs
Proposed Driveway	Page 11 of 18	20 September 2021	A	Cedar Designs
Erosion and Sediment Control Plan	Page 12 of 18	20 September 2021	A	Cedar Designs
Demolition Plan	Page 16 of 18	20 September 2021	A	Cedar Designs
Pool Plan	Page 17 of 18	20 September 2021	A	Cedar Designs
Street Elevation	Page 18 of 18	20 September 2021	A	Cedar Designs
Demolition and Construction Management Plan	10 Myall Crescent, Strathfield	-	-	Cedar Designs
Stormwater Drainage Plans	Sheet No: S1 to S2	22 July 2021	-	MBC Engineering
Landscape Plans	LSP1	20 September 2021	A	Cedar Designs
Waste Management Plan	10 Myall Crescent, Strathfield	-	-	Cedar Designs

## 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](http://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](http://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](http://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](http://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:

<b>Fee Type</b>	<b>Fee</b>
<b>GENERAL FEES</b>	
Long Service Levy (to Long Service Corporation)  Or, provide evidence of Payment direct to the Long Service Corporation. See <a href="https://longservice.force.com/bci/s/levy-calculator">https://longservice.force.com/bci/s/levy-calculator</a>	\$ 3,972.00
Security Damage Deposit	\$ 15,000.00



Tree Bond	\$ 3,000.00
Administration Fee for Damage Deposit	\$ 130.00
Administration Fee for Tree Bond	\$ 130.00
<b>DEVELOPMENT CONTRIBUTIONS</b>	
Indirect (Section 7.12) Contributions	\$ 11,350.62

### 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

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](http://www.strathfield.nsw.gov.au).

### (6) Required Design Changes

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

Landscape Plan	Amend the landscape plan to replace the two (2) Eucalyptus Botryodes in the front yard with two (2) trees that are capable of achieving 15m in order to achieve the conditions of DA 2021/21.
Front Fence	Reduce the overall proposed fence height by 0.2m across its length. The solid components would then measure 1m at the northern corner of the front boundary and 0.7m at the southern corner of the front boundary.

Driveway width at Boundary	Amend plans to show the width of the driveway at the boundary to be 3m to meet Clause 8.2.1.2 of SCDCP 2005 and to better reflect the streetscape character of the immediate area.
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#### (7) **Damage Deposit – Minor Works**

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

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

At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

#### (8) **Tree Bond**

A tree bond of \$3,000.00 (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

A request for refund of the Tree Bond must be made in writing.

Tree Bonds may be forfeited if a tree is dead, made dangerous or has been terminally damaged, or will be held until tree/s have fully recovered from the construction damage or were replacement/planted trees have become fully established and are over 6 metres in height.

#### (9) **Site Management Plan**

##### **Minor Development**

A Site Management Plan detailing all weather access control points, sedimentation controls, waste management plans, fencing, builder's site sheds office, amenities, materials storage and unloading arrangements must be submitted with the application for the Construction Certificate.

**(10) 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. 1225071S must be implemented on the plans lodged with the application for the Construction Certificate.

**(11) 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.

**(12) 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.

**(13) Driveway Surface Waters**

For driveways on private property sloping to the street and greater than 10 metres in length, drainage control devices such as humps or grated surface inlet pits shall be installed at the front boundary in order to control excess stormwater flowing across Council's footpath.

**(14) 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.

**(15) 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.

**(16) 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).

**(17) Tree Removal & Replacement**

**Tree removal**

Permission is granted for the removal of the following trees:

Tree No.	Tree species	Number of trees	Location
-	<i>Ligustrum spp.</i> (Privet)	1	Rear yard, north boundary
-	<i>Ligustrum spp.</i> (Privet)	1	Rear yard, south boundary
-	<i>Citrus spp.</i> (Lemon tree).	1	Rear yard, south boundary

**General Tree Removal Requirements**

All tree removal shall be carried out by a certified Tree Surgeon/Arborist to ensure that removal is undertaken in a safe manner and complies with the AS 4373-2007 - Pruning of Amenity Trees and Amenity Tree Industry Code of Practice (Safework NSW, August 1998).

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

#### **(18) 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](http://www.SafeWork.nsw.gov.au).

#### **(19) 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.

#### **(20) Demolition Work Involving Asbestos Removal**

Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the [Work Health and Safety Regulation 2011](#).

#### **(21) 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.

## **DURING CONSTRUCTION**

### **(22) 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.

### **(23) 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.

### **(24) Ground Levels and Retaining Walls**

The ground levels of the site shall not be excavated, raised or filled, or retaining walls constructed on the allotment boundary, except where indicated on approved plans or approved by Council.

### **(25) 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.

### **(26) Swimming Pools – Filling with Water**

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

### **(27) Tree Removal on Private Land**

The trees identified as 'to be removed/pruned' on the approved plans or by conditions of this consent shall be removed in accordance with AS4373 -2007 and the *Amenity Tree Industry Code of Practice* (SafeWork NSW, August 1998).



## **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **(28) 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.

### **(29) Completion of Landscape Works**

The approved landscape works have identified that the side setback area between the dwelling and boundary be nominated as landscaped area to ensure compliance with the minimum landscape area requirements. In this regard, this area shall be maintained as landscaped area and can only be used for growing plants, grasses and trees and cannot include any building, structure or hard paving (including rainwater tanks, air-conditioning units of ground mounted hot water systems).

### **(30) 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.

### **(31) 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.

### **(32) 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) 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;
- (c) Pipe invert levels and surface levels to Australian Height Datum;
- (d) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

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

## **OPERATIONAL CONDITIONS (ON-GOING)**

### **(33) Maintenance of Landscaping**

All trees and plants forming part of the landscaping must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease

control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.

**(34) 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.

**(35) 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.

**(36) Void Space (First Floor)**

The first floor void space above the formal living room and stairwell must be retained for so long as the dwelling house is utilised.

**(37) 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.

**OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

**(38) Requirement for a Construction Certificate**

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

**(39) 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.

**(40) 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.

**(41) 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](#).

**(42) 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.

**(43) 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**

**(44) Clause 97A – BASIX Commitments**

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

**(45) 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.

**(46) Clause 98A – Erection of Signs**

Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PCA and the Principal Contractor.

**(47) 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](http://www.legislation.nsw.gov.au)



## **5. Long Service Levy**

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

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

## **6. Disability Discrimination Act**

This application has been assessed in accordance with the [Environmental Planning and Assessment Act 1979](#). No guarantee is given that the proposal complies with the [Disability Discrimination Act 1992](#). The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The [Disability Discrimination Act 1992](#) covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1-Design for Access and Mobility.

## **7. 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](http://www.strathfield.nsw.gov.au).
- (b) In the Application Form, quote the Development Consent No. (eg. 2021/203) 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.

## **8. 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](http://www.SafeWork.nsw.gov.au)).

## 9. 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](http://www.swimmingpoolregister.nsw.gov.au)

## 10. Noise

Council will generally enforce noise related conditions in accordance with the *Noise Guide for Local Government* (<http://www.environment.nsw.gov.au/noise/nglg.htm>) and the *Industrial Noise Guidelines* (<http://www.environment.nsw.gov.au/noise/industrial.htm>) publish by the Department of Environment and Conservation. Other state government authorities also regulate the [Protection of the Environment Operations Act 1997](#).

Useful links relating to Noise:

- (a) Community Justice Centres—free mediation service provided by the NSW Government ([www.cjc.nsw.gov.au](http://www.cjc.nsw.gov.au)).
- (b) Department of Environment and Conservation NSW, Noise Policy Section web page ([www.environment.nsw.gov.au/noise](http://www.environment.nsw.gov.au/noise)).
- (c) New South Wales Government Legislation home page for access to all NSW legislation, including the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Noise Control Regulation 2000* ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).
- (d) Australian Acoustical Society—professional society of noise-related professionals ([www.acoustics.asn.au /index.php](http://www.acoustics.asn.au/index.php)).
- (e) Association of Australian Acoustical Consultants—professional society of noise related professionals ([www.aaac.org.au](http://www.aaac.org.au)).
- (f) Department of Gaming and Racing - ([www.dgr.nsw.gov.au](http://www.dgr.nsw.gov.au)).

## 11. 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](http://www.ausgrid.com.au) (Business and Commercial Services) for further details and information on lodging your application to connect to the network.

## 12. Australia Post – Letter Box Size and Location

The size and location of letterboxes servicing the development are to comply with the requirements and standard of Australia Post (see attached link: [https://auspost.com.au/content/dam/auspost\\_corp/media/documents/Appendix-02.pdf](https://auspost.com.au/content/dam/auspost_corp/media/documents/Appendix-02.pdf) )

