

Agenda

Strathfield Internal Development Assessment Panel Meeting

Notice is hereby given that a Strathfield Internal Development Assessment Panel Meeting will be held at Main Building Meeting Room, 65 Homebush Road, Strathfield on:

Friday, 12 June 2020

Commencing at 10:00am10:00amfor the purpose of considering items included on the Agenda

TABLE OF CONTENTS

Item

Page No.

IDAP AGENDA ITEMS

IDAP - Report No. 1

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 1696633

TO: Strathfield Internal Development Assessment Panel Meeting - 12 June 2020
REPORT: IDAP – Report No. 1
SUBJECT: DA2019/185 - 56 HOMEBUSH ROAD, STRATHFIELD - LOT A DP 169663
DA NO. DA2019/185

SUMMARY

Proposal:	Demolition of existing buildings and construction of a two (2) storey dwelling with basement level and detached secondary dwelling with associated landscaping.
Applicant:	Wincrest group Pty Ltd
Owner:	CMN & TGS Kuk
Date of lodgement:	5 November 2019
Notification period:	18 November 2019 to 2 December 2019
Submissions received:	Nil
Assessment officer:	DS
Estimated cost of works:	\$1,275,000
Zoning:	R2 Low Density Residential - SLEP 2012
Heritage:	Yes - located within the Homebush Road Heritage Conservation Area. Adjacent to Heritage Item "C11".
Flood affected:	No – but within the overland extent of Powells Creek/Salesyard Creek Flood Study
Is a Clause 4.6 variation proposed?	No
RECOMMENDATION OF OFFICER:	Approval

EXECUTIVE SUMMARY

The proposal involves the demolition of the existing dwelling and outbuilding and construction of a two storey dwelling with basement level and detached secondary dwelling with associated landscaping.

The application was publicly notified on 18 November 2019 for a minimum period of (14) days, in accordance with Strathfield Consolidated Development Control Plan (SCDCP) 2005. No submissions were received as a result.

On 15 May 2020, the Internal Development Assessment Panel (IDAP) deferred the application due to concerns regarding the three-storey appearance of the dwelling, proposed excavation works, basement size, and reporting errors. The applicant submitted revised plans and the report has been amended accordingly to address the concerns raised by the IDAP.

The proposal generally complies with the relevant development standards and requirements under the Strathfield Local Environmental Plan (SLEP) 2012 and Strathfield Consolidated Development Control Plan (SCDCP) 2005 and is considered acceptable. The siting and design of the proposed development sufficiently responds to the heritage character of the streetscape and surrounding locality, the shape and orientation of the subject site and any environmental constraints unique to the site. The proposal is appropriate in terms of its relationship with adjoining and nearby

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

properties and has been designed to ensure any potential impacts to these properties are minimised.

Accordingly, the application is recommended for approval, subject to the imposition of conditions of consent.

BACKGROUND

- 26 May 2015:** Council issued a Building Certificate for a two (2) storey dwelling with detached outbuilding and awning.
- 5 November 2019:** The subject application was lodged.
- 18 November 2019:** The application was placed on public exhibition for 14 days, with the last due date for submissions being 2 December 2019. No submissions were received as a result.
- 1 December 2019:** A deferral letter was issued to the applicant, raising several matters in relation to the siting of the primary dwelling and secondary dwelling, driveway location, fencing, stormwater management, landscaping, tree protection and colours and finishes.
- 17 April 2020:** The applicant lodged amended plans to Council which adequately addressed the matters raised in the deferral letter.
- 15 May 2020** The application was deferred by the IDAP, raising the following concerns:
- Dwelling appears as a three (3) storey dwelling;
 - Excessive excavation for the proposed garage, driveway and building perimeter;
 - Excavation proposed within the minimum side setbacks, providing no opportunity for landscaping; and
 - Reporting errors
- 26 May 2020:** The applicant lodged amended plans in response to the concerns raised by the IDAP. The revised plans adequately address the issues raised above.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot A in DP169663 and is more commonly known as 56 Homebush Road, Strathfield. The site is located on the eastern side of Homebush Road, between Albert Road and Redmyre Road (Figure 1). The site is irregular in shape and has an east-west orientation. It has a frontage of 24.89m, a maximum depth of 59.05m, and a total area of 1090m². It is currently occupied by a two (2) storey dwelling and an outbuilding which is located to the rear (Figure 2). The site currently has vehicular access via an existing driveway on the northern end of the street frontage. The site contains a number of mature trees which are located at the front and rear of the dwelling.

The site is located within the Homebush Road Conservation Area and directly adjoins the Sydney Korean Uniting Church to the north, which is a heritage listed item (Item 'C11') under Schedule 5 of the SLEP 2012 (Figure 4). The streetscape comprises traditional style dwellings from the federation and inter-war period, with pitched roofing and exposed red, maroon and brown brick

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

exteriors. The existing dwelling on the subject site is a mid 20th century addition to the street which is not considered to be in keeping with the heritage character of Homebush Road (Figure 2).



Figure 1: Surrounding context with the subject site outlined in yellow.



Figure 2: Existing dwelling on the subject site.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)



Figure 3: Adjoining dwelling to the south (58-60 Homebush Road)



Figure 4: Sydney Korean Uniting Church (98-102 Albert Road)

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the demolition of existing dwelling and outbuilding and construction of a two storey dwelling with basement level and detached secondary dwelling with associated landscaping.

The specific elements of the proposal are:

Demolition:

- Two (2) storey dwelling;
- Outbuilding; and
- Removal of one (1) tree on the subject site. No street trees are proposed to be removed.

Dwelling house

Basement level:

- Two (2) car parking spaces;
- Lift; and
- Storage room.

Ground floor level:

- Study;
- Living room;
- Dining room;
- Two (2) bedrooms;
- Two (2) ensuites;
- Powder room;
- Laundry;
- Kitchen;
- Walk-in-pantry;
- Family room; and
- Lift.

First floor level:

- Four (4) bedrooms;
- Four (4) walk-in-robos;
- Living room;
- Two (2) ensuites; and
- Bathroom.

Secondary dwelling

Ground floor level:

- Two (2) bedrooms;
- Bathroom;
- Kitchen; and
- Living area.

External works:

- Front boundary fence; and
- Associated landscaping.

A photomontage of the proposed development is included below:

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)



Figure 5: Photo montage

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Engineer raised no objections to the proposal, subject to the imposition of recommended conditions of consent.

Landscaping Comments

Council's Tree Management Coordinator has commented on the proposal as follows:

- *The removal of Tree T1 is supported subject to replacement tree planting;*
- *Amend the location and design of the proposed driveway, basement, secondary dwelling and absorption trench to remove all impacts within the tree protection zones of all retained trees;*
- *Application is to provide replacement trees on a 1:1 basis;*
- *The bond on each tree is \$10,000.*

Accordingly, amended plans were submitted which adequately addressed the concerns raised by Council's Tree Management Coordinator. The driveway, basement, secondary dwelling and absorption trench have been appropriately re-located and re-sized so as to not impact on existing trees on and adjacent to the subject site. Relevant conditions will be imposed to ensure the protection of Tree T2, T3, T4, T5 and T6 on the subject site and Trees N1, N2 and N3 on the northern adjoining site.

Heritage Comments

Council's Heritage Advisor has commented on the proposal as follows:

- *Roof pitches in the Federation period were pitched at around 30-40 degrees and after the First World War at 25-35 degrees. The roof pitch is to be increased (from 22.5 degrees) to*

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

at least 25 degrees so as to remain consistent with the form and style of existing nearby contributory buildings.

- *The proposed "velour brown" exterior brick colour is a contemporary colour and is not in keeping with the colours of existing contributory buildings.*

During the assessment stage, a revised schedule of colours and finishes was submitted which replaced the "velour brown" brick colour with a "PGH Red Smooth" brick colour for the main façade. The darker red brick colour proposed is considered to be more in keeping with the traditional colour scheme of nearby dwellings. The roof pitch was also increased to 25 degrees to remain consistent with the roof pitch of nearby contributory dwellings.

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters within Section 4.15 of the *Environmental Planning and Assessment Act 1979* as relevant to the application:

4.15(1)(a)(i) The provisions of any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

A BASIX Certificate was submitted as part of the application which indicates that the proposal meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

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 Coordinator who outlined specific conditions to be imposed with any development consent in order to ensure the protection of these trees.

No objection was raised to the removal of Tree T1 on the site subject to replacement planting. Relevant consent conditions will be imposed.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012 (SLEP 2012)

An assessment of the proposal against the aims of SLEP 2012 is as follows:

Cl. 1.2(2)	Aims	Complies
(a)	<i>To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield</i>	Yes
(b)	<i>To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development</i>	Yes
(c)	<i>To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community</i>	N/A
(d)	<i>To provide opportunities for economic growth that will enhance the local community</i>	N/A
(e)	<i>To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use</i>	N/A
(f)	<i>To identify and protect environmental and cultural heritage</i>	Yes
(g)	<i>To promote opportunities for social, cultural and community activities</i>	N/A
(h)	<i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i>	Yes

Permissibility

The subject site is zoned R2 – Low Density Residential under the Strathfield Local Environmental Plan 2012 (SLEP 2012).

Dwelling houses and secondary dwellings are permissible within the R2 – Low Density Residential zone with consent and are defined under SLEP 2012 as follows:

“Dwelling house means a building containing only one dwelling.

“Secondary dwelling means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.”

The proposed development for the purpose of a dwelling and secondary dwelling are consistent with the definition above and therefore permissible with consent.

Zone Objectives

An assessment of the proposal against the objectives of the R2 Zone is as follows:

Objectives	Complies
➤ To provide for the housing needs of the community within a low density residential environment.	Yes
➤ To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes
➤ To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.	Yes

Comments: The proposal involves the demolition and replacement of an existing dwelling with a two (2) storey dwelling and a detached secondary dwelling featuring a traditional style and a pitched roof. In general, the design of the overall scheme is sympathetic to the residential context,

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

character and setting of Homebush Road. This proposal will ensure the needs of the housing community are met whilst still preserving the low density, residential character of the immediate locality.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions of this part is as follows.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	9.487m	Yes

	Objectives	Complies
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

Comments: The proposed development complies with the maximum building height provision prescribed in Clause 4.3.

Floor space ratio

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	0.5:1 (545m ²)	0.456:1 (497.04m ²)	Yes

	Objectives	Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area	Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas	Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties	Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes
(e)	In relation to Strathfield Town Centre: i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development	N/A
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor	N/A

Comments: The proposed development complies with the maximum FSR provision prescribed in Clause 4.4.

Part 5: Miscellaneous Provisions

An assessment of the proposal against the relevant provisions of this part is as follows.

5.4 Controls relating to miscellaneous permissible uses

Clause 5.4(9) of the SLEP 2012 contains the following provision for secondary dwellings:

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

"If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater—

(a) 60 square metres,

(b) 20% of the total floor area of the principal dwelling."

The proposal involves a secondary dwelling with a gross floor area of 51.6m². As such, the proposed development is below the maximum floor area provision for secondary dwellings under this clause.

5.10 Heritage Conservation

The subject site is located within the Homebush Road Conservation Area and directly adjoins the Sydney Korean Uniting Church to the north, which is a heritage listed item (Item 'C11') under Schedule 5 of the SLEP 2012. The proposal involves the replacement of an existing dwelling with a two (2) storey dwelling and detached secondary dwelling. With regard to the Heritage Impact Statement and Council Heritage Advisor Comments, the existing dwelling is a mid-20th century addition, is of little historical significance and makes little contribution to the Homebush Road Conservation Area. However, Council's Heritage Advisor raised concerns for the proposed dwelling, detailing that the proposed roof pitch and external colours of the dwelling are not in keeping with the significance of the Heritage Conservation Area. An amended schedule of colours and finishes was submitted which replaced the proposed façade colour from a "Velour Brown" brick colour to a "PGH Red Smooth" brick colour. The darker red brick is considered a more suitable finish and accords with the traditional colour scheme of adjoining dwellings along Homebush Road. The roof was also amended to have a roof pitch of 25 degrees, which is considered to be more in keeping with the roof form of existing nearby contributory buildings.

As such, Council's Heritage Advisor confirmed that the final design of the proposal achieves the objectives of this Clause.

Part 6: Local Provisions

An assessment of the proposal against the relevant provisions of this part is as follows.

6.1 Acid sulfate soils

The subject site is identified as having Class 5 soils and is not located within 500m of Class 1, 2, 3 or 4 soils. Therefore, the proposed development was not required to be accompanied by an Acid Sulfate Soils Management Plan and has satisfied the requirements of Clause 6.1 of the SLEP, 2012.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

6.2 Earthworks

During the assessment process, concerns were raised for the excessive amount of cut proposed for the dwelling and basement entry in particular. Amended plans were submitted in response to these concerns which significantly reduced the amount of cut along the north elevation of the dwelling (Figure 6 and 7). The rear portion of the driveway was also deleted and replaced with landscaping on natural ground level (Figure 8 and 9). The size of the basement was also reduced to be contained within the footprint of the ground floor above. Whilst it is noted that excavation is proposed within the minimum side setbacks along the southern side boundary, this excavation is limited to the driveway only. Appropriate conditions of consent will be imposed to minimise the disruption of soils for both the subject site and neighbouring properties. The amount of excavation proposed is no longer considered to be excessive and the provisions of the Clause are considered to be satisfied.

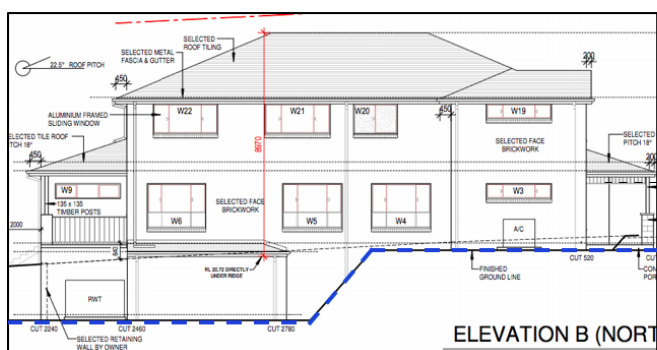


Figure 6: Original north elevation excavation (outlined in blue)

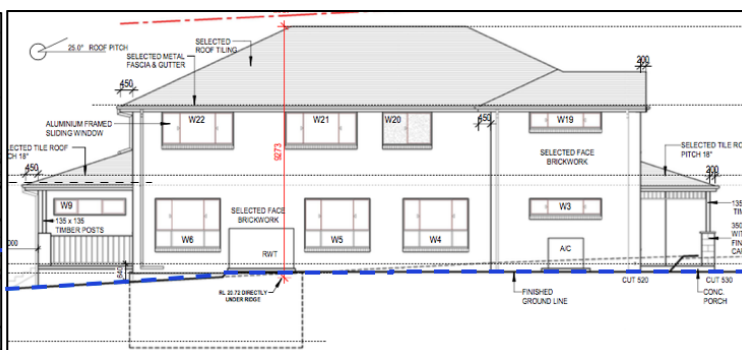


Figure 7: Revised north elevation excavation (outlined in blue)

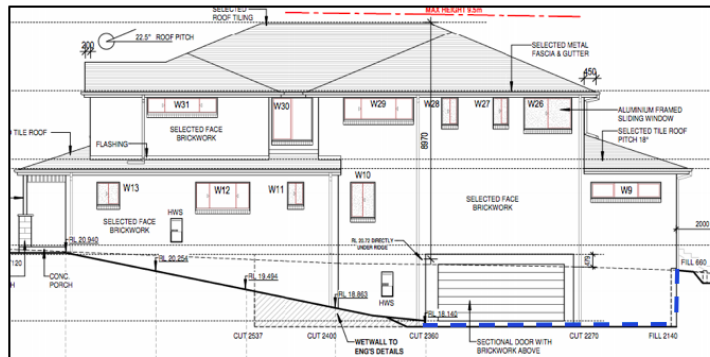


Figure 8: Original south elevation excavation (outlined in blue)

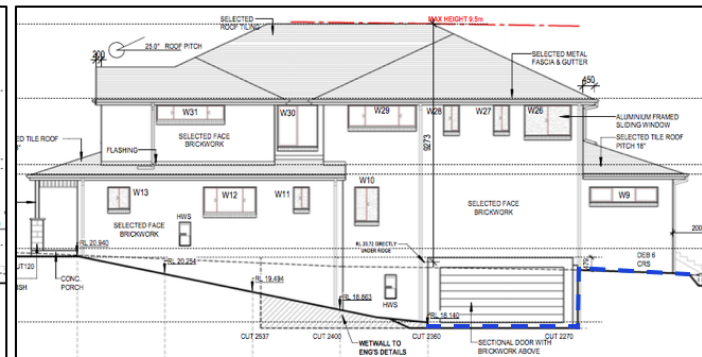


Figure 9: Revised south elevation excavation (outlined in blue)

6.3 Flood planning

The site is not flood affected but within the overland extent of the 1 in 100 year ARI storm event in accordance with the revised Powells Creek and Salesyard Creek Flood Study. Council's Development Engineer raised no objection to the proposed stormwater design subject to conditions of consent. It is also noted that the excavation proposed for the driveway is not within the overland extent and is therefore considered acceptable from a flooding perspective.

6.4 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.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

4.15(1)(a)(ii) The provisions of any draft environmental planning instruments

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

4.15(1)(a)(iii) The provisions of any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN 2005 (SCDCP 2005)

An assessment of the proposal against the relevant provisions of this development control plan is as follows.

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

2: Architectural Design & Streetscape Presentation

2.1	Objectives	Satisfactory
A.	To ensure that development respects the predominant height, scale, character, type, form, colour, materials and architectural qualities of the existing dwelling house (in the case of alterations and additions) and surrounding neighbourhood especially any adjoining or nearby heritage item or heritage conservation area.	Yes
B.	To achieve quality architecture in new development through the appropriate composition and articulation of building elements.	Yes
C.	To ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements.	Yes
D.	To ensure that new dwellings have facades, which define, address and enhance the public domain.	Yes
E.	To encourage contemporary architecture that is innovative, uses high quality detailing, and incorporates elements characteristic of Strathfield.	Yes
F.	To promote the continuance of pyramidal roof forms within Strathfield where they are already prevalent.	Yes
G.	To retain a feeling of openness and space between built elements by maintaining landscaped setbacks and preserve the appearance of dwellings set in the treelined streets and park-like environment.	Yes
H.	To reduce the use of highly reflective colours and materials that create visual prominence.	Yes
I.	To ensure fencing is sympathetic to the design of the dwelling and the street and enhances the character of both the individual house and street whilst maintaining casual surveillance of the neighbourhood.	Yes
J.	To protect and retain the amenity of adjoining properties.	Yes
2.2	Development Controls	Complies
.1.	Streetscape Presentation	
	1 New dwellings address street frontage with clear entry.	Yes
	2 Consistently occurring building features integrated within dwelling design.	Yes
	3 Consideration of streetscape elements	Yes
	4 Integrated security grilles/screens, ventilation louvres and garage doors	Yes
.2.	Scale, Massing & Rhythm of Street	
	1 Scale, massing, bulk and layout complement the existing streetscape and the dominant building rhythm	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

	2	Building height and mass maintains amenity to adjacent properties open space or the public domain	Yes
.3.	<i>Building Forms</i>		
	1	Building form articulated.	Yes
.4.	<i>Roof Forms</i>		
	1	Roof form complements predominant form in the locality	Yes
	2	Roof form minimises bulk and scale of building and remains an important architectural element in the street.	Yes
	<i>Materials</i>		
	5	Materials compatible with the existing dwelling house, adjoining dwelling houses and the streetscape (type, form and colour)	Yes
	6	Monotone face brick walls and terracotta tiles for roofs where common in the streetscape	Yes
	7	New buildings and facades do not result in glare (Reflectivity Report may be required)	Yes
	<i>Colours</i>		
	8	New development incorporates traditional colour schemes	Yes
	9	The external colours integrate harmoniously with the external design of the building	Yes

Comments: The proposed development features an acceptable design, scale, density, materials and finishes that are consistent and compatible with the surrounding area, adjacent heritage item and the Homebush Road Heritage Conservation Area. The proposed development meets the above requirements.

4: Building Envelope

4.1	Objectives	Satisfactory
A.	To ensure that dwellings are compatible with the built form of the local area and that overall bulk and scale, size and height of dwellings relative to natural ground level responds to the adjoining dwellings, topography and desired future character.	Yes
B.	To minimise impact on the amenity of adjoining properties.	Yes
C.	To establish and maintain the desired setbacks from the street and define the street edge.	Yes
D.	To create a perception or reinforce a sense of openness in the locality.	Yes
E.	To maintain view corridors between dwellings	Yes
F.	To assist in achieving passive surveillance whilst protecting visual privacy.	Yes
G.	To provide a transitional area between public and private space.	Yes
4.2	Development Controls	Complies
.1.	Floor Space Ratio	
	1 Floor Space Ratio permissible pursuant to SLEP 2012	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

	2	Development compatible with the lot size	Yes
<i>Building Height</i>			
	1	Height of building permissible pursuant to SLEP 2012	Yes
.2.	4	Maximum height of the external wall from the existing ground level to the underside of the uppermost ceiling level is to be 7.2m.	Yes
	5	The maximum internal floor to ceiling height is to be 3.0m for any residential level.	Yes
	7	Dwelling houses and any ancillary structures 2-storeys (max)	Yes
	8	Building height responds to the gradient of the site to minimise cut and fill	Yes
<i>Street Setbacks</i>			
.3.1.	1	Setbacks consistent with minimum requirements of Table A.1	No, refer to comments
<i>Side and Rear Setbacks</i>			
.3.2.	1	A combined side setback of 20% of the width of the block (incorporating a 1.2m min side setback on each side).	Yes. North: 1.4m South: 4.2m 22.5% combined
	2	A rear setback of 6m (min)	Yes
<i>East-West Lots</i>			
.4.	1	Where primary street frontage faces east, the minimum side setback located on northern side.	Yes
	2	The southern side setback utilised for driveway/garage entry.	Yes

Comments: The proposed development generally complies with the relevant requirements under the SLEP 2012 and SCDCP 2005 in terms of maximum building height, ceiling heights, FSR, building articulation and minimum side and rear setbacks. Whilst the application proposes an 8.6m front setback, the departure is considered acceptable as it is consistent and compatible with the prevailing front setbacks provided in the streetscape which vary between 8m and 13m. Further, the departure is limited to the northern portion of the front façade only, with the majority of the front façade complying with the minimum front setback requirement. As such the departure is considered insubstantial and acceptable on merit.

During the IDAP meeting, concerns were raised for the three (3) storey appearance of the dwelling. The proposed excavation along the north and south elevation was such that the basement was above ground and therefore appeared as a separate (third) storey. Following the IDAP meeting, the applicant submitted a revised design which limited the area of excavation along the side setbacks to the driveway only. With the basement level being predominately below ground, the dwelling will therefore now appear as a two (2) storey dwelling house.

5: Landscaping

5.1	Objectives	Satisfactory
-----	------------	--------------

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

A.	To encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development, and to the streetscape.	Yes
B.	To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings, structures, vehicle circulation and ancillary areas.	Yes
C.	To preserve existing landscape elements on site (such as existing trees) and encourage their integration into the design of proposals.	Yes
D.	To ensure adequate deep soil planting is retained on each allotment.	Yes
E.	To ensure developments make an equitable contribution to the landscape setting of the locality.	Yes
F.	To ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer.	Yes
G.	To encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna.	Yes
H.	To ensure that landscaped areas are designed to minimise water use.	Yes
I.	To provide functional private open spaces for active or passive use by residents.	Yes
J.	To provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place.	Yes
K.	To ensure the protection of trees during construction	Yes
L.	To ensure suitable fencing is provided to reduce acoustic impacts and enhance visual privacy between neighbouring residents whilst enabling front fences passive surveillance of the street.	Yes
M.	To maximise the amenity of existing and proposed developments, including solar access, privacy and open space.	Yes

5.2 Development Controls

Complies

.1.	Landscaped area		
	1	Landscaped area in accordance with Table A.3	No, refer to comments
	2	At least 50% of the minimum landscaped area located behind the building line to the rear boundary	Yes
	3	At least 50% of the front yard maintained as deep soil soft landscaping	Yes
	4	Minimise hard surface area (concrete/brick/stone paving and bitumen). Run-off directed to permeable surfaces.	Yes
	5	Planting areas soften the built form	Yes
	6	Front gardens respond and contribute to the garden character of Strathfield.	Yes
	7	Retain and reinforce the prevailing streetscape and surrounding locality	Yes
	8	Plant species must be retained, selected and planted to improve amenity	Yes
.2.	Tree Protection		
	1	Arboricultural Impact Assessment Report prepared by an AQF Level 5 Arborist	Yes
	2	The Arboricultural Impact Assessment Report address minimum criteria	Yes
	3	Development provides for the retention and protection of existing significant	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

	trees	
4	New dwellings and alterations and additions are set back in accordance with the Arboricultural Impact Assessment Report	Yes
5	Council may request the applicant to engage a project Arborist	Yes
6	Opportunities for planting new canopy trees within the front setback	Yes
7	At least one (1) canopy tree provided in the rear yard.	Yes
8	Trunk of a proposed canopy tree planted 4m (min) from built structures, or 3m (min) from pier beam footings	Yes
9	Planting on side boundaries a 0.6m (min) deep root deflection barrier provided 1.5m (min) either side of the tree center	Yes
10	Driveway construction does not result in the removal, lopping or root damage to any street tree	Yes
11	25% (min) of canopy trees and other vegetation shall be locally sourced indigenous species	Yes
<i>Private Open Space</i>		
1	Provided in a single parcel rather than a fragmented space, directly accessible from internal living areas	Yes
2	Includes a deep soil area compliant with the minimum landscaped area.	Yes
.3.	3 Terraces and decks (at least 10m ²) with one length or width 3m (min) and directly accessible from an internal living area. Decks cannot be located more than 500mm above NGL	Yes
4	Unless 3m (min) width, areas within setbacks are not to be included as private open space	Yes
5	Private open space located at the rear of the property.	Yes
<i>Fencing</i>		
1	Fencing designed to be compatible and sympathetic to the style of the dwelling, adjoining properties and the streetscape	Yes, with condition
.4.	3 Fencing forward of FBL shall not exceed 1.5m. Solid components shall not exceed 0.7m above NGL with the exception of brick piers	Yes
7	Front fences visually permeable	Yes
13	Significant trees maintained	Yes
14	Stormwater flows through or under fencing on sloping sites	Yes

Comments: The proposed landscaping treatments consist of:

- Retention of seven (7) out of eight (8) existing trees (including two (2) street trees);
- Two (2) new *Melaleuca linariifolia* tree plantings located in the front setback;
- Grassed turf areas in the front setback and centrally located in the rear yard;
- Garden beds along the perimeters of the site that contain a mixture of shrubs (including *Murraya paniculata* and *Syzygium australe* 'Straight and narrow')

Under Section 5.2.1 of the SCDP, a minimum of 45% (490.5m²) of the site is to be provided as deep soil landscaping. The proposal provides a 42.2% (459.7m²) which is a 2.8% (30.52m²) shortfall of the minimum requirement. Notwithstanding, the design will provide high quality landscaping within the front and rear setback areas and preserve seven (7) out of eight (8) existing trees on the subject site. Despite the departure, the proposal will make an equitable contribution to

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

the landscape setting of the street. The non-compliance is considered to be negligible and is accepted in this instance.

The proposal originally sought to locate the driveway and basement entry on the northern end of the street frontage. Council's Tree Coordinator did not support the original driveway and basement location due to its close proximity to neighbouring trees (N1, N2 and N3). In response to this, a modified driveway design was submitted with the driveway entry on the southern end of the site. Council's Tree Coordinator raised no objection to the modified driveway and basement design, subject to conditions of consent.

A pier and infill front boundary fence is proposed with a maximum height of 1.5m. The proposed front boundary fence includes black aluminum panels and sandstone cladding for the masonry element. Council's Heritage Advisor raised no concerns with the style and form of the fence as the pier and infill style and vertically oriented infill is consistent with the prevailing fence style of the streetscape. However, concern was raised for the proposed sandstone material which is a contemporary finish and not reflective of the Homebush Road Conservation Area. A condition will be included in the consent which requires the colours and finishes of the front boundary fence to match those of the dwelling and the surrounding streetscape. Additionally, to protect the existing mature tree on site (T6) from excavation works associated with the construction of the front fence, an above ground lintel system is to be implemented.

6: Solar Access

6.1 Objectives		Satisfactory
A.	To ensure the design of new dwelling houses and alterations and additions maximises solar access to living areas and open space areas.	Yes
B.	To minimise overshadowing of adjoining properties.	Yes
6.2 Development Controls		Complies
.1.	Sunlight Access	
	1 New dwellings - 3 hours solar access between 9.00am and 3.00pm on June 21 to the windows of habitable rooms and 50% of private open space	Yes
	2 Alterations or Additions – maintain 3 hours solar access between 9.00am and 3.00pm on June 21 to the windows of habitable rooms and to the majority of private open space	Yes
	3 50% of the principal private open space of any adjoining premises receives 3 hours solar access between 9.00am and 3.00pm on June 21	Yes
	4 The proposed development does not further reduce the amount of solar access	Yes

Comments: The proposed development will have minimal overshadowing impacts. The location and maximum height of the new dwelling combined with the additional setback from the southern side boundary ensure that the private open space and living room windows of adjoining properties will receive at least three (3) hours of solar access during mid-winter. Thus, the proposed development meets the relevant solar access requirements under the SCDP 2005 with regard to providing sufficient solar access to both future occupants and neighbouring properties.

7: Privacy

7.1 Objectives		Satisfactory
A.	Development that is designed to provide reasonable privacy to adjacent properties	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

B.	<i>To maintain reasonable sharing of views from public places and living areas</i>	Yes
C.	<i>To ensure that public views and vistas are protected, maintained and where possible, enhanced</i>	Yes
D.	<i>To ensure that canopy trees take priority over views</i>	Yes
E.	<i>To ensure that the siting and design of buildings minimises noise impacts from abutting roads, rail corridors and other noise-generating land uses</i>	Yes
7.2	Development Controls	Complies
.1.	<i>Visual Privacy</i>	
	1 Protect POS, bedrooms, balconies and living rooms of proposed and any existing adjoining dwellings from direct overlooking	Yes
	2 Provide adequate separation of buildings	Yes
	3 Ensure elevation of finished floor levels above NGL is not excessive	Yes
	4 Improve privacy to adjacent properties with screen planting	Yes
.2.	<i>Windows</i>	
	1 Windows do not directly face the windows, balconies and courtyards of adjoining dwelling	Yes
	2 A window within 9m of another window in a habitable room of an adjoining dwelling is offset by 0.5m (min) or a sill height of 1.7m (min) above the FFL	Yes
	3 Windows directly facing balconies or courtyards are narrow, incorporate obscure glazing and/or a sill height of 1.7m (min) above FFL	Yes

Comments: The proposed development will not generate significant privacy and amenity impacts. The finished floor levels of both the dwelling and secondary dwelling are not excessively elevated and are close to the existing ground levels. The first-floor windows of the new dwelling are mostly from bedrooms, bathrooms and a walk-in-robe, which are considered low utility spaces. Windows have been appropriately treated in high use areas where required to minimise opportunities for overlooking.

8: Vehicle Access and Parking

8.1	Objectives	Satisfactory
A.	<i>To provide adequate and convenient on-site car parking.</i>	Yes
B.	<i>To ensure that the location and design of driveways, parking spaces and other areas used from the movement of motor vehicles are efficient, safe and convenient.</i>	Yes
C.	<i>To ensure garages, carports, basements and hard standing areas for cars do not visually dominate the street façade of the dwelling.</i>	Yes
D.	<i>To ensure that construction materials used for driveways respect the architectural qualities of the dwelling.</i>	Yes
E.	<i>To minimise the area of access driveways to minimise impermeable surfaces and maximise landscaped areas.</i>	Yes
F.	<i>To ensure basements have discreet entries, safe access and a high degree of natural cross-ventilation.</i>	Yes
G.	<i>To minimise excavation to reduce disturbance to natural ground level particularly adjacent to site boundaries.</i>	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

H.	<i>To ensure that any proposed basement minimises disturbance to natural drainage systems and that flooding, drainage or ventilation impacts would not be created for the site, or for adjoining or nearby properties.</i>		Yes
8.2	Development Controls		Complies
.1.	<i>Driveway and Grades</i>		
	1	Existing driveways must be used (exceptions apply)	No, refer to comments
	2	The width of driveways at the property boundary is to be 3m	Yes
	3	The edge of driveway crossings located 1m (min) clear of any existing stormwater pits or poles and 2m clear of tree trunks	Yes
	4	Parking and access points easily accessible and recognisable, non-disruptive to pedestrian flow and safety and located to minimise traffic hazards and potential for vehicles to queue.	Yes
	5	One (1) vehicular crossing (max) to any public road (exceptions apply)	Yes
	6	Vehicles accessing sites which front main roads shall be capable of entering and exiting in a forward direction	Yes
	7	Vehicular turning areas for garages complies with relevant Australian Standard	Yes
	9	Driveways avoid long and straight appearance by using variations and landscaping	Yes
	10	Driveway set back 0.5 metres (min) from side boundaries	Yes
	11	Driveways incorporate unit paving into the design	Yes
	12	Areas of concrete visible from a public road are to be minimal and coloured charcoal, grey or brown	Yes
	13	Coloured concrete is not permitted in the driveway crossing outside the property boundary	Yes
<i>Basements</i>			
.3.	1	The area of a basement shall be limited to and contained within the ground level footprint of the dwelling	Yes
	2	Excavation not permitted within the minimum side setbacks.	No, refer to comments
	3	The maximum height of the basement above NGL is limited to 1m measured to the predominant finished floor level of the level above.	Yes
	4	Internal clearance of 2.2m (min)	Yes
	5	Driveways have a maximum 1:4 gradient and comply with Australian Standards	Yes
	6	Basement entries and ramps/driveways not greater than 3.5m wide	No, refer to comments
	7	Driveway ramps are perpendicular to the property boundary at the street frontage	Yes
	8	Basements permit vehicles to enter and exit the basement in a forward direction	Yes
	9	Basements are discretionary on flood affected sites	Yes
	10	Pump-out systems and stormwater prevention in accordance with Council's Stormwater Management Code	Yes
	11	Basements are not to be used for habitable purposes	Yes

Comments:

Driveway and Basement Entry

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

During the assessment process, the location of the driveway was re-located from northern end of the site frontage to the southern end so as to not conflict with the neighbouring trees (N1, N2 and N3). The driveway will provide vehicular access to the basement with a 2.3m internal clearance and a 2.5m floor to ceiling height. The basement entry is generously setback 15m from the front façade of the dwelling and its location along the southern side façade of the dwelling means that it will not be highly visible from the street. This concealed basement entry design is also replicated on the southern adjoining site at 58-60 Homebush Road and presents an improve design and streetscape outcome compared to a street-facing garage entry to a basement level (Figure 10).



Figure 10: Similar basement entry design at 58-60 Homebush Road.

Contrary to Section 8.2.3.6, the basement entry is 4.7m wide, greater than the 3.5m maximum requirement. Notwithstanding, the proposed design requires a slighter wider entry for appropriate and safe vehicular access as well as to maintain traffic and pedestrian safety. Given the basement entry will not be visible from the street, the proposed additional width will not alter the visual appearance of the dwelling from the street and is therefore considered acceptable.

The Internal Development Assessment Panel raised concerns for the long and straight appearance of the proposed driveway design along with the nil setback of the driveway from the southern side boundary. Following the IDAP meeting, the applicant submitted an amended driveway plan, with a curved entry design, a reduced overall length (from 36.47m to 31.36m) and an increased side setback of 700mm from the southern side boundary (Figures 11 and 12). The 700mm driveway setback from the southern side boundary will provide opportunity for landscaping within this setback area. This additional landscaped area, together with the curved driveway design will soften the overall appearance of the driveway entry and reduce its lengthy appearance from the street. Relevant conditions will be imposed to minimise site disturbance to the southern adjoining property. The height of the driveway retaining walls will also be restricted to the existing ground level by a condition in the consent.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

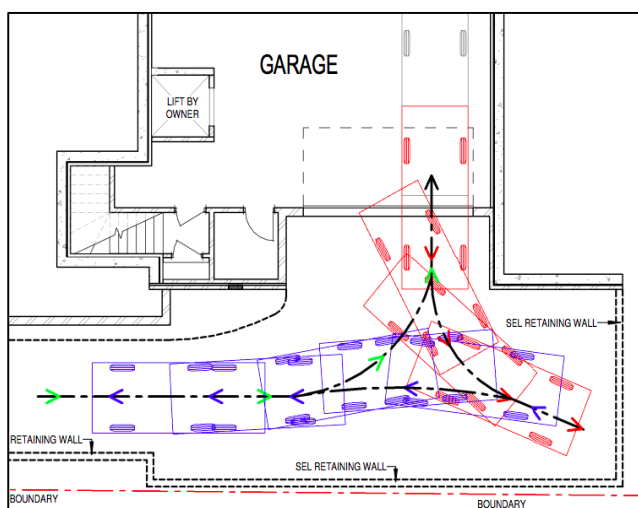


Figure 11: Original driveway plan

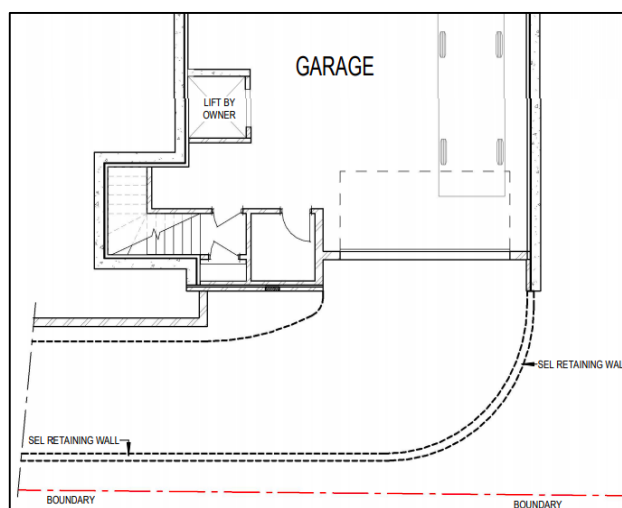


Figure 12: Amended driveway plan

Internal Basement

It was noted during the IDAP meeting, that the basement extended beyond the footprint of the ground floor level above. In response to this, the basement design was amended and reduced in size to be contained within the ground floor level footprint of the dwelling. The revised basement design comprises a lift, storage room, two (2) car parking spaces and an internal maneuvering area to enable a vehicle to enter and exit the basement in a forward direction. The revised basement design is not considered to be of an excessive size and is supportable.

9: Altering Natural Ground Level (Cut and Fill)

9.1 Objectives		Satisfactory
A.	To maintain existing ground levels and minimise cut and fill to reduce site disturbance.	Yes
B.	To ensure existing trees and shrubs are undisturbed, ground water tables are maintained and impacts on overland flow/drainage are minimised.	Yes
9.2 Development Controls		Complies
1	Fill limited to 1m (max) above NGL	Yes
2	Clean fill used only	Yes
3	Cut and fill batters stabilised consistent with the soil properties	Yes
4	Vegetation or structural measures are implemented when the site is disturbed.	Yes
5	Areas of excavation setback from property boundaries in line with building setback controls. No excavation permitted within the minimum required setbacks.	No, refer to comments
6	The work does not affect or undermine the soil stability or structural stability of buildings and Council assets on adjoining properties.	Yes
7	A dilapidation report for all buildings which adjoin proposed excavation areas as required	Yes, with condition
8	Avoid excessive fill that creates the potential for overlooking of adjoining properties	Yes

Comments: During the assessment process, concerns were raised for the excessive amount of excavation proposed for the dwelling and basement and driveway in particular. Amended plans were submitted in response to these concerns which significantly reduced the amount of cut along the north elevation of the dwelling. The rear portion of the basement entry was also deleted and

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

replaced with landscaping on natural ground level. The size of the basement was also reduced to be contained within the footprint of the ground floor above. Whilst it is noted that excavation is proposed within the minimum dwelling setbacks along the southern side boundary, this excavation is limited to the driveway only. Appropriate conditions of consent will be imposed to minimise the disruption of soils for both the subject site and neighbouring properties. The amount of excavation proposed is no longer considered to be excessive and the provisions of the Clause are considered to be satisfied.

10: Water and Soil Management

10.1	Objectives	Satisfactory
A.	To encourage the incorporation of Water Sensitive Urban Design (WSUD) and Botany Improvement Plan principles in the development.	Yes
B.	To ensure compliance with Council's Stormwater Management Code	Yes
C.	To ensure compliance with the NSW State Government's Flood Prone Lands Policy.	Yes
D.	To ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction.	Yes
E.	To ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality.	Yes
F.	To ensure that new development in areas that may be affected by acid sulphate soils do not adversely impact the underlying ground conditions, soil acidity and water quality.	Yes
G.	To appropriately manage stormwater and overland flow to minimise damage to occupants and property	Yes
10.2	Development Controls	Complies
.1.	Stormwater Management and Flood Prone areas	
	2 Compliance with Council's Stormwater Management Code	Yes
	4 Minimum habitable floor height advice obtained for flood affected sites	Yes
	6 Stormwater Management Code compliance	Yes
.2.	Acid Sulfate Soils	
	1 Site managed consistent with the provisions contained in Clause 6.1 SLEP 2012	Yes
.3.	Soil Erosion and Sediment Control	
	1 Soil erosion and sediment control measures detailed and implemented prior to the commencement of work.	Yes
	2 Sediment control measures applied	Yes
	3 Plans provided detailing stormwater quality treatment	Yes

Comments: The site is not flood affected but within the overland extent of the 1 in 100 year ARI storm event in accordance with the revised Powells Creek and Salesyard Creek Flood Study. It is also noted that the excavation proposed for the driveway is not within the overland extent and is therefore considered acceptable from a flooding perspective. Council's Development Engineer raised no objection to the proposed stormwater design subject to conditions of consent.

11: Access, Safety and Security

11.1	Objectives	Satisfactory
------	------------	--------------

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

A.	To encourage the incorporation of crime prevention principles in the design of the proposed developments.	Yes
B.	To increase the safety and perception of safety in public and semi-public spaces.	Yes
C.	To provide passive surveillance of the public domain to promote a safe pedestrian environment whilst maintaining the privacy of residents	Yes
D.	To ensure the safety of pedestrians by separating pedestrian access from vehicular access.	Yes
11.2	Development Controls	Complies
.1.	Address and Entry Sightlines	
	1 Occupants able to overlook public places to maximise passive surveillance	Yes
	2 Landscaping design around dwellings and ancillary structures to accommodate plant maturation	Yes
	3 External lighting enhance safe access and security and light spill does not adversely impact on adjoining properties.	Yes
	4 Crime Prevention through Environmental Design (CPTED) principles incorporated.	Yes
	Pedestrian Entries	
.2.	1 Pedestrian entries and vehicular entries suitably separated	Yes
	2 Dwelling entrances easily identifiable	Yes

Comments: The proposed dwelling has clearly identifiable pedestrian and vehicular access and entries and a front entrance that is visible from the street. The overall design features a front setback that has been appropriately configured to ensure that the above access, safety and security controls are met.

12: Ancillary Development

12.1	Objectives	Satisfactory
A.	To ensure that ancillary development is compatible with the design of the principal dwelling, streetscape and adjoining dwellings in form, materials and colours	Yes
B.	To limit the size, bulk and scale of ancillary structures and minimise their visibility from the public domain.	Yes
C.	To ensure that the provision of ancillary structures improves the amenity of residents whilst ensuring that the amenity of surrounding dwellings and neighbouring lots is maintained.	Yes
D.	To ensure that the provision of ancillary structures, such as air conditioning units, are considered at the design stage of a proposed development.	Yes
12.2	Development Controls	Complies
.1.	Secondary Dwellings	
	1 Floor area is not greater than either 60m ² ; or 20% of the total floor area of the dwelling	Yes
	3 Located at the rear of the primary dwelling	Yes
	4 Deep soil planting within the rear setback	Yes
	5 The design, materials, colours, bulk and scale, and location of a compatible with the existing dwelling and surrounding character	Yes
	6 Comply with solar access, visual and acoustic privacy controls	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

	7	Accessed via the same street as the principal dwelling	Yes
	8	No blank walls facing the street	Yes
	9	The roof design compatible with the predominant roof forms in the neighbourhood	Yes
	10	A primary private open space provided for the secondary dwelling, directly accessible to the internal living areas and 12sqm (min) and 3m (min) dimension	Yes
	11	Private open space located to maximise solar access	Yes
	12	Private open space appropriately landscaped and screened to ensure privacy	Yes
	13	No additional parking or driveway access	Yes
	14	No garages or carports are to be attached to secondary dwellings	Yes
.4.	Air-conditioning		
	1	Located away from the habitable rooms of adjoining properties and/or screened by acoustic treatments	Yes
	2	Any building work must not reduce the structural integrity of existing buildings	Yes
	3	Installation of residential grade air conditioners only	Yes
	4	Installation to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008	Yes

Comments: The proposed detached secondary dwelling has a total floor space of 51.6m² which is below the maximum 60m² requirement. The secondary dwelling has been appropriately located being the principal dwelling and achieves adequate setbacks of 4.2m from the eastern (rear) boundary and 1.8m from the southern (side boundary). The secondary dwelling is not excessively elevated with the finished floor level being limited to 300mm above natural ground level. A condition will be included in the consent which requires the colours and materials of the secondary dwelling to match those of the primary dwelling.

13: Ecologically Sustainable Development

13.1	Objectives	Satisfactory	
A.	To encourage passive and active strategies in the design of dwellings and ancillary structures that promotes the achievement of ecologically sustainable practices and BASIX requirements.	Yes	
B.	To ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating.	Yes	
C.	To minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies.	Yes	
D.	To encourage the use of new technology that reduces energy consumption, minimises greenhouse emissions and results in cost savings	Yes	
E.	To encourage the re-use of building materials, thereby reducing waste to landfill, transportation costs, conserving raw materials and reducing energy expenditure. (Refer to Part H Waste Minimisation and Management of SCDP 2005).	Yes	
13.2	Development Controls	Complies	
.1.	Natural Lighting and Heating		
	1	Living areas facing north, sleeping areas facing east/south, and utility areas orientated west/south to maximise winter solar access.	Yes
	2	Trees planted to the north of the dwelling must be deciduous to allow solar access during the winter	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

	3	Materials used of high thermal mass	Yes
.2.	<i>Natural Cooling and Ventilation</i>		
	1	Windows and walls on northern facades shaded by shading devices, trees, eaves and louvres sympathetic to the dwelling	Yes
	2	Windows positioned to capture breezes and allow for cross-ventilation	Yes
<i>Water Tanks</i>			
.3.	1	Located behind the dwelling or behind the front building line and screened from view from the public domain	Yes
	2	Associated support structures and plumbing are a colour that complements the dwelling.	Yes
	3	Above ground water tanks located 450mm (min) from any property boundary	Yes
	4	Above ground water tanks do not exceed 3m in height above NGL	Yes
	5	Overflow piped directly to the approved stormwater drainage system except in cases where stormwater is required to be directed to on-site stormwater detention (OSD) storage	Yes
	6	No part of the water tank or support stand may rest on a wall footing	Yes
	7	Installation does not involve the filling of more than 1m above existing ground level	Yes
	8	The tank not located over or adjacent to a water main or sewer main or installed over any associated structure or fittings	Yes
	9	Support structure installed to the requirements of a qualified practicing structural engineer or to the maker's specifications.	Yes

Comments: The proposed development complies with the relevant requirements under the SCDP 2005 with regard to ecologically sustainable development and the design and siting of rainwater tanks and air-conditioning units.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A Waste Management Plan was submitted as part of the development application and has demonstrated compliance with the relevant controls.

PART P- HERITAGE

An assessment of the proposal against the objectives and development controls contained within Part P of SCDP 2005 is included below:

4. Development in Conservation Areas

4.1: Setting

4.1.1	Objectives	Complies
1	To ensure that new development respects the established patterns in the streetscape of a heritage Conservation Area, including setbacks, siting, landscaped settings, car parking and fencing.	Yes
2	To ensure that new development respects the established patterns in the streetscape of a heritage Conservation Area, including setbacks, siting, landscaped settings, car parking and fencing.	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

3	To ensure that new development respects the established patterns in the streetscape of a heritage Conservation Area, including setbacks, siting, landscaped settings, car parking and fencing.	Yes
---	--	-----

4.1.2	Development Controls	Complies
	(1) The side and front setbacks of new development in a Conservation Area should be typical of the spacing of existing buildings in the vicinity of the proposed development in that Conservation Area, such that the rhythm of buildings in the streetscape is retained.	Yes
	(2) No new structures should be built forward of the established street building line.	Yes
	(3) The established landscape character of the locality including the height of canopy and density of boundary landscape plantings should be retained in any new development.	Yes

Comments: As mentioned previously, the subject site is located within the Homebush Road Heritage Conservation Area and adjoins heritage item "C11" to the north (98-102 Albert Road). The proposed development features an acceptable design, scale, and density that are consistent and compatible with the surrounding area, adjacent heritage item and the Homebush Road Heritage Conservation Area. The proposed dwelling is also considered to be an improvement to the existing dwelling as it features more design and contributory elements of the conservation area. In light of the above, the proposed development meets the above objectives.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

4.2: Scale

4.2.1	Objectives	Complies
1	To ensure that new development adjacent to or within a heritage Conservation Area is of a scale consistent with the existing development in the vicinity of the site that contributes to the character of the in the heritage Conservation Area.	Yes
2	To ensure that additions and alterations to a building within a Conservation Area are of a scale consistent with the contributory buildings in the Conservation Area.	Yes
4.2.2	Development Controls	Complies
(1)	The scale of new development adjacent to or within a Conservation Area should relate to the scale of the adjacent or nearest contributory elements of the Conservation Area.	Yes
(2)	Development of a larger scale is allowable only if it can be demonstrated that the new development will not adversely impact the identifiable character of the Conservation Area.	Yes

Comments: As mentioned above, the proposed development is considered an appropriate design, and the bulk and scale respects the significance and value of the heritage conservation area and the adjoin heritage item to the north. Given that the heritage item is an expansive open space with numerous and scattered tree plantings, and a single building which is setback more than 20m from the site, the proposed development is unlikely to visually dominate or overshadow the heritage item.

4.3: Form

4.3.1	Objectives	Complies
1	To ensure that new development in a Conservation Area relates positively to the dominant forms of existing contributory buildings in the Conservation Area.	Yes
2	To ensure that buildings that contribute to the character of a Conservation Area retain their importance in the streetscape and/or townscape.	Yes
4.3.2	Development Controls	Complies
(1)	Important elements of the form of a contributory building in a Conservation Area such as main roof forms, chimneys, parapet walls, verandahs etc. should not be demolished or obscured by alterations and additions.	Yes
(2)	New development in a Conservation Area is to complement existing nearby buildings that contribute to the Conservation Area.	Yes
(6)	The treatment of the street façade of new development in a Conservation Area should relate to existing nearby buildings that contribute to the Conservation Area.	Yes

Comments: During the assessment stage, the roof pitch of the dwelling house was increased from 22.5 degrees to 25 degrees. With regard to the comments provided by Council's Heritage Officer, roof pitches in the Federation Period were pitched around 30 to 40 degrees and after the First World War at 25 to 35 degrees. The revised 25 degree roof pitch is therefore considered to be more in keeping with the post-war and federation style roof forms that are present along Homebush Road.

4.4: Siting

4.4.1	Objectives	Complies
-------	------------	----------

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

1	To integrate new development in Conservation Areas with the identifiable character of the area.	Yes
---	---	-----

4.4.2	Development Controls	Complies
(1)	The front setback of new development (including alterations and additions) in Conservation Areas should match that of adjacent contributory development. Where adjacent developments have different setbacks, new development should align with the greater setback.	Yes
(2)	Side setbacks of new development (including alterations and additions) in Conservation Areas should match the pattern of adjacent and/or nearby contributory development. This will often include a greater setback on one side of the development to provide vehicular access at the side of a property.	Yes
(3)	The orientation of new development should follow the established pattern of development in the Conservation Area.	Yes
(4)	Where trees are important to a Conservation Area, new buildings should be sited away from the drip line of the trees.	Yes

Comments: The siting and setback of the proposed development are consistent with the residential properties along Homebush Road. The proposed design has considered existing trees on site, preserving seven (7) out of eight (8) trees on the site. The proposed landscaping treatments in the front setback further ensure that the proposal is compatible with the streetscape and maintains a suitable aesthetic that respects the setting of the conservation area.

4.5: Materials and colours

4.5.1	Objectives	Complies
1	To encourage the use of external materials on new development that is consistent with the existing contributory buildings in a Conservation Area.	Yes

4.5.2	Development Controls	Complies
(3)	Painting, rendering or bagging of face brickwork and sandstone is not permitted	Yes
(5)	Colour schemes for existing and new development in Conservation Areas should have a hue and tonal relationship with traditional colour schemes for the dominant style of development found in the Conservation Area	Yes
(6)	The use of fluorescent paint on buildings in Conservation Areas is not permitted.	Yes

Comments: During the assessment process, concerns were raised in relation to the proposed contemporary beige colour of the exterior bricks. An amended schedule of colours and finishes was submitted which replaced the proposed brick colour from a "Velour Brown" brick colour to a "PGH Red Smooth" brick colour. The darker red brick is considered a more suitable finish and accords with the traditional colour scheme of adjoining dwellings along Homebush Road.

4.7: Car parking

4.7.1	Objectives	Complies
1	To ensure that, where possible, garages and carports are designed to minimise the visual impact on the streetscape of Conservation Areas.	Yes

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

4.7.2	Development Controls	Complies
	(1) Garages and carports must be located as far behind the front building alignment as possible.	Yes
	(2) Garages should not be incorporated into the front façade of a building in a Conservation Area.	Yes

Comments: As previously mentioned, the basement entry is set far behind (15m) the front façade of the dwelling and its location along the southern side façade of the dwelling means that it will not be visible from the streetscape. In this instance, the garage entry will not have a visual impact on the streetscape of the Homebush Road Conservation Area.

4.8: Fencing

4.8.1	Objectives	Complies
1	To conserve original gates and fences within Conservation Areas.	N/A
2	To ensure new fences and gates are consistent with the character of the Conservation Area and in particular with contributory housing in a Conservation Area.	Yes
3	To ensure that the quality of the streetscape or townscape in a Conservation Area is not diminished by inappropriate fencing.	Yes

4.8.2	Development Controls	Complies
	(2) New fencing and gates to contributory housing in a Conservation Area should be designed to complement the style of the house.	Yes
	(4) Unless evidence is provided to establish a greater height, fencing constructed of solid material such as masonry forward of the building line should not be greater than 1m in height above the adjacent public footpath level. In all cases, the height of fencing should relate to the style of the house and width of the allotment.	No, refer to comments
	(6) Refer to the Controls for Fencing in the Residential section of this Development Control Plan for general provisions regarding fencing (Note: this section prevails in the event of any inconsistency)	Yes

Comments: A pier and infill front boundary fence is proposed with a maximum height of 1.5m. The proposed front boundary fence includes black aluminum panels and sandstone cladding for the masonry element. Council's Heritage Advisor raised no concerns with the style and form of the fence as a 1.5m pier and infill style front fence is a common fence design and height within the streetscape. However, concern was raised for the proposed sandstone material which is not considered to accord with the materials of the proposed dwelling and nearby dwellings within the conservation area. A condition will be included in the consent which requires the colours and finishes of the front boundary fence to match those of the dwelling and the surrounding streetscape.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

4.15(1)(a)(iia) The provisions of any planning agreement or draft planning agreement

No planning agreement has been entered into under Section 7.4 of the *Environmental Planning and Assessment Act 1979*.

4.15(1)(a)(iv) The provisions of the regulations

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.

4.15(1)(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposed development has been designed with consideration of mature trees on and nearby the subject site, its setting within a heritage conservation area and adjoining residential properties. The proposed development will not generate significant privacy, amenity and overshadowing impacts as detailed above. The final design of the proposed development has demonstrated consistency and compatibility within the streetscape of Homebush Road and the site's position being adjacent to a heritage item.

Whilst it is noted that excavation is proposed within the minimum dwelling setbacks along the southern side boundary, this excavation is limited to the driveway only. Appropriate conditions of consent will be imposed to minimise the disruption of soils for both the subject site and neighbouring properties.

Overall, the likely impacts of the development are not considered to be unreasonable and the proposal is considered an acceptable and supportable planning outcome.

4.15(1)(c) The suitability of the site for the development

The proposed development is considered to be suitable for the site given that it involves a single detached dwelling and secondary dwelling, ensuring that the low density residential character of the locality is preserved. The subject site does not have any significant environmental constraints that would prevent the development of a single dwelling and the secondary dwelling. Therefore, the site is suitable for the proposed development.

4.15(1)(d) Any submissions made in accordance with this Act or the regulations

The application was publicly notified from 18 November 2019 to 2 December 2019 in accordance with the provisions of Part L of SCDP 2005. No submissions were received as a result.

4.15(1)(e) The public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

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).

Both Section 7.11 Direct Contributions and 7.12 Indirect Contributions are applicable to the proposed development. However, only one type of development contributions can be applied to a development application, and Section 7.11 Direct Contributions should always be applied in the first instance as stipulated in the Strathfield Indirect Development Contributions Plan. Had the proposed development not been subject to Section 7.11 Direct Contributions, Section 7.12 Indirect Contributions would have been applied in that instance.

STRATHFIELD DIRECT CONTRIBUTIONS PLAN

The development application proposes to demolish and replace the existing dwelling with a new dwelling and a secondary dwelling. Since the proposal will result in an additional (secondary) dwelling on the subject site, Section 7.11 Direct Contributions are applicable to the proposed development in accordance with the Strathfield Direct Contributions Plan as follows:

Provision of Community Facilities	\$1,883.45
Provision of Major Open Space	\$8,569.13
Provision of Local Open Space	\$2,936.83
Provision Roads and traffic Management	\$796.99
Administration	\$162.41
TOTAL	\$14,348.79

CONCLUSION

Having regard to the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, the proposal is considered to be acceptable on its merits and is recommended for approval subject to conditions of consent.

PEER REVIEW

The content and recommendation of the development assessment report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

That Development Application No. DA2019.185 for the demolition of existing buildings and construction of a two (2) storey dwelling with basement level and detached secondary dwelling with associated landscaping at 56 Homebush Road be **approved**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. FRONT BOUNDARY FENCE (SC)

An above ground lintel system along the entire length of the masonry front boundary fence is to be implemented. Amended plans demonstrating compliance with the conditions are to be submitted and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: Street tree protection).

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

2. COLOURS AND MATERIALS

The colours and materials of the front boundary fence and the secondary dwelling are to be consistent with those of the primary dwelling and dwellings within the Heritage Conservation Area. Amended plans demonstrating compliance with this condition are to be submitted to and approved by Council prior to the issue of a Construction Certificate.

(Reason: To accord with existing contributory dwellings within the HCA)

3. DRIVEWAY RETAINING WALLS

The retaining walls along the internal driveway and parallel to the southern boundary must step with the natural topography of the site. The top of these walls must not exceed the existing ground level.

This design change must be included and reflected in the revised set of Architectural Plans, Landscape Plans and Stormwater Plans, and any other documentation that are to be submitted and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: Streetscape presentation)

GENERAL CONDITIONS (GC)

4. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2019/185:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
01	Site Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
25	Site Analysis	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
24	Demolition Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
02	Garage Floor Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
03	Ground Floor Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
04	First Floor Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
10	Secondary Dwelling Floor Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
08	Driveway Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
05	Elevations (West & North)	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
06	Elevations (East & South)	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

07	Section B-B	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
11	Secondary Dwelling Elevations	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
31	Streetscape	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
32	Roof Plan	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
L/02'B'	Proposed Fence Elevation	Wincrest Group Pty Ltd	4 October 2019	17 April 2020
L/01'B'	Proposed Landscape	Wincrest Group Pty Ltd	Revision C 4 June 2020	4 June 2020
26	Soil and Sediment Control	Wincrest Group Pty Ltd	Issue N 26 May 2020	26 May 2020
	External Colour Sample Board	Wincrest Group Pty Ltd	Issue M 4 June 2020	17 April 2020
D1	Cover sheet & Design Summary Table	Wincrest Group Pty Ltd	Issue D 29 May 2020	29 May 2020
D2	Stormwater Management Plan	Wincrest Group Pty Ltd	Issue D 29 May 2020	29 May 2020
D3	Typical Details	Wincrest Group Pty Ltd	Issue D 29 May 2020	29 May 2020
D4	Basement Drainage Design	Wincrest Group Pty Ltd	Issue D 29 May 2020	29 May 2020
D5	Proposed Absorption Trench Design	Wincrest Group Pty Ltd	Issue D 29 May 2020	29 May 2020
D5	Proposed Pump Out System	Wincrest Group Pty Ltd	Issue D 29 May 2020	29 May 2020

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2019/185:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Heritage Impact Statement	DOTP Town Planning Pty Ltd	Issue B August 2019	17 April 2020
Nationwide House Energy Rating Scheme Certificate	Wincrest Group Pty Ltd	5 September 2019	5 November 2019
GeoTech Lot Classification Report	Ideal Corp	8 February 2019	5 November 2019
Waste Management Plan	Wincrest Group Pty Ltd	6 October 2019	5 November 2019

In the event of any inconsistency, the conditions of this consent shall prevail.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

5. CONSTRUCTION HOURS (GC)

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

6. **BUILDING HEIGHT - MAXIMUM RL TO BE COMPLIED WITH (GC)**

The height of the building measured from Australian Height Datum (AHD) must not exceed Relative Level (RL) 29.993AHD to the roof ridge of the building.

(Reason: To ensure the approved building height is complied with.)

7. **CONSTRUCTION WITHIN BOUNDARIES (GC)**

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

(Reason: Approved works are to be contained wholly within the subject site.)

8. **DEMOLITION – GENERALLY (GC)**

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

(Reason: To ensure compliance with the approved development.)

9. **LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)**

The following listed trees are permitted to be removed to accommodate the proposed development:

Tree No. in Arborist Report	Tree	Location
T1	<i>Shinus molle</i> (Peppercorn Tree)	South-east rear corner of site.

All trees permitted to be removed by this consent shall be replaced (2 trees for each tree removed) by 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.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

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.

(Reason: To ensure appropriate planting back onto the site.)

10. **ENVIRONMENTAL PROTECTION – TREE (GC)**

All street trees and trees on private property that are protected under Council's controls, shall be retained except where Council's prior written consent has been obtained. The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

All healthy trees and shrubs identified for retention on the approved drawings are to be suitably protected in accordance with Section 4, Tree protection measures, and Appendix C Tree Protection Zone Sign, of Australian Standard AS4970 - 2009, Protection of Trees on Development Sites, prior to the commencement of any works (including any demolition and excavation) and maintained for the duration of the works.

In this regard the street tree and all protected trees on or adjacent to the site will be protected as described below;

- i. A Tree Protection (Management) Plan prepared by a AQF Level 5 Arborist is to be available on site at all times prior to the issue of the Constriction Certificate, for all demolition and site works. This Tree Protection (Management) Plan must be shown on the demand of Authorised Council staff.
- ii. Protective perimeter fencing must be consistent with AS 4687, using metal fence posts greater than 20mm diameter and solid or chain wire mesh 2 metres in height supported on concrete pads/feet at 2-2.5 metre spacing. Fencing placement should not be closer than 2.5 metres from the trunk of each protected tree, or at a distance as specified by the approved Tree Protection (Management) Plan and approved by Council's Tree Management Officer. Shade cloth is to be used to prevent entry of dust and contaminated liquids into the root protection area.
- iii. Signs must be placed on the Fencing. These signs must comply with AS1319. The signs must state the purpose of the fencing and the name and contact details of the builder and the appointed AQF Level 5 consultant arborist.
- iv. Root protection is to be provided in the form of mulching to a depth of 50-100mm, inside of the fenced tree protection zone.
- v. Ground (Root) Trunk and Branch Protection must comply with the diagram of Figure 4 of AS4970 – 2009. Ground protection within the tree protection zone and drip line should be in the form of heavy steel plates or timber rumble boards over mulch or aggregate. Trunk and branch protection should be to a minimum height of 2 metres and must include measures to protect the tree/s against damage from the movement of trucks, plant equipment and materials at greater heights above

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

- ground level.
- vi. Temporary signs, cables, wires must not be attached to, or suspended, on any street tree or protected tree.
 - vii. Above ground utilities must not be placed within the canopy of an existing protected tree, or create the future need for clearance pruning.
 - viii. Below ground utilities/services must not be located inside the fenced tree protection zone.
 - ix. Scaffolding must not be located in the fenced tree protection zone unless authorised by the approved Tree Protection (Management) Plan and Council's Tree Management Officer
 - x. Council must be notified in writing within 24 hours, for all temporary removal of the tree protection fencing ground (root) trunk and branch protection within the root protection area.
 - xi. Pruning of a street tree is prohibited without the written consent of Council.

(Reason: To ensure the protection of trees to be retained on the site.)

11. MATERIALS – SCHEDULE OF EXTERNAL FINISHES TO BE SUBMITTED (GC)

A schedule detailing all external materials, colours and finishes including windows, doors, roofing and fencing materials shall be submitted to Council for approval.

All external materials, colours and finishes including windows and doors, roofing and fencing materials must be of high quality and compatible with those of the surrounding streetscape and locality. All external materials and colours shall be of low glare and reflectivity. Details demonstrating compliance with this condition shall be provided to the Principal Certifying Authority, prior to the issue of any Construction Certificate.

(Reason: To ensure a positive contribution to the streetscape and to minimise excessive glare and reflectivity.)

12. PRINCIPAL CERTIFYING AUTHORITY (PCA) IDENTIFICATION SIGN (GC)

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- i) The Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;
- ii) The Principal Contractor by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person; and
- iii) The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.

This clause does not apply to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(Reason: Statutory requirement.)

13. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

- 2001.
- ii) Demolition must be carried out by a registered demolition contractor.
 - iii) A single entrance is permitted to service the site for demolition and construction. Protection pads are to be installed to the kerb, gutter and nature strip where trucks and vehicles enter the site.
 - iv) No blasting is to be carried out at any time during construction of the building.
 - v) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
 - vi) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
 - vii) Any demolition and excess construction materials are to be recycled wherever practicable.
 - viii) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
 - ix) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
 - x) All waste must be contained entirely within the site.
 - xi) A site plan including temporary waste storage locations, construction material storage areas and vehicular access to and from the site must be included with application.
 - xii) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
 - xiii) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling and must be presented to Council and/or Principal Certifying Authority upon request.
 - xiv) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
 - xv) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
 - xvi) Public footways, include nature strips and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
 - xvii) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - xviii) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
 - xix) Any work must not prohibit or divert any natural overland flow of water.
 - xx) Toilet facilities for employees must be provided in accordance with WorkCover NSW.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.)

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

14. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by an Accredited Civil/Hydraulic Engineer and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

15. SYDNEY WATER - TAP IN™ (GC)

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.

(Reason: Compliance with Sydney Water requirements.)

16. UTILITIES AND SERVICES - PROTECTION OF (GC)

Any footings or excavation to be located or undertaken adjacent to Council's stormwater must be designed to address the following requirements:

- i) All footings and excavation must be located wholly within the site and clear of any easement boundaries;
- ii) all footings and excavation must be located a minimum of 1000mm from the centreline of the pipeline or 500mm from the outside of the pipeline, whichever is the greater distance from the centreline; and
- iii) footings must extend to at least the depth of the invert of the pipeline unless the footings are to be placed on competent bedrock.

If permanent excavation is proposed beneath the obvert of the pipeline, suitable means to protect the excavation and proposed retaining structures from seepage or other water flow from the pipeline and surrounding subsoil, must be provided. The design must be prepared by a qualified practicing Structural/Civil Engineer.

Construction plans must be approved by the appropriate utility's office (e.g. council, Sydney Water Corporation) to demonstrate that the development complies with the utility's requirements.

The applicant must provide written evidence (e.g. compliance certificate, formal advice) of compliance with the requirements of all relevant utility providers (e.g. Water, Energy, Telecommunications, Gas).

(Reason: To ensure protection of Council assets.)

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (PCC)

17. BASIX COMMITMENTS (CC)

The approved BASIX Certificate shall be submitted to the Principal Certifying Authority with the application for a Construction Certificate.

Where a change or changes are proposed in the BASIX commitments, the applicant must submit a new BASIX Certificate to the Principal Certifying Authority and Council. If any proposed change in the BASIX commitments is inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 4.55 of the Environmental Planning and Assessment Act 1979.

All commitments in the BASIX Certificate must be shown on the plans accompanying the Construction Certificate.

(Reason: Statutory compliance.)

18. BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH (CC)

All architectural drawings, specifications and related documentation shall comply with the Building Code of Australia (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by the consent commences.

Details demonstrating compliance with this condition are to be submitted to the Principle Certifying Authority, prior to issue of the Construction Certificate.

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

19. CAR PARKING - BASEMENT CAR PARKING REQUIREMENTS (CC)

Details demonstrating compliance with the following is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate:

- i) Minimal internal clearance of the basement is 2.2m in accordance with BCA requirements.
- ii) Driveways shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and achieve a maximum gradient of 1:4.
- iii) Basement entries and ramps/driveways within the property are to be no more than 3.5m wide.
- iv) Provision of pump-out systems and stormwater prevention shall be in accordance with Council's Stormwater Management Guide.

(Reason: To ensure suitable development.)

20. CAR PARKING - VEHICULAR ACCESS RAMPS (CC)

Vehicular access ramps shall comply with the provisions of AS/NZS 2890.1:2004. Plans to be submitted shall contain the following details:

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

- i) Longitudinal section along the extreme wheel paths of each driveway/access ramp at a scale of 1:25 demonstrating compliance with the scraping provisions of AS/NZS 2890.1:2004. It shall include all levels and grades, including those levels stipulated as boundary levels, both existing and proposed. It shall extend from the centre-line of the roadway through to the parking area.
- ii) Sections showing the clearance to the underside of any overhead structure (minimum headroom requirements 2200mm minimum for standard headroom clearance or 2400mm where disabled access provisions are to be provided) demonstrating compliance with the provisions of AS/NZS 2890.1:2004.
- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

The certification referred to in (vi) above shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate (for the design) and to the Principal Certifying Authority prior to the issue of any Occupation Certificate for the 'as-built works'.

(Reason: To ensure adequate vehicular access can be achieved.)

21. **CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004 (CC)**

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

22. **CAR PARKING - VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS (CC)**

The aisle widths, internal circulation, ramp widths and grades of the car park shall comply with the Roads and Traffic Authority Guidelines and AS/NZS 2890.1:2004 - Off-Street Car Parking Code.

Vehicular manoeuvring paths are to be prepared demonstrating that all vehicles can enter or depart the site in a forward direction without encroaching on required car parking spaces.

(Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.)

23. **CAR PARKING - VEHICULAR CROSSING WIDTH AT PROPERTY BOUNDARY (CC)**

Vehicular crossings are to have a maximum width of 3m at the property boundary. Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

The vehicular crossing (and all associated excavation works) must not be constructed closer than 2 metres from a retained protected street tree.

(Reason: Compliance with SCDP 2005.)

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

24. COMMENCEMENT OF WORKS (NO WORKS UNTIL A CC IS OBTAINED)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued by either Strathfield Council or a Principal Certifying Authority.

Demolition of any part of a building triggers 'commencement of erection of building' pursuant of section 4.19 of the EP&A Act 1979. Accordingly, demolition works must not commence until a Construction Certificate has been issued, a Principal Certifying Authority has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

25. DILAPIDATION REPORT - PRE-COMMENCEMENT (CC)

Subject to access being granted, a pre-commencement Dilapidation Report is to be undertaken on all adjoining properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of a Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Engineer with current Corporate Membership with the Institution of Engineers, Australia or Geotechnical Practitioner. The report shall include a photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

The Report shall cover structural and geotechnical factors likely to arise from the development. A copy of this Report shall be submitted to Council as a record. The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

(Reason: To ensure no damage to adjoining properties occurs.)

26. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

An Erosion and Sediment Control Plan is to be prepared where construction or excavation activity requires the disturbance of the soil surface and existing vegetation. Details including drawings and specifications must provide adequate measures for erosion and sediment control to ensure:

- i) Compliance with the approved Soil and Water Management Plan.
- ii) 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).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.
- iv) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways.
- v) All erosion and sediment controls are fully maintained for the duration of demolition/development works.
- vi) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways.
- vii) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

- similar.
- viii) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters.
 - ix) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls are to be submitted to the Principal Certifying Authority with the Construction Certificate Application. Under no circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

27. EXCAVATION - AFFECTING ADJOINING LAND (CC)

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having the benefit of the development consent must, at the person's own expense, comply with the requirements of clause 98E of the Environmental Planning and Assessment Regulation 2000, including:

- i) Protect and support the adjoining premises from possible damage from the excavation, and
- ii) Where necessary, underpin the adjoining premises to prevent any such damage.

The condition referred to in subclause (i) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. Details shall be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Structural safety.)

28. PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

29. SECTION 7.11 CONTRIBUTION PAYMENT - DIRECT CONTRIBUTIONS PLAN (CC)

In accordance with the provisions of Section 7.13 of the Environmental Planning and Assessment Act 1979 and the Strathfield Direct Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Provision of Community Facilities	\$1883.45
Provision of Major Open Space	\$8569.13
Provision of Local Open Space	\$2936.83
Provision Roads and Traffic Management	\$796.99
Administration	\$162.41
TOTAL	\$14,348.79

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. Contributions shall be indexed at the time of payment in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

Contributions must be receipted by Council and submitted to the Accredited Certifier, prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at the Customer Service Centre so that it can be recalculated.

Note: A copy of Strathfield Council's Section 7.11 Direct Development Contributions Plan may be downloaded from Council's website.

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

30. STORMWATER - RAINWATER RE-USE (CC)

A rainwater re-use system shall be provided in accordance with either the BASIX minimum requirements, any relevant Council Rainwater Policy and/or specification of the management of stormwater, whichever is applicable. A detailed stormwater plan showing the proposed re-use system shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

31. STORMWATER DRAINAGE (CC)

The following stormwater precautions are required to be provided on the site:

- i) Grated drains shall be provided along the driveway/basement entry at the vehicular crossing(s) and are to connect to the internal drainage system.
- ii) Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site.
- iii) Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties
- iv) Boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.

(Reason: To ensure the site is drained appropriately and does not interfere with the natural flow of flood waters.)

32. TREE BONDS (CC)

A tree bond of **\$30,000** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

A 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.

(Reason: To ensure the protection of trees to be retained on Council's Road Reserve.)

33. SECURITY PAYMENT – DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)

A security (damage deposit) of **\$15,000.00** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

The deposit is required as security against any damage to Council property 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. All building work must be carried out in accordance with the Building Code of Australia.

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.

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

34. VEHICULAR CROSSINGS - WORKS PERMIT FOR CONSTRUCTION OF (CC)

Full-width, heavy-duty concrete vehicular crossing(s) shall be provided across the footpath at the entrance(s) and/or exit(s) to the site and designed in accordance with Council's guidelines and specifications. In this regard, a Works Permit is to be obtained (available from Council's Customer Services Centre or downloaded from Council's website), and the appropriate fees and charges paid, prior to the lodgement of a Construction Certificate.

(Reason: To ensure appropriate access to the site can be achieved.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (PCW)

35. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY (PCA) (CW)

No work shall commence in connection with this Development Consent until:

- i) A construction certificate for the building work has been issued by the consent authority or a Principal Certifying Authority.

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

- ii) The person having the benefit of the development consent has appointed a principal certifying authority for the building work, and notified the principal certifying authority that the person will carry out the building work as an owner/builder, if that is the case.
- iii) The principal certifying authority has, no later than 2 days before the building work commences:
 - notified the Council of his or her appointment, and
 - notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- iv) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved;
 - notified the principal certifying authority of such appointment; and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.
- v) The person having the benefit of the development consent has given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

Note: If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of the appropriate certificates.

Under the Environment Planning and Assessment (Quality of Construction) Act, 2003, a sign must be erected in a prominent position on the work site showing the name, address and telephone number of the principal certifying authority; the name of the principal contractor (if any) for the building work and a telephone number at which that person may be contacted outside working hours. That sign must also state that unauthorised entry is prohibited. The sign must not be removed until all work has been completed.

(Reason: Statutory requirement.)

36. **HOME BUILDING COMPENSATION FUND (CW)**

No residential building work within the meaning of the Home Building Act 1989 may commence until:

- i) A contract of insurance in accordance with Part 6 of the Home Building Act 1989 is entered into and in force, where such a contract is required under that Act (this is a prescribed condition of consent pursuant to clause 981(b) Environmental Planning and Assessment Regulation 2000).
- ii) The PCA is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the Home Building Act 1989 (unless the work is to be carried out by an owner-builder).
- iii) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner -builder permit required under the Home Building Act 1989.
- iv) Written notice of the following information has been provided to Council (this is a prescribed condition of consent pursuant to clause 98B of the Environmental Planning and Assessment Regulation 2000):
 - In the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of the Home

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

Building Act 1989.

In the case of work to be done by an owner-builder:

- the name of the owner-builder; and
- if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989, the number of the owner-builder permits.

Where Council is not the PCA, the PCA is responsible for notifying Council of the above matters.

Note: Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the PCA (where not the Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement.)

37. **NOTICE OF COMMENCEMENT (CW)**

No work shall commence until the following details are submitted to Council:

- i) a Notice of Commencement (form will be attached with issue of a Construction Certificate or available from our website) within two (2) days of the date on which it is proposed to commence works associated with the Development Consent;
- ii) details of the appointment of a Principal Certifying Authority (either Council or another Principal Certifying Authority); and
- iii) details of the name, address and licence details of the Builder.

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND BUILDING WORKS (DBW)

38. **OBSTRUCTION OF PUBLIC WAY NOT PERMITTED DURING WORKS (DW)**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without the prior approval of Council.

(Reason: To maintain public access and safety.)

39. **PUBLIC INFRASTRUCTURE AND SERVICES (DW)**

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE (POC)

40. **CAR PARKING - SURPLUS VEHICULAR CROSSINGS (OC)**

All surplus vehicular crossings and/or kerb laybacks must be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council. The nature strip is to be restored and the footpath area reinstated. All of the above are to be restored to the satisfaction of Council's Engineer and at full cost to the applicant, prior to the issue of

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

any Occupation Certificate.

(Reason: Maintenance of public infrastructure.)

41. **DRAINAGE SYSTEM - MAINTENANCE OF EXISTING SYSTEM (OC)**

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.

(Reason: Maintenance and environment.)

42. **ENGINEERING WORKS (CERTIFICATION OF)**

Prior to occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by an Accredited Civil/Hydraulic Engineer demonstrating that:

- i) The stormwater drainage system; and/or
- ii) The car parking arrangement and area; and/or
- iii) Any related footpath crossing works; and/or
- iv) The proposed basement pump and well system; and/or
- v) The proposed driveway and layback; and/or
- vi) Any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of any Occupation Certificate.

(Reason: Asset management.)

43. **LANDSCAPING - ARBORIST'S FOLLOW UP REPORT OF TREE/S TO BE RETAINED (OC)**

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any impacts suffered by them as a result of the proposed approved development, prior to the issue of an Occupation Certificate. Findings are to be compiled in a detailed report and submitted to the Principle Certifying Authority, which documents the following:

- i) Methods of excavation or construction used to carry out the works;
- ii) Any damage sustained by the tree/s as a result of the works;
- iii) Any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

- iv) Any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: To ensure the survival of trees to be retained.)

44. **OCCUPATION OF BUILDING (OC)**

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- i) All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) Any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

45. **STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM (OC)**

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.

(Reason: Adequate stormwater management.)

46. **STORMWATER - COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS (OC)**

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 stormwater facility (on-site detention, pump-out, charged lines, etc).

Where any drainage line or service conduit is to traverse any property other than that which it serves, an appropriate easement will be required. In this case, the applicant shall register an easement no less than 1200mm wide over the proposed drainage line or service concurrently with any subdivision registration.

The wording on the 88E and/or the 88B Instrument is to make reference to the Council file where the Construction plans and the Work As Executed (as built), plans are held. Typical wording can be obtained from Council's Specification for the Management of Stormwater document.

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

47. **POSITIVE COVENANT (OC)**

A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title

DA2019/185 - 56 Homebush Road, Strathfield - Lot A DP 169663 (Cont'd)

of the property as follows:

- (a) Full and free right must be provided to Strathfield Council employees or its authorised contractors to:
 - (i) Enter upon the land and remove any waste products using any vehicle or equipment as necessary;
- (b) The owner of the lot burdened shall be solely responsible for the cost of maintaining in good and sufficient repair at all times the internal roads or access ways used by Strathfield Council for the purpose of exercising its rights as set out in clause (a) above.

The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority.

(Reason: To ensure appropriate collection of waste.)

ATTACHMENTS

There are no attachments for this report.

Note: This meeting is closed session and is not available for the public to attend
--