

IDAP REPORT

Property:	89 Albyn Road STRATHFIELD DA 2020/66 Demolition of an existing patio & pergola and construction of a new sunroom in same location.
Proposal:	Relocation of the existing gas meter to the boundary and connection of the sunroom's roof runoff to the existing house stormwater system.
Applicant:	KM Cooke
Owner:	Kenneth Melvyn Cooke
Date of lodgement:	8 April 2020
Notification period:	14 April 2020 to 30 April 2020
Submissions received:	0
Assessment officer:	E Black
Estimated cost of works:	\$18,000.00
Zoning:	R2 Low Density Residential- SLEP 2012
Heritage:	No
Flood affected:	Yes
Is a Clause 4.6 Variation Proposed:	No N/A
RECOMMENDATION OF OFFICER:	APPROVAL



Image 1: Locality Plan (Subject site shown in pink)

EXECUTIVE SUMMARY

Proposal

Development consent is being sought for the demolition of the dwelling's existing patio & pergola and the construction of a new sunroom in same location. This will include the relocation of existing gas meter from the western side of the house to the boundary and connection of the new sunroom to existing house stormwater system.

Site and Locality

The site is identified as 89 Albyn Road Strathfield and has a legal description of Lot: 2 DP: 216140. The site is an irregular shaped parcel of land and is located within a R2 - Low Density Residential area.

The site has rear boundary dimension width of 17.69m and narrower Albyn Road frontage of 11.125m (with a truncated corner of 6.565m facing the intersection) and a depth of 51.125m. It has an overall site area of 918.8m².

The locality surrounding the subject site contains a mixture of contemporary and federation style single and two storey dwellings on larger lots. It is in the vicinity of a number of heritage items (item 87 and item 134).

Strathfield Local Environmental Plan

The site is zoned R2- Low Density Residential under the provisions of Strathfield LEP 2012 and the proposal is a permissible form of development with Council's consent. The proposal satisfies all relevant objectives contained within the LEP.

Development Control Plan

The proposed development generally satisfies the provisions of Strathfield Consolidated DCP 2005. This is discussed in more detail in the body of the report.

Notification

The application was notified in accordance with Council's Community Participation Plan from (14-30 April 2020), where no submissions were received.

Conclusion

Having regards to the heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979, Development Application 2020/66 is recommended for approval subject to suitable conditions of consent.

REPORT IN FULL

Proposal

Council has received an application for the demolition of an existing modern patio & pergola to a Californian bungalow style dwelling and the construction of new sunroom with a glass roof in same location. This includes the relocation of the existing gas meter from the western side of the dwelling to the western boundary retaining wall and the connection of the new sunroom's stormwater system to existing house stormwater system.

More specifically, the proposal includes;

- Demolition of the existing dilapidated patio (2.150 m by 3.55 m) adjoining the living room on the Western side.
- Construction of a 2.5m by 4.4m sunroom in the same location.
- Existing gas meter adjacent to patio to be relocated to the top of western boundary retaining wall adjoining Albyn Road.
- Roof runoff to be collected and discharged into existing soakwell.
- Minor landscaping immediately surrounding the patio. However, no removal of trees or other vegetation

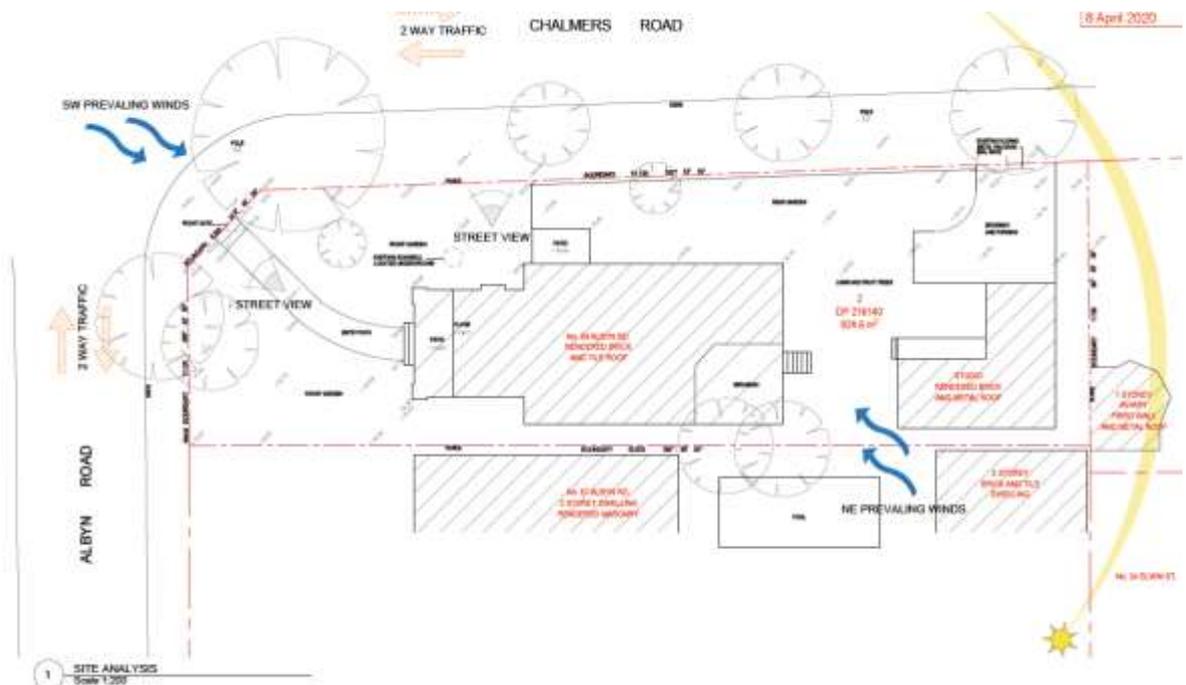


Figure 1: Site Plan

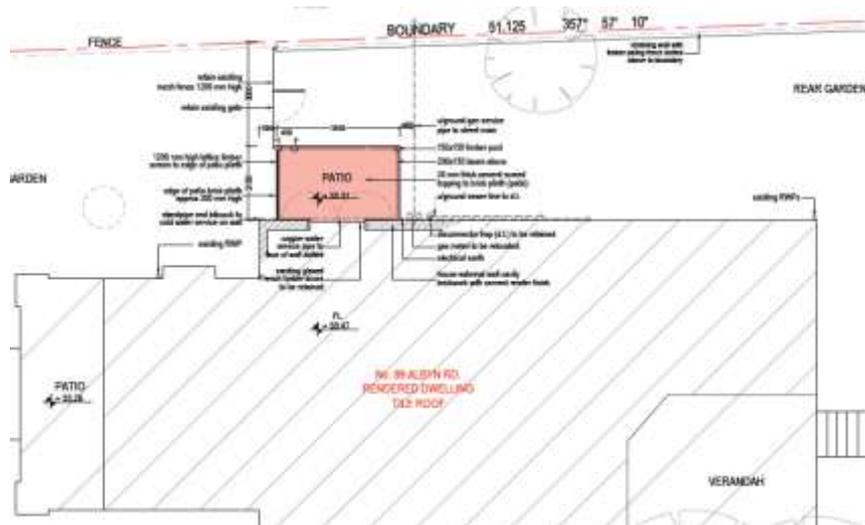


Figure 2: Demolition Plan

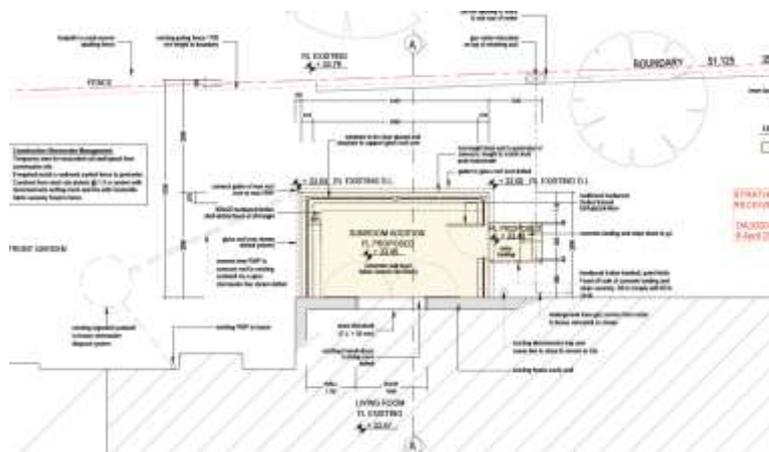


Figure 3: Proposed addition which is in the same place as the patio.

The Site and Locality

The subject site is legally described as Lot: 2 DP: 216140 and commonly known as 89 Albyn Road STRATHFIELD. It is located on the corner of Albyn and Chalmers Road.

The site is irregular in shape and has a frontage of 11.125m to Albyn Rd with a truncated corner of 6.565m facing the intersection to the north, rear boundary of 17.9m to the south side boundary length of 55.655 m to the east and secondary frontage side boundary length of 51.125 m to the west and an area of 918.8m².

The site slopes from the west and has a cross-fall of 0.50m and a cross fall of 0.20m from the south. A retaining wall (0.5m) is located on the western boundary of Chalmers Road.

The site is occupied by a single storey Californian Bungalow style dwelling. Vehicular access is provided to the site via an existing driveway from Chalmers Road to a garage located at the rear of the property facing Chalmers Road.

The surrounding area is characterised by mature gardens and single and double storey residential dwellings of various ages. Heritage Item 87 is located across the street and item 134 adjoins the property. These are described as:

Item	Address	Description
87	96 Albyn Road	“Wawona”- Californian bungalow, garden and front fence.
134	26 Elwin Street	“Warrington”-Inter-war bungalow style house



Image 2: Aerial showing location (from SOEE)



Photo 1: View of property from the corner of Albyn and Chalmers Road looking North (from SOEE)



Photo 2: Site adjoins item 134 – Warrington. Only the two storey modern addition can be seen from the subject site.



Photo 3: Site faces item 34 – Wawona – Californian bungalow (google maps)



Photo 4: Current patio area where new addition is to be located (site photo 12 May 2020)



Photo 5: Current patio area showing minor vegetation to be removed. (site photo 12 May 2020)



Photo 6: Frontage of 89 Albyn Road (site photo 12 May 2020)



Photo 7: View of subject site from Chalmers Road (site photo 12 May 2020)



Photo 8: View of the 0.5m drop from Chalmers road.



Photo 9: View of the current gas meter to be relocated.

Background

The application was lodged on the 8th April and advertised from the 14 April 2020 to 30 April 2020. No submissions were received. The applicant was advised that the proposal is likely to meet the Complying Development Code 2008, however, the applicant chose not to withdraw the application.

Referrals – Internal and External

Waste Comments:

The Environmental Project Officer had no objections subject to the following conditions:

Standard Conditions

*CC8011 – Site Management Plan
CC8084 – Waste Management Plan
CC8085- Waste Recycling and Bulky Storage*

Special Conditions

- *Provide methods to maximise source separation and recovery of recyclables.*
- *A composting area/container should be provided and located so as not to impact adjoining properties by way of odour, vermin or other nuisance.*

Stormwater Comments

The Development Control Engineer had no objections subject to the following standard conditions:

*CC8036 – Erosion and Sedimentation Control
RC7012 – Sydney Tap In
CC8038 Stormwater Systems
CC8044 – Drainage System- Maintenance from Exist
OC1119- Stormwater Certification Minor Works*

Heritage Comments:

The Specialist Planner – Heritage comments are as follows:

“The plans show a minor single storey addition of 33.45m² to the western aspect of the dwelling facing the secondary frontage of Chalmers Street. There is unlikely to be any impact on the heritage items in the vicinity. These are:

Item	Address	Description
87	96 Albyn Road	“Wawona”- Californian bungalow, garden and front fence.
134	26 Elwin Street	“Warrington”-Inter-war bungalow style house

The single storey addition with a glass roof is modest is located below street level and is in keeping with the style of the Californian bungalow dwelling and is not imposing and therefore does not dominate the heritage items. From a heritage perspective I have no objection to this proposal and impose no conditions.”

Section 4.15 Assessment – EP&A Act 1979

The following is an assessment of the application with regard to Section 4.15 (1) of the Environmental Planning and Assessment Act 1979.

(1) Matters for consideration – general

In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provision of:**
(i) any environmental planning instrument,

Strathfield Local Environmental Plan

The development site is subject to the Strathfield Local Environmental Plan 2012

Part 2 – Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

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

Part 4 – Principal Development Standards

Applicable SLEP 2012 Clause	Development Standards	Development Proposal	Compliance/ Comment
4.3 Height of Buildings	9.5m	6.5m	Yes
4.4 Floor Space Ratio	0.525:1	0.29:1	Yes

Part 5 – Miscellaneous Provisions

Heritage Conservation

The subject site is not listed as a heritage item or located within a heritage conservation area. The site does adjoin and is in close proximity to a heritage item and as such, the provisions of this clause are applicable. The impact of this development has been addressed in the Statement of Environmental Effects by the applicants Heritage Consultant. The application was referred to Council's Heritage Officer who has advised that the proposed works are satisfactory.

It is considered that the proposed works satisfactorily address the provisions of this Clause.

Part 6 – Additional Local Provisions

Acid Sulfate Soils

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

Earthworks

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

Flood Planning

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

Essential Services

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

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

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

As the value of works is less than \$50,000 or based on the nature of the development type, there is no requirement for the application to be assessed in accordance with the BASIX SEPP.

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

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

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

The objectives outlined within SEPP55 are considered to be satisfied.

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

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

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

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

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

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

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

(iii) any development control plan,

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

Applicable DCP Controls	DCP Controls	Development Proposal	Compliance/ Comment
Building Envelope			
Floor Space Ratio:	0.525:1	0.29:1	Yes
Heights: Floor to ceiling heights: Height to underside of eaves: Number of Storeys/Levels:	3.0m 7.2m 2	2.2m 3.3m 1	Yes
Setbacks: Front: Side: Side: Combined Side Setback: Rear: Detached garage/carport	9m 1.2m (min) 1.2m (min) (20%) 6m Nil/0.5m/1.5m	N/A 2.65 N/A N/A N/A	Yes
Landscaping			
Landscaping/Deep soil Provisions: Private Open Space Area: Minimum dimension:	(site area 45%) 10m ² 3m	67% 7m by 17m (119m ²)	Yes Yes
Solar Access			
POS or habitable windows	3hrs to habitable windows and to 50% of POS	Yes	Yes

Building Envelope

The proposed development satisfies the objectives and controls within the development control plan relevant to:

- Building Scale, height and floor space ratio
- Rhythm of Built Elements in the Streetscape,
- Fenestration and External Materials, and
- Street Edge

Landscaping and Open Space

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005. The development is considered to enhance the existing streetscape, adequate areas for deep soil planting have been provided and can accommodate large canopy trees and where possible trees have been retained and protected.

Solar Access

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

Privacy

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005, in that adequate privacy is maintained between adjoining properties and any potential overlooking is minimised. The addition is to the western side adjoining Chalmers Road. It's below the street level and therefore does not overlook any neighbouring properties..

Cut and fill

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

Water and Soil Management

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005 and complies with Council's Stormwater Management Code. Relevant conditions have been imposed.

Access, Safety and Security

The proposed development satisfies the relevant objectives and controls of the SCDCP 2005. The proposal may allow for more passive surveillance of the public street (Chalmers Road) and will increase the perception of safety in this street.

PART H – Waste Management (SCDCP 2005)

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

PART P – Heritage (SCDCP 2005)

As previously discussed, the subject site is in the vicinity of two heritage items. These are:

Item	Address	Description
87	96 Albyn Road	“Wawona”- Californian bungalow, garden and front fence.
134	26 Elwin Street	“Warrington”-Inter-war bungalow style house

Therefore, the objectives and Section 3 Development in the vicinity of heritage items applies. An assessment of the proposal against the objectives and development controls contained within Part P of SCDCP 2005 is included below:

1.5: Objectives of this DCP Part

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

Comment: The addition is in keeping with the existing Californian bungalow style of the dwelling and is a small single storey addition. It does not impact on the heritage items in the area.

Development in the Vicinity of Heritage Items

3.1: Setting

3.1.1	Objectives	Complies
1	To ensure the setting of heritage items is not compromised by development in the vicinity of the heritage item.	Yes
2	To ensure that new development respects the contribution of heritage items to the streetscape and/or townscape.	Yes

3.1.2 Development Controls		Complies
(1)	Development in the vicinity of a heritage item should not be of such bulk or height that it visually dominates or overshadows the heritage item.	Yes
(2)	Views to or from a heritage item should not be obscured by new development	Yes
(3)	Where a heritage item is part of a streetscape of buildings of consistent style, form and materials, development in the vicinity of the heritage item should incorporate elements of the dominant style, form and materials in the streetscape.	Yes
(4)	Where trees are integral to the significance of a heritage item, development should not be allowed beneath the drip zone of the trees.	N/A

Comment: The addition is small in bulk and will not visually dominate the nearby heritage items.

3.2: Scale

3.2.1 Objectives		Complies
1	To ensure that new development in the vicinity of a heritage item is of a scale that does not detract from the significance of the heritage item.	Yes

3.2.2 Development Controls		Complies
(1)	The scale of new development in the vicinity of a built heritage item should not be substantially greater than that of the heritage item.	Yes
(2)	New development that obscures important views of a heritage item is not permitted.	Yes

Comments: The addition is minor and is hidden by the fence along Chalmers Road. The style of the addition compliments the heritage items in the vicinity as it is not imposing and of a similar style as the heritage items.

3.3 Siting

3.3.1 Objectives		Complies
1	To ensure new development in the vicinity of a heritage item is sited so that it does not obscure important views to or from the heritage item.	Yes

2	To ensure that new development in the vicinity of a heritage item does not adversely impact landscape elements that are significant or are associated with a heritage item.	Yes
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3.3.2 Development Controls		Complies
(1)	The siting and setback of new development (including alterations and additions) in the vicinity of a heritage item should ensure that important views to or from the heritage item are not adversely impacted on.	Yes
(2)	The siting and setback of new development in the vicinity of a heritage item should ensure that landscape elements associated with or listed as a heritage item are not adversely affected by the development.	Yes

Comments: No views are impacted by the new development.

3.4: Materials and colours

3.4.1 Objectives		Complies
1	To ensure that new development in the vicinity of a heritage item does not detract from the significance of the heritage item.	Yes

3.4.2 Development Controls		Complies
(1)	Materials and colours for development in the vicinity of a heritage item shall be selected to avoid stark contrast with the adjacent development where this would result in the visual importance and significance of the heritage item being reduced.	Yes

Comments: Materials and colours are similar to the heritage items and compliment rather than compete with the heritage items.

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

The requirements of Australian Standard AS2601–1991: *The Demolition of Structures* is relevant to the determination of a development application for the demolition of a building.

The proposed development does not involve the demolition of a building.

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

The proposed development is of a scale and character that is in keeping with other developments being constructed in the locality. Accordingly, the proposal is not considered to have a significant impact on the natural and built environment or any negative social or economic impacts on the locality.

(c) *the suitability of the site for the development,*

It is considered that the proposed development is of a scale and design that is suitable for the site having regard to its size and shape, its topography, vegetation and relationship to adjoining developments.

(d) *any submissions made in accordance with this Act or the regulations,*

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

(e) *the public interest.*

The proposed development is of a scale and character that does not conflict with the public interest.

Local Infrastructure Contributions

Section 7.13 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. This section prescribes in part as follows:

A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division). The cost of the proposed development is less than \$100,000 as such Indirect Development Contribution does not apply.

Conclusion

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

Following detailed assessment it is considered that Development Application No. 2020/66 should be approved subject to conditions.

Signed: 
E Black
Specialist Planner - Heritage

Date: 30 June 2020

X I confirm that I have determined the abovementioned development application with the delegations assigned to my position;

- X I have reviewed the details of this development application and I also certify that Section 7.11/7.12 Contributions are not applicable to this development;

Report and recommendations have been peer reviewed and concurred with.

Signed:



Louise Gibson
Senior Planner

Date: 30 June 2020

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

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

1. Sydney Water – Tap in™

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

2. Site Management Plan

Minor Development

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

3. Waste Management Plan

A Waste Management Plan incorporating all requirements in respect of the provision of waste storage facilities, removal of all materials from the site that are the result of site clearing, extraction, and, or demolition works and the designated Waste Management Facility shall be submitted to and approved by the Certifying Authority prior to the issue of any Construction Certificate.

WMP should also indicate how waste education will be provided, in order to minimise waste disposal, contamination and to increase recycling. Educational signage is to be installed in waste rooms and commons areas.

EPA's Better Practice Guide for Waste Management in Multi-unit Dwellings and Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities should be used to inform design and waste management outcomes in new and existing development.

4. Waste, Recycling and Bulky Storage

The waste storage area shall not be visible from the street. The waste storage area shall be located within the lot.

The waste storage area shall be large enough to accommodate the following number of bins for the development;

- (a) Domestic Waste – 1x 120 litre mobile bins.
- (b) Domestic Recycling – 1 x 240 litre mobile bins.
- (c) Green Waste –1x 240 litre mobile bins.

and located in an area to suitably facilitate servicing on waste collection day.

5. Stormwater System

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system in accordance with Council stormwater management code and AS/NZS 3500.3: 2015 (as amended), prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

6. Erosion & Sedimentation Control

Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- (c) All clean water run-off is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with Managing Urban Stormwater – Soils and Construction (Blue Book) produced by Landcom 2004.

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

7. Drainage System – Maintenance of Existing System

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

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

standards and/or Sydney Water requirements.

DURING CONSTRUCTION

8. Recycling of material– Waste Condition

Provide a methods to maximise source separation and recovery of recyclables.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

9. Stormwater Certification of the Constructed Drainage Works (Minor)

The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

OPERATIONAL CONDITIONS (ON-GOING)

10. Composting – Environmental Health Condition

A composting area/container should be provided and located so as not to impact adjoining properties by way of odour, vermin or other nuisance.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

Nil

PRESCRIBED CONDITIONS

11. Clause 98A – Erection of Signs

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

ADVISORY NOTES

i. Review of Determination

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

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

ii. Appeal Rights

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

iii. Lapsing of Consent

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