

IDAP REPORT

34-36 Meredith Street Strathfield

Property:

Lot 1 in DP960727 & Lot 1 in DP960728

DA2021/178

Proposal:

Demolition of existing structures and partial demolition, alterations and additions to the existing dwelling house and heritage item (I177) including demolition of rear portion, rear addition comprising a new first floor and basement level, construction of an in-ground swimming pool with spa, outdoor deck, cabana with bathroom, restoration and alteration of existing tennis court and associated driveway and landscaping works.

Applicant:

Entrance Hall

Owner:

N & M Beaini

Date of lodgement:

15 July 2021

Notification period:

20 July 2021 – 9 August 2021

Submissions received:

Nil

Assessment officer:

L Gibson

Estimated cost of works:

\$3,441,347.00

Zoning:

R2 – Low Density Residential

Heritage:

Yes - heritage item (I177) "Truro" – Federation house under Schedule 5 of the SLEP 2012

Flood affected:

Yes

Is a Clause 4.6 Variation Proposed:

No

RECOMMENDATION OF OFFICER:

APPROVAL



Figure 1: Aerial view of subject site (outlined in yellow) and surrounding context.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the demolition of existing structures and partial demolition, alterations and additions to the existing dwelling house and heritage item (I177) including demolition of rear portion, rear addition comprising a new first floor and basement level, construction of an in-ground swimming pool with spa, outdoor deck, cabana with bathroom, restoration and alteration of existing tennis court and associated driveway and landscaping works.

Site and Locality

The site is identified as 34-36 Meredith Street Strathfield and is comprised of two (2) separate allotments. The front allotment (fronting Meredith Street) has a legal description of Lot 1 in DP 960727. The rear allotment has a legal description of Lot 1 in DP 960728. The site is a regular shaped parcel of land and is located on the eastern side of Meredith Street.

The site has a width of 30.48m, a depth of 60.96m and an overall site area of 1,858m².

The site is located within a well-established low-density residential area. An aged care facility "Meredith House Nursing Home" borders the property to the north at 30-32 Meredith 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 (20 July 2021 – 9 August 2021), where no submissions were received.

Issues

- Heritage; and
- Tree removal.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2021/178 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 partial demolition, alterations and additions to the existing dwelling house and heritage item (I177) including demolition of rear portion, rear addition comprising a new first floor and basement level, construction of an in-ground swimming pool with spa, outdoor deck, cabana with bathroom, restoration and alteration of existing tennis court and associated driveway and landscaping works. More specifically, the proposal includes;

Demolition of existing structures including attached rear addition including pitched metal roofing, detached two (2) storey garage and studio, removal of ancillary elements of the existing dwelling including the WIR off the front main bedroom and the removal of later side additions and swimming pool.

Construction of a new rear addition with basement level, swimming pool and cabana to include:

Basement level:

- 3 car spaces with turn table
- Plant and waste storage room;
- Cellar;
- Bathroom;
- Massage room;
- Media room;
- Gym;
- Sauna
- Lift well and internal staircase.

Ground floor level:

- Open plan dining and living;
- Rear alfresco;
- Kitchen;
- Butler's pantry and cool room;
- Rumpus;
- Laundry;
- Bathroom; and
- Mudroom

First floor level:

- Master bedroom with ensuite and WIR.

External works:

- New in-ground swimming pool & spa;
- Cabana with toilet;
- New vehicular and pedestrian access;
- Infill fencing works including 1.2m high timber pickets; and
- Infill works to raise existing rear tennis court.

A series of plans including demolition plan, floor plans, elevations and section plans of the proposal are provided below:



Figure 2: Proposed Demolition Plan

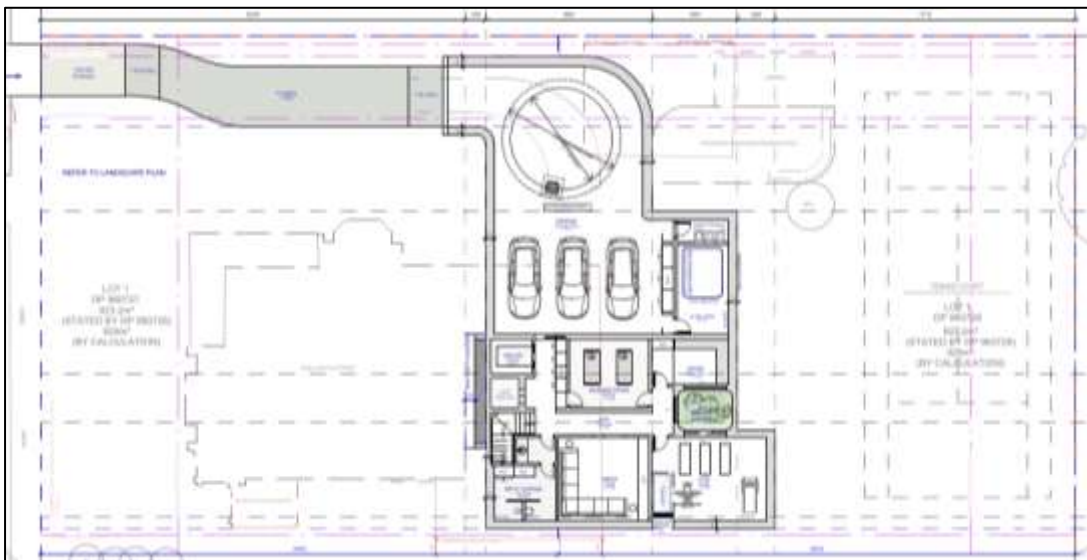


Figure 3: Proposed Basement Plan



Figure 4: Proposed Ground Floor Plan



Figure 5: Proposed First Floor Plan



Figure 6: Proposed Streetscape Elevation Plan



Figure 7: Proposed Southern Side Elevation Plan

The Site and Locality

The site is identified as 34-36 Meredith Street Strathfield and is comprised of two (2) separate allotments. The front allotment (fronting Meredith Street) has a legal description of Lot 1 in DP 960727. The rear allotment has a legal description of Lot 1 in DP 960728.

The site is a regular shaped parcel of land and is located on the eastern side of Meredith Street (refer to Figure 1 above).

The site has a width of 30.48m, a depth of 60.96m and an overall site area of 1,858m². The site contains a steep cross fall of 3m. More specifically, the land slopes from the south-west corner to the north-east corner from RL23.16 to RL20.1. The site is a Heritage Listed Item (refer to Figure 8 below)



Figure 8: Aerial view of subject site (outlined in yellow) and surrounding heritage items and conservation areas.

The site is occupied by a single storey federation brick dwelling house with a rear wing. The front portion of the dwelling exhibits Federation architectural elements, including slate roofing with terracotta capping tiles, decorative timberwork and vertical timber framed windows with secondary coloured panes. The wraparound front patio includes tessellated tiles with marble edged steps. Adjoining the federation-style dwelling is a later two (2) storey addition comprised of brick exterior walls and pitched metal roof. A swimming pool and tennis court are located in the rear yard (refer to Figures below for reference).

Vehicular access is provided to the site via an existing driveway from Meredith Street. A separate two (2) storey garage building with studio above exists along the site's northern side boundary.

The site is located within a well-established low-density residential area comprised of predominantly single storey Californian bungalows and federation-era dwellings with some examples of later two (2) storey dwellings. An aged care facility "Meredith House Nursing Home" borders the property to the north at 30-32 Meredith Street. The facility is an adaptive re-use of a dwelling development and thus presents as a dwelling house to the street (refer to Figure 15 for reference).



Figure 9: street view of subject site



Figure 10: Existing heritage dwelling on subject site.



Figure 11: Existing heritage dwelling on subject site.



Figure 12: Rear view of subject site.



Figure 13: *Rear view of subject site*



Figure 14: *Californian bungalow style dwellings opposite the street*



Figure 15: Aged Care facility immediately north of subject site

Background

12 April 2017	Council (SIHAP) granted consent for Demolition of the existing two (2) storey brick garage and the consolidation and two (2) lot Torrens Title subdivision (DA2017/11/1).
1 May 2019	DA2018/177/1 requesting for alterations and additions to the existing heritage listed dwelling house, including basement garage was withdrawn by the applicant.
15 July 2021	Subject application lodged with Council
20 July 2021 – 9 August 2021	Subject application placed on neighbour notification. No submissions were received during this time.
11 August 2021	Site inspection conducted by Assessing Officer
11 August 2021	<p>“Stop The Clock” (STC) letter issued to applicant requesting additional information for the following:</p> <ul style="list-style-type: none"> • Heritage – concerns with excavation and impact on heritage fabric • Further details required including photomontage of public domain and specific details of original heritage fabric works • Outbuilding – elevations • Deep soil zone as a result of tennis court • Overshadowing

22 September 2021	Amended plans submitted to Council for consideration.
30 November 2021	Tree officer comments provided requesting retention of street tree and protection of several trees on the site. These have been reflected in conditions of consent.

Referrals – Internal and External

Heritage

The application was referred to Council's Heritage Advisor for assessment. The following additional information was requested:

- *Photomontage from the public domain without vegetation. The current two dimensional image does not show the depth and the impact of the materials on the heritage item.*
- *Structural report for the heritage item and any adjoining development that may be affected in accordance with Section 2 Part P – Heritage – settings part (iv). This should examine mitigation measures to protect the heritage item from the impact of excavation which appears close to the original footings?*
- *A plan that indicates the 1980 addition and any proposed changes to the original dwelling.*

Amended plans were submitted during the assessment of the application by way of photomontages, isometric street elevations and structural plans. The submitted isometric street elevation plans below demonstrate that the rear additions have been appropriately scaled and located on the site so as to ensure that the new addition remain as a recessive feature of the dwelling when viewed from the public domain. It is noted that (whilst not shown in the submitted isometric elevation plans) the mature street tree planting as well as planting in the front yards of the site and adjoining properties will further reduce the appearance of the rear addition.

The submitted structural plans demonstrate that underpinning works will be undertaken to the original portion of the dwelling to be retained. Conditions of consent will be imposed to ensure that this be undertaken so as not to severely impact the foundations of the dwelling.

The Applicant has gone at lengths to demonstrate that the proposed demolition works to the rear of the dwelling are that of later building works and bear no significance to the original features of the dwelling. The proposal is considered acceptable in this instance.

Special heritage conditions have been imposed to ensure the original fabric be retained and protected during the demolition and construction phases of the development. All works proposed to the front remaining portions of the dwelling including restoration works to the slate roof and demolition of the dwelling's southern side wing are to be undertaken in accordance with the plan and repair works undertaken with a like for like replacement so as to match the existing heritage fabric.

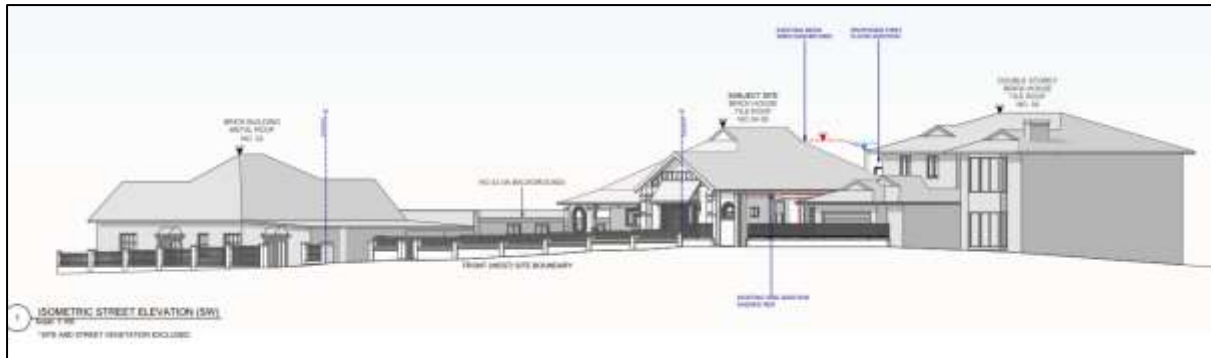


Figure 16: Isometric Street Elevation Plan (South West)

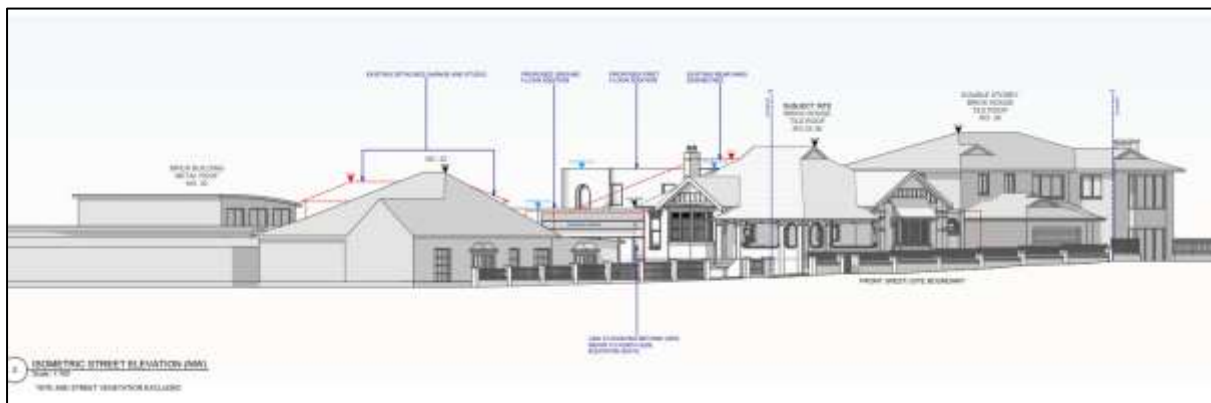


Figure 17: Isometric Street Elevation Plan (North West)

Trees

The application was referred to Council's Tree Officer for assessment. The following comments were made:

- Trees **3** and **4** are to be retained. The proposed driveway needs to be reconfigured and use the existing lay back entrance to retain these two trees. A Tree Protection Plan and driveway construction/ methodology is required for the retention of trees **3** and **4**
- The retention of trees **3** and **4** will allow for the existing Camellia and Lilly hedge along the common side boundary of 32 Meredith Street to be retained. A Tree Protection plan is required. Changes are also required to the proposed landscape plan.
- The *Washingtonia robusta* is to be retained. This tree is to be numbered and a Tree Protection Plan is required.
- A tree protection plan is required for the retention of the four (4) conifers located 38 Meredith Street adjacent to the side boundary of 34-36 Meredith Street as well as the retention of the *Washingtonia robusta* on the site.

The Applicant was advised on the 30th November that the removal of the Council street tree (Tree 4) was not supported to provide for a new driveway entrance. The Applicant has agreed to retain the existing driveway layback so to retain the street tree. Conditions of consent have been imposed to ensure the trees be retained and the driveway leading to the basement is amended accordingly.

Stormwater

The application was referred to Council's Development Engineer for assessment. The following comments were made:

"The concept plan is feasible and there are no objections to its approval subject to the following conditions".

Traffic

The application was referred to Council's Traffic Engineer for comment. No objections were raised to the relocation of the driveway subject to 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
4.3 Height of Buildings	9.5m	8.36m	Yes
4.4 Floor Space Ratio	0.50:1 (929m ²)	0.34:1 (637.7m ²)	Yes

Part 5 – Miscellaneous Provisions

Heritage Conservation

The proposal (has been identified as a Heritage Item I177 under Schedule 5 of SLEP. Specifically, the listing relates to the "Truro" – Federation house Lots 1, DP960727 and DP960728.

The statement of significance is as follows:

A single storey, brick, Federation house built early in the 20th Century. The house retains significant early detailing and is significant in the Meredith Street streetscape. This Federation house opposite a group of 1930s infill housing, is of local significance for its architectural qualities and for its positive contribution to the streetscape.

A Heritage Impact Statement accompanied the application. The statement identifies that no significant internal or external fabric has been identified in the areas of the dwelling proposed for demolition. The demolition of a portion of the south side components represents the loss of degraded fabric. The proposed alterations will be well setback from the front building line and from the streetscape and thus will not detract from the site's heritage significance. The proposed picket fencing behind the front boundary fence is considered a non-intrusive element and will ensure the original bullnose brick fence remains unaltered. The proposed removal of the two (2) storey garage structures will not detract from the heritage significance of the dwelling given that the garage is a later 1980s addition bearing no heritage significance. The alterations are confined to below the principal roof ridge line with the new additions achieving a deliberate and appropriate distinction from the original heritage fabric to ensure that it enables the original elements to be interpreted and celebrated as the most prominent features on the site. The proposed additions achieve an appropriate bulk, height and scale which will not detract from the site's heritage significance.

Further, the proposal is considered to be complementary to the original building in terms of scale, form, proportions, detailing and materials. All original heritage fabric has been retained where possible and/or restored in proper fashion.

A heritage context plan was submitted as part of the application to further demonstrate the delineation between the original heritage fabric and the later rear additions. The aerial imagery of the subject site below demonstrates the changes in the building form in 1943 to present. It is clear that the rear portion of the dwelling (white colourbond sheet roofing) is a later addition and does not form part of the original heritage dwelling (depicted with brown slate roof). This is further supported by the additional aerial drone images taken of the dwelling in December 2020.



Figure 11: Aerial Drone imagery taken by the Applicant, December 2020.



Figure 12: Aerial imagery 1943 with subject site outlined in red (Source: Nearmaps)



Figure 13: Present day aerial imagery with subject site outlined in red (Source: Nearmaps).

It is considered that the proposed works, as amended and conditioned, satisfactorily address the provisions of this Clause.

Flood Planning

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

Part 6 – Additional Local Provisions

Acid Sulfate Soils

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

Earthworks

The proposal involves significant excavation works for the provision of a basement, driveway ramps and ancillary works. The extent of excavation has been limited to the footprint of the ground floor above and access to and from the basement. The proposal was accompanied by a geotech report which presents recommendations to minimise adverse impacts on the site as a result of the proposal. The report recommends underpinning works be undertaken to ensure the original portions of the heritage dwelling be protected and maintained and/or replaced where possible. Additional structural information was submitted during the assessment process detailing the underpinning works required. The proposed excavation works are considered to satisfactorily address the objectives of this clause.

Essential Services

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

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

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

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

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

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

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

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

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

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

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

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

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

The proposal was referred to Council's Tree Management Officer who outlined specific conditions to be imposed with any development consent in order to ensure the protection of these trees. Refer to previous internal referral section which discussed Tree Officer comments.

Further, no objection was raised to the removal of a number of trees on the site subject to replacement planting. Relevant consent conditions will be imposed.

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.

PART P – Heritage (SCDCP 2005)

1.5: Objectives of this DCP Part

1.5	Objectives	Satisfactory
a.	To encourage development which complements existing heritage items and heritage Conservation Areas in a modern context.	Yes
b.	To retain evidence of historic themes of development evident in the Strathfield Local Government Area, through the proper care and maintenance of individual heritage items and heritage Conservation Areas.	Yes
c.	To protect those items and areas that are of value to the local community	Yes
d.	To ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.	Yes
e.	To retain any significant horticultural or landscape features that assist in the interpretation of Strathfield's heritage.	Yes

2.1: General Objectives

2.1	Objectives	Satisfactory
a.	To ensure that additions to a heritage item and new buildings on the site of a heritage item are of a scale, mass, bulk, orientation, setback and character consistent with the heritage item.	Yes
b.	To ensure that new development respects the contribution of a heritage item to the streetscape and/or townscape, and allows an ongoing application of its heritage significance.	Yes
c.	To retain or reinstate missing original details that contribute to the aesthetic quality and/or significance of a heritage item and to encourage the removal of inappropriate alterations and additions.	Yes
d.	To ensure that important elements of the form or fabric of a heritage item are not obscured or destroyed by alterations and additions.	Yes
e.	To ensure that materials and colours used on both the original heritage item and any alterations and additions are consistent with the significance of the heritage item.	Yes
f.	To provide an appropriate visual setting for heritage items, including landscaping, fencing and car parking.	Yes

Comments: The proposed additions are to the rear and are subservient to the front portion of the heritage dwelling which is proposed for retention. The form and massing of the new development has been designed so as to ensure that it does not mimic the original heritage features of the dwelling but rather complements it and ensures that it be interpreted as a modern addition to the dwelling separate to the original dwelling.

2.2: Setting

2.2.1	Objectives	Satisfactory
A.	To provide an appropriate visual setting for heritage items, including landscaping, fencing and car parking; and	Yes
B.	To ensure that new development respects the contribution of a heritage item to the streetscape and/or townscape and retains the significance of the item.	Yes

2.2.2	Controls	Complies
	(1) Original elements that contribute to the setting of a heritage item such as landscaping, fences and gates, driveways, seawalls etc. should not be removed and, traditional garden designs should be reinstated where possible.	Yes
	(2) New structures on land on which a heritage item is located such as swimming pools and outbuildings should be located so that they do not adversely impact on the significance of the heritage item.	Yes
	(3) The natural landform and character of the area within which a Heritage Item is located, should be maintained, avoiding any cut and fill to land when constructing new buildings and landscaping grounds.	Yes

2.3: Scale

2.3.1 Objectives		Satisfactory
A.	<i>To ensure that alterations and additions to a heritage item and new buildings on the site of a heritage item are of a scale consistent with the heritage item so as not to detract from the significance of the item.</i>	Yes
2.3.2 Controls		Complies
(1)	Development on the site of a heritage item must not dominate the item or detract from its significance.	Yes
(2)	Development shall not obstruct significant views to and from the item of significance.	Yes

Comments: Additional information by way of isometric street elevation plans were submitted during the assessment process. The plans demonstrate that the proposed rear addition will not be readily visible from various angles from the street and that the original single storey front portion of the dwelling will still be able to be interpreted as such. The scale and massing has been carefully considered to ensure that the new rear additions will be hidden from view where possible and do not detract from the appearance of the heritage item as viewed from the street. The proposed landscaping scheme is considered appropriate and will further assist in softening the built form.

2.4: Form

2.4.1 Objectives		Satisfactory
A.	<i>To ensure that important elements of the form of a heritage item are not obscured or destroyed by alterations and additions</i>	Yes
B.	<i>To ensure that the form of a heritage item retains its importance in the streetscape and/or townscape.</i>	Yes
2.4.2 Controls		Complies
(1)	Important elements of the form of a heritage item such as main roof forms, chimneys, parapet walls, verandahs etc. should not be demolished or obscured by alterations and additions.	Yes
(2)	Development of a heritage item must seek to reconstruct missing architectural detailing of a Heritage Item where possible, including gables, finial trims, front verandahs or bays.	Yes
(3)	Verandahs on the front and sides of a heritage item should not be filled in.	Yes
(4)	Additions and alterations to a heritage item should not detract from important aspects of the form of the heritage item.	Yes
(5)	The original shape of the roof of a Heritage Item should not be altered	Yes
(6)	The original wall treatment of a Heritage Item must be retained where possible. Unpainted brick or stone on a Heritage Item should not be painted or rendered.	Yes

Comments: The proposal seeks to demolish the rear later addition of the dwelling which does not form part of the heritage significance of the site. This also includes demolition of the robe located upon the site's southern side boundary which is also identified as being a later and modified addition to the dwelling. Further, the proposal involves demolition of the two (2) storey garage and studio outbuilding structure which are also later additions that are visible from the street. The removal of these later additions will improve the presentation of the heritage dwelling and ensure that its significance is more prominent in the streetscape. All original elements of the heritage dwelling are proposed to be retained.

2.5: Materials and colours

2.5.1 Objectives		Satisfactory
A.	To ensure that original materials that contribute to the significance of heritage items are not obscured.	Yes
B.	To ensure that colours of paintwork on heritage items are consistent with the significance of the heritage item.	Yes
C.	To ensure that materials on alterations and additions to heritage items are consistent with the materials of the heritage item.	Yes

Comments: As previously discussed, the original fabric of the front portion of the dwelling will remain unchanged. Restoration works to the slate roofing will ensure a like for like replacement is undertaken. Conditions of consent will be imposed to ensure the front fence and layback be retained and that the southern side wing be reconstructed to match existing fabric.

2.6: Alterations and additions

2.6.1 Controls		Complies
(1)	Alterations and additions must not adversely impact the significance of a heritage item.	Yes
(2)	Any alterations and additions must be consistent with the scale, form, proportion, details and materials of the heritage item.	Yes
(3)	Alterations and additions to heritage items must be located so as to minimise their visibility and prominence from the street or adjoining streets, and the height must not be seen above the main ridgeline of the building.	Yes
(4)	Ancillary buildings on the same site as a heritage item must be located so as to not obscure the significant elements of the Item.	Yes

Comments: The proposed additions are substantially setback from the street frontage and located to the rear of the principal dwelling, below the main ridge line, with a clearly delineated link between the old and new built form. The proposal's bulk and scale is subordinate to the existing dwelling and will not detract from the appearance of the dwelling when viewed from the public domain

2.8: Car parking

2.8.1 Objectives		Satisfactory
A.	To ensure that garages and carports are designed to minimise the visual impact on views of heritage items.	Yes
2.8.2 Development Controls		Complies
1.	Garages and carports must be located behind the front building alignment	Yes

Comments: The proposal involves demolition of the later garage outbuilding structure and construction of a basement which will be concealed to the rear of the dwelling so as not to detract from the heritage building.

2.9: Fencing

2.9.1 Objectives		Satisfactory
A.	To conserve gates and fences that are contemporary with heritage items.	Yes
B.	To ensure that new fences and gates are in keeping with the character of the heritage item.	Yes
C.	To ensure that the significance of the heritage item is not diminished by inappropriate fencing.	Yes
2.9.2 Development controls		Complies
(1)	Original fencing styles and materials on a heritage item should be repaired and retained where possible.	Yes
(2)	New fencing and gates to a heritage item should be of a style and scale that is consistent with the style of the building.	Yes

Comments: As previously discussed, conditions of consent are recommended requiring the existing driveway layback and fence to be retained. Whilst Council's Tree Officer does not support the relocation of the driveway based on the required removal of the street tree, the new driveway is also not supported on the grounds that the fence is an original bullnose brick fence. This is an example of Truro architecture identified as being of significance of the site and should be retained. The new picket fencing proposed behind the front fence is acceptable given that it will be constructed and remain independent of the original fencing. Conditions of consent have been imposed to ensure the original fence will be retained.

2.10: Landscape elements including paving and driveways

2.10.1 Objectives		Satisfactory
A.	To retain important landscape elements that contribute to the significance of heritage items.	Yes
B.	To reinforce the significance of the heritage item through appropriate landscaping.	Yes
2.10.2 Development Controls		Complies

(1)	Original driveways and footpath crossings that relate to a heritage item should not be relocated	No - conditioned
(2)	Double driveways and footpath crossings will generally not be permitted for houses listed as heritage items.	N/A
(3)	Original or early garden layouts that contribute to the significance of the heritage item should not be altered.	Noted
(4)	Established trees and shrubs that contribute to the significance of the heritage item should not be removed unless it can be established by an arborist that the health of the tree or shrub is such that it must be removed.	Noted

Comments: As discussed, the fence and driveway layback is to be retained. This will ensure the retention of the Council street tree and original bullnose brick fence. The submitted landscape plan proposed two (2) new canopy trees in the front setback of the property which is considered supportable as it will assist in softening the built form.

2.11: Outbuildings

2.11.1 Objectives		Satisfactory
A.	To minimise visual intrusion on views of heritage items due to outbuildings.	Yes
2.11.2 Development Controls		Complies
1	Outbuildings should be located in the rear yard of heritage items.	Yes
2	Outbuildings should be single storey and designed so that they have negligible if any impact on important views of heritage items and are not greater in height or bulk than the heritage item.	Yes

Comments: The proposed outbuilding structure will be appropriately setback from the street contained behind the basement driveway entrance. The structure will not be visible from the street.

2.12: Modern technologies

2.12.1 Objectives		Complies
1	To ensure that modern technologies do not impact on important views of heritage items.	Yes
2.12.2 Development Controls		Complies
(1)	Modern technologies such as solar electricity collectors, television aerials and satellite dishes are to be located on roof planes facing the rear yard of heritage items and in a position to ensure they are not visible from the Public Domain.	Noted

	(2) Modern technologies should not be higher than the main ridge line of a building that is or is part of a heritage item and shall be located so that they are not visible from the Public Domain.	Noted
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Comments: Conditions of consent will be imposed to ensure no such technologies sit above the main ridge line of the building and are not readily visible from the street.

2.13: Demolition

2.13.1	Objectives	Complies
1	<i>To retain buildings that are of heritage significance or contribute to the significance of a heritage item.</i>	Yes

2.13.2	Development Controls	Complies
	(1) Buildings that are listed as heritage items or contribute to the significance of a heritage item shall not be demolished.	Yes
	(2) Partial demolition of a heritage item may only be allowed when it can be established in a Statement of Heritage Impact that the partial demolition will not have an impact on the significance of the heritage item.	Yes
	(3) Outbuildings associated with heritage items can only be demolished where a Statement of Heritage Impact has established that the outbuilding does not contribute to the heritage significance of the place.	Yes

Comments: The proposal has sought demolition of the rear later addition of the dwelling as well as an outbuilding which do not form part of the heritage fabric of the site. The removal of the existing two (2) storey outbuilding will enable improved building separation from the original dwelling and northern side boundary fence.

Part A – Dwellings (SCDCP 2005)

Applicable DCP Controls	DCP Controls	Development Proposal	Compliance/Comment
Building Envelope			
Heights:			
Floor to ceiling heights:	3.0m	3.9m	No – acceptable on merit.
Height to underside of eaves:	7.2m	7.34 (rear addition)	No – refer below.
Parapet height:	0.8m	800mm	Yes
Overall height for flat roof dwelling:	7.8m	7.34m	Yes
Height of cabana:	3.5m	3.5m	Yes
Basement height above NGL:	1.0m	540mm	Yes

Number of Storeys/Levels:	2	2	2
Setbacks:			
Front:	9m	8.5m front setback	Yes - remains unchanged
Side:	1.2m (min)	5.37m north	Yes
Side:	1.2m (min)	1.5m south	Yes
Combined Side Setback:	6.1m (20%)	6.87m	Yes
Rear:	6m	17.71m	Yes
Detached garage/carport	Nil/0.5m/1.5m	900mm from side boundary	
Landscaping			
Landscaping/Deepsoil Provisions:	Minimum 45% (836.1m ²)	49.8% (926.5m ²)	Yes
Fencing			
Height (overall/piers):	1.5m (maximum)	1.2m	Yes
Solid Component:	0.7m	750mm	Yes
Secondary Frontage:	1.8m	1.8m	Yes
Solar Access			
POS or habitable windows	3hrs to habitable windows and to 50% of POS	The proposal results in a reduction of overshadowing to the southern adjoining dwelling and achieves a minimum 3 hours solar access to the southern adjoining property.	Yes
Vehicle Access and Parking			
Driveway width at Boundary:	3m	3m	Yes
Vehicular Crossing:	1	1	Yes
Driveway setback – side:	0.5m	0.5m	Yes
No. of Parking Spaces:	2	3	Yes
Basement:			
Basement protrusion:	Less than 1.0m	540mm	Yes
Basement ramp/driveway	3.5m	3.45m	Yes
Internal height:	2.2m	2.7m	Yes
Ancillary Development			
OUTBUILDINGS			
Area:	40m ²	19.24m ²	Yes
Height:	3.5m	3.5m	Yes
Side/Rear setback:	0.5m	900mm	Yes
RETAINING WALLS			
Maximum height:	1.2m	4.16m	No – acceptable on merit to accommodate basement.
SWIMMING POOL			
Side/Rear Setback	1.0m	4.4m	Yes

TENNIS COURTS			
Side setback	1.0m (min) 3.0 (adj. habitable)	The proposal seeks to undertake restoration works to the tennis court including resurfacing works.	Yes – acceptable on merit.
Finished Surface Level Enclosed Fence	Less than 0.75m 3.6m (max)	790mm No change to existing fence.	

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.

Height & Floor to Ceiling Heights

The existing floor to ceiling height of the original dwelling of 3.3m is proposed to be retained. In order to align the dwelling with the new rear addition, the floor to ceiling height over a portion of the central area of the building will achieve a 3.9m floor to ceiling height. This is acceptable as all other remaining floor to ceiling heights achieve a compliant 2.7m and that the bulk and scale of the addition is recessive and contained behind the original dwelling.

The new addition proposes an external wall height of 7.34m which exceeds the maximum 7.2m requirements as per the SCDCP 2005. This is considered acceptable given the minor numeric non-compliance and that the rear addition is located a considerable distance from the front property boundary so as to reduce its impact from the public domain.

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.

Solar Access

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

Privacy

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005, in that adequate privacy is maintained between adjoining properties and any potential overlooking is minimised. Windows are offset from adjoining dwellings where required, they are screened, obscured or off low active use rooms so as not to negatively impact on adjoining properties. Balconies are either screened, setback or of limited size so as to not impact on the amenity or privacy of the adjoining dwellings whilst providing good amenity to the occupant of the dwelling.

Vehicular access, Parking and Basements

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005 in that it provides the minimum number of required parking spaces and adequate vehicular access provisions.

The basement requires significant excavation works to ensure that it does not extend beyond 1m above natural ground level given that the site slopes gradually to the rear. In order to minimise any possible disturbance to the original portions of the dwelling (to be retained), the proposal requires substantial underpinning works to the dwelling. These have been supported by preparation and submission of Structural Engineering Plans which detail such works required to be undertaken. Overall, the basement location and size is considered suitable for the site and proposed development.

Cut and fill

The proposed development is considered to satisfy the relevant objectives and controls of the SCDCP 2005, in that the need for cut and fill has been kept to a minimum and existing ground levels have been maintained where appropriate to reduced site disturbance. Existing trees and shrubs have been retained where possible and ground water tables are maintained and impact on overland flow and drainage is minimised.

Water and Soil Management

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

Access, Safety and Security

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005. Separate pedestrian and vehicle access provisions are provided, passive surveillance of the public street has been provided providing safety and perception of safety in the street.

ANCILLARY STRUCTURES

Outbuildings

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

Retaining Walls

The proposal includes a 4.16m retaining wall to stabilise the dwelling as a result of the basement. The retaining wall will not contribute to the bulk and scale of the dwelling and is acceptable.

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 panting if required. The pool pump equipment has been located in the basement 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.

Tennis Courts

The proposal involves restoration works to the existing tennis court. This includes resurfacing the tennis court and raising the level by 790mm to a height of RL21.66 AHD. The proposal satisfies the relevant objectives and controls of the SCDCP 2005. Conditions of consent have been imposed to ensure any lighting does not cause any undue impacts to adjoining residents.

PART H – Waste Management (SCDCP 2005)

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

(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 during this time.

(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 \$3,441,347 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	\$34,441.35
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Conclusion

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

Following detailed assessment it is considered that Development Application No. 2021/178 should be approved subject to conditions.



Signed:

**L Gibson
Senior Planner**

Date: 1 December 2021

- ☒ I confirm that I have determined the abovementioned development application with the delegations assigned to my position;
- ☒ I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are applicable to this development and have been levied accordingly;

Report and recommendations have been peer reviewed and concurred with.

Signed:

**Miguel Rivera
Senior Planner**

Date: 1 December 2021

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

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

DEVELOPMENT DETAILS

1. Approved Plans & Documentation

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

Description	Reference No.	Date	Revision	Prepared by
Landscape Plan	L01	June 2021	A	Entrance Hall
Proposed Site Plan	DA01	June 2021	A	Entrance Hall
Demolition Plan	DA06	June 2021	A	Entrance Hall
Proposed Ground Floor Plan	DA07	June 2021	A	Entrance Hall
Proposed First Floor Plan	DA08	June 2021	A	Entrance Hall
Proposed Basement Plan	DA09	June 2021	A	Entrance Hall
Proposed Roof Plan	DA10	June 2021	A	Entrance Hall
Proposed East & South Elevation	DA11	June 2021	A	Entrance Hall

Proposed West & Front Fence detail & Materials	DA12	June 2021	A	Entrance Hall
Proposed West & North Elevation	DA13	June 2021	A	Entrance Hall
Proposed Long Section & Driveway Section	DA14	June 2021	A	Entrance Hall
Proposed Cabana Elevations & Details	L02	Sept 2021	A	Entrance Hall
Concept Stormwater Drainage Plan	DA15	June 2021	A	Entrance Hall
Driveway and Crossing Details	EH_2320	June 2021	A	Entrance Hall
Waste Management Plan		Dated June 2021	A	
Construction Impact Assessment and Management Plan		November 2020		Botanic Tree Wise People
BASIX Certificate	No.A422806	3 July 2021`		

SEPRARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

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

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

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

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

- (a) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.
- (b) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;

- (c) Establishing a “works zone”;
- (d) Placing or storing materials or equipment;
- (e) Placing or storing waste containers or skip bins;
- (f) Stormwater & ancillary to public infrastructure on private land
- (g) Erecting a structure or carrying out work

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

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

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

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

3. Vehicular Crossing - Minor Development

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

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

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

REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES

4. Sydney Water – Tap in™

The approved plans must be submitted to a Sydney Water Tap in™ to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap in™ agent has appropriately stamped the plans prior to the issue of the Construction Certificate.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

5. Fees to be Paid

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

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

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

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

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://longservice.force.com/bci/s/levy-calculator	\$ 12,044.00
Security Damage Deposit	\$ 21,000.00
Tree Bond	\$ 30,750.00
Administration Fee for Damage Deposit	\$ 130.00

Administration Fee for Tree Bond	\$ 130.00
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DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$ 34,441.35

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.

Timing of Payment

The contribution must be paid and receipted by Council

- Prior to the release of the Construction Certificate.

Further Information

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

6. Required Design Changes

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

Driveway and fence	The existing vehicular access driveway must be retained. Amended plans demonstrating the retention of the driveway layback, front fence and Council Street tree are to be prepared and submitted to the Principle Certifying Authority prior to the issue of a Construction Certificate.
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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: \$21,000.00
- (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 \$30,750.00 (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.

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

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. A422806 must be implemented on the plans lodged with the application for the Construction Certificate.

11. General Heritage

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction
- (c) All conservation and adaptation works are to be in accordance with the [Articles of the Australian ICOMOS Burra Charter 1999](#).
- (d) New services are to be surface mounted rather than chased-in to existing walls to minimise impact on heritage fabric.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works to the original portion of the dwelling
- (f) The new windows and doors on the existing building must match the original material, which is timber joinery.
- (g) The face brickwork/stone/tiles must not be rendered, painted or coated.
- (i) The slate tiled roof pattern is to be maintained and restoration works undertaken with a like for like replacement.
- (j) No Sandblasting to remove paint from brick or stone should not be undertaken on a heritage item or contributory building in a Heritage Conservation area.
- (k) Original driveways and footpath crossings are not to be relocated.

- (l) The garden layout that contribute to the streetscape or to the significance of the heritage item are to be protected and not be altered. This includes retention of existing hedge planting along the northern side boundary of the site. Amended plans may demonstrate a redesign of the driveway within the property boundaries and new tree planting in the front setback.
- (m) Modern technologies should not be higher than the main ridge line of a building that is or is part of a heritage item (or within a heritage conservation area) is to be located so they are not visible from the Public Domain.
- (n) The new picket fencing shall remain independent of the existing boundary fence. The front boundary fence shall be retained.
- (p) Original door and window joinery visible from the Public Domain is to be conserved.

12. 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.

13. 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.

14. Drainage System – Maintenance of Existing System

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be overhauled and maintained clear of silt and accumulated debris. Silt and the like shall be removed, not flushed from the system.

A certificate shall be provided by a suitably qualified person (a registered plumber or a person of equivalent or greater experience or qualification) to the satisfaction of the Principal Certifying Authority, prior to the issue of any Occupation Certificate to confirm that the system is in good working order and adequate to accept additional flows having regard to any relevant standards and/or Sydney Water requirements.

15. Stormwater Drainage Plan Details

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

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

16. 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.

17. Structural Details

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

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

18. 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.

19. 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).

20. Landscape Plans

All landscape works shall be carried out in accordance with the approved landscape plans. The landscaping shall be maintained in accordance with the approved plans in perpetuity.

21. Tree Protection and Retention

The following trees shall be retained and protected:

Tree No	Tree Species	Location of Tree	Tree Protection Zone (metres)
1	Lophostemon confertus	Street tree 34-36 Merideth Street	
2	Lophostemon confertus	Street tree 34-36 Merideth Street	
3	Tristaniopsis laurina	Street tree 34-36 Merideth Street	
4	Picea pungens	34- 36 Merideth Street	
10	Euclayptus caldulensis	Neighbouring proerty	
	Washingtonia robusta	34- 36 Merideth Street	
	4 x Cupressus	38 Merideth Street	3.6 metres

Details of the trees to be retained must be included on the Construction Certificate plans.

General Tree Protection Measures

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

Specific Street Tree Protection Measures

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

Excavation works near tree to be retained

- (h) Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not adversely be affected.
- (i) Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the Project arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.

- (j) Tree Protection Zone around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

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

22. Tree Removal & Replacement

Tree removal

Permission is granted for the removal of the following trees:

Tree No	Tree Species	No of trees	Location
5	Prunus	1	34-36 Merideth Street
6	Syzygium australe	1	34-36 Merideth Street
7	Syagrus sp (Cocos Palm)	1	34-36 Merideth Street
8	Syagrus sp (Cocos Palm)	1	34-36 Merideth Street
9	Syagrus sp (Cocos Palm)	1	34-36 Merideth Street
	Lagerstroemia indica	1	34-36 Merideth Street

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).

Tree Replacement

All trees permitted to be removed by this consent shall be replaced with 4 tree species selected from Council's Recommended Tree List and must have a minimum mature height of 10 metres.

Replacement trees shall be a minimum 50 litre container size. Trees are to conform to the NATSPEC guide and Guide for assessing the quality of and purchasing of landscape trees by Ross Clarke, 2003. Trees are to be true to type, healthy and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting; and shall be maintained until maturity.

All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.

Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.

Soil conditioner/fertilizer/moisture retention additive/s are to be applied in accordance with manufacturer's recommendations, and mixed into the backfilling soil after planting tree/s.

A minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the base of the tree.

Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

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

23. Demolition & Asbestos

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

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

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

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

24. Demolition Notification Requirements

The following notification requirements apply to this consent:

- (a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.

- (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
- (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words “DANGER ASBESTOS REMOVAL IN PROGRESS” measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

25. 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](#).

26. Use of Heritage Consultant

A heritage consultant experienced in conserving buildings of significance is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

Evidence and details of the above commission on the above terms are to be provided to Council's Heritage Advisor prior to commencement of work on site. The heritage consultant must sign off the completed project and submit a final report to Council's Heritage Advisor specifying how the heritage conditions are satisfied prior to the issue of an Occupation Certificate or the commencement of the use, whichever is earlier.

27. Materials for Making Good

New materials for making good and repairs, are to match the existing in terms of colours, finishes, sizes, profile and properties.

28. 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.

29. Registered Surveyors Report - During Development Work

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

- (a) Set out before commencing excavation.
- (b) Floor slabs or foundation wall, before formwork or commencing brickwork.
- (c) Completion of Foundation Walls - Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.
- (d) Completion of Floor Slab Formwork - Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey must be provided at each subsequent storey.
- (e) Completion of any Pool Formwork - Before concreting of pool shell, detailing the location of the pool relative to the adjacent boundaries and its height relative to the datum shown on the approved plans.
- (f) Completion of any Roof Framing - Before roof covered detailing eaves/gutter setback from boundaries.
- (g) Completion of all Work - Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey must indicate the reduced level of the main ridge.

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

DURING CONSTRUCTION

30. 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.

31. 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.

32. 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.

33. 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.

34. Swimming Pools – Filling with Water

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

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

35. 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.

36. BASIX Compliance Certificate

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

37. 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).

38. 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.

39. Consolidation of Site

The site shall be consolidated into one allotment and by a Plan of Consolidation being prepared by a Registered Surveyor. This Plan shall be registered at the NSW Land Registry Services (LRS) prior to the issue of a final occupation certificate.

40. Stormwater Drainage Works – Works As Executed

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

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) The structural adequacy of the On-Site Detention system (OSD);
- (c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- (d) Pipe invert levels and surface levels to Australian Height Datum;
- (e) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.

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

41. Positive Covenant for Mechanical Parking Installations

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the mechanical parking installations (vehicle turntables, car lifts, ramp traffic signal system, car stackers, etc.). On completion of construction work, mechanical parking installations are to be certified by a professional engineer with works-as-executed drawings supplied to the Principal Certifier detailing:

- a) Compliance with conditions of development consent relating to mechanical parking installations including vehicle turntables, car lifts, ramp traffic signal systems, and car stackers.

- b) That the works have been constructed in accordance with the approved design.
- c) Binding the owners and future owners to be responsible for ongoing maintenance required in terms of the mechanical parking installations.

OPERATIONAL CONDITIONS (ON-GOING)

42. 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.

43. 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.

44. Outdoor Lighting

To avoid annoyance to the occupants of adjoining premises or glare to motorist on nearby roads, outdoor lighting must comply with *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*.

45. Entering & Exiting of Vehicles

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

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

46. Requirement for a Construction Certificate

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

47. 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.

48. 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.

49. Notice of Commencement

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

50. 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](#).

51. Occupation Certificate

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

PRESCRIBED CONDITIONS

52. Clause 97A – BASIX Commitments

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

53. Clause 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.

54. 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.

55. Clause 98B – Home Building Act 1989

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

56. Clause 98F – Site Excavation

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

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

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

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

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 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.

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

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

V. 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.

VI. 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.

VII. 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).

VIII. 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

IX. 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).
- (b) Department of Environment and Conservation NSW, Noise Policy Section web page (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).
- (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).
- (f) Department of Gaming and Racing - (www.dgr.nsw.gov.au).

X. Electricity Supply

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