

IDAP REPORT

Property:	17 Coventry Road STRATHFIELD LOT: 3 DP: 31617 DA2021.340
Proposal:	Alterations and additions to an existing heritage dwelling house including two-storey rear extension, swimming pool and detached shed.
Applicant:	J C Orlando
Owner:	J Orlando / Y Orlando
Date of lodgement:	6 January 2022
Notification period:	14 January 2022 to 29 January 2022
Submissions received:	Nil
Assessment officer:	P Santos
Estimated cost of works:	\$651,200.00
Zoning:	R2-Low Density Residential - SLEP 2012
Heritage:	Yes – “Ophir” – Federation House (I128)
Flood affected:	Yes
RECOMMENDATION OF OFFICER:	APPROVAL



Figure 1. Aerial imagery of the subject site (outlined) and the immediate locality.

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the alterations and additions to an existing heritage dwelling house including two-storey rear extension, swimming pool and detached shed.

Site and Locality

The subject site is legally described as Lot 3 DP 31617 and commonly known as 17 Coventry Road, Strathfield. It is located off the northern side of Coventry Road between Meredith Street to the west and Rochester Street to the east.

The site is irregular in shape and has a frontage width of 15.24m, rear boundary width of 13.9m and side boundaries of 48.77m (west) and 48.95m (east) and an area of 817.2m².

The current streetscape is characterised by single to double-storey dwelling houses with terracotta roof tiles, front gardens, low or open front fences and generous tree canopies from the street trees.

The immediate locality is predominantly low density residential. There are several properties along the street that are identified as heritage items, including the subject site, known as "Ophir", a federation house with an item I128 in the SLEP 2012.

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 14 January 2022 to 29 January 2022, where no submissions were received.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*, Development Application 2021/340 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the alterations and additions to an existing heritage dwelling house including two-storey rear extension, swimming pool and detached shed.

More specifically, the proposal includes:

Demolition

- Attached carport,
- Detached garage, and
- Partial demolition to the rear of the existing dwelling, comprised of the following rooms:
 - Meals,
 - Pantry,
 - Laundry,
 - Sun room, and
 - Store.

Upper Ground Level

- Convert the kitchen to laundry or mud room and powder room, and
- Convert the existing family to a continuation of the hall leading to the new extension.

New Lower Ground Level

- Attached garage with storage area,
- Open-plan dining, family and kitchen with attached pantry, and
- Attached alfresco.

First Floor

- Additional four bedrooms, including one with ensuite and WIR, and
- Separate bathroom.

External works:

- In-ground swimming pool adjacent to the alfresco and family room,
- Detached shed, and
- Ancillary landscaping.

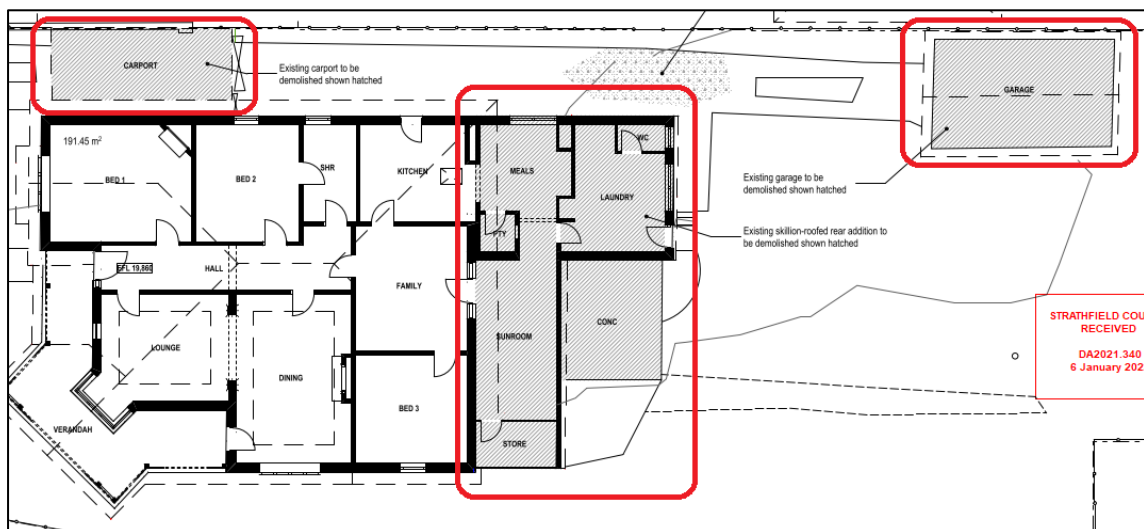


Figure 2. Extract of the demolition plan.

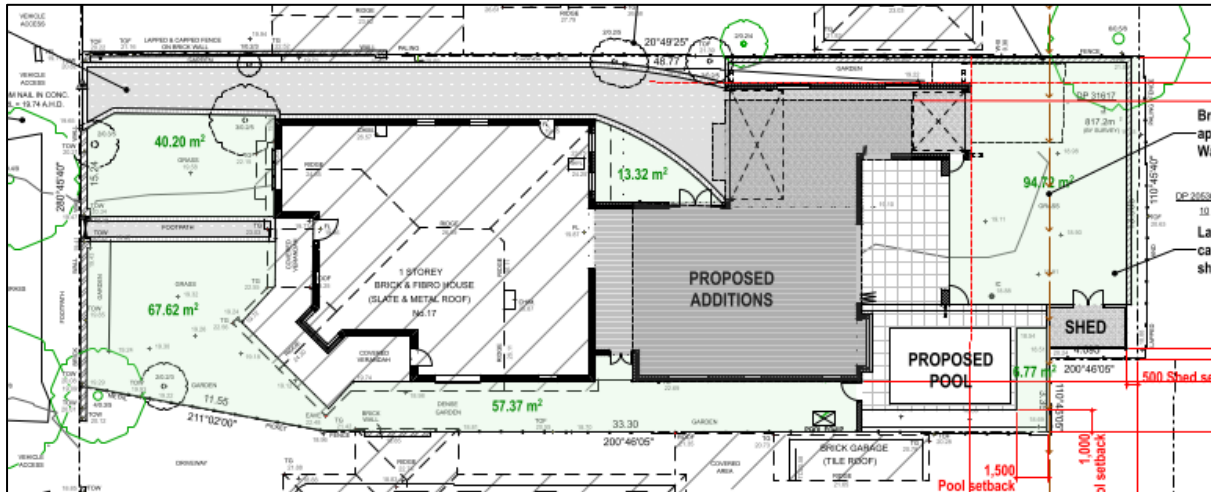


Figure 3. Extract of the proposed site plan.

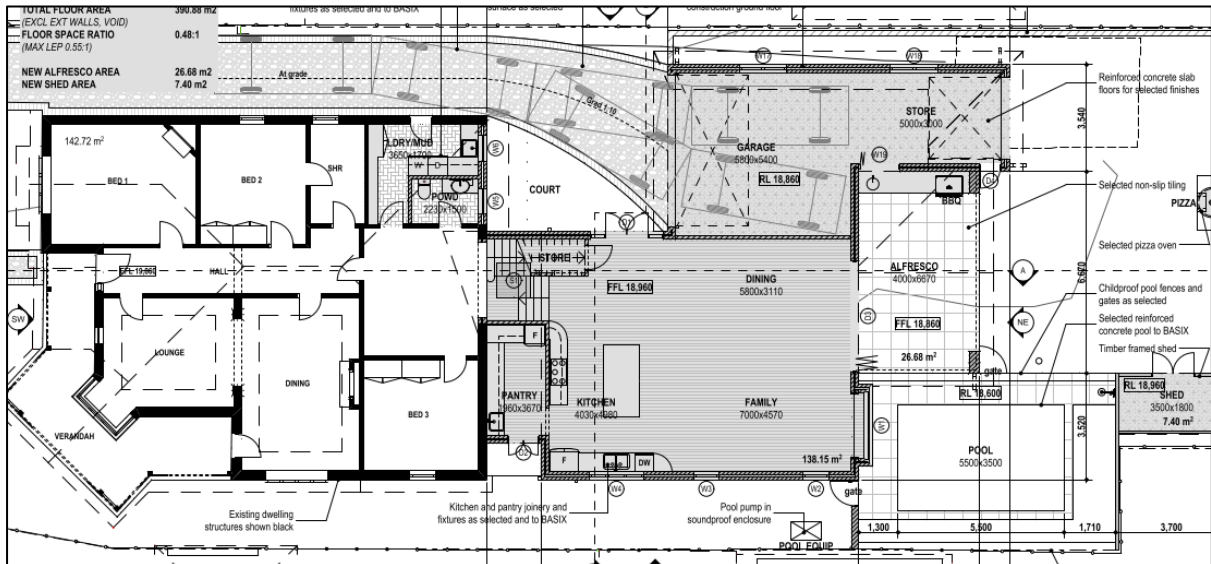


Figure 4. Extract of the proposed ground floor plan.

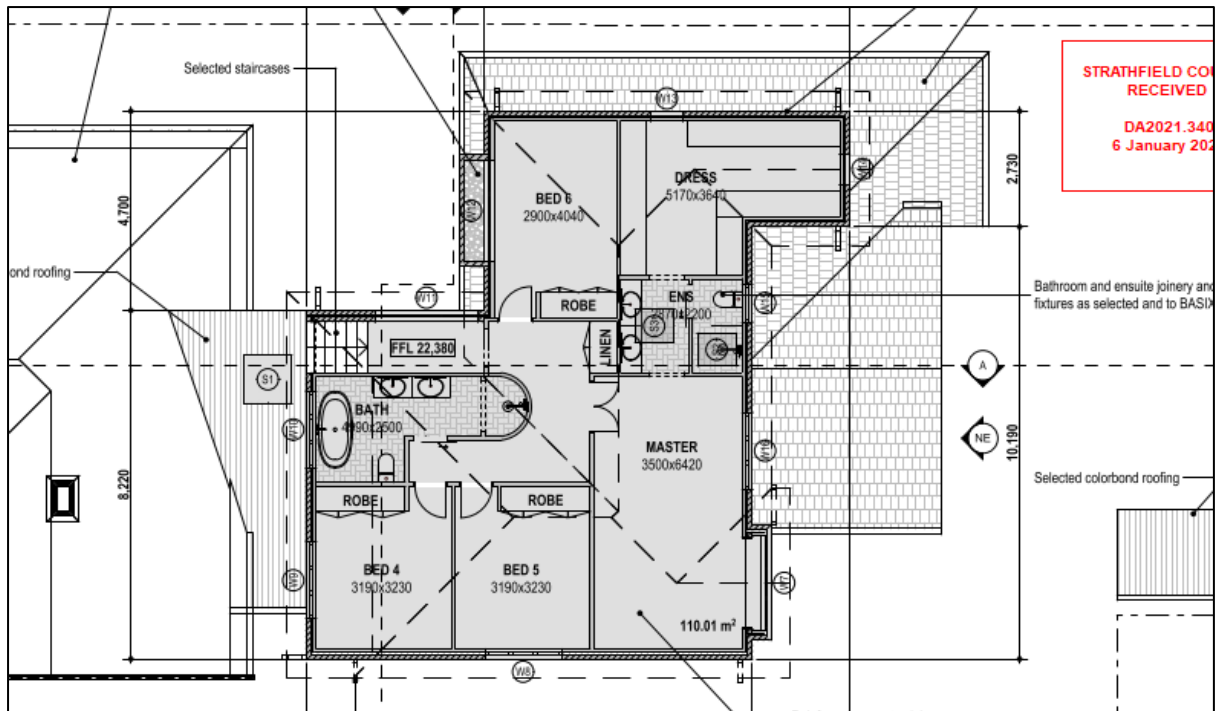


Figure 5. Extract of the proposed first floor plan.

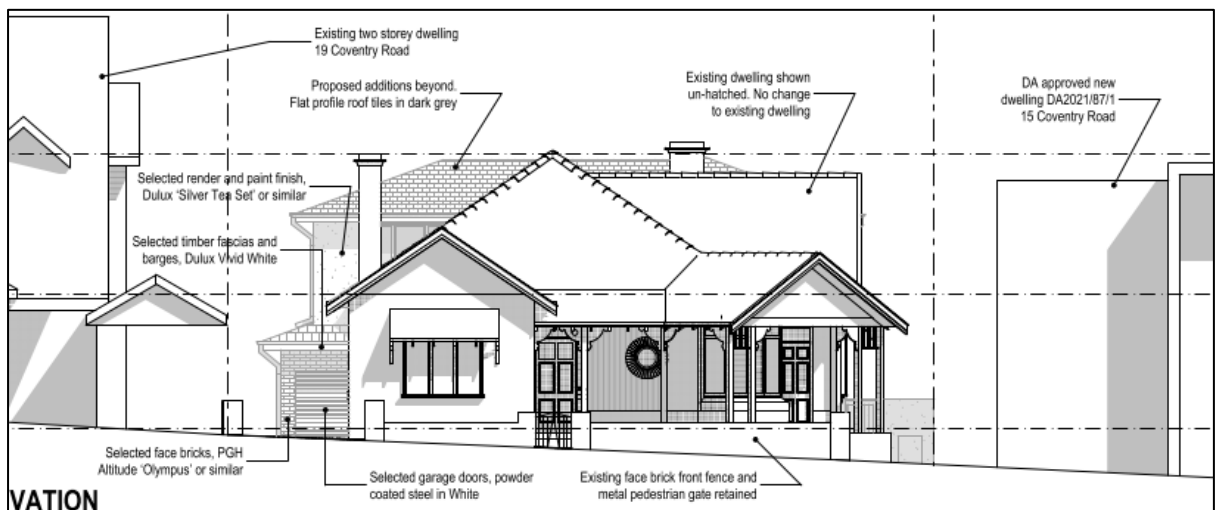


Figure 6. Extract of the south-western (front) elevation.

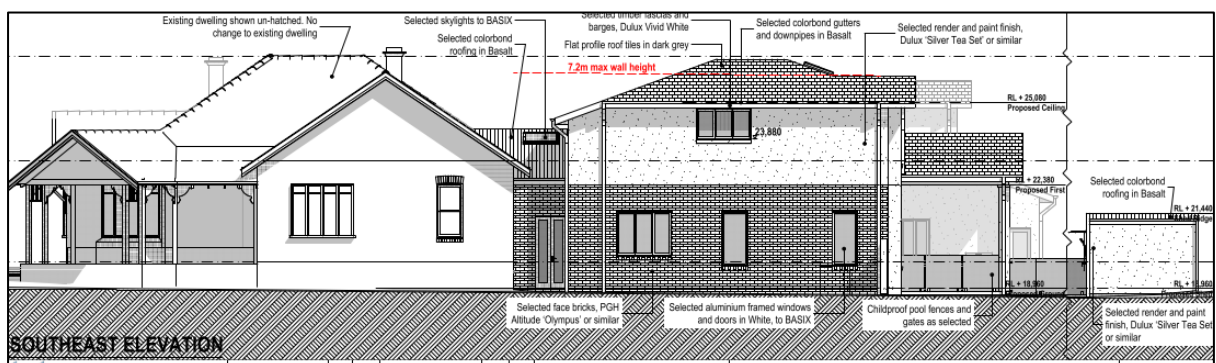


Figure 7. Extract of the south-east elevation.

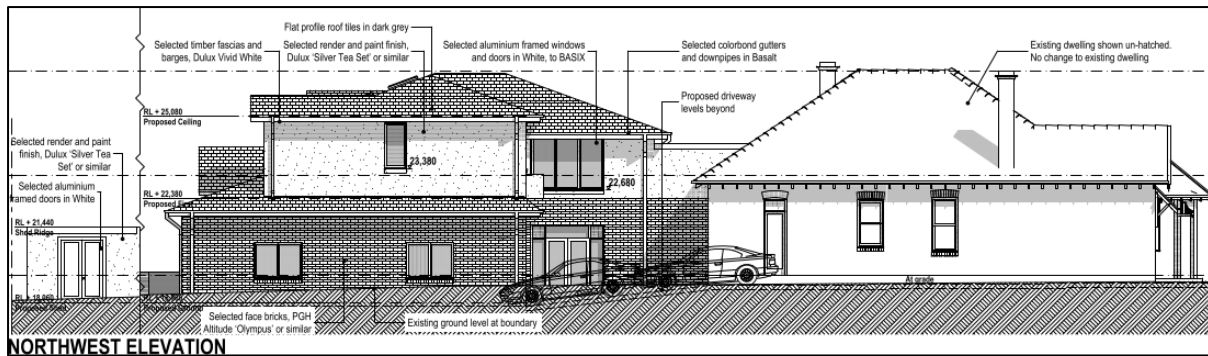


Figure 8. Extract of the north-west elevation.

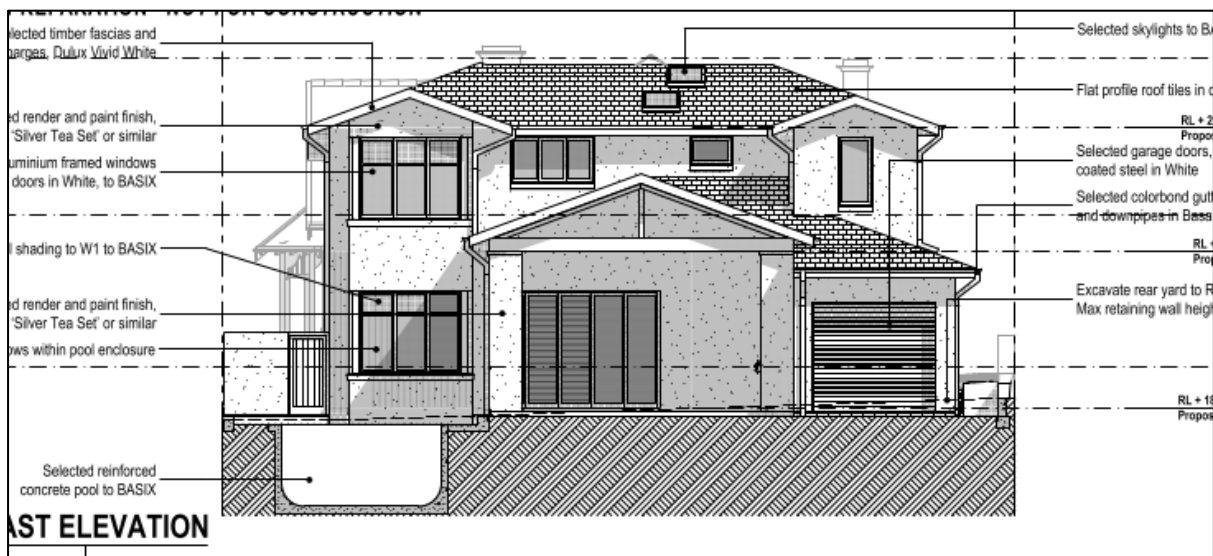


Figure 9. Extract of the north-east elevation.

The Site and Locality

The subject site is legally described as Lot 3 DP 31617 and commonly known as 17 Coventry Road, Strathfield. It is located off the northern side of Coventry Road between Meredith Street to the west and Rochester Street to the east.

The site is irregular in shape and has a frontage width of 15.24m, rear boundary width of 13.9m and side boundaries of 48.77m (west) and 48.95m (east) and an area of 817.2m².

The site slopes to the rear with a cross-fall of 0.4m.

The site is currently occupied by single-storey brick and fibro house, attached carport and detached garage located at the rear. An existing vehicular driveway is located along the western side of the property.

The current streetscape is characterised by single to double-storey dwelling houses with terracotta roof tiles, front gardens, low or open front fences and generous tree canopies from the street trees.

The immediate locality is predominantly low density residential. There are several properties along the street that are identified as heritage items, including the subject site, known as "Ophir", a federation house with an item I128 in the SLEP 2012.



Figure 10. Front elevation of the existing dwelling house on the subject site.



Figure 11. Neighbouring dwellings to the east, with the exception of the immediate neighbour which is currently for construction of the recently approved dwelling house.



Figure 12. Neighbouring dwellings to the west.



Figure 13. Existing dwellings across the road from the site.

Background

6 January 2022	The subject development application is lodged.
14 January 2022	The application was publicly notified until 29 January 2022, where Council received no submissions.
24 March 2022	Council's Planner carried out a site visit.

- 11 April 2022 Additional information letter was issued via the NSW Planning Portal, raising the following concerns:
- Elevations showing the proposed materials and colours,
 - Clarification of the front fence/gate,
 - Shed elevations, and
 - Landscaped area calculation.
- 13 April 2022 The additional information was provided to Council via the NSW Planning Portal.

Referrals – Internal and External

Stormwater Management

The application was referred to Council's Development Engineer who offered no objections to the proposal, subject to the imposition of conditions of consent.

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,*

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 2 – Vegetation in non-rural areas

The proposed development does not result in the removal or loss of any trees or vegetation that is subject to the provisions of this SEPP.

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

Chapter 10 – Sydney harbour Catchment

All stormwater from the proposed development as modified can be treated in accordance with Council's Stormwater Management Code and would satisfy the relevant planning principles of Chapter 10 - Sydney Harbour Catchment.

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 (RESILIENCE AND HAZARDS) 2021

Chapter 4 – Remediation of land

Chapter 4 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 Chapter 4 of the SEPP are considered to be satisfied.

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	7.6m	Yes
4.4C Exceptions to FSR (Zone R2)	0.55:1 (449.46m ²)	0.44:1 (361.2m ²)	Yes

Part 5 – Miscellaneous Provisions

Heritage Conservation

The subject site contains a Federation house that is heritage-listed in the SLEP 2012 that is locally significant and with an item number of I128. The property is not within a heritage conservation area. A Heritage Impact Assessment Report and Heritage Conservation Management Plan were provided to Council as part of the DA package.

The provided Heritage Impact Assessment Report indicates the following:

“...the new rear works generally do not connect with the existing dwelling and thus do not affect the historical significance of the original dwelling to the front of the site.”

“There are negligible views of the new works visible from Coventry Road, with most of the new rear works hidden behind the original dwelling to the front of the site.”

“...the proposed works result in negligible change to the presentation of the dwelling along Coventry Road,...”

“The proposed works are to be constructed with a form and configuration that harmonises with the established historical built character of the existing dwelling and other dwellings along Coventry Road,...”

“The materiality of the proposed works, through the use of cement render walling, face brickwork, tiled roofing and timber trims are all from the established material palate of the existing dwelling...”

“No view corridors to and from the site are lost effected from the proposed works.”

The proposed development satisfies the provisions and objectives of the development standard. The proposed works are considered to continue conserve the heritage significance of the item. With the partial demolition of the rear of the heritage item, its fabric that is visible from public areas is still intact and will not be impacted.

The proposed works are located to the rear of the heritage item (Figure 6). While there is a small part of the rear addition visible from the road, it is considered negligible and will have built forms, materials and colours that complement the heritage item.

The proposed development satisfies the provisions and objectives of the development standard. The proposed works are considered to continue conserve the heritage significance of the item. With the partial demolition of the rear of the heritage item, its fabric that is visible from public areas is still intact and will not be impacted.

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. 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.

Earthworks

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

Essential Services

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

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

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

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

(iii) any development control plan,

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

Applicable DCP Controls	DCP Controls	Development Proposal	Compliance/ Comment
Building Envelope			
Floor Space Ratio:			
Heights:			
Floor to ceiling heights:	3.0m	3m	Yes
Height to underside of eaves:	7.2m	6.2m	Yes
Number of Storeys/Levels:	2	2	Yes
Setbacks:			
Side (West):	1.2m (min)	1.2m	Yes
Side (East):	1.2m (min)	2.3m	Yes
Combined Side Setback:	4.3 (25%)	3.5m (20%)	No (18.6% variation)
Rear:	6m	7.72m	Yes
Landscaping			
Landscaping/Deepsoil Provisions:	45% (367.74m ²)	34.3% (280m ²)	No (23.86% variation)
Solar Access			
POS or habitable windows	3hrs to habitable windows and to 50% of POS	Yes	Yes
Vehicle Access and Parking			
Driveway width at Boundary:	3m	3m	Yes
Vehicular Crossing:	1	1	Yes
Driveway setback – side:	0.5m	0.35m	No (15% variation)
No. of Parking Spaces:	2	2	Yes
Ancillary Development			
OUTBUILDINGS			
Area:	40m ²	7.4m ²	Yes
Height:	3.5m	2.9m	Yes
Side/Rear setback:	0.5m	0.5m	Yes
RETAINING WALLS			
Maximum height:	1.2m	0.8	Yes
SWIMMING POOL			
Side/Rear Setback	1.0m	1m	Yes

Combined Side Setback

The SCDCP 2005 requires that for irregular lots such as the subject site, 25% of the width of the site at one point is to be provided as the combined side setback with at least 1.2m wide setback on each side.

The proposed addition satisfies the minimum 1.2m side setback requirement of Council. However, the proposal does not satisfy the minimum combined side setback that is applicable for an irregular shaped lot. Nevertheless, despite the non-compliance, the proposed side setbacks are acceptable. It is noted that it satisfies the combined side setback that is generally applicable to regular shaped lots which is 20%.

The contravention is considered negligible and will not pose any adverse impact to neighbouring properties. As such, the proposed combined side setback of 3.5m is acceptable.

Landscaped Area

The proposal involves an inadequate landscaping of 34.3% (280m²), which presents a 87.74m² departure from the required 45% (367.74m²). The provided Statement of Environmental Effects indicates that the non-compliance is due to the driveway.

The proposed reduced landscaping on the site is acceptable due to the reason provided in the submitted SEE. With the site containing a heritage item, developments that can be carried out are limited. In order to protect the significance of the heritage item and its fabric, new developments are highly encouraged to be made to the rear of the item and not be visible from the street. As a result, the new proposed garage is located to the rear which consequently requires a long driveway that contributes to the insufficient landscaping.

Notwithstanding the above, to compensate for the reduced landscaping on the site, a condition of consent is imposed ensuring that the site will have complying trees to be planted on the site. In particular, a condition is imposed requiring a tree canopy to be provided at the rear.

Driveway Setback

The proposed side setback of the driveway is 0.35m and does not satisfy the 0.5m requirement of Council. Nevertheless, the proposal is utilising the location of the existing driveway and improving the materials and layout of the hard surface area.

PART H – Waste Management (SCDCP 2005)

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

PART P – Heritage (SCDCP 2005)

The proposed development was assessed against the relevant provisions in Section Two of Part P Heritage of the SCDP 2005. The proposal satisfies the development controls applicable in this part of the DCP.

The new structures are located at the rear with complementary materials and colours that will not have adverse impact to the significance of the item that will be retained. The proposed two-storey addition will not dominate the appearance of the whole development when viewed from the road. Negligible part will be visible from Coventry Road.

Further to the above, the partial demolition, in accordance with the provided Heritage Impact Assessment Report, will not result in the loss of the historical significance of the dwelling. For completeness, the following is provided in the submitted report:

“This section of the dwelling was a later addition and not part of the original house.”

“The sunroom was original an open verandah that has been enclosed.”

“Removal of the rear sunroom and laundry will result in negligible impact to the historical significance of the dwelling.”

(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 involves a partial 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 period.

(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 \$651,200.00 and in accordance with Council's s7.12 Indirect Contributions Plan, a contribution of 1% of the cost of works is applicable. In this regard, the contribution is as below.

Local Amenity Improvement Levy	\$6,512.00
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Conclusion

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

Following detailed assessment it is considered that Development Application No. 2021/340 should be approved subject to the conditions of consent.



Signed:

P Santos
Senior Planner

Date: 22 April 2022

- ☒ 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:

J Brown
Planner

Date: 26 April 2022

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
Proposed Site / Landscape Calc	03	12/04/2022	STG 4	House Plans by Design
Existing Floor Plan (Demolition)	04	21/12/2021	STG 4	House Plans by Design
Proposed Floor Plan	05	21/12/2021	STG 4	House Plans by Design
Proposed First Floor Plan	06	21/12/2021	STG 4	House Plans by Design
Roof Plan	07	21/12/2021	STG 4	House Plans by Design
Elevations	08	12/04/2022	STG 4	House Plans by Design
Elevations	09	12/04/2022	STG 4	House Plans by Design
Elevations	10	12/04/2022	STG 4	House Plans by Design
Landscape Plan	1 of 2	22/12/2021	A	Stylish Gardens
Landscape Plan	2 of 2	22/12/2021	A	Stylish Designs
Stormwater Layout	C01	15/12/2021	A	Development Engineering Solutions

BASIX Certificate	A437578	14/12/2021	-	House Plans by Design
Conservation Management Plan	-	12/12/2021	-	BIARCHITECTS
External Finishes and Materials	-	-	-	House Plans by Design
Heritage Impact Statement	-	12/12/2021	-	BIARCHITECTS

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) External Drainage

Concept plan indicates outlet pipe conflicting with neighbour driveway. Amended plan reflecting external pipe connecting to Council drainage system in Coventry Road via extended trunk drainage shall be submitted to Council for approval prior to issue of a Construction 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) 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. A437578 must be implemented on the plans lodged with the application for the Construction Certificate.

(6) 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.

(7) 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.

(8) 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.

(9) 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	\$ 2,279.20
Security Damage Deposit	\$ 12,200.00
Tree Bond	\$ 10,150.00
Administration Fee for Damage Deposit	\$ 130.00
Administration Fee for Tree Bond	\$ 130.00
DEVELOPMENT CONTRIBUTIONS	
Strathfield Section 94A Indirect Development Contributions Plan 2017	\$ 6,512.00

General Fees

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

Development Contributions

The Section 7.11 contribution (s94) is imposed to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area pursuant to the Strathfield Direct Development Contributions Plan 2010-2030.

A Section 7.12 contribution (s94A) has been levied on the subject development pursuant to the Strathfield Indirect Development Contributions Plan.

Indexation

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

Timing of Payment

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

Further Information

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

(10) Required Design Changes

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

Rear Yard Tree	<p>The approved landscape plan is to be amended to include a canopy tree in the rear yard, in accordance with Strathfield Development Control Plan 2005.</p> <p>The trees to be planted on the site are to be from the list in the link below.</p> <p>Recommended-Tree-List.pdf (nsw.gov.au)</p>
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(11) 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: \$ 12,200.00.
- (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.

(12) Tree Bond

A tree bond of \$10,150.00 and an administration fee of \$130.00 (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.

(13) Site Management Plan

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.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

(14) Low Reflectivity Roof

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

(15) Building Works To Comply With BCA – Heritage Buildings Or Buildings Within Conservation Area

Any building works required to ensure compliance with the BCA or new building standards not specified in the submitted/approved plan must not damage existing fabric and building features. If such upgrading works will potentially impact on existing fabric and features, details of the works must be submitted and approved by Council's Heritage Advisor prior to issue of a Construction Certificate.

(16) Schedule of External Colours and Finishes (Houses)

The external colour scheme is to comprise predominantly of colours that have a hue and tonal relationship that is in keeping with the overall Federation character of the building. The approved schedule of external materials, colours and finishes including windows, doors and roofing materials shall be submitted to and approved by a consultant Heritage Advisor prior to the issue of the Construction Certificate. The documentation must show the distribution of the colours on the elevation drawings, specify paint types and include colour swatches/colour names and codes.

It is recommended that reference be made to the book "Colour Schemes for Old Australian Houses" by Ian Evans, Clive Lucas and Ian Stapleton.

(17) 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. The protection measures are to be specified in the construction management plan.
- (c) New services are to be surface mounted rather than chased-in to existing walls to minimise impact on heritage fabric.
- (d) 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.
- (e) Modern technologies should not be higher than the main ridge line of a building that is or is part of a heritage item and is to be located so they are not visible from the Public Domain.

(18) Photographic Archival Documentation (Minor Works)

Prior to a Construction Certificate being issued, an archival photographic recording of the "Ophir" Federation House (Item # 1128) is to be prepared to Council's satisfaction. The recording is to be in digital form, or a combination of both, prepared in accordance with Heritage NSW guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives.

The form of the recording is to be as follows:

- (a) The Development Application number must be noted on the submitted information.
- (b) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
- (c) Include written confirmation, issued with the authority of both the applicant and the photographer that Strathfield Council is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
- (d) The report is to be submitted on a USB, CD or DVD, in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each: DOS title, image subject/description and data photograph was taken.
- (e) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images.

(19) Reuse of Significant Building Elements

The reuse and recycling of significant elements such as bricks, sandstone blocks, verandah thresholds, wall vents, ceiling roses and timber joinery etc. is required. The recycling is to occur, preferably on site and/or to suitable professional recycling yards specialising in the recycling of historic building materials. Removal and storage of these materials is to be carefully carried out by the workers and a specific stockpile area is to be designated and protected. A detailed plan for execution of the above requirements is to be approved by the project consultant Heritage Advisor and submitted to Council, prior to issue of a Construction Certificate.

(20) 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.

(21) 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.

(22) 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).

(23) Tree Removal/Pruning Prohibited

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

(24) Tree Protection and Retention

Specific Street Tree Protection Measures

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.

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

(25) 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 Principal Certifier 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.

(26) 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.

(27) 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](#).

(28) Disposal of Surplus Salvaged Materials

Salvaged traditional building materials surplus to the requirements of this project including stone, bricks, structural timber, staircases, and joinery are to be sold to an established dealer in second hand heritage building materials. Documentation of the salvage methodology must be submitted to Council prior to the commencement of demolition.

(29) Structural Integrity of Retained Building Elements

Prior to a commencement of demolition, excavation or construction work, a report or certification from a practicing structural engineer experienced in dealing with heritage buildings must be approved by the consultant Heritage Advisor and submitted to Council. The report must explain how the retained building elements, such as building facades or chimneys are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

(30) 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 prior to commencement of work on site. The heritage consultant must sign off the completed project and submit a final report to Council specifying how the heritage conditions are satisfied prior to the issue of an Occupation Certificate or the commencement of the use, whichever is earlier.

(31) Dial Before You Dig

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

DURING CONSTRUCTION

(32) 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.

(33) 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.

(34) Archaeological Discovery during Excavation

- (a) Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the [Heritage Act 1977](#).
- (b) Should any Aboriginal objects be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and NSW Government Office of Environment and Heritage is to be informed in accordance with Section 89A of the [National Parks and Wildlife Act 1974](#).
- (c) Should any archaeological remains or Aboriginal objects be discovered, a copy of recording of the finds and the final archaeological summary report is to be submitted to Council prior to the Occupational Certificate;
- (d) If the discovery is on Council's land, Council must be informed.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

(35) 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.

(36) 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) Pipe invert levels and surface levels to Australian Height Datum;
- (c) 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.

(37) Minor Development

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

OPERATIONAL CONDITIONS (ON-GOING)

(38) 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.

(39) Private Swimming Pools & Spas – Pump Noise

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

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

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

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

(40) Requirement for a Construction Certificate

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

(41) Appointment of a Principal Certifier

Building and/or demolition works must not commence until the applicant has:

- (a) appointed a Principal Certifier 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 Principal Certifier 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.

(42) Notification of Critical Stage Inspections

No later than two days before the building work commences, the Principal Certifier 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.

(43) Notice of Commencement

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

(44) Critical Stage Inspections

The last critical stage inspection must be undertaken by the Principal Certifier. 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 61 of the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021 - NSW Legislation](#).

(45) Notice to be Given Prior to Critical Stage Inspections

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

(46) 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

(47) Clause 75 – BASIX Commitments

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

(48) Clause 69 – 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.

(49) Clause 70 – 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 Principal Certifier and the Principal Contractor.

(50) Clause 71 – Home Building Act 1989

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

ADVISORY NOTES

1. Review of Determination

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

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

2. Appeal Rights

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

3. Lapsing of Consent

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

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

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

5. Long Service Levy

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

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

6. Site Safety Fencing

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

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

7. 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