

Agenda

Strathfield Local Planning Panel Meeting

Notice is hereby given that a Strathfield Local Planning Panel Meeting will be held at Council Town Hall (Supper Room), 65 Homebush Road, Strathfield on:

Thursday, 1 November 2018

Commencing at 10:00am for the purpose of considering items included on the Agenda

Persons in the gallery are advised that the proceedings of the meeting are being recorded for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes a video camera and any electronic device capable of recording speech.

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TO: Strathfield Local Planning Panel Meeting - 1 November 2018
REPORT: SLPP – Report No. 1
SUBJECT: DA2018/111 - 23 REDMYRE ROAD, STRATHFIELD
LOT 1 DP 724485 & LOT 1 DP 933755
DA NO. DA2018/111

SUMMARY

Proposal: Alterations and additions to an existing single dwelling including a basement level, front fence, in-ground swimming pool and associated landscaping.

Applicant: The Site Foreman (NSW) Pty Ltd

Owner: Y. Yang

Date of lodgement: 6 August 2018

Notification period: 9 August 2018 to 26 August 2018

Submissions received: Nil

Assessment officer: ND

Estimated cost of works: \$1,059,484

Zoning: R2 Low Density Residential- SLEP 2012

Heritage: Located in Redmyre Road Heritage Conservation Area

Flood affected: Yes

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The application seeks Council approval for alterations and additions to the existing single storey dwelling including a rear two (2) storey addition, basement level, front fence and in-ground swimming pool.
- 2.0 The plans and documentation were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005. No written submissions were received.
- 3.0 The proposal complies with the floor space ratio and building height standards as prescribed in the *SLEP 2012* and generally complies with the relevant provisions of the
- 4.0 The site is located within the Redmyre Road Heritage Conservation Area. The existing dwelling house on the site is considered to have a contributory values. The design of the proposed two (2) storey addition was amended during the assessment process, including a reduction of its building height relative to the existing dwelling house and an increased side setback of the western elevation at the first floor level.
- 5.0 The amended design is more responsive to the existing dwelling and wider streetscape, incorporating vertically orientated windows, traditional external finishes in a colour palette that is sympathetic. Additionally, the sitting of the rear addition immediately behind the

**DA2018/111 - 23 Redmyre Road, Strathfield
Lot 1 DP 724485 & Lot 1 DP 933755 (Cont'd)**

existing dwelling minimises its visibility thereby reinforcing the contributive of the existing dwelling in the Redmyre Road Heritage Conservation Area.

6.0 The proposal is acceptable on its merits and recommended for approval subject to recommended conditions of consent.

BACKGROUND

2 November 2017 DA2017/105 for the demolition of existing rear addition and construction of a new two (2) storey addition was refused at SIHAP.

14 February 2018 Meeting held at Council to discuss the refused determination of DA2017/105.

20 June 2018 Amended plans submitted with a meeting held at Council to discuss the amended plans.

6 August 2018 The current development application (DA2018/111) was lodged.

9 August to
26 August 2018 Application publicly notified. No written submissions were received as a result.

30 August 2018 A deferral letter was sent to the applicant requesting amendments to the western side setbacks, schedule of colours and finishes, basement footprint and deep soil landscaping.

19 September 2018 A meeting was held at Council to discuss the matters raised in the deferral letter dated 30 August 2018.

28 September 2018 Amended architectural plans were submitted to Council.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located off the northern side of Redmyre Road, just of the intersection of Raw Square and Redmyre Road. The site is comprised of two (2) residential allotments known as:

- Lot 1 in DP 933755: 15.24m width x 51.12m length
- Lot 1 in DP 724485: 4.875m width x 51.12m length

The site is regularly shaped and has a gentle cross fall to the rear northern boundary. The site has an overall frontage of 20.12m and an overall area of 1,028.28m². Located across the road to the south of the site is Meriden School and located approximately 250m north-east of the site is the Strathfield Town Square.

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Figure 1: Locality plan (subject site is outlined in yellow).

The site comprises of a Federation Queen Anne style dwelling featuring gable and hipped roof forms and an L-shaped front verandah which wraps around the front south-eastern corner of the dwelling. The dwelling forms part of the listed Redmyre Road Heritage Conservation Area, is a prime example of early twentieth century architecture and makes a positive contribution to the streetscape. Dwellings located within the immediate streetscape are traditional in style, comprising of brown facebrick exterior walls, and terracotta tiled roof forms and decorative timberwork.

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Figure 2: View of existing dwelling

PROPERTY BURDENS AND CONSTRAINTS

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for alterations and additions to an existing single storey dwelling including a basement level, front fence, in-ground swimming pool and associated landscaping.

The specific elements of the proposal are:

Works to existing dwelling house:

- Internal alterations including demolition and construction of walls;
- Restoration/replacement of external walls, flooring and ceiling; and
- New roof tiles;

Demolition:

- Rear addition including enclosed sun room;
- Front fence; and
- Two (2) detached garages and carport.

Basement level:

- Three (3) car parking spaces;
- Home theatre; and
- Bathroom.

Ground floor level:

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- Open plan kitchen, living and dining room;
- Alfresco;
- Central courtyard;
- Bathroom; and
- Laundry.

First floor level:

- Four (4) bedrooms each with a walk-in-wardrobe and ensuite.

External works:

- Construction of swimming pool;
- Construction of front fence; and
- Associated landscaping and stormwater works.

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 Coordinator raised no objections to the proposal, subject to the imposition of recommended conditions of consent.

Heritage Comments

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

"The proposal can be supported on heritage grounds, subject to the imposition of appropriate conditions, provided below.

Special Conditions

Structural Engineering Design, Certification & Work Methods Statement

A Structural Engineering design and Work Methods Statement must be produced for the excavation works associated with the driveway and basement and submitted to Council and the Principal Certifying Authority prior to the issue of a Construction Certificate or the commencement of works, whichever occurs first (including site preparation works). The design detail and work methods statement must demonstrate how the portions of the original dwelling house on the site identified to remain as part of the approved works are to be protected during the excavation works and must be accompanied by certification by an appropriately qualified and accredited structural engineer with experience in heritage buildings.

(Reason: to protect the existing dwelling house on the site and to achieve a good heritage outcome.)

Standard Conditions

Demolition - Heritage Items (GC)

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Alterations to, and demolition of, the existing building shall be limited to that documented on the approved plans (by way of notation) or conditioned in this consent. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

Should any portion of the existing building which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of this damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.

(Reason: Heritage conservation.)

Heritage - Reuse Of Significant Building Elements (Cc)

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

(Reason: To allow for preservation of cultural resources within the Strathfield Council area.)

Heritage - Submission Of Photographic Survey (Cc)

*A photographic survey is to be made of all structures prior to the commencement of any works on the site, including site preparation works. A copy of this survey is to be submitted to Council **prior to the issue of the Construction Certificate**. Written confirmation that Council reserved the right to use the photographs for its own purposes and genuine research purposes is to be included.*

(Reason: To provide a historic record of heritage significant works on the site for archival purposes.)"

The above requirements are incorporated into the recommended conditions (refer to Special Conditions).

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

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

4.15(1)(a) the provisions of:

(i) 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

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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

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation).

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

Council's Tree Management Officer has reviewed the application and recommended the imposition of standard conditions to ensure the protection of the street trees adjacent to the site during the demolition and construction phases of the development.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

| 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> | N/A |
| (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 |

Comments: The proposal is considered to be appropriate to the streetscape character of the Redmyre Road Heritage Conservation Area. Specifically, the sitting and external finishes of the proposed addition will not detract from the prevailing architectural characteristics in Redmyre Road.

Permissibility

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

Dwelling houses are permissible within the R2 Zone with consent and are defined under SLEP 2012 as follows:

“dwelling house means a building containing only one dwelling”

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The proposed development being for the purpose of a dwelling house is consistent with the definition above and is permissible within the R2 Zone with consent.

Zone Objectives

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

| Objectives | Complies |
|--|----------|
| ➤ To provide for 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. | N/A |
| ➤ To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas. | Yes |

Comments: The development contributes to the housing needs of the community in a low density residential setting.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

Height of building

| Cl. | Standard | Controls | Proposed | Complies |
|-----|--------------------|----------|----------|----------|
| 4.3 | Height of building | 9.5m max | 7.82m | 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 | N/A |
| (c) To achieve a diversity of small and large development options. | N/A |

Comments:

The proposed two (2) storey addition has a maximum height of 7.82m, thereby readily achieving compliance with the maximum 9.5m building height standard. Additionally, the ridgeline of the proposed addition is 150mm lower than the ridgeline of the existing building, thereby minimising its visibility from the public domain.

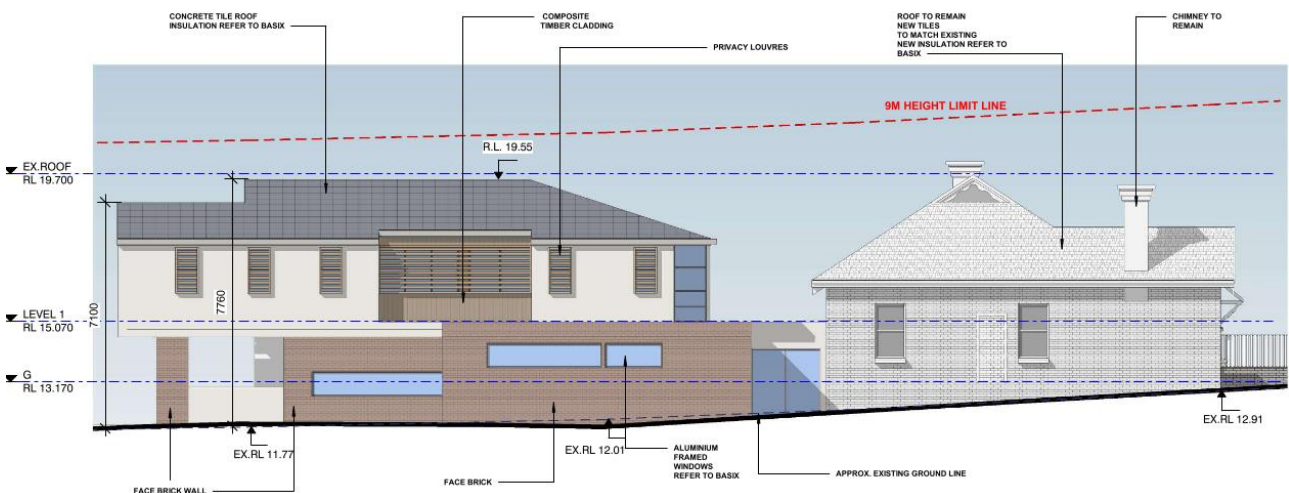


Figure 3: Western side elevation of proposed addition and existing dwelling.

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Floor space ratio

| Cl. | Standard | Controls | Proposed | Complies |
|------------|--------------------------|-----------------------------------|----------------------------------|-----------------|
| 4.4 | <i>Floor space ratio</i> | 0.5:1 max (514m ²) | 0.43:1 (448.0m ²) | Yes |

| | Objectives | Complies |
|------------|--|-----------------|
| (a) | <i>To ensure that dwellings are in keeping with the built form character of the local area</i> | Yes |
| (b) | <i>To provide consistency in the bulk and scale of new dwellings in residential areas</i> | Yes |
| (c) | <i>To minimise the impact of new development on the amenity of adjoining properties</i> | Yes |
| (d) | <i>To minimise the impact of development on heritage conservation areas and heritage items</i> | Yes |

Comments: The proposed addition achieves an appropriate scale and form that will integrate well with the existing dwelling and streetscape without detracting from the unique architectural features. Further, the proposed development is unlikely to impact upon the residential amenity of the adjoining residential properties.

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the SLEP 2012 are addressed below as part of this assessment:

5.10 Heritage Conservation

Clause 5.10(5) of the *SLEP 2012* requires consideration be given to the potential impacts of development upon heritage conservation areas including associated fabric, settings and views. The subject site is located within the Redmyre Road Heritage Conservation Area, with dwellings constructed predominantly in the early twentieth century. In addition to the architectural qualities of the dwellings, Redmyre Road is noted for its street tree plantings. The existing single storey dwelling on the site was built in the 1910s and designed in the Federation Queen Anne style. Several amendments to the design of the proposed rear two (2) storey addition were made during the assessment process, specifically the height of the building, schedule of colours and external finishes and the western side setback (as shown in Figures 4 and 5).

The incorporation of exposed face brick at the ground floor level on the street facade as opposed to the originally proposed rendered masonry, breaks up the bulk of the addition and serves as a continuation of the traditional building material of the existing dwelling house and proposed front fence.

The increased side boundary setback of the first floor level relative to the western boundary has resulted in an eastward shift of the roofline, thus reducing the height of the addition by 150mm. As a result, the current design proposes a maximum ridgeline that is 150mm lower than the ridgeline of the existing dwelling and in conjunction with the shift of the ridge point situates the bulk of the addition behind the existing dwelling, thus minimising its visibility from the public domain. The design creates an integrated streetscape presentation outcome that maintains the primacy of the original dwelling and its architectural qualities that contribute in turn to the heritage values of the Redmyre Road Heritage Conservation Area.

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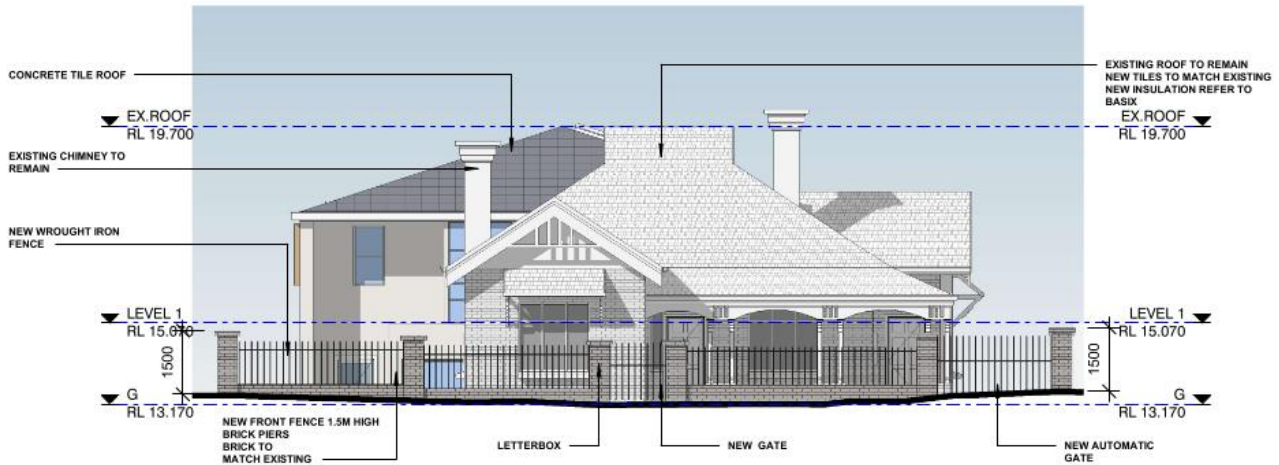


Figure 4: Street-frontage elevation of the existing dwelling and proposed addition (as originally submitted).

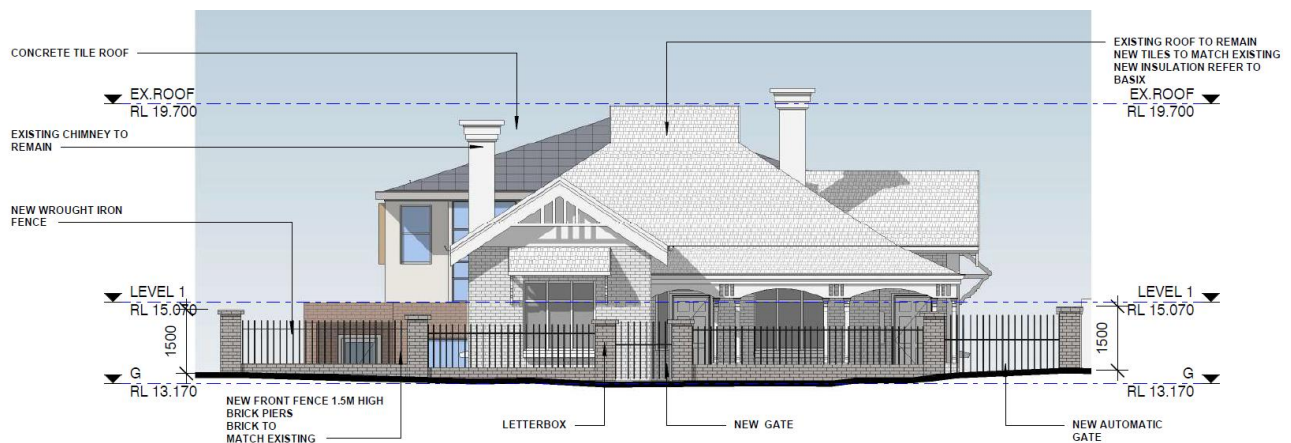


Figure 5: Street-frontage elevation of the existing dwelling and proposed addition (as amended).

The proposal incorporates a colour palette that is compatible with the heritage conservation area and dwelling house. Specifically, the beige tone of the rendered masonry of the addition is reflective of the timber battening and verandah posts of the existing dwelling with the earthy tones of the exposed facebrick on the ground floor and front fence reflective of the earthy colour tones of the face brick and chimneys. Additionally, the proposed pier and infill style front fence is appropriate to the Queen Anne style of the existing dwelling and the wider streetscape.

Council’s Heritage Advisor has no objections to the demolition of the detached garage, later rear addition and front fence.

Overall the application achieves the objectives of Clause 5.10 of the *SLEP 2012* in that the proposed development is appropriately designed so as not to detract from the Federation Queen Anne style of the original dwelling house and wider Redmyre Road Heritage Conservation Area.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the *SLEP 2012* are addressed below as part of this assessment:

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. Accordingly, the provisions of this clause are not triggered.

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6.2 Earthworks

As the proposed development involves the construction of a basement in close proximity to the foundations of the existing dwelling house, a special condition of consent has been recommended for a structural engineering design and works methods statement to be prepared detailing how the original dwelling house on the site will be protected during the excavation works associated with the driveway and basement.

6.3 Flood planning

A small portion of the subject site is affected by an overland flow path with a maximum flood depth of 46.6mm. Due to the location of the flood affected area and maximum flood depth, the basement has been designed with a minimum capacity capable of handling four (4) hours of the 1 in 100 year storm event. The proposed finished floor levels of the addition are appropriate with Council's Development Engineer having no issued in this respect.

6.4 Essential services

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.

4.15 (1)(a)(ii) 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.

4.151)(a)(iii) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

Heritage and Conservation

| Cl. 1.11 | Aims | Complies |
|-----------------|--|-----------------|
| A | <i>To preserve and enhance the visual and environmental amenity of heritage items and heritage conservation areas within the municipality of Strathfield</i> | Yes |
| B | <i>Ensure all new development affecting heritage items and conservation areas is designed to be compatible in setting, scale, setbacks, form, materials and character with the building and surrounding area</i> | Yes |
| C | <i>Ensure that development in the vicinity of a heritage item or conservation area does not have any adverse impact on the heritage significance or setting and that development is compatible in setting, scale, setbacks, form, materials and character with the item or conservation area</i> | Yes |
| D | <i>Conserve archaeological sites and places of Aboriginal significance</i> | Yes |
| Cl. 1.11 | Controls | Complies |
| (1) | <i>A Statement of Heritage Impact is required for proposed development:</i> a) <i>affecting a heritage item;</i> b) <i>within a heritage conservation area; or</i> c) <i>in the vicinity of an item or heritage conservation area</i> | Yes |
| (2) | <i>This statement must set out the heritage significance of the structure or place and assess the extent to which carrying out of the proposed</i> | Yes |

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development would affect the significance of the heritage item or heritage conservation area concerned and outline measures to minimise any identified impact

Comments: The development application was accompanied by a Heritage Impact Statement having regard to the location of the site being within the Redmyre Road Heritage Conservation Area and the existing dwelling house having contributory value. As discussed, the development was amended during the assessment process in response to the comments provided by Council's Heritage Advisor, specifically in regard to height, schedule of colours of finishes and increasing the western side setback. The amended plans result in an addition that is sympathetic to the existing heritage character evident within the wider streetscape and does not detract from the primacy of the original dwelling, in the Conservation Area.

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

An assessment of the proposal against the objectives contained within Clause 1.3 of Part A of SCDPC 2005 is included below:

| No. | Objectives | Complies |
|-----|---|----------|
| A | <i>To preserve and enhance the residential amenity and heritage value of buildings in the Strathfield Municipality</i> | Yes |
| B | <i>To encourage construction of environmentally sustainable dwelling houses and ancillary structures</i> | Yes |
| C | <i>To preserve the appearance of dwellings in tree-lined streets and park-like settings</i> | Yes |
| D | <i>To maintain compatible architectural styles of dwelling houses within the streetscape</i> | Yes |
| E | <i>To encourage innovation in housing design and detail</i> | Yes |
| F | <i>To maintain continuity of streetscape by requiring new and altered dwellings to be constructed to a similar size and scale to adjoining developments</i> | Yes |
| G | <i>To provide a high standard of dwelling house design, construction and finish</i> | Yes |
| H | <i>To maximise solar access to existing and proposed developments</i> | Yes |
| I | <i>To provide adequate and convenient on-site car parking</i> | Yes |

Comments: The proposed addition is of a high quality built form, as it has incorporated external finishes and a building envelope that is sympathetic to the architectural qualities of the existing dwelling and the Redmyre Road Heritage Conservation Area generally. The positioning of the proposed addition enables the amenity (including solar access and visual privacy) of the adjoining dwellings to be maintained.

4: Building Envelope

| 4.1 | Objectives | Satisfactory |
|-----|---|--------------|
| A. | <i>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.</i> | Yes |

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| | | | |
|--------------|---|--|-----------------|
| B. | <i>To minimise impact on the amenity of adjoining properties.</i> | | Yes |
| C. | <i>To establish and maintain the desired setbacks from the street and define the street edge.</i> | | Yes |
| D. | <i>To create a perception or reinforce a sense of openness in the locality.</i> | | Yes |
| E. | <i>To maintain view corridors between dwellings</i> | | Yes |
| F. | <i>To assist in achieving passive surveillance whilst protecting visual privacy.</i> | | Yes |
| G. | <i>To provide a transitional area between public and private space.</i> | | Yes |
| 4.2 | Development Controls | | Complies |
| | <i>Floor Space Ratio</i> | | |
| .1. | 1 | Floor Space Ratio permissible pursuant to SLEP 2012 | Yes |
| | 2 | Development compatible with the lot size | Yes |
| | <i>Building Height</i> | | |
| .2. | 1 | Height of building permissible pursuant to SLEP 2012 | Yes |
| | 3 | Dwelling houses and any ancillary structures 2-storeys (max) | Yes |
| | 4 | Building height responds to the gradient of the site to minimise cut and fill | Yes |
| | <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 |
| | 2 | A rear setback of 6m (min) | Yes |

Comments:

As previously discussed, the proposed development achieves numerical compliance with the FSR and building height standards under Clauses 4.3 and 4.4C of the *SLEP 2012*. In accordance with Section 4.2.3.2 of the SCDCP 2005, the development provides a 9.23m rear setback from the rear alfresco and a combined side setback of 6.81m (33.85%) of the total width of the allotment. The generous side setback maintains the sense of openness between dwellings found in the Strathfield locality.

5: Landscaping

| | | | |
|------------|--|--|---------------------|
| 5.1 | Objectives | | Satisfactory |
| A. | <i>To encourage landscaping that is appropriate to the style and scale of the dwelling and adjoining development, and to the streetscape.</i> | | Yes |
| B. | <i>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.</i> | | Yes |

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| | | |
|-----------|---|------------|
| C. | <i>To preserve existing landscape elements on site (such as existing trees) and encourage their integration into the design of proposals.</i> | Yes |
| D. | <i>To ensure adequate deep soil planting is retained on each allotment.</i> | Yes |
| E. | <i>To ensure developments make an equitable contribution to the landscape setting of the locality.</i> | Yes |
| F. | <i>To ensure both existing and new landscaping provides suitable shade and facilitates convective cooling breeze paths in summer.</i> | Yes |
| G. | <i>To encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna.</i> | Yes |
| H. | <i>To ensure that landscaped areas are designed to minimise water use.</i> | Yes |
| I. | <i>To provide functional private open spaces for active or passive use by residents.</i> | Yes |
| J. | <i>To provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place.</i> | Yes |
| K. | <i>To ensure the protection of trees during construction</i> | Yes |
| L. | <i>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.</i> | Yes |
| M. | <i>To maximise the amenity of existing and proposed developments, including solar access, privacy and open space.</i> | Yes |

5.2 Development Controls

Complies

| | | | |
|------------------------|---|---|--|
| <i>Landscaped area</i> | | | |
| .1. | 1 | Landscaped area in accordance with Table A.3 | No, however non-compliance is minor and considered acceptable on merit. |
| | 2 | At least 50% of the minimum landscaped area located behind the building line to the rear boundary | No, however considered acceptable on merit. |
| | 3 | At least 50% of the front yard maintained as deep soil soft landscaping | Yes |
| | 6 | Front gardens respond and contribute to the garden character of Strathfield. | Yes |
| <i>Tree Protection</i> | | | |
| .2. | 6 | Opportunities for planting new canopy trees within the front setback | Condition No. 12 |
| | 7 | At least one (1) canopy tree provided in the rear yard. | Condition |

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| | | No. 15 |
|---------------------------|--|--|
| 10 | Driveway construction does not result in the removal, lopping or root damage to any street tree | Yes |
| <i>Private Open Space</i> | | |
| 1 | Provided in a single parcel rather than a fragmented space, directly accessible from internal living areas | Yes |
| .3. | | No, however non-compliance is minor and considered acceptable on merit. |
| 2 | Includes a deep soil area compliant with the minimum landscaped area. | |

Comments: The proposal provides 43.82% (450.57m²) of deep soil landscaping over the site. This represents a shortfall of 1.18% (12.03m²) based on the 45% (462.6m²) minimum requirement. However, the non-compliance is relatively minor and of little consequence. The proposed landscaping and planting represents a significant improvement on the existing landscaping conditions of the site. Whilst the accompanying Landscape Plan proposes a mixture of grass and shrubs within the front setback, no canopy tree with a minimum mature height of 10m as per Section 5.2.1.6 is proposed. Accordingly, a condition of consent for the planting of a canopy tree with a minimum mature height of 10m has been recommended.

6: Solar Access

| 6.1 Objectives | | Satisfactory |
|---------------------------------|---|---------------------|
| A. | <i>To ensure the design of new dwelling houses and alterations and additions maximises solar access to living areas and open space areas.</i> | Yes |
| B. | <i>To minimise overshadowing of adjoining properties.</i> | Yes |
| 6.2 Development Controls | | Complies |
| <i>Sunlight Access</i> | | |
| .1. | | |
| 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 |

Comments: The north-south orientation of the subject site enables the adjoining properties to maintain three (3) hours of solar access to habitable rooms and private open space (as illustrated in Figure 6). Further, the family room, meals room and alfresco of the proposed additions are located towards the rear of the dwelling to optimise northerly solar access.

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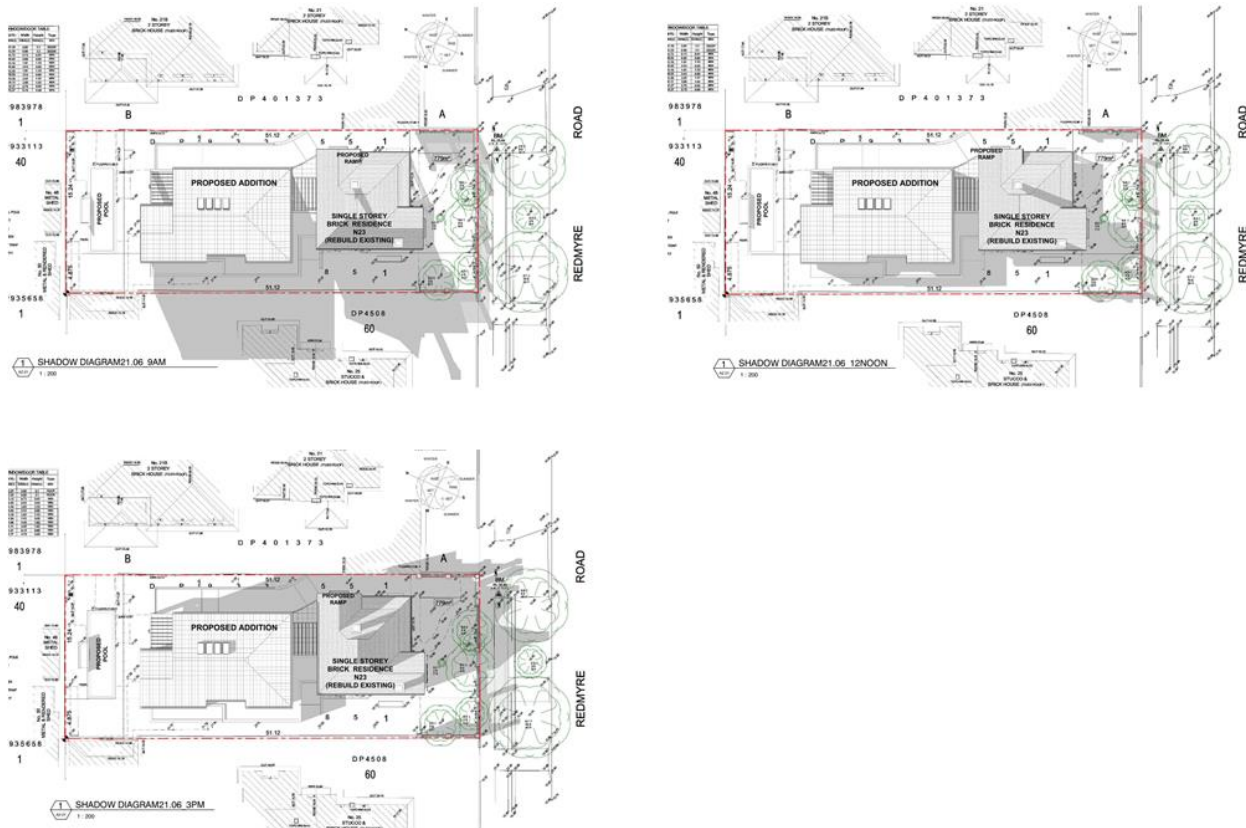


Figure 6: Shadow diagrams of the proposed rear addition and existing dwelling house.

7: Privacy

| 7.1 Objectives | | Satisfactory |
|--------------------------|--|--------------|
| A. | Development that is designed to provide reasonable privacy to adjacent properties | Yes |
| B. | To maintain reasonable sharing of views from public places and living areas | Yes |
| C. | To ensure that public views and vistas are protected, maintained and where possible, enhanced | Yes |
| D. | To ensure that canopy trees take priority over views | Yes |
| E. | To ensure that the siting and design of buildings minimises noise impacts from abutting roads, rail corridors and other noise-generating land uses | Yes |
| 7.2 Development Controls | | Complies |
| Visual Privacy | | |
| .1. | 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 diagram planting | Yes |
| .2. | Windows | |

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| | | | |
|---|--|--|-----|
| 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 | |
| <i>Elevated Decks Verandahs and Balconies</i> | | | |
| .3. | 2 | Elevated decks, verandahs and balconies incorporate privacy screens | Yes |
| | 3 | Rear balconies no more than 1m (depth) x 2m (length) permitted if the balcony does not unreasonably impact on adjoining premises | Yes |

Comments:

Although the majority of the windows are appropriately off-set, the Lounge Room and Bedroom 2 windows directly face the windows of the adjoining eastern dwelling. Notwithstanding, as the windows are located approximately 11m apart no window treatments addressing visual privacy are required.

An upper level balcony of 1.07m (depth) x 6.3m (length) is proposed off the master bedroom, exceeding the 1m x 2m dimensions permitted under Section 7.2.3. However, as the balcony is not considered to be excessive in size relative to its associated room, is amply setback from the rear property boundary and has incorporated solid walls on both side elevations to minimise overlooking opportunities, the variation is considered acceptable in this instance.

8: Vehicle Access and Parking

| 8.1 | Objectives | Satisfactory |
|------------|---|---------------------|
| A. | To provide adequate and convenient on-site car parking. | Yes |
| B. | 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. | Yes |
| C. | To ensure garages, carports, basements and hard standing areas for cars do not visually dominate the street façade of the dwelling. | Yes |
| D. | To ensure that construction materials used for driveways respect the architectural qualities of the dwelling. | Yes |
| E. | To minimise the area of access driveways to minimise impermeable surfaces and maximise landscaped areas. | Yes |
| F. | To ensure basements have discreet entries, safe access and a high degree of natural cross-ventilation. | Yes |
| G. | To minimise excavation to reduce disturbance to natural ground level particularly adjacent to site boundaries. | Yes |
| H. | 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. | Yes |
| 8.2 | Development Controls | Complies |
| .1. | Driveway and Grades | |

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| | | | |
|-----|------------------|--|-----|
| | 1 | Existing driveways must be used (exceptions apply) | Yes |
| | 2 | The width of driveways at the property boundary is to be 3m | Yes |
| | 5 | One (1) vehicular crossing (max) to any public road (exceptions apply) | 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 |
| | <i>Basements</i> | | |
| | 1 | The area of a basement shall be limited to and contained within the ground level footprint of the dwelling | No |
| | 2 | Excavation not permitted within the minimum side setbacks. | Yes |
| | 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 |
| .3. | 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 | Yes |
| | 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 |

Comments: The proposal seeks the demolition of the dilapidated detached garage and the utilisation of the existing vehicular driveway to service the proposed basement. The basement is designed with a 2.2m internal clearance, accommodating three (3) car parking spaces with sufficient maneuvering space so as to enter and exit the basement in a forward direction.

Contrary to Section 8.2.3 the basement is not strictly contained within the footprint of the dwelling at the ground level, extending to the rear alfresco and central courtyard areas. However, as the application includes the retention of the original dwelling on the site with restoration and repair works both internally and externally, some flexibility on the location and extent of the basement is warranted as it provides sufficient car parking for the future residents. Council's Heritage Advisor has recommended the imposition of a special condition of consent for structural design drawings and certification to be submitted with a works method statement establishing how the portions of the original house are to be retained and protected throughout the construction process (Special Condition No.1).

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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 |
| 5 | Areas of excavation setback from property boundaries in line with building setback controls. No excavation permitted within the minimum required setbacks. | Yes |
| 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 | Condition No. 32 |

Comments: The proposed rear addition appropriately responds to the topography of the site through the incorporation of a spilt level at its connection point with the existing dwelling house, thereby reducing the extent of cut and fill required and also reducing the overall maximum height of the addition. Given the location and extent of basement excavation proposed, a condition of consent has been recommended for a dilapidation report to be undertaken for the adjoining properties (Condition 30).

10: Water and Soil Management

| 10.1 Objectives | | Satisfactory |
|---------------------------|---|--------------|
| 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 |
| | 3 Flood affected properties comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas & Through Site Drainage) | Yes |
| | 4 Minimum habitable floor height advice obtained for flood affected sites | Yes |

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| | | | |
|-----|--|--|-----|
| .2. | <i>Acid Sulfate Soils</i> | | |
| | 1 | Site managed consistent with the provisions contained in Clause 6.1 SLEP 2012 | Yes |
| .3. | <i>Soil Erosion and Sediment Control</i> | | |
| | 1 | Soil erosion and sediment control measures detailed and implemented prior to the commencement of work. | Yes |

Comments: Conditions of consent have been recommended to ensure the submitted soil erosion and sediment control measures are implemented during the demolition and construction phases of the development. Conditions of consent pertaining to stormwater management have been recommended in accordance with Council's Development Engineer comments.

11: Access, Safety and Security

| | | | |
|-------------|---|--|---------------------|
| 11.1 | Objectives | | Satisfactory |
| 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. | <i>Address and Entry Sightlines</i> | | |
| | 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 |
| .2. | <i>Pedestrian Entries</i> | | |
| | 1 | Pedestrian entries and vehicular entries suitably separated | Yes |
| | 2 | Dwelling entrances easily identifiable | Yes |

Comments: The proposal seeks to retain the single storey dwelling house on the site with minor internal and external alterations thereby maintaining existing passive surveillance opportunities. The pedestrian entrance of the dwelling house will remain in its existing location, with the associated access re-aligned to a straight path from the dwelling entrance to the public footpath.

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 |

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| | | | |
|-------------|--|--|-------------------------|
| C. | <i>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.</i> | | Yes |
| 12.2 | Development Controls | | Complies |
| | <i>Swimming Pools</i> | | |
| | 1 | Side and rear setbacks from the outside edge of the pool concourse are 1m (min) wide and comprise deep soil soft landscape area | Yes |
| .6. | 3 | The pool filter and pump equipment designed and located to not emit a noise level that exceeds 5dBA above the ambient background noise level measured at any property boundary. The pool equipment shall be located within an enclosed structure so as to not be readily visible | Condition No. 42 |
| | 5 | Enclosures shall comply with the Swimming Pools Act and relevant Australian Standards as amended. | Condition No. 41 |

Comments: The proposal seeks the construction of a swimming pool in the rear yard of the site with 1.7m of deep soil landscaping provided between the swimming pool concourse and the rear property boundary. To protect the acoustic amenity of the adjoining residents, conditions of consent have been recommended for the pool filter and pump equipment be placed in an acoustic dampening enclosure (Condition No.40). Additionally, conditions of consent are recommended to ensure the swimming pool complies with the *Swimming Pools Act* and relevant Australian Standards (Condition No. 39).

13: Ecologically Sustainable Development

| | | | |
|-------------|--|---|---------------------|
| 13.1 | Objectives | | Satisfactory |
| A. | <i>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.</i> | | Yes |
| B. | <i>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.</i> | | Yes |
| C. | <i>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.</i> | | Yes |
| D. | <i>To encourage the use of new technology that reduces energy consumption, minimises greenhouse emissions and results in cost savings</i> | | Yes |
| 13.2 | Development Controls | | Complies |
| | <i>Natural Lighting and Heating</i> | | |
| .1. | 1 | Living areas facing north, sleeping areas facing east/south, and utility areas orientated west/south to maximise winter solar access. | Yes |
| | 3 | Materials used of high thermal mass | Yes |
| | <i>Natural Cooling and Ventilation</i> | | |
| .2. | 1 | Windows and walls on northern facades shaded by shading devices, trees, eaves and louvres sympathetic to the dwelling | Yes |

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| | | | |
|-----|-------------------------------|---|-----|
| | 2 | Windows positioned to capture breezes and allow for cross-ventilation | Yes |
| .3. | <i>Water Tanks</i> | | |
| | 1 | Located behind the dwelling or behind the front building line and screened from view from the public domain | 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 |
| .4. | <i>Hot Water Heater Units</i> | | |
| | 1 | Located behind the dwelling or wholly behind the dwelling | Yes |

Comments: The BASIX Certificate submitted with the development application indicated that the designated targets for energy and water use reduction are satisfied. In accordance with the Certificate, an instantaneous gas hot water system, a rainwater tank and four (4) skylights on the roof of the proposed rear addition are to be installed. The rainwater tank is to be located on the western side elevation of the proposed addition and 800mm from the side property boundary. Although the rainwater tank is not located behind the dwelling, it is suitably setback from the front boundary and screened from view by landscaping.

The rear alfresco and open plan kitchen/living rooms areas are orientated to the north, optimising solar access.

PART H - WASTE MANAGEMENT (SCDCP 2005)

A Waste Management Plan prepared in accordance with Part H of the SCDCP 2005 has been submitted. Compliance with the waste minimisation strategies of this plan shall be enforced via the conditions of consent.

PART P - HERITAGE (SCDCP 2005)

| Cl. 1.5 | Objectives | Complies |
|----------------|---|-----------------|
| A. | <i>Encourage development which complements existing heritage items and Heritage Conservation Areas in a modern context.</i> | Yes |
| B. | <i>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.</i> | Yes |
| C. | <i>Protect those items and areas that are of value to the local community.</i> | Yes |
| D. | <i>Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.</i> | Yes |
| E. | <i>Retain any significant horticultural or landscape features that assist in the interpretation of Strathfield's heritage.</i> | Yes |

Comments: The existing dwelling on the site is a single storey dwelling house of the Federation Queen Anne style, incorporating exposed facebrick and a terracotta tile roof. The design of two (2) rear storey addition has been amended throughout the assessment process, including an eastward relocation of the first floor level, resulting in the ridge height of the addition sitting 150mm lower than the existing building height thereby reducing its visibility from the public domain and creating a more integrated presentation. Additionally, the schedule of colours and external finishes including beige and earthy colour tones, rendered masonry and exposed facebrick are sympathetic to the heritage character of the existing dwelling and do not detract from the architectural qualities of the existing dwelling.

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4. Development in Conservation Areas

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 |
|----------------------------|---|----------|
| (1) | Original materials of contributory buildings in Conservation Areas should not be replaced with different materials or with materials of different colours. | Yes |
| (2) | Non-original materials of existing contributory buildings in Conservation Areas that are being replaced shall, if possible, be replaced with material that matches the original material as closely as possible. | 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 |

Comments: The schedule of colours and finishes were amended during the assessment process such that face brick is now utilised at the ground floor level of the addition on the façade to the street in accordance with Council's Heritage Advisor comments. The use of exposed facebrick on the ground floor level helps to integrate the built form with the traditional character of the existing dwelling and reduce the visual prominence of the rear addition. The beige rendered masonry finish to the remainder of the addition is of a similar tone to the timber battening and verandah posts of the existing dwelling. Overall, the proposed colour scheme creates a hue and tonal relationship that does not detract from the contributory architectural qualities of the existing dwelling.

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 |

| 4.7.2 Development Controls | | Complies |
|----------------------------|---|----------|
| (5) | Refer to the Controls for Garages and Carports in the Residential section of this Development Control Plan for general provisions regarding garages and carports. | Yes |

Comments: The proposed basement has been assessed against Part A of the SCDCP 2005 below.

4.8: Fencing

| 4.8.1 Objectives | | Complies |
|------------------|--|----------|
| 1 | To conserve original gates and fences within Conservation Areas. | N/A |

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| | | |
|---|---|-----|
| 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 |
|---|---|-----|

| 4.8.2 | Development Controls | Complies |
|-------|---|----------|
| (1) | Fencing and gates that are constructed at the same time as the contributory building should not be demolished. | N/A |
| (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. | Yes |

Comments: The proposal seeks to replace the existing timber front fence with a brick pier and wrought iron infill style fence having a 1.5m height. The pier and infill style of the fence is consistent with the surrounding streetscape and is appropriate to the existing Federation Queen Anne style of the dwelling. Additionally, the colour tone of the exposed face brick piers and base walls is in keeping with the darker facebricks used in the solid courses, sills and headers of the existing dwelling. Council's Heritage Advisor raises no issues with the demolition of the existing timber fence and construction of the proposed pier and infill style fence.

4.9: Landscape elements including paving and driveways

| 4.9.1 | Objectives | Complies |
|-------|---|----------|
| 1 | To retain important landscape elements that contribute to the significance of Conservation Areas. | Yes |
| 2 | To reinforce the qualities of the Conservation Area through appropriate landscaping | Yes |

| 4.9.2 | Development Controls | Complies |
|-------|---|----------|
| (1) | Street trees in Conservation Areas should not be removed to allow for new development such as the relocation of driveways which may necessitate the removal of a street tree. | Yes |
| (2) | Existing driveways and footpath crossings that relate to original development in a Conservation Area should not be relocated. | Yes |

Comments: The proposal seeks to utilise the existing footpath crossing and driveway located along the eastern side property boundary for vehicular access to and from the proposed basement. This enables the retention of the three (3) street trees fronting the site helps to ensure that the established streetscape character is maintained.

4.12: Demolition

| 4.12.1 | Objectives | Complies |
|--------|------------|----------|
|--------|------------|----------|

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| | | |
|---|--|-----|
| 1 | To retain the contributory buildings in a Conservation Area. | Yes |
|---|--|-----|

4.12.2 Development Controls Complies

| | | |
|-----|--|-----|
| (1) | Contributory buildings within a Conservation Area should not be demolished. | Yes |
| (3) | Demolition of rear outbuildings in Conservation Areas may be acceptable. For places listed as heritage items, additional restrictions might apply. | Yes |

Comments: The existing dwelling includes a later addition that is not of the Queen Anne style. This portion of the dwelling is to be demolished. The detached outbuildings in the rear yard are in a state of disrepair and intended for demolition. Council's Heritage Advisor having no objections to the demolition of these structures.

4.13: Subdivision

4.13.1 Objectives Complies

| | | |
|---|---|-----|
| 1 | To retain subdivision patterns that contribute to the rhythm of streetscapes in Conservation Areas. | Yes |
|---|---|-----|

4.13.2 Development Controls Complies

| | | |
|-----|--|-----|
| (1) | Consolidation of allotments of an early subdivision within a Conservation Area is not permitted unless it can be demonstrated that the original pattern of development in that part of the Conservation Area will be maintained. | Yes |
|-----|--|-----|

Comments: The site comprises of two (2) allotments of 779m² and 249m² with the existing dwelling located solely on the larger parcel of land. The rear two (2) storey addition is proposed to straddle both allotments. The existing land subdivision does not contribute to the rhythm of the streetscape. A condition of consent has been recommended for the consolidation of the lots to ensure no conflicts with the relevant building standards and ensure the building site wholly within its outer property boundaries.

5. Additional controls for development within the Residential Conservation Areas

5.1: General objectives

5.1 Objectives Complies

| | | |
|---|---|-----|
| 1 | To conserve the existing character and heritage significance of Strathfield's residential Conservation Areas. | Yes |
| 2 | To facilitate sympathetic and appropriate alterations and additions, whilst minimising the impact on the heritage significance of the dwellings and streetscapes within residential Conservation Areas. | Yes |
| 3 | To ensure that new development is sympathetic to the particular building and/or relevant Conservation Area in terms of siting, form, massing, articulation and detail composition. | Yes |

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| | | |
|---|---|-----|
| 4 | <i>To ensure that the proposed form of roof and details, the style, size, proportion and position of openings of windows and doors, the colours, textures, style, size and type of finish of materials to be used on the exterior of the building is compatible with similar features and materials used in the existing building on the site and within the relevant Conservation Area</i> | Yes |
| 7 | <i>To promote an understanding of the importance of conserving the fabric of existing buildings and its context within the relevant Conservation Area.</i> | Yes |

Comments: The proposal generally complies with the above objectives, achieving an outcome that is sympathetic to the existing dwelling and wider streetscape. This is achieved through the siting of the rear addition immediately behind the existing dwelling, incorporating vertically orientated windows, a pitched roof and a neutral colour palette.

5.3: Building Form

| 5.3 | <i>Development Controls</i> | <i>Complies</i> |
|-----|--|-----------------|
| (1) | Any development proposal should retain the particular building character of each Residential Conservation Area as identified in the particular Statement of Significance for the Area. | Yes |
| (2) | Extensions should be sited to the rear of a dwelling within a Conservation Area, and are to be consistent and complement the existing dwelling. Alterations to the original main part of a building (other than a non-conforming building), including front and side facades, verandahs and roof forms, are discouraged. | Yes |

Comments: The design of the proposed rear addition has taken into consideration the various Federation architectural styles in the Redmyre Road Heritage Conservation Area through the incorporation of pitched roofing, vertically orientated windows and traditional external finishes including exposed face brick and rendered masonry.

The building form of the addition has taken into consideration the sloping topography of the site through the incorporation of a split level where it adjoins the existing dwelling house. As a result, the extent of cut and fill is minimised. Despite being two (2) storeys, it is 150mm lower than the roof ridge of the existing single storey dwelling.

5.4: Roof Forms

| 5.4 | <i>Development Controls</i> | <i>Complies</i> |
|-----|--|-----------------|
| (2) | New buildings are to have roofs that reflect the size, mass, shape of original roofs in the vicinity, particularly of the adjoining roofs. | Yes |

Comments: The rear addition proposes an 18 degree pitched roof, which is compatible with the hipped and gable roof style of the existing dwelling.

5.5: Walls, chimneys, doors and windows

| 5.5 | <i>Development Controls</i> | <i>Complies</i> |
|-----|--|-----------------|
| (1) | The original shape and materials of the front and side walls of buildings within a Residential Conservation Area shall not be altered. | Yes |

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| | | |
|-----|--|------------|
| (2) | Chimneys on buildings within a Residential Conservation Area should not be demolished, unless they are structurally unsound and only when followed by immediate reconstruction in the original design. Reconstruction of original chimneys is encouraged. | Yes |
| (3) | Original doors and windows of dwellings within a Conservation Area, are to be kept, maintained and repaired when necessary. | Yes |
| (4) | New doors and windows of dwellings within a Conservation Area are to reflect the proportion, location, size, sill heights, header treatment, materials, detailing and glazing pattern of the original doors and windows on the house to which they belong. | Yes |

Comments: The proposal includes works to the existing dwelling house including alterations, restoration and repairs, both internally and externally. The proposed works do not include alterations to the original shape or materials of the front and side walls, chimneys and doors and windows.

With regard to the proposed rear addition, vertically dimensioned windows of similar proportions to the existing dwelling have been incorporated, particularly the windows orientated to Redmyre Road (as shown below).



Figure 7: The street view of proposal showing the windows of the proposed rear addition vertically orientated and similar in proportion to the existing dwelling house.

Redmyre Road Conservation Area – Additional Controls

| Cl. 5.9.12.2 | Objectives | Complies |
|-----------------|---|------------|
| 1. | The characteristic pattern of grass verges, footpaths and street tree planting comprising Jacardandas within the grass median strip and Brush Box on the verges must be retained. | Yes |
| 2. | New trees using mature Jacardandas on the medians strip and Brush Box on the verges should be planted where there are gaps in the street tree planting. | Yes |

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Lot 1 DP 724485 & Lot 1 DP 933755 (Cont'd)

Comments: The proposed development does not seek the removal of the three (3) street trees located in front of the site. Conditions of consent have been recommended to ensure the protection of the trees during the demolition and construction phases of the development.

4.15 (1)(a)(iia) 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) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Australian Standard *AS2601–1991: The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development does involve the demolition of a building for the purposes of *AS 2601 – 1991: The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with the relevant standard as mentioned.

(i) any coastal zone management plan

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

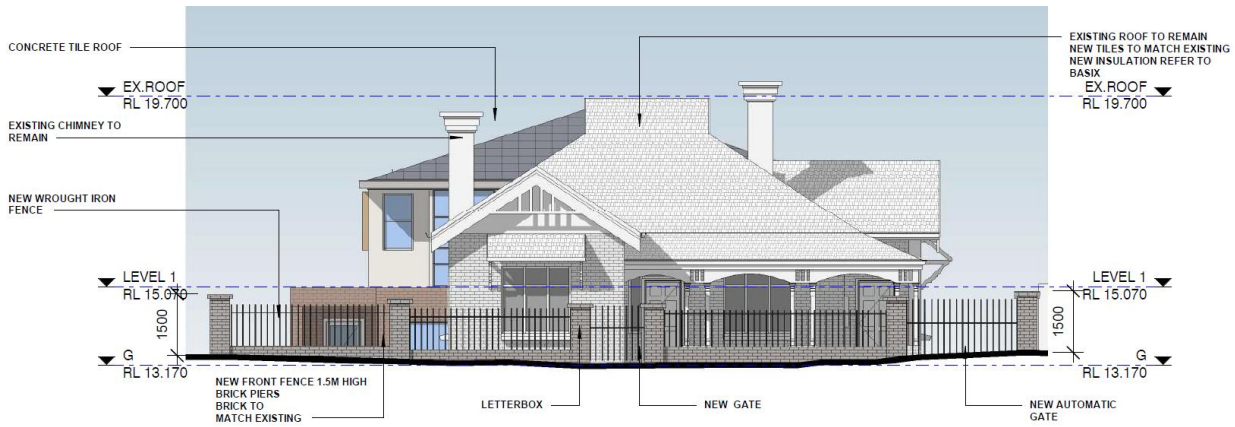
A small portion of the subject site is affected by a 1% overland flow path with a maximum flood depth of 46.6mm. Due to the location of the flood affected area and maximum flood depth, the basement has been designed with a minimum capacity capable of handling four (4) hours of the 1 in 100 year storm event. Council's Development Engineer raised no issues with regard to the proposed floor levels relative to the flood levels.

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

Heritage

The subject site is located within the Redmyre Road Heritage Conservation Area and is currently occupied by a single storey Federation Queen Anne style dwelling house. Although the existing dwelling house is not listed as a heritage item under Schedule 5 of the *SLEP 2012*, it is considered to contribute to the heritage character of the Redmyre Road streetscape. The proposal seeks approval for works to the existing dwelling, construction of a rear addition, front fence and in-ground swimming pool. Additionally, the proposal seeks consent for internal alterations; repair and refurbishment work to the exterior of the existing dwelling. Council's Heritage Advisor has no objection to the demolition of the later addition and two (2) detached garages/outbuildings.

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The rear addition is appropriately sited behind the existing dwelling, clearly defining the existing and proposed buildings whilst incorporating features so as to be sympathetic to the original style of the existing dwelling. Such features have been discussed throughout this report including the vertically orientated windows, exposed face brick and beige rendered masonry finish. In conjunction with a sympathetic schedule of colours and external finishes, the rear addition is located immediately behind the existing dwelling with a roof ridgeline 150mm lower than the dwelling to minimise its visibility from the streetscape. The construction of the brick pier and wrought iron infill front fence and proposed landscaping will further integrate the proposal within the streetscape.

In regards to amenity, including solar access and visual privacy, the proposed rear addition complies with the minimum requirements outlined in the SDCDP 2005. Specifically, the adjoining properties will maintain three (3) hours of solar access to habitable rooms and private open space with the windows of the rear addition adequately off-set or distanced by more than 9m.

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

The proposed development is considered to be suitable for the site in that the proposal retains the existing dwelling that makes a positive contribution to the streetscape character of the Redmyre Road Heritage Conservation Area, whilst proposing a rear addition that achieves appropriate streetscape and heritage character outcomes.

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

The application was notified in accordance with Part L of the SDCDP 2005 from 9 August 2018 to 26 August 2018. No written submissions were received.

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.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

“(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the

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demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:

- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
- or both.*

- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned."*

STRATHFIELD INDIRECT SECTION 7.11 CONTRIBUTIONS PLAN

Section 7.11 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030 as follows:

| | |
|--------------------------------|--------------------|
| Local Amenity Improvement Levy | \$10,594.84 |
|--------------------------------|--------------------|

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. 2018/111 for alterations and additions to the existing single storey dwelling including a basement level, in-ground swimming pool, front fence and associated landscaping at 23 Redmyre Road, Strathfield be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. STRUCTURAL ENGINEERING DESIGN, CERTIFICATION & WORK METHODS STATEMENT (SC)

A Structural Engineering design and Work Methods Statement must be produced for the excavation works associated with the driveway and basement and submitted to Council and the Principal Certifying Authority prior to the issue of a Construction Certificate or the commencement of works, whichever occurs first (including site preparation works). The design detail and work methods statement must demonstrate how the portions of the original dwelling house on the site identified to remain as part of the approved works are to be protected during the excavation works and must be accompanied by certification by an appropriately qualified and accredited structural engineer with experience in heritage buildings.

(Reason: to protect the existing dwelling house on the site and to achieve a good heritage outcome.)

2. DEMOLITION - HERITAGE ITEMS (SC)

Alterations to, and demolition of, the existing building shall be limited to that documented on the approved plans (by way of notation) or conditioned in this consent. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

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Should any portion of the existing building which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of this damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.

(Reason: Heritage conservation.)

3. HERITAGE - REUSE OF SIGNIFICANT BUILDING ELEMENTS (SC)

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

(Reason: To allow for preservation of cultural resources within the Strathfield Council area.)

4. HERITAGE - SUBMISSION OF PHOTOGRAPHIC SURVEY (CC)

A photographic survey is to be made of all structures prior to the commencement of any works on the site, including site preparation works. A copy of this survey is to be submitted to Council **prior to the issue of the Construction Certificate**. Written confirmation that Council reserved the right to use the photographs for its own purposes and genuine research purposes is to be included.

(Reason: To provide a historic record of heritage significant works on the site for archival purposes.)

GENERAL CONDITIONS (GC)

5. 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.2018/111:

| Drawing No. | Title/Description | Prepared by | Issue / Revision & Date | Date received by Council |
|-------------|---------------------|------------------|-------------------------------|--------------------------|
| A1.02 | Site Plan | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A1.03 | Demolition Plan | The Site Foreman | - | 24 October 2018 |
| A1.04 | Basement Floor Plan | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A1.05 | Ground Floor Plan | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A1.06 | Level 1 Floor | The Site | Rev C dated 24 | 10 October |

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| | | | | |
|-------|----------------------------------|----------------------------------|-------------------------------|-----------------|
| | Plan | Foreman | September 2018 | 2018 |
| A1.07 | Roof Plan | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A2.01 | South Elevation, North Elevation | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A2.02 | West Elevation | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A2.03 | East Elevation | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A3.01 | Section AA | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A3.02 | Section BB | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A3.03 | Ramp Section | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A3.04 | Section CC | The Site Foreman | Rev A dated 24 September 2018 | 10 October 2018 |
| A4.01 | Schedule of External Finishes | The Site Foreman | Rev C dated 24 September 2018 | 10 October 2018 |
| A5.04 | Sediment & Erosion Control Plan | The Site Foreman | Rev B dated 3 August 2018 | 6 August 2018 |
| L01/1 | Landscape Planting Plan | Michael Siu Landscape Architects | Rev D dated 27 June 2018 | 6 August 2018 |
| SW01 | Roof Plan | HYTEN Engineering | Rev D dated 3 July 2018 | 6 August 2018 |
| SW02 | Ground Floor Plan | HYTEN Engineering | Rev D dated 3 July 2018 | 6 August 2018 |
| SW03 | First Floor Plan | HYTEN Engineering | Rev D dated 3 July 2018 | 6 August 2018 |
| SW04 | Basement Plan | HYTEN Engineering | Rev D dated 3 July 2018 | 6 August 2018 |
| SW05 | Pit & Connection Details | HYTEN Engineering | Rev D dated 3 July 2018 | 6 August 2018 |

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No.2018/111:

| Title / Description | Prepared by | Issue/Revision & Date | Date received by Council |
|---------------------------|-------------------------------|-----------------------|--------------------------|
| Structural Report | HYTEN Engineering | Dated 4 April 2017 | 10 October 2018 |
| Heritage Impact Statement | Diana's Planning and Heritage | Dated July 2018 | 6 August 2018 |
| Heritage Impact | The Site Foreman | Rev A dated 28 | 10 October 2018 |

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| | | | |
|-------------------------------------|------------------|-------------------------|---------------|
| Statement: Addendum Statement | | September 2018 | |
| BASIX Certificate | No. A284830_02 | Issued 4 August 2018 | 6 August 2018 |
| Waste Management Plan | The Site Foreman | Dated 17 July 2018 | 6 August 2018 |

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.)

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

The height of the two (2) storey addition measured from Australian Height Datum (AHD) must not exceed Relative Level (RL) 19.55AHD to the ridge top.

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

7. CONSTRUCTION HOURS (GC)

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.)

8. 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.)

9. 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.)

10. DEMOLITION - SITE SAFETY FENCING (GC)

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and

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maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding/fencing along the street frontage(s) complying with WorkCover requirements must be obtained including:

- payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and
- provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

11. LANDSCAPING ADJACENT SWIMMING POOLS/SPAS (GC)

A minimum one (1) metre wide landscape strip is to be provided between the swimming pool and adjacent common boundaries. The landscape strip is to be planted with a continuous row of evergreen shrubs of a minimum five (5) litre container size and capable of achieving a minimum mature height of three (3) metres. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: Privacy amenity of adjoining properties.)

12. LANDSCAPING - CANOPY TREES IN FRONT SETBACK (GC)

New development shall provide at least two (2) canopy trees within the front setback adjacent the front boundary (existing trees may be included). New canopy trees shall be at least three (3) metres high at the time of planting and capable of reaching a mature height of 10m.

Species shall be selected from Council’s Recommended Tree List (Available from Council’s website or from the Customer Service Centre). Compliance with this condition is to be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the landscape character of the locality is maintained.)

13. LANDSCAPING – TREES TO BE RETAINED (GC)

The trees listed below shall be retained at all times:

| <u>Tree</u> | <u>Height/ Spread (m)</u> | <u>Location</u> | <u>Protection Zone (m)</u> | <u>Structural Root Zone (m)</u> |
|---------------------------|-------------------------------|-----------------|--------------------------------|---|
| 1)Lophostemon confertus | 10 x 8 | Road Reserve | 4.8 | 2.47 |
| 2)Livistona australis | 15 x 12 | Road Reserve | 3.6 | 2.25 |
| 3)Lophostemon confertus | 15 x 12 | Road Reserve | 9.0 | 3.09 |
| 4) Murraya paniculata x 3 | 3 x 7 | Front Yard | 6.0 x 3.0 | 6.0 x 2.0 |
| 5) Plumeria rubra | 2 x 2 | Front Yard | 2.0 | 2.0 |
| 6) Macadamia integrifolia | 6 x 4 | Front Yard | 2.4 | 2.0 |

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and protected by the establishment of a protection zone (in accordance with Australian Standard AS4970 Protection of trees on development sites) before any site works begin (including any demolition/excavation).

Manual excavation is required within the canopy spread of the trees to be retained.

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

14. ENVIRONMENTAL PROTECTION – TREE (GC)

All street trees and trees on private property that are protected under Council's controls and as listed above, 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 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.

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- 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.)

15. LANDSCAPING - CANOPY TREES IN REAR SETBACK (GC)

New development shall provide at least one (1) canopy trees within the rear yard New canopy trees shall be planted from 200 litre containers at the time of planting and capable of reaching a potential mature height of 10 m.

The new trees must not be planted closer than 1.5 metres from a structure or property boundary.

Species shall be selected from Council's Recommended Tree List (Available from Council's website or from the Customer Service Centre). Compliance with this condition is to be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

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

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

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

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

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

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

(Reason: To ensure the landscape character of the locality is maintained.)

16. LANDSCAPING – TREES PERMITTED TO BE REMOVED (GC)

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

| <u>Tree</u> | <u>Height/ Spread (m)</u> | <u>Location</u> |
|---------------|-------------------------------|-----------------|
| 7)Frangipanni | 2 x 2 | Western Yard |

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| | | |
|-------------------------------|--------|--------------|
| 8) Row of insignificant trees | 3 x 10 | Eastern yard |
|-------------------------------|--------|--------------|

All trees permitted to be removed by this consent shall be replaced by species selected from Council's recommended planting list. Replacements shall be a minimum 50 litre container size and shall be maintained until maturity.

(Reason: To ensure the landscape character of the locality is maintained.)

17. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

18. 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.)

19. PRIVACY - SCREEN PLANTING TO SIDE AND REAR BOUNDARIES (GC)

Evergreen shrubs with a minimum 5 litre container size achieving a minimum mature height of 3m shall be planted along the side and rear boundaries to provide suitable privacy screening. Screen planting shall be maintained at all times. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: To maintain privacy amenity to neighbouring residences.)

20. 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 2601-2001.
- 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

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- 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.)

21. 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 a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia

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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.)

22. **SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

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

23. **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.)

24. **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

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and Assessment Regulation 2000.)

25. 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.)

26. 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:

- 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.)

27. 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.)

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

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The aisle widths, internal circulation, ramp widths and grades of the car park shall comply with the Roads and Traffic Authority Guidelines and ASNZS 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.)

29. 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.)

30. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;

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- measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from WorkCover NSW. A permit will not be granted without a current WorkCover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until

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works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

31. **COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)**

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding/Fencing Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding/fencing along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

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(Reason: Council requirement.)

32. 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.)

33. 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 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

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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.)

34. **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.)

35. **LANDSCAPING - LANDSCAPE PLAN REQUIRED (CC)**

A landscape plan prepared by a qualified landscape architect or landscape consultant to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent is to be submitted to the satisfaction of the Principal Certifying Authority with the Construction Certificate application.

The plan must include the following information:

- i) details demonstrating compliance with SCDCP 2005 in relation to landscaping requirements;
- ii) location of all existing and proposed landscape features including materials to be used;
- iii) all trees to be retained, removed or transplanted;
- iv) existing and proposed finished ground levels;
- v) top and bottom wall levels for both existing and proposed retaining and free standing walls; and
- vi) a detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity. A minimum of 25% of species shall be locally sourced indigenous species. Species shall be predominantly selected from Council's Recommended Tree List.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

(Reason: Landscape quality.)

36. **PRIVACY - OBSCURE GLAZING IN WET AREAS (CC)**

All bathroom, ensuite and toilet windows shall be installed with obscure glazing. Plans shall

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be notated accordingly and details demonstrating compliance submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Privacy amenity.)

37. **SECTION 7.11 CONTRIBUTION PAYMENT - INDIRECT CONTRIBUTIONS PLAN) (CC)**

In accordance with the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect 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:

| | |
|--------------------------------|--------------------|
| Local Amenity Improvement Levy | \$10,594.84 |
|--------------------------------|--------------------|

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. The amount of the contribution under this condition shall be indexed in accordance with clause 4.12 of the Strathfield Indirect 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.

A copy of this condition is to be presented to Council's Customer Service Centre when paying the contribution so that it can be recalculated.

Note: A copy of Strathfield Council's Section 7.11 Indirect 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.)

38. **SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)**

A security (damage deposit) of **\$15,000** (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 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

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Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

39. 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.)

40. 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.)

41. SWIMMING POOLS / SPAS (CONSTRUCTION OF)

The approved swimming pool/spa must comply with all relevant legislation including:

- i) Swimming Pools Amendment Act 1992 (as amended);
- ii) Swimming Pools Regulations 2008; and
- iii) Australian Standard AS1926.1-2012 – Safety Barriers for Swimming Pools.

Details demonstrating compliance with this condition shall be demonstrated to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Safety and statutory compliance.)

42. SWIMMING POOLS / SPAS - MECHANICAL PLANT ENCLOSURE (CC)

Any mechanical plant associated with the swimming pool and spa shall be acoustically treated to comply with the Protection of the Environment Operations Act 1997. Details are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the acoustic amenity of the neighbouring residents.)

43. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately

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qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

44. **TREE BONDS (CC)**

A tree bond of **\$19,800** (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.

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

A 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.)

45. **WATER SUSTAINABILITY – GENERALLY (CC)**

Water collected in the rainwater tank must comprise roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption:

- i) toilet flushing;
- ii) clothes washing;
- iii) garden irrigation;
- iv) car washing and similar outdoor uses;
- v) filling swimming pools, spa pools and ornamental ponds; and
- vi) fire fighting.

(Reason: To promote sustainable water management practice.)

46. **WATER HEATING SYSTEMS - LOCATION OF (CC)**

Water heating systems shall be located so as not to be visible from public places and the ground level of adjoining properties. Details (type and location) of the water heaters shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To maintain streetscape character.)

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

47. **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.
- 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.

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- 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.)

48. 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 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.

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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.)

49. **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 (DW)

50. **FILL MATERIAL (DW)**

The only waste derived material which may be received at the development site is:

- i) Virgin excavated material (within the meaning of the Protection of the Environment Operations Act 1997), and
- ii) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

51. **HERITAGE - HISTORIC RELICS FOUND DURING WORKS (DW)**

Should any potentially historic relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage should be informed in accordance with Section 146 of the Heritage Act 1977. 'Relics' are any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and are of State or local heritage significance.

Should any potentially significant Aboriginal material be discovered on the site, all excavation or disturbance of the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage is to be informed in accordance with Section 91 of the National Parks and Wildlife Act 1974.

(Reason: To ensure the proper management and preservation of potentially significant archaeological material.)

DA2018/111 - 23 Redmyre Road, Strathfield
Lot 1 DP 724485 & Lot 1 DP 933755 (Cont'd)

52. 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.)

53. 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.)

54. SURVEY REPORT OF APPROVED LEVELS DURING AND POST CONSTRUCTION (DW)

A Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete form work, or the laying of roofing materials.
- iii) At the completion of the development.

Progress certificates in response to points (1) through to (3) shall be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed until such survey information is submitted to and approved by the Principal Certifying Authority.

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

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

55. 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.)

56. 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 a suitably Qualified Engineer, with Corporate Membership standing in

**DA2018/111 - 23 Redmyre Road, Strathfield
Lot 1 DP 724485 & Lot 1 DP 933755 (Cont'd)**

the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, 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.)

57. FUEL HEATERS - DOMESTIC SOLID (OC)

Prior to the issue of any Occupation Certificate the Principal Certifying Authority must be satisfied through the issue of appropriate certification that system as installed complies with the standard specified in the Environment Protection Authority's Environmental Guidelines for Selecting, Installing and Operating Domestic Solid Fuel Heaters; AS/NZS 2918: 2001 Domestic solid fuel burning appliances-Installation and the Building Code of Australia. Details demonstrating compliance with the requirements of this condition is to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any interim / final occupation certificate.

(Reason: To mitigate harmful environmental impacts and maintain public safety.)

58. 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
- 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.)

59. OCCUPATION OF BUILDING (OC)

A person must not commence occupation or use (or change of use where an existing

**DA2018/111 - 23 Redmyre Road, Strathfield
Lot 1 DP 724485 & Lot 1 DP 933755 (Cont'd)**

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.)

60. RAINWATER TANKS (OC)

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- i) Australian/New Zealand Standard AS/NZS 3500:2003;
- ii) NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR); and
- iii) Council's rainwater tank policy.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To protect public health and amenity.)

61. 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.)

62. 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.

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Lot 1 DP 724485 & Lot 1 DP 933755 (Cont'd)

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

63. **SUBDIVISION - EVIDENCE OF CONSOLIDATION (OC)**

The existing allotments shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered as a deposited plan with the Land and Property Information Office must be submitted to Council, prior to the issue of any occupation certificate for the development.

(Reason: Proper management of land.)

64. **SWIMMING POOLS / SPAS - REGISTRATION AND REQUIREMENTS (OC)**

The approved swimming pool/spa must comply with all relevant legislation including:

- i) Swimming Pools Amendment Act 1992 (as amended);
- ii) Swimming Pools Regulations 2008; and
- iii) Australian Standard AS1926.1-2012 – Safety Barriers for Swimming Pools.

Swimming pool owners must register their swimming pool or spa on the NSW Swimming Pool Register. A copy of a valid certificate of compliance or relevant occupation certificate must be attached to new residential tenancy agreements to rent property with a swimming pool or spa pool. Note: This requirement does not apply to a lot in strata or community title schemes with more than two lots.

A copy of a valid certificate of compliance or relevant occupation certificate must be attached to new residential tenancy agreements to rent property with a swimming pool or spa pool. Note: This requirement does not apply to a lot in strata or community title schemes with more than two lots; or for any off the plan contacts.

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

(Reason: Safety and statutory compliance.)

ATTACHMENTS

1. [↓](#) 23 Redmyre Rd - Architecturals

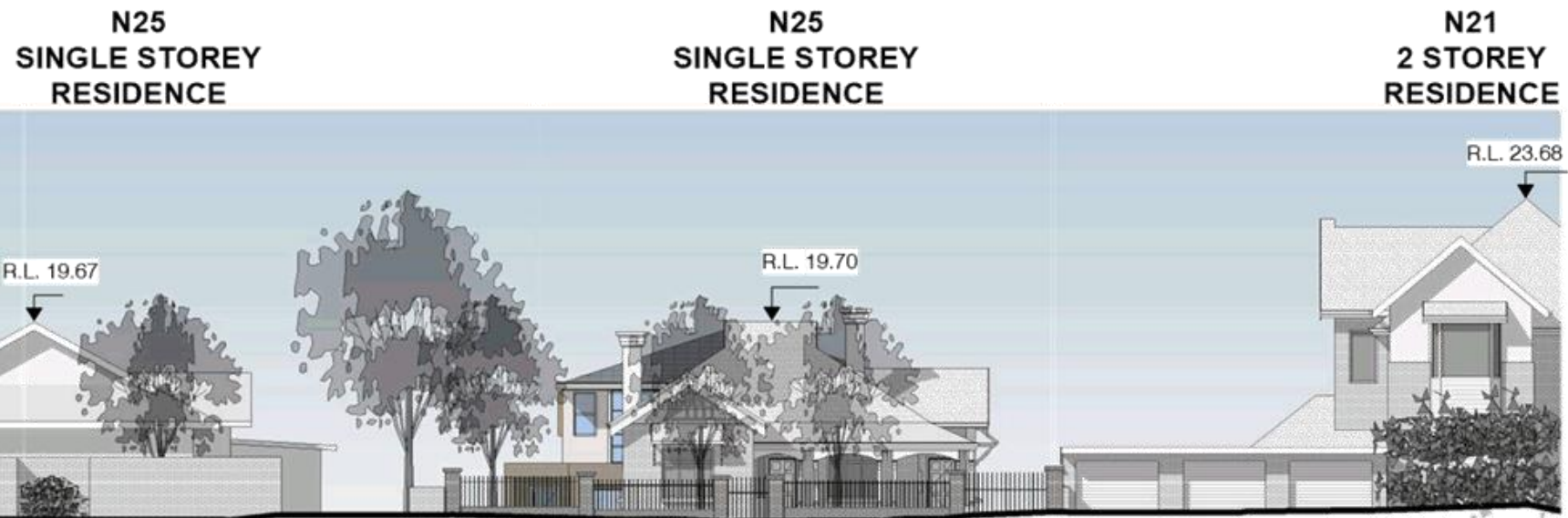
ALTERATIONS AND ADDITIONS AT N23 REDMYRE ROAD STRATHFIELD NSW



LOCATION PLAN (NTS)



2 PERSPECTIVE 1
1:1



1 STREETSCAPE ELEVATION
1:200

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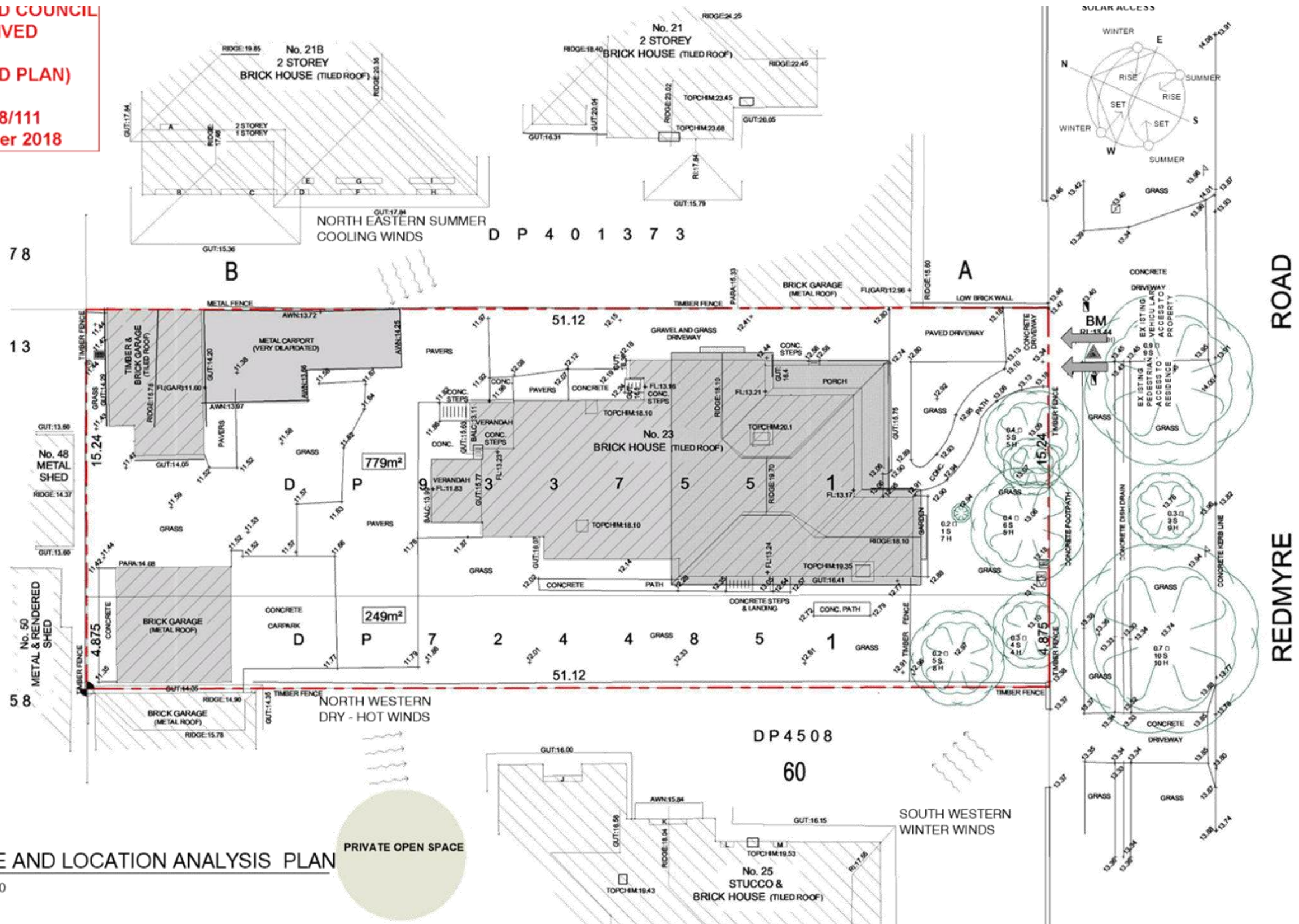
**DA2018/111
10 October 2018**

| THE SITE FOREMAN t: 1300 728 006 f: 1300 728 440 w: THE SITE FOREMAN.COM.AU a: 38-40 PARRAMATTA ROAD SUMMER HILL 2130 NSW | DRAWING TITLE LOCATION PLAN_STREETSCAPE ELEVATION PROJECT ALTERATIONS AND ADDITIONS ADDRESS 23 REDMYRE ROAD, STRATHFIELD NSW | DRAWN/DESIGNED BY AC CHECKED BY AC SCALE As JOB NO indicated@A3 2579 DRAWING NO A1.00 C | | | | | | | | | | | |
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1 SITE AND LOCATION ANALYSIS PLAN
A2.01 1 : 200

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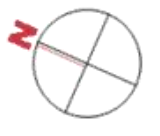
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PROJECT: **ALTERATIONS AND ADDITIONS**

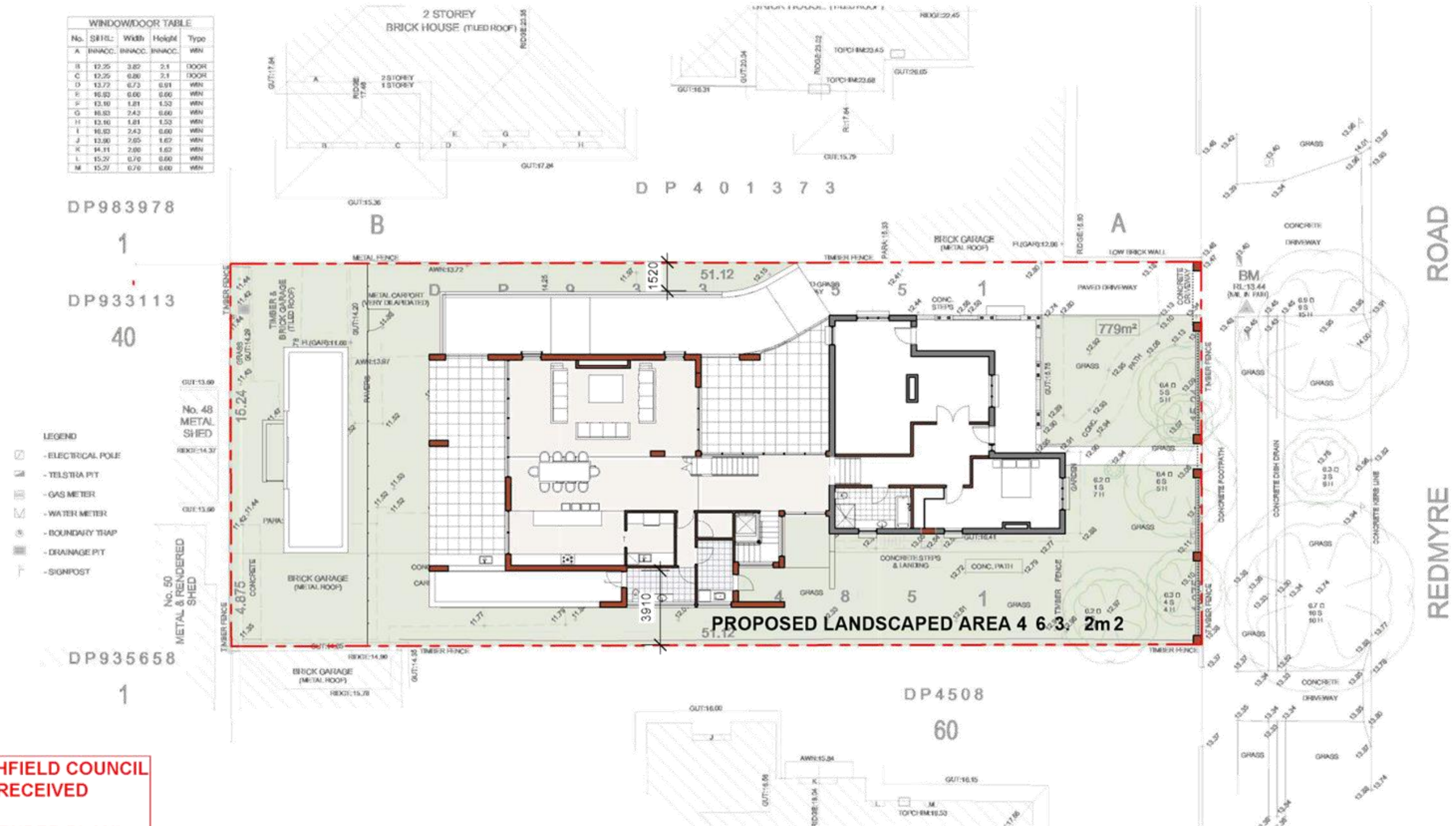
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| JOB NO | 2579 |
| DRAWING NO | A1.01 C |



| WINDOW/DOOR TABLE | | | | |
|-------------------|-------------------------|-------|--------|------|
| No. | SYMBOL | Width | Height | Type |
| A | INNACC. INNACC. INNACC. | | | WIN |
| B | 12.25 | 3.82 | 2.1 | DOOR |
| C | 12.25 | 6.86 | 2.1 | DOOR |
| D | 13.72 | 6.73 | 0.91 | WIN |
| E | 16.92 | 0.60 | 0.66 | WIN |
| F | 13.10 | 1.81 | 1.52 | WIN |
| G | 16.92 | 2.42 | 0.66 | WIN |
| H | 13.10 | 1.81 | 1.52 | WIN |
| I | 16.92 | 2.42 | 0.66 | WIN |
| J | 13.10 | 2.65 | 1.67 | WIN |
| K | 14.11 | 2.86 | 1.62 | WIN |
| L | 15.27 | 0.76 | 0.66 | WIN |
| M | 15.27 | 0.76 | 0.66 | WIN |



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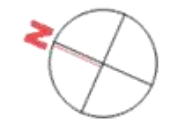
1 PLAN- LANDSCAPE AREA CALCULATION
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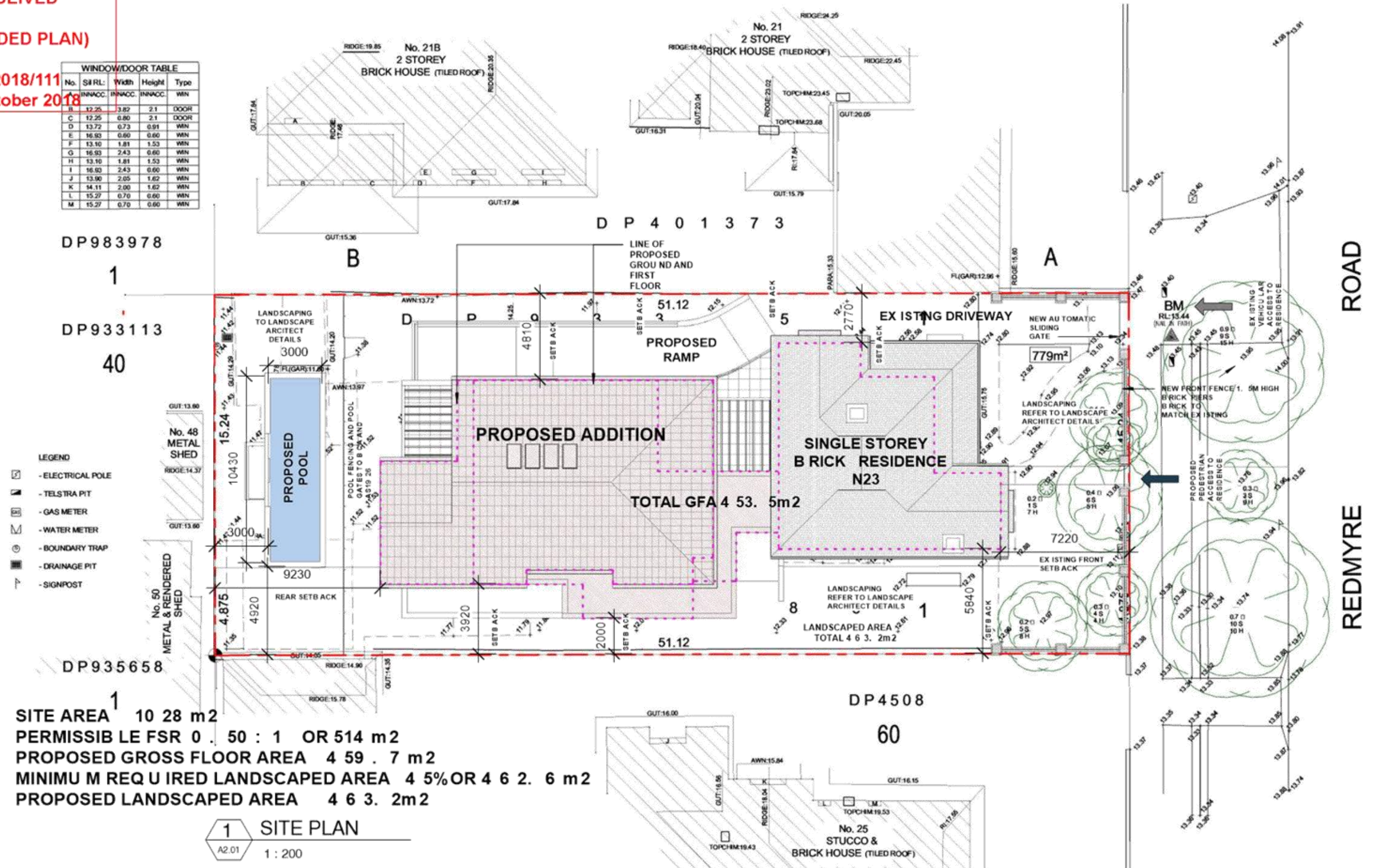
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| PROJECT | ALTERATIONS AND ADDITIONS | CHECKED BY | AC |
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| WINDOW/DOOR TABLE | | | | |
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| C | 12.25 | 0.80 | 2.1 | DOOR |
| D | 13.72 | 0.73 | 0.91 | WN |
| E | 16.93 | 0.60 | 0.60 | WN |
| F | 13.10 | 1.81 | 1.53 | WN |
| G | 16.93 | 2.43 | 0.60 | WN |
| H | 13.10 | 1.81 | 1.53 | WN |
| I | 16.93 | 2.43 | 0.60 | WN |
| J | 13.90 | 2.05 | 1.62 | WN |
| K | 14.11 | 2.00 | 1.62 | WN |
| L | 15.27 | 0.70 | 0.60 | WN |
| M | 15.27 | 0.70 | 0.60 | WN |



SITE AREA 10 28 m²
PERMISSIBLE FSR 0.50 : 1 OR 514 m²
PROPOSED GROSS FLOOR AREA 459.7 m²
MINIMUM REQUIRED LANDSCAPED AREA 45% OR 462.6 m²
PROPOSED LANDSCAPED AREA 463.2m²

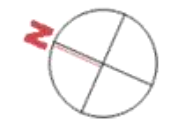
1 SITE PLAN
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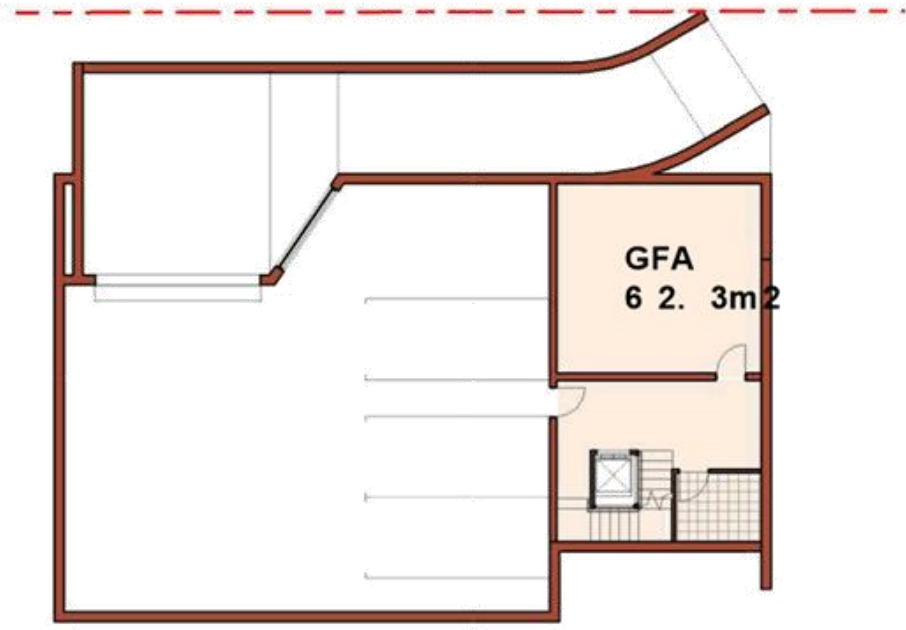
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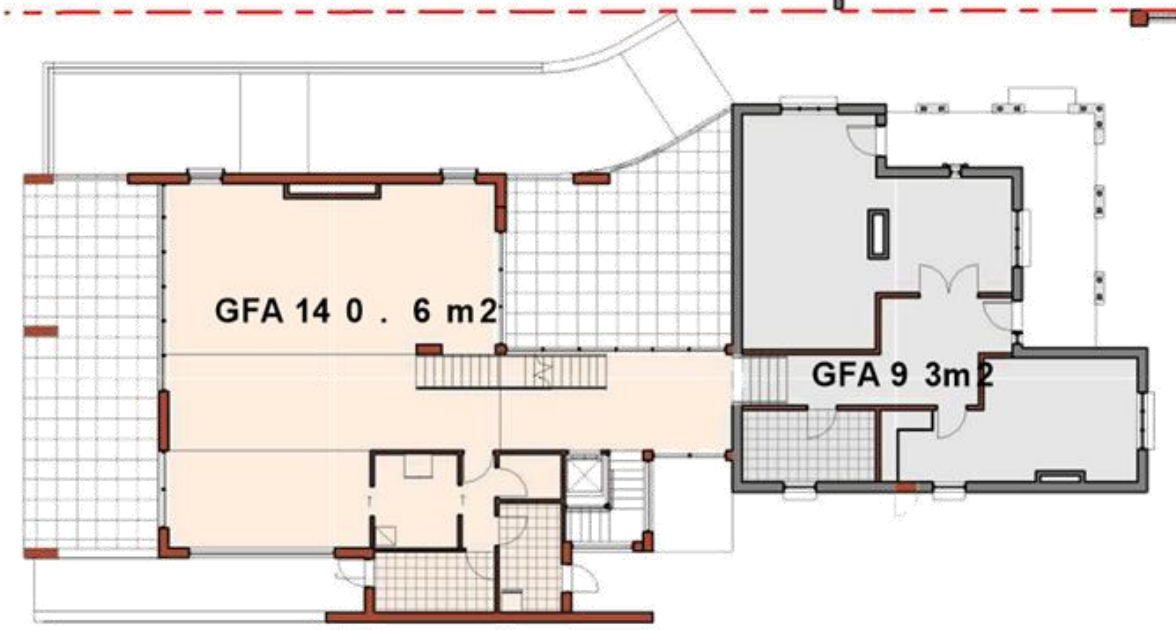
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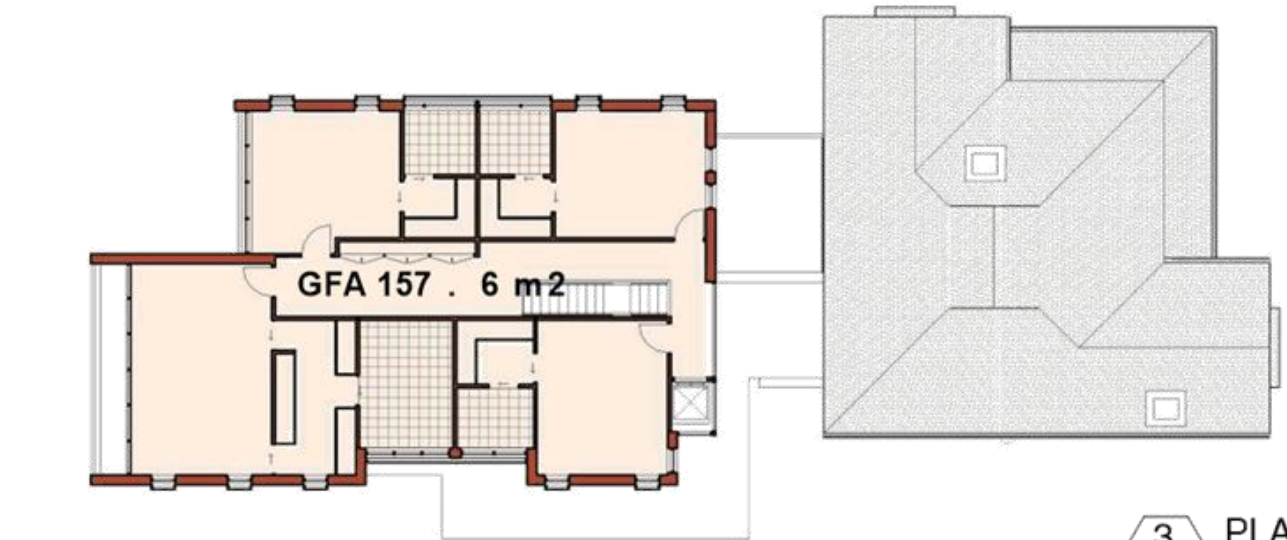
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1 PLAN-B ASEMENT G F A CALCULATION
A2.02 1 : 200



2 PLAN-G ROUND G F A CALCULATION
A2.01 1 : 200



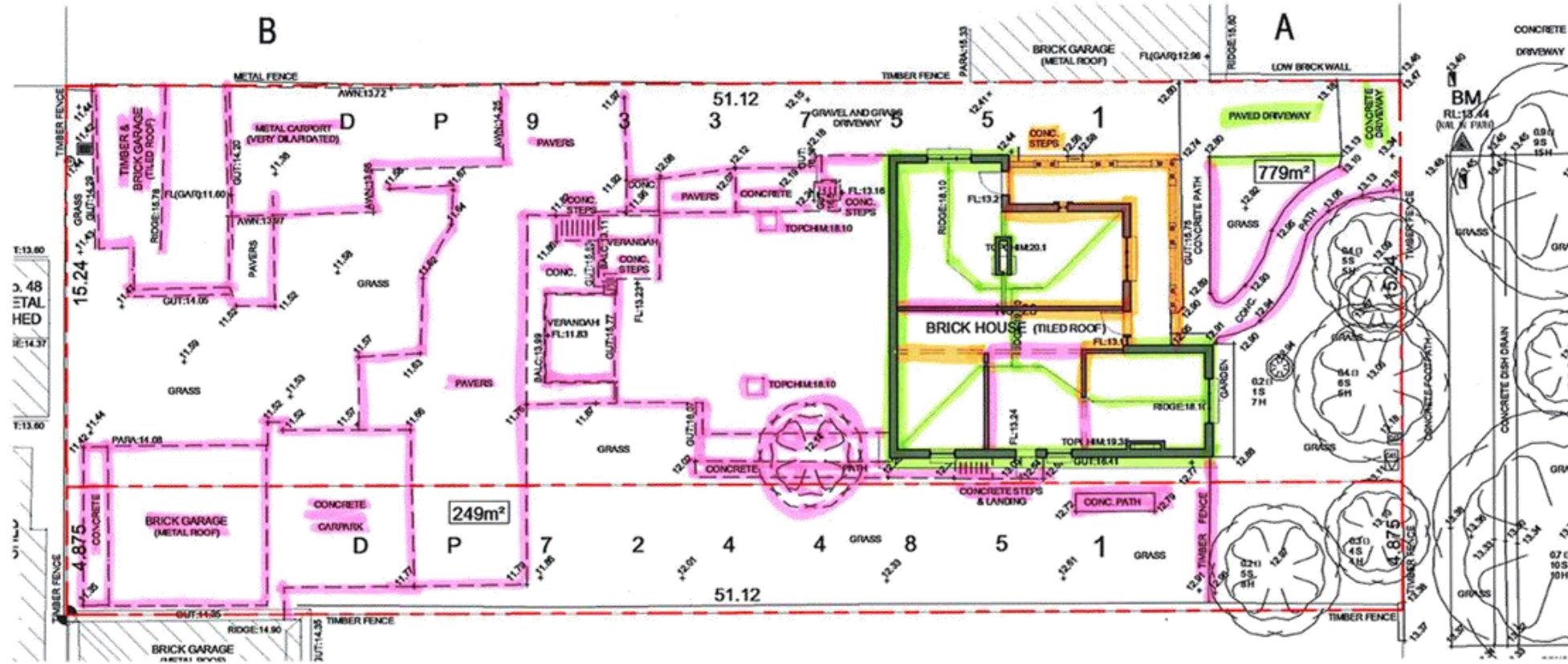
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1 PLAN-DEMOLISHING
A2.01 1:200

To be demolished
To be refurbished/repaired/restored
To be retained

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DA2018/111
24 OCTOBER 2018

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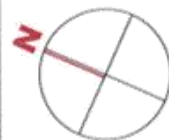
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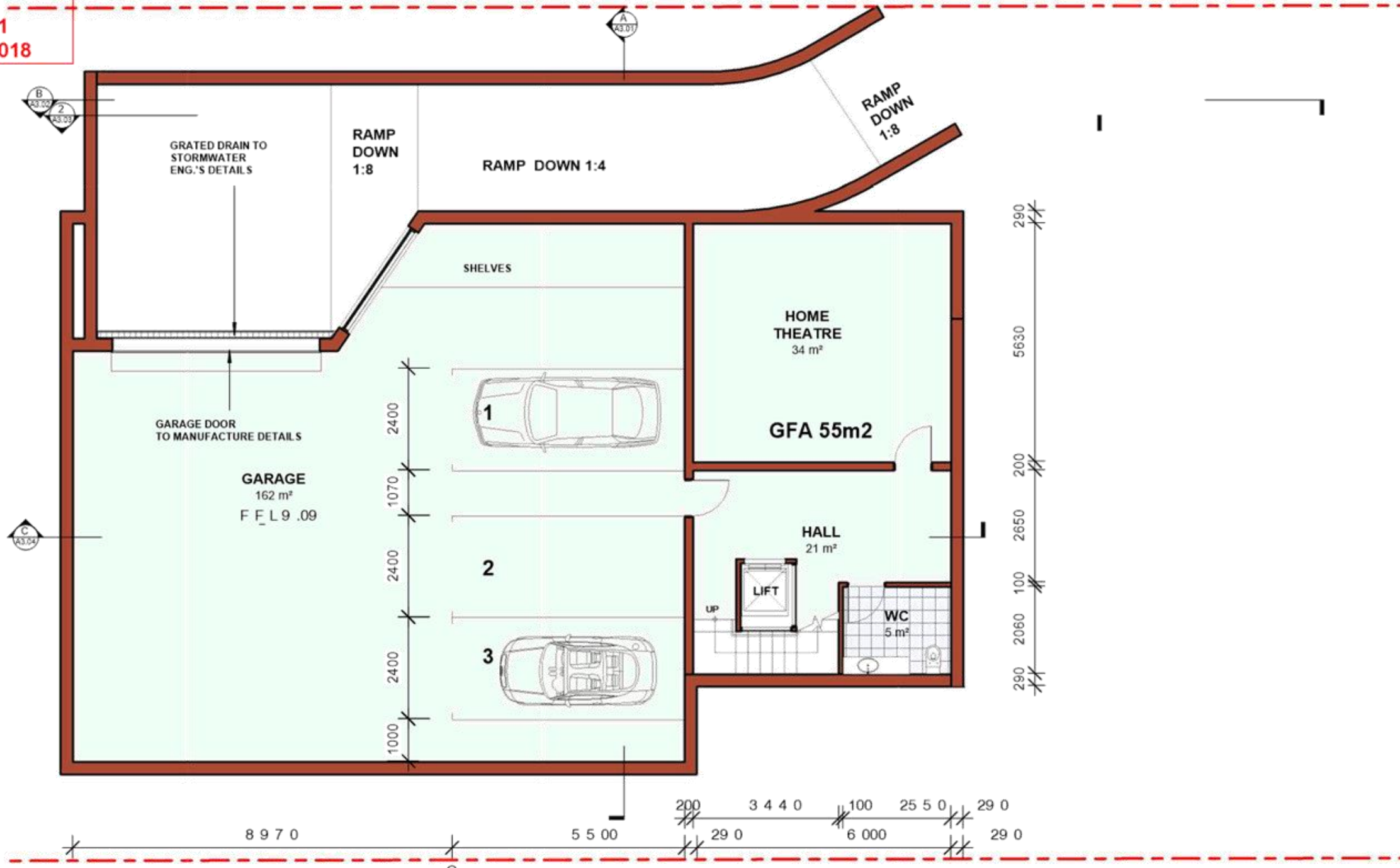
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| PROJECT | ALTERATIONS AND ADDITIONS |
| ADDRESS | 23 REDMYRE ROAD, STRATHFIELD NSW2071 |

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| DRAWING NO | A1.03 |



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B PLAN-B ASEMENT
 A2.02 1 : 100

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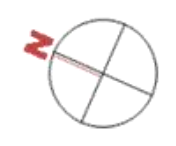
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| B | DA ISSUE | 03/08/2018 |
| C | DA ISSUE | 24/09/2018 |

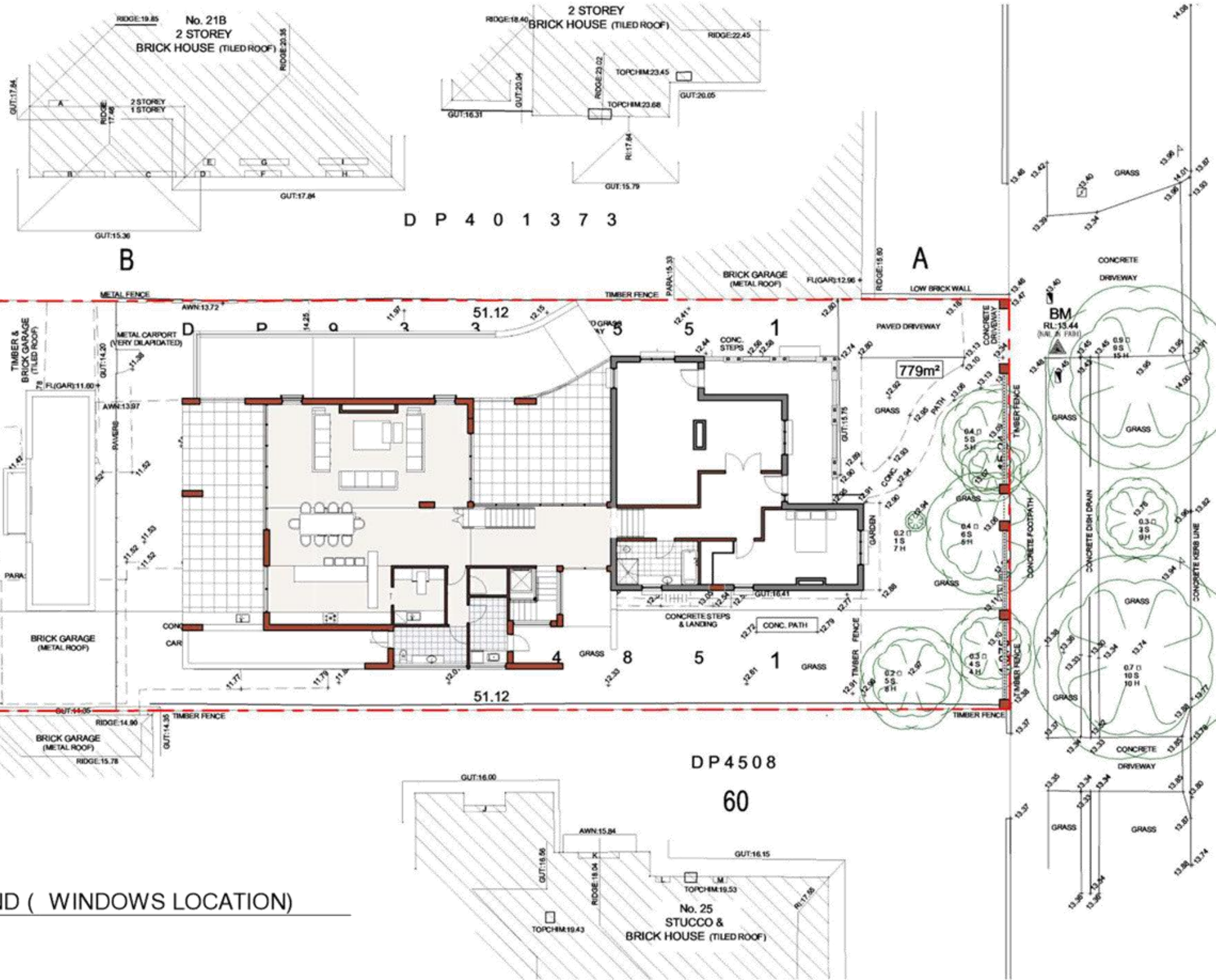
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| DRAWING TITLE | BASEMENT FLOOR PLAN |
| PROJECT | ALTERATIONS AND ADDITIONS |
| ADDRESS | 23 REDMYRE ROAD, STRATHFIELD NSW |

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| CHECKED BY | AC |
| SCALE | 1 : 100@A3 |
| JOB NO | 2579 |
| DRAWING NO | A1.04 C |



| WINDOW/DOOR TABLE | | | | |
|-------------------|----------|--------|--------|------|
| No. | Sill RL: | Width | Height | Type |
| A | INNACC | INNACC | INNACC | WIN |
| B | 12.25 | 3.82 | 2.1 | DOOR |
| C | 12.25 | 0.80 | 2.1 | DOOR |
| D | 13.72 | 0.73 | 0.91 | WIN |
| E | 16.90 | 0.60 | 0.60 | WIN |
| F | 13.10 | 1.81 | 1.53 | WIN |
| G | 16.93 | 2.43 | 0.60 | WIN |
| H | 13.10 | 1.81 | 1.53 | WIN |
| I | 16.93 | 2.43 | 0.60 | WIN |
| J | 13.90 | 2.05 | 1.62 | WIN |
| K | 14.11 | 2.00 | 1.62 | WIN |
| L | 15.27 | 0.70 | 0.60 | WIN |
| M | 15.27 | 0.70 | 0.60 | WIN |



- LEGEND**
- ELECTRICAL POLE
 - TELSTRA PIT
 - GAS METER
 - WATER METER
 - BOUNDARY TRAP
 - DRAINAGE PIT
 - SIGNPOST

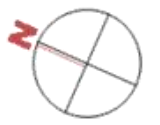
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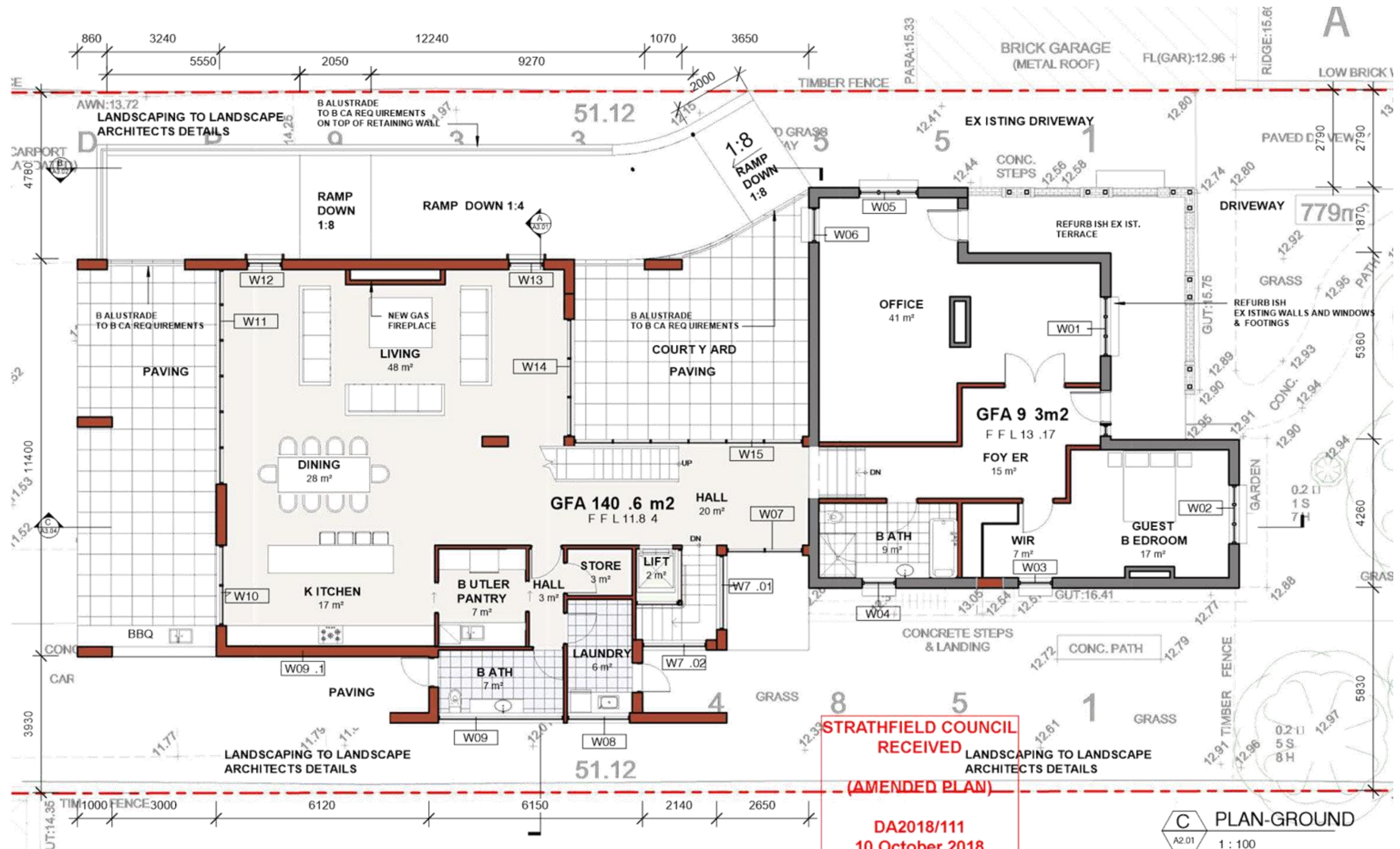
(AMENDED PLAN)

DA2018/111
10 October 2018

1 PLAN-G ROUND (WINDOWS LOCATION)
A2.01 1 : 200

| <p>t: 1300 728 006 f: 1300 728 440 w: THE SITE FOREMAN.COM.AU a: 38-40 PARRAMATTA ROAD SUMMER HILL 2130 NSW</p> | DRAWING TITLE | GROUND FLOOR PLAN_WINDOWS LOCATION | DRAWN/DESIGNED BY | AC | | | | | | | | | | | | |
|---|---------------|------------------------------------|-------------------|----------|--------------------|------------|---|----------|------------|---|----------|------------|---------|----------------------------------|-------|------------|
| | PROJECT | ALTERATIONS AND ADDITIONS | CHECKED BY | AC | | | | | | | | | | | | |
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| | ISSUE | REVISIONS | DATE | | | | | | | | | | | | | |
| | A | CONCEPT FOR REVIEW | 14/05/2018 | | | | | | | | | | | | | |
| B | DA ISSUE | 03/08/2018 | | | | | | | | | | | | | | |
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| | | | DRAWING NO | A1.05.1C | | | | | | | | | | | | |





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 a: 38-40 PARRAMATTA ROAD SUMMER HILL 2130 NSW

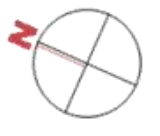
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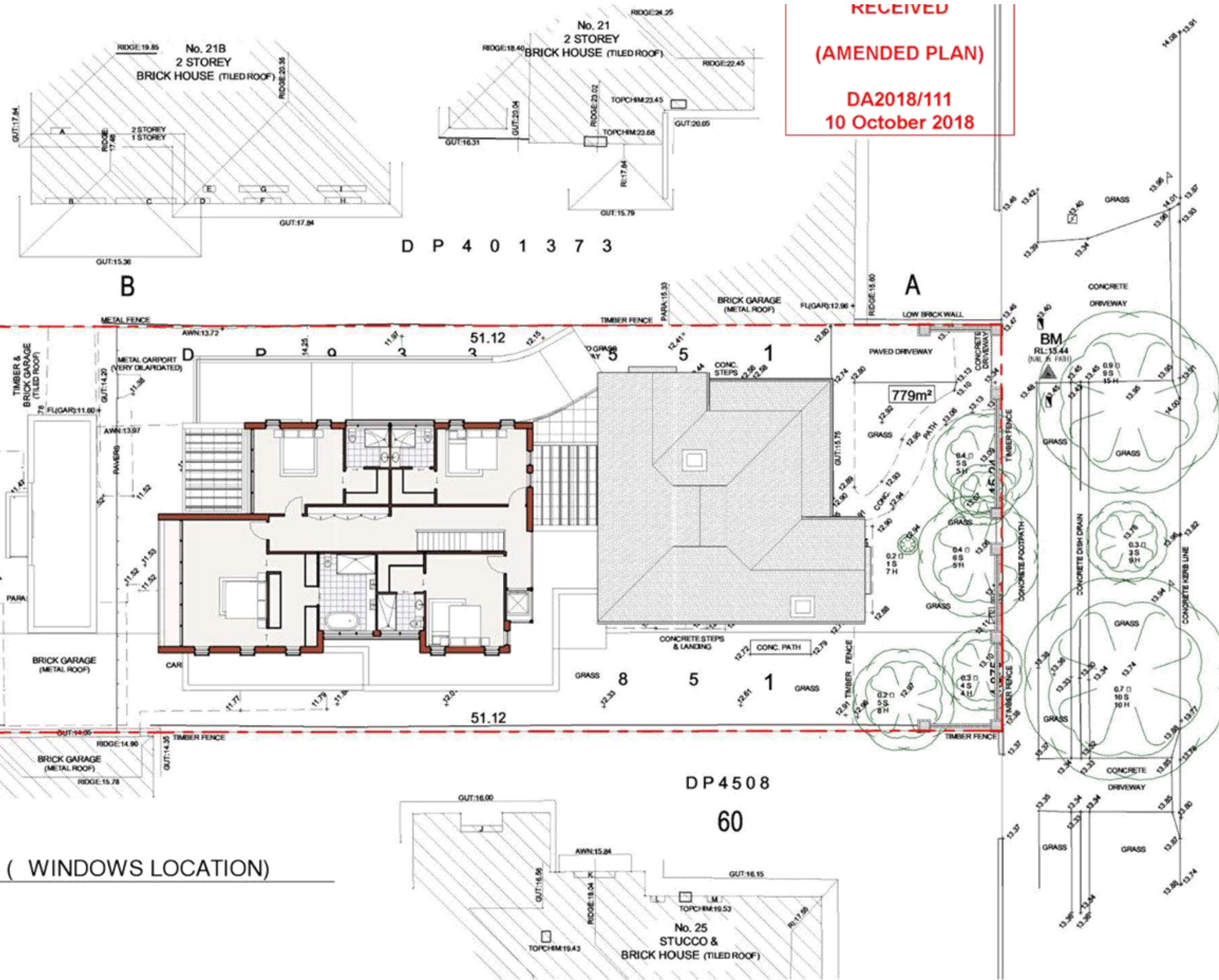
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| DRAWING TITLE | GROUND FLOOR PLAN |
| PROJECT | ALTERATIONS AND ADDITIONS |
| ADDRESS | 23 REDMYRE ROAD, STRATHFIELD NSW |

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| DRAWN/DESIGNED BY | AC |
| CHECKED BY | AC |
| SCALE | 1 : 100@A3 |
| JOB NO | 2579 |
| DRAWING NO | A1.05 C |



| WINDOW/DOOR TABLE | | | | |
|-------------------|--------|--------|--------|------|
| No. | S/R/L | Width | Height | Type |
| A | INNACC | INNACC | INNACC | WN |
| B | 12.25 | 3.82 | 2.1 | DOOR |
| C | 12.25 | 0.80 | 2.1 | DOOR |
| D | 13.72 | 0.73 | 0.91 | WN |
| E | 16.93 | 0.60 | 0.60 | WN |
| F | 13.10 | 1.81 | 1.53 | WN |
| G | 16.93 | 2.43 | 0.60 | WN |
| H | 13.10 | 1.81 | 1.53 | WN |
| I | 16.93 | 2.43 | 0.60 | WN |
| J | 13.90 | 2.05 | 1.62 | WN |
| K | 14.11 | 2.00 | 1.62 | WN |
| L | 15.27 | 0.70 | 0.60 | WN |
| M | 15.27 | 0.70 | 0.60 | WN |



DP983978

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DP933113

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- LEGEND**
- ELECTRICAL POLE
 - TELSTRA PIT
 - GAS METER
 - WATER METER
 - BOUNDARY TRAP
 - DRAINAGE PIT
 - SIGNPOST

DP935658

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1 PLAN-LEV EL1 (WINDOWS LOCATION)
A2.01 1 : 200

DP 4 0 1 3 7 3

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ROAD

REDMYRE

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w: THE SITE FOREMAN.COM.AU
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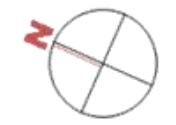
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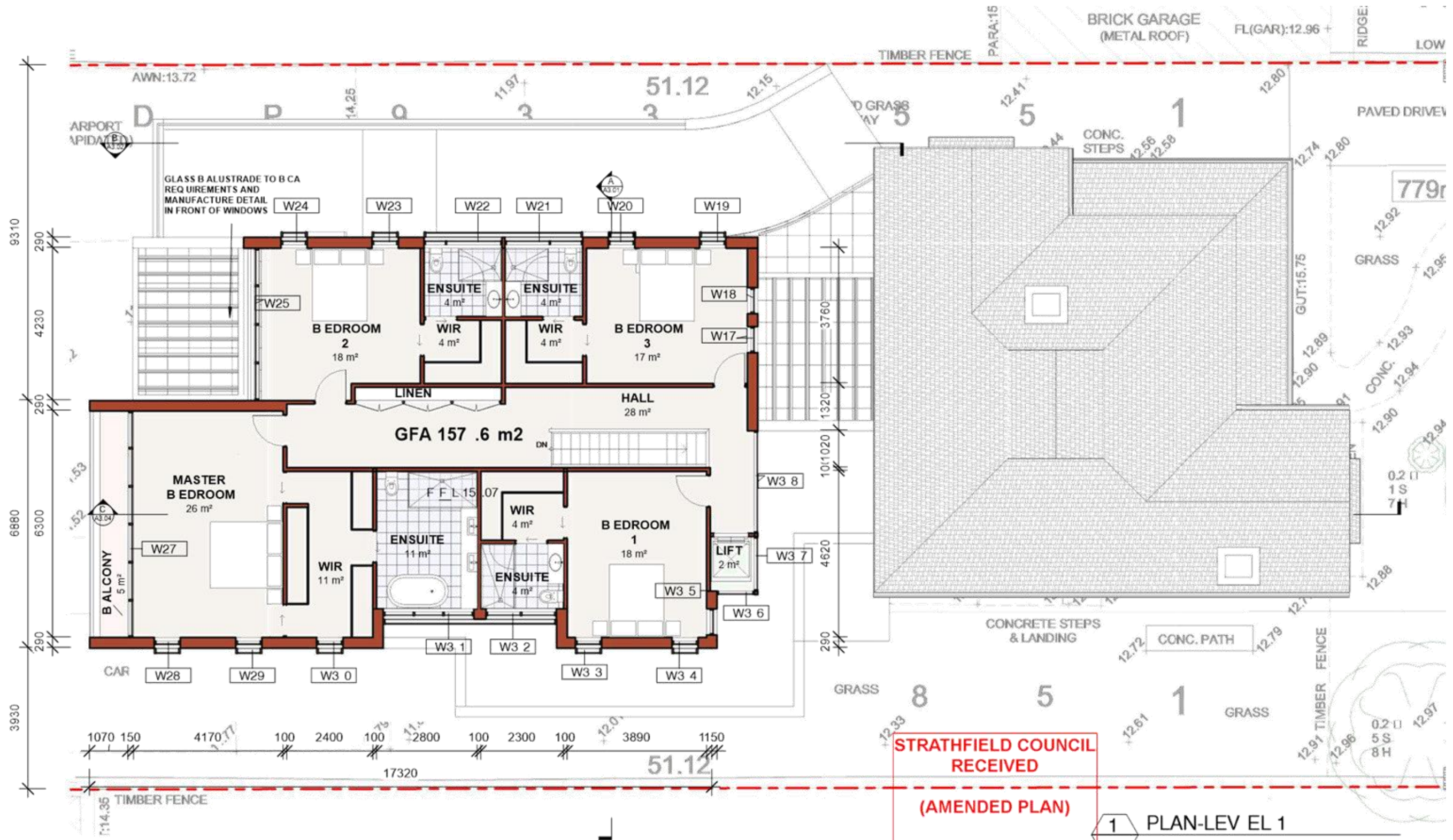
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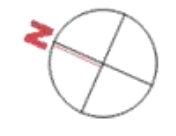
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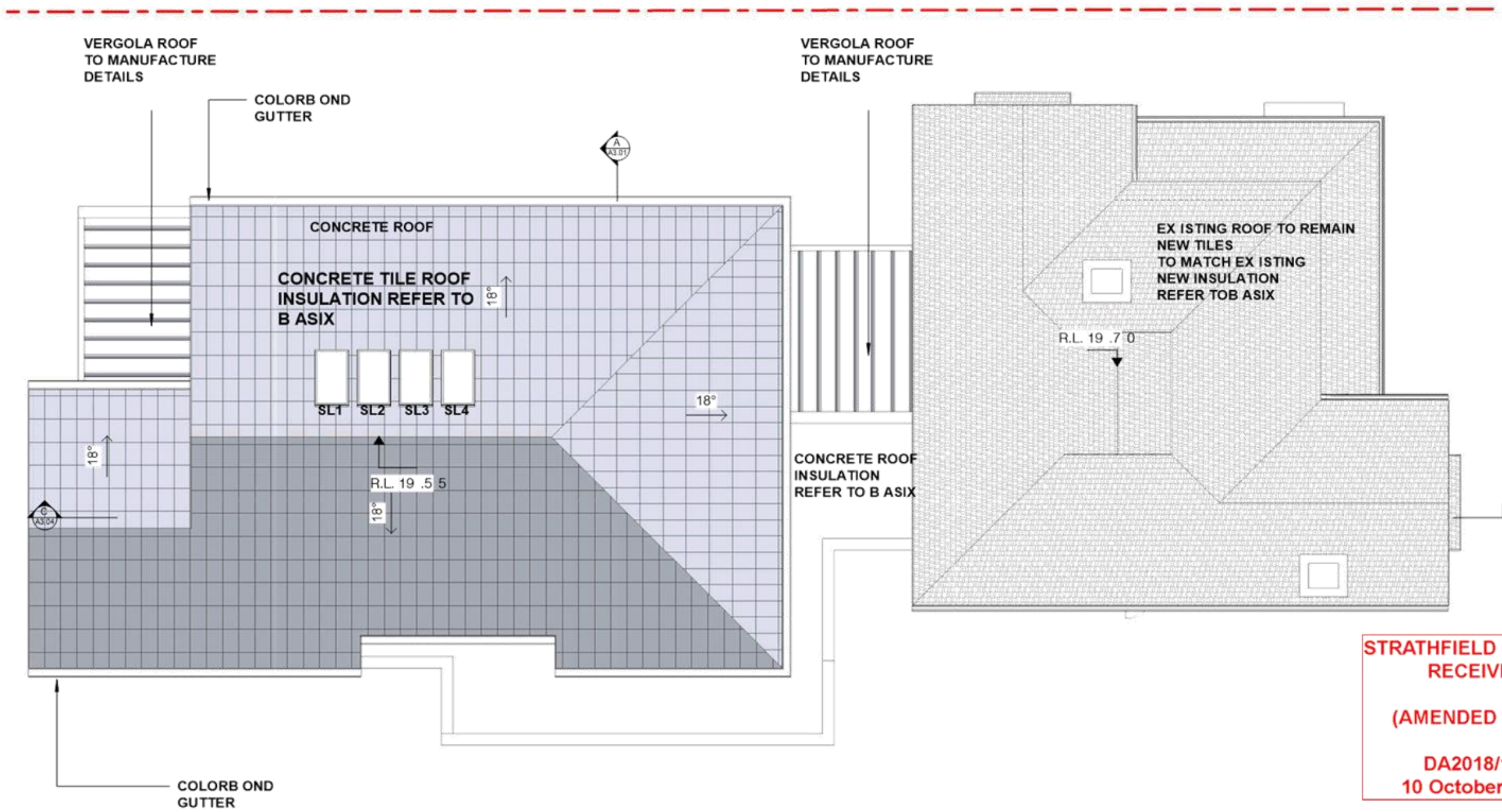
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| PROJECT | ALTERATIONS AND ADDITIONS |
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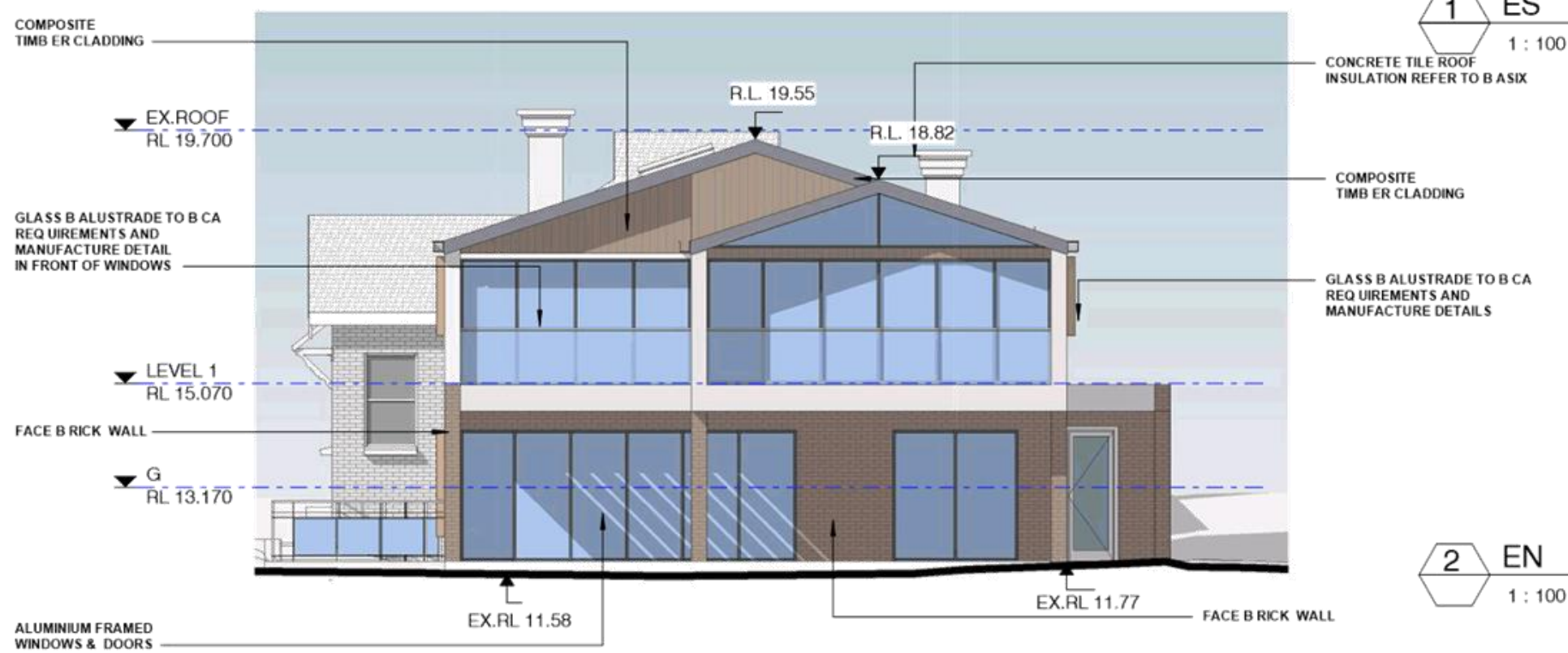
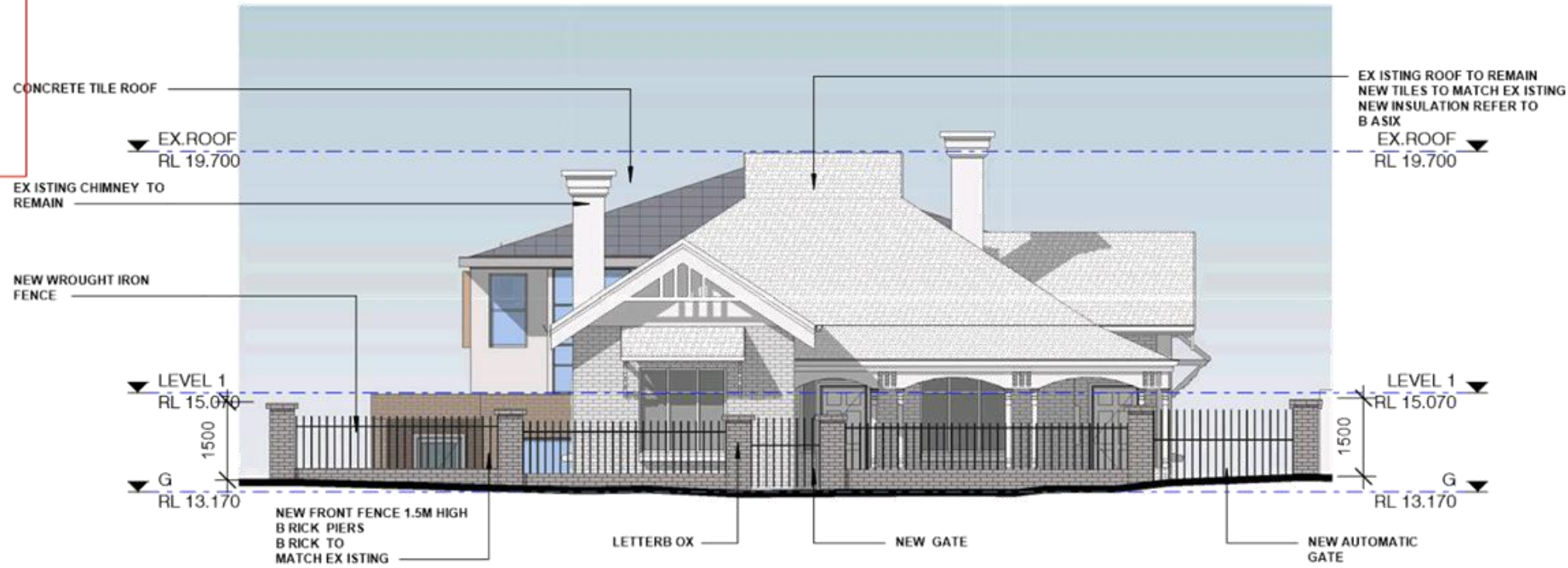
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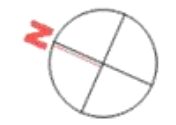
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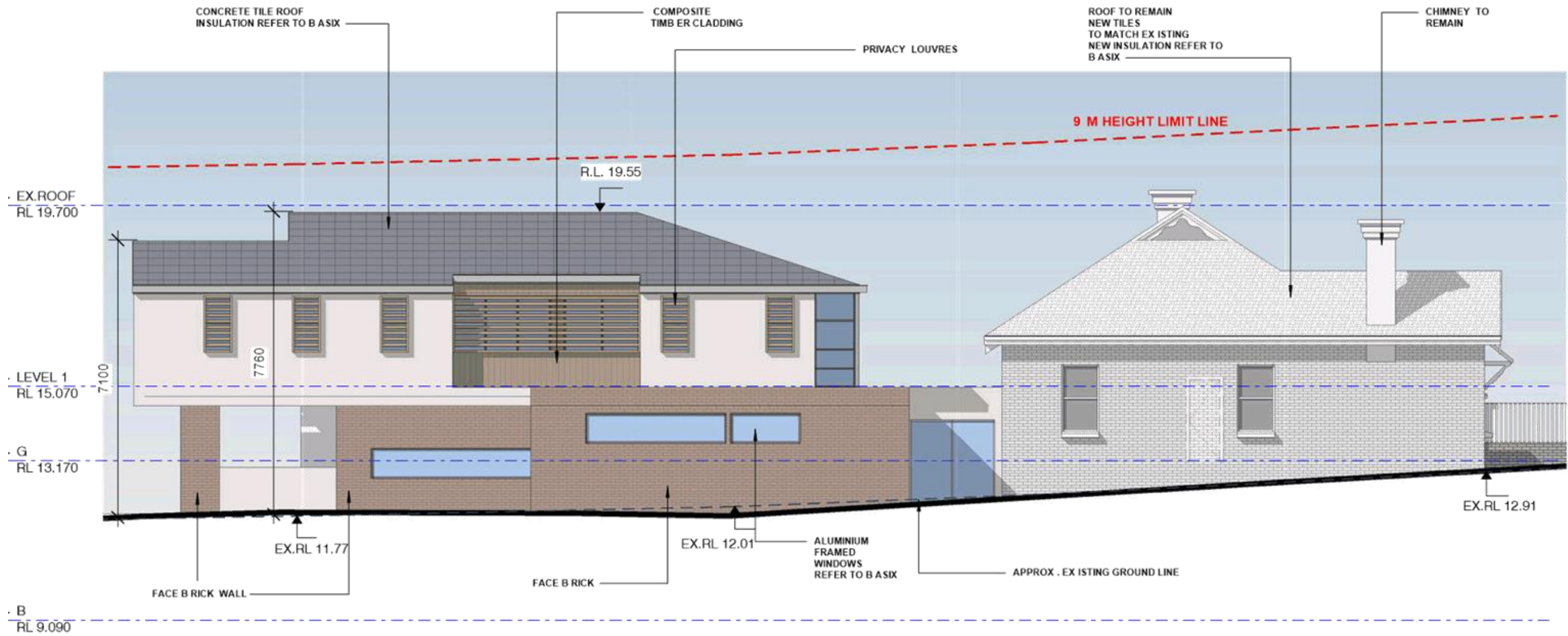
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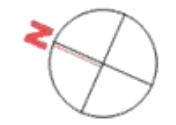
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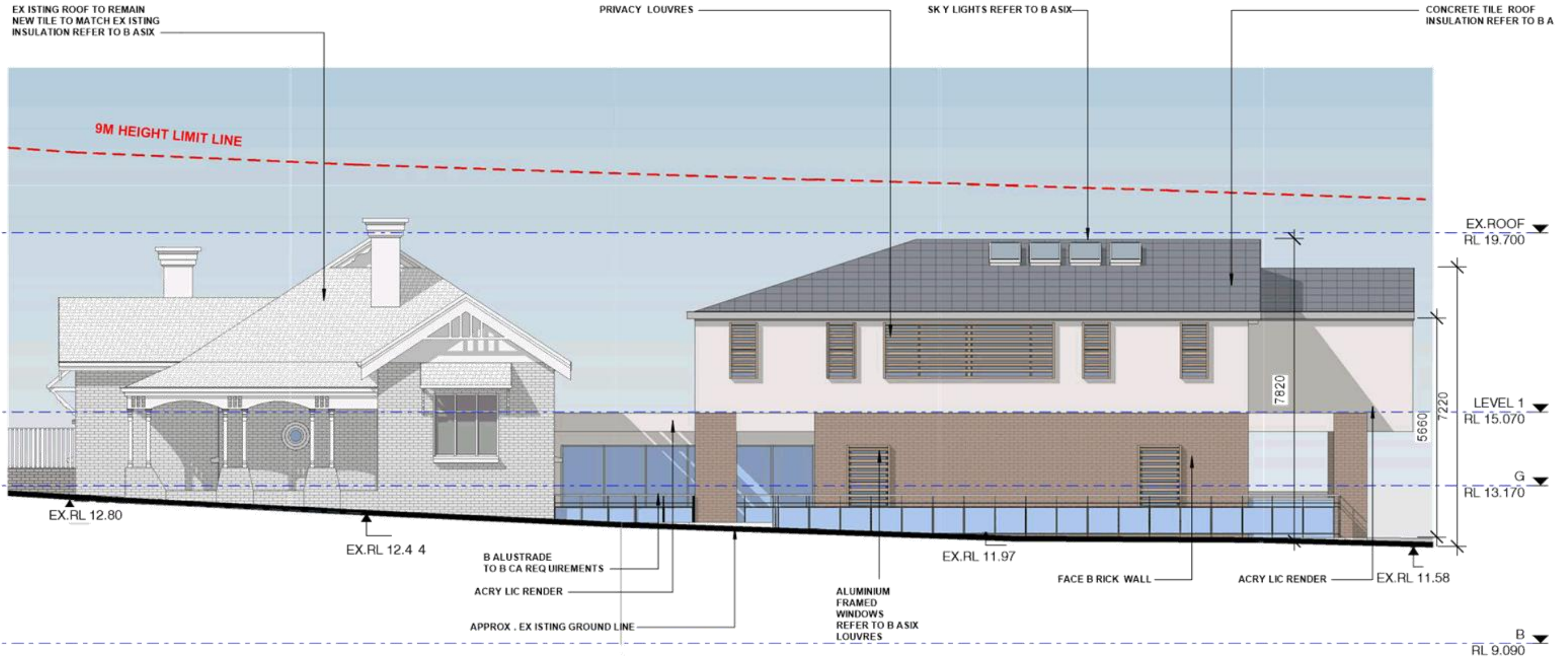
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| | A | CONCEPT FOR REVIEW | 14/05/2018 | DRAWING NO | A2.02 C |
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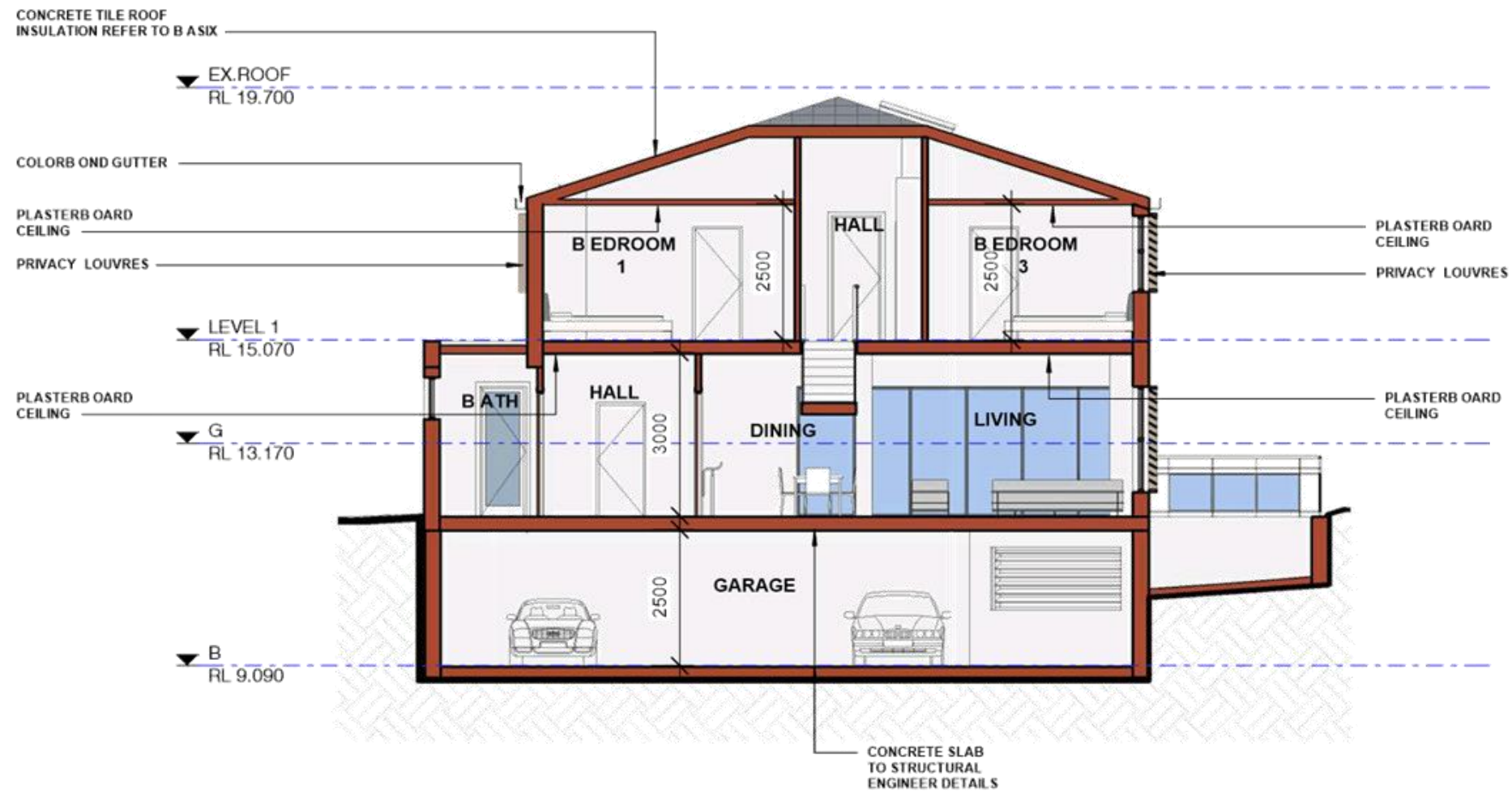
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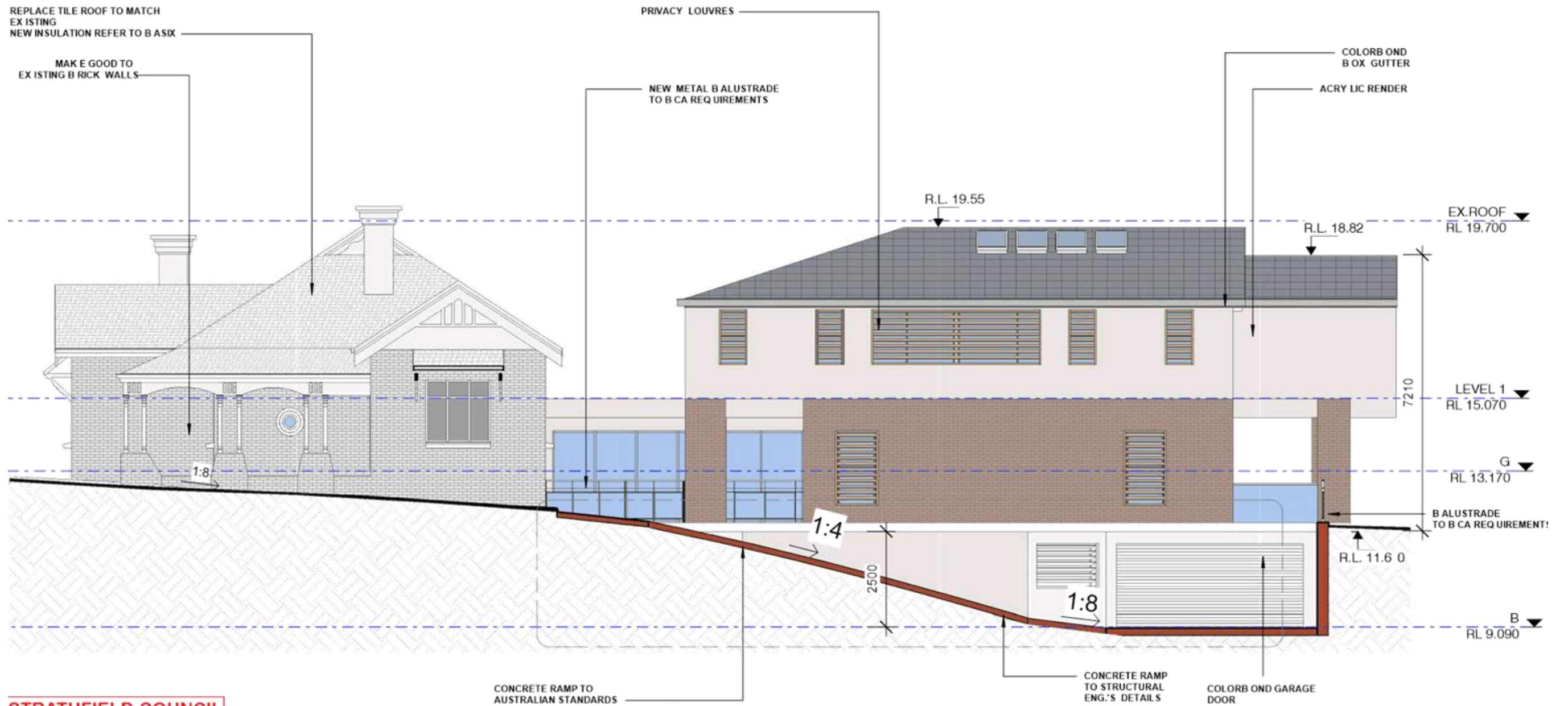
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| | PROJECT ALTERATIONS AND ADDITIONS | | CHECKED BY AC | | | | | | | | | | | |
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| | <table border="1"> <thead> <tr> <th>ISSUE</th> <th>REVISIONS</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>CONCEPT FOR REVIEW</td> <td>14/05/2018</td> </tr> <tr> <td>B</td> <td>DA ISSUE</td> <td>03/08/2018</td> </tr> <tr> <td>C</td> <td>DA ISSUE</td> <td>24/09/2018</td> </tr> </tbody> </table> | ISSUE | REVISIONS | DATE | A | CONCEPT FOR REVIEW | 14/05/2018 | B | DA ISSUE | 03/08/2018 | C | DA ISSUE | 24/09/2018 | DO NOT SCALE FROM THESE DRAWINGS use given dimensions. Contractor/ Builder is to check all dimensions on site prior to commencement of shop drawings or fabrication. Any discrepancies are to be referred to the architect/ designer prior to commencement of work. This drawing is to be used in accordance with its "purpose of issue" only. No responsibility will be accepted for the improper use of this drawing. Architectural drawings indicate design intent only. Builder is to ensure that all construction is in accordance with all relevant Australian Standards, legislation, policies, Building Code of Australia, Development Consent and any other council or certifier's requirements. This set of drawings does not include all possible construction details and the builder is required to complete the design where the information is not |
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| C | DA ISSUE | 24/09/2018 | | | | | | | | | | | | |
| | | | JOB NO 2579 | | | | | | | | | | | |
| | | | DRAWING NO A3.01 C | | | | | | | | | | | |



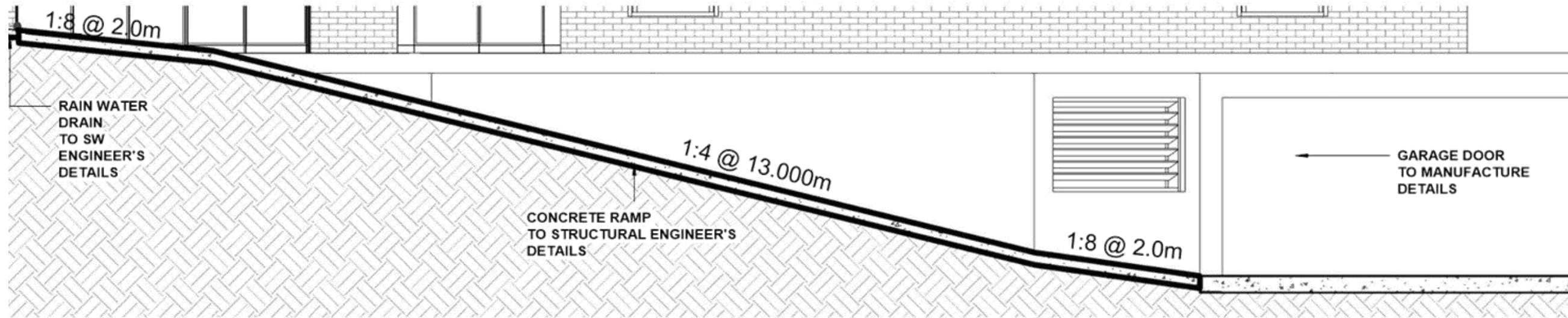
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B SECTION BB
A 1.04 1 : 100

| | | | | | | | |
|--|-------|--------------------|------------|---|----------------------------------|-------------------|------------|
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| | B | DA ISSUE | 03/08/2018 | ADDRESS | 23 REDMYRE ROAD, STRATHFIELD NSW | SCALE | 1 : 100@A3 |
| | C | DA ISSUE | 24/09/2018 | <p><small>DO NOT SCALE FROM THESE DRAWINGS use given dimensions. Contractor/ Builder is to check all dimensions on site prior to commencement of shop drawings or fabrication. Any discrepancies are to be referred to the architect/ designer prior to commencement of work. This drawing is to be used in accordance with its "purpose of issue" only. No responsibility will be accepted for the improper use of this drawing. Architectural drawings indicate design intent only. Builder is to ensure that all construction is in accordance with all relevant Australian Standards, legislation, policies, Building Code of Australia, Development Consent and any other council or certifier's requirements. This set of drawings does not include all possible construction details and the builder is required to complete the design where the information is not</small></p> | | | |
| | | | | JOB NO | 2579 | DRAWING NO | A3.02 C |



2 RAMP SECTION 2
A1.04 1:50

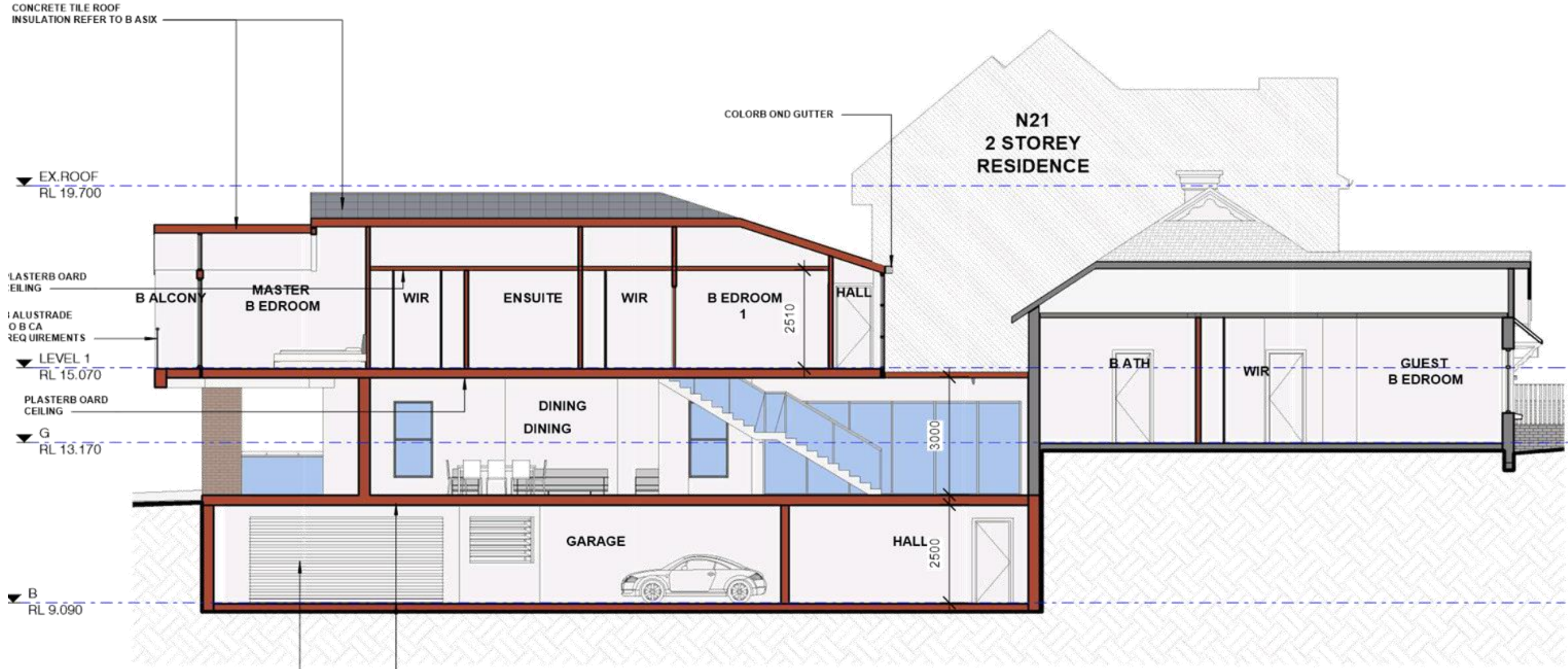
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| | B | DA ISSUE | 03/08/2018 | | |
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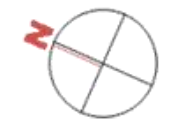
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GARAGE DOOR TO MANUFACTURE DETAILS
CONCRETE SLAB TO STRUCTURAL ENGINEER DETAILS

C SECTION CC
A 1.04 1 : 100

| | | | | |
|---|---------------|----------------------------------|-------------------|------------|
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1 EAST ELEVATION
1:1

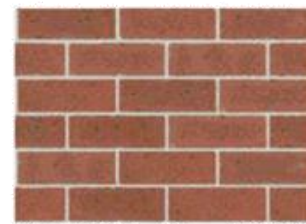
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1 FRONT FENCE AND EXISTING HOUSE FACE BRICK (TO MATCH DETAILS- FACE BRICK (TO MATCH EXISTING) EQUAL OR SIMILAR AUSTRAL BRICK OLD COLONIAL COL.MAHOGANY



2 EQUAL OR SIMILAR AUSTRAL BRICK OLD COLONIAL EQ OR SIMILAR TO B ORAL FRENCH SUNSET RED



3 ROOF TILES TO MATCH EXISTING EQ OR SIMILAR TO B ORAL FRENCH SUNSET RED



4 WINDOW FRAMES AND WOODWORK PAINT EQ OR SIMILAR - DULUX HERITAGE RANGE COL.CHINA WHITE OR ORIGINAL WOODWORK COLOUR



5 ROOF TILES EQ OR SIMILAR TO B ORAL CONCRETE TILES COL. SLATE



6 ROOF, GUTTERS AND DOWN PIPES, GARAGE DOOR- EQ OR SIMILAR EQ OR SIMILAR TO COLOR BOND IRONE STONE



7 COMPOSITE TIMBER CLADDING- EQ OR SIMILAR TO DURA COMPOSITES COL.TEAK



8 WINDOW AWNINGS EQ OR SIMILAR TO DULUX POWDERCOATED MANOR RED



9 WALL RENDER FINISH, PAINT EQ OR SIMILAR TO DULUX HERITAGE RANGE COL.QUARTZ GREY



10 WINDOW FRAMES EQ OR SIMILAR TO EQ OR SIMILAR TO DULUX POWDERCOATED ANOTEC DARK GREY



11 LOUVRES EQ OR SIMILAR TO EQ OR SIMILAR TO DULUX POWDERCOATED TIMBER LOOK

| | | | |
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| B | DA ISSUE | 03/08/2018 | |
| C | DA ISSUE | 24/09/2018 | |

BASIX Certificate

Building Sustainability Index www.basix.nsw.gov.au

Alterations and Additions

Certificate number: A284830_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Alterations and Additions Definitions" dated 06/10/2017 published by Planning & Infrastructure. This document is available at www.basix.nsw.gov.au

This certificate is a revision of certificate number A284830 lodged with the consent authority or certifier on 17 Jul 2017 with application 21017/106.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Sch 1 C 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Director-General
Date of issue: Saturday, 04, August 2018
To be valid, this certificate must be lodged within 3 months of the date of issue.



Description of project

| Project address | |
|-----------------------|---|
| Project name | Alteration & Additions at 23 Redmyre_02 |
| Street address | 23 Redmyre Road Strathfield 2135 |
| Local Government Area | Strathfield Municipal Council |
| Plan type and number | Deposited Plan 724485 |
| Lot number | 1 |
| Section number | 0 |

| Project type | |
|---------------------------------|---|
| Dwelling type | Separate dwelling house |
| Type of alteration and addition | My renovation work is valued at \$50,000 or more, and includes a pool (and/or spa). |

| Certificate Prepared by (please complete before submitting to Council or PCA) | |
|---|-----------------|
| Name / Company Name: | CVMA Architects |
| ABN (if applicable): | 080668211 |

| Construction | | | Show on DA Plans | Show on CC/CDC Plans & specs | Certifier Check |
|---|--|---|------------------|------------------------------|-----------------|
| Insulation requirements | | | | | |
| The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m ² , b) insulation specified is not required for parts of altered construction where insulation already exists. | | | | | |
| | | | ✓ | ✓ | ✓ |
| Construction | Additional insulation required (R-value) | Other specifications | | | |
| concrete slab on ground floor. | nil | | | | |
| suspended floor above garage: concrete (R0.6). | nil | | | | |
| external wall: cavity brick | nil | | | | |
| external wall: framed (weatherboard, fibro, metal clad) | R1.30 (or R1.70 including construction) | | | | |
| internal wall shared with garage: single skin masonry (R0.18) | nil | | | | |
| flat ceiling, pitched roof | ceiling: R2.50 (up), roof: foil/sarking | medium (solar absorptance 0.475 - 0.70) | | | |
| raked ceiling, pitched/skillion roof: framed | ceiling: R2.50 (up), roof: foil/sarking | medium (solar absorptance 0.475 - 0.70) | | | |
| flat ceiling, flat roof: concrete/plasterboard internal | ceiling: R1.58 (up), roof: foil backed blanket (55 mm) | medium (solar absorptance 0.475 - 0.70) | | | |

BASIX Certificate number: A284830_02

page 2 / 10

| Pool and Spa | Show on DA Plans | Show on CC/CDC Plans & specs | Certifier Check |
|---|------------------|------------------------------|-----------------|
| Rainwater tank | | | |
| The applicant must install a rainwater tank of at least 2690 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities. | ✓ | ✓ | ✓ |
| The applicant must configure the rainwater tank to collect rainwater runoff from at least 172 square metres of roof area. | ✓ | ✓ | ✓ |
| The applicant must connect the rainwater tank to a tap located within 10 metres of the edge of the pool. | ✓ | ✓ | ✓ |
| Outdoor swimming pool | | | |
| The swimming pool must be outdoors. | ✓ | ✓ | ✓ |
| The swimming pool must not have a capacity greater than 50 kilolitres. | ✓ | ✓ | ✓ |
| The applicant must install a pool pump timer for the swimming pool. | ✓ | ✓ | ✓ |

BASIX Certificate number: A284830_02

page 3 / 10

| Fixtures and systems | Show on DA Plans | Show on CC/CDC Plans & specs | Certifier Check |
|--|------------------|------------------------------|-----------------|
| Hot water | | | |
| The applicant must install the following hot water system in the development: gas instantaneous. | ✓ | ✓ | ✓ |
| Lighting | | | |
| The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps. | ✓ | ✓ | ✓ |
| Fixtures | | | |
| The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating. | ✓ | ✓ | ✓ |
| The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating. | ✓ | ✓ | ✓ |
| The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating. | ✓ | ✓ | ✓ |

BASIX Certificate number: A284830_02

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| Glazing requirements | | | | Show on DA Plans | Show on CC/CDC Plans & specs | Certifier Check |
|---|--|----------------|--|------------------|------------------------------|-----------------|
| Each skylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. | | | | | | |
| Skylights glazing requirements | | | | | | |
| Skylight number | Area of glazing inc. frame (m ²) | Shading device | Frame and glass type | | | |
| S1 | 1.1 | no shading | timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456) | | | |
| S2 | 1.1 | no shading | timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456) | | | |
| S3 | 1.1 | no shading | timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456) | | | |
| S4 | 1.1 | no shading | timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456) | | | |

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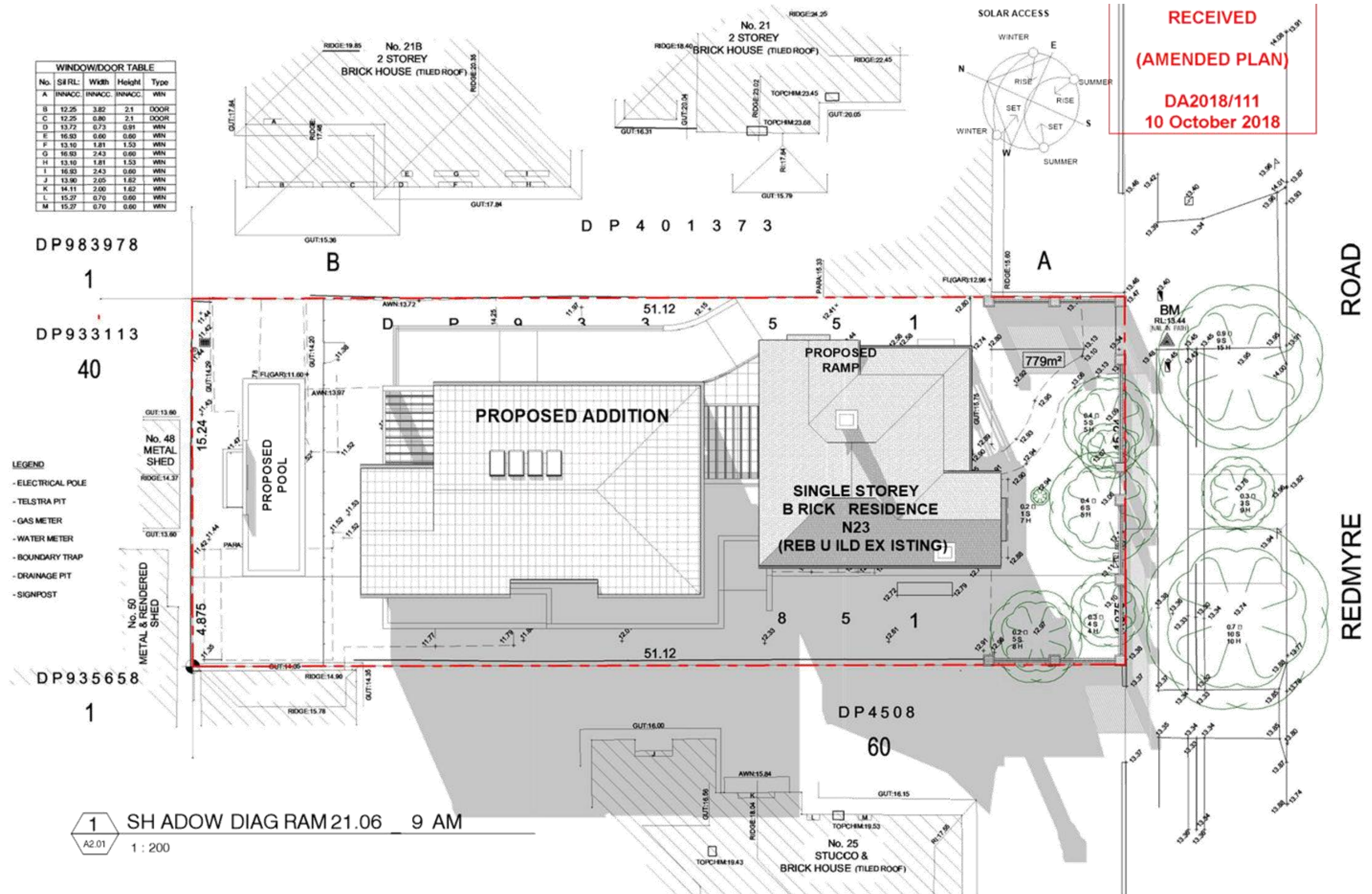
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| | | DRAWING NO | A4.02 C |



| WINDOW/DOOR TABLE | | | | |
|-------------------|----------|---------|---------|------|
| No. | Sill RL: | Width | Height | Type |
| A | INNACC. | INNACC. | INNACC. | WIN |
| B | 12.25 | 3.82 | 2.1 | DOOR |
| C | 12.25 | 0.80 | 2.1 | DOOR |
| D | 13.72 | 0.73 | 0.91 | WIN |
| E | 16.93 | 0.60 | 0.60 | WIN |
| F | 13.10 | 1.81 | 1.53 | WIN |
| G | 16.93 | 2.43 | 0.60 | WIN |
| H | 13.10 | 1.81 | 1.53 | WIN |
| I | 16.93 | 2.43 | 0.60 | WIN |
| J | 13.90 | 2.05 | 1.82 | WIN |
| K | 14.11 | 2.00 | 1.82 | WIN |
| L | 15.27 | 0.70 | 0.60 | WIN |
| M | 15.27 | 0.70 | 0.60 | WIN |

- LEGEND**
- ELECTRICAL POLE
 - TELSTRA PIT
 - GAS METER
 - WATER METER
 - BOUNDARY TRAP
 - DRAINAGE PIT
 - SIGNPOST

| | | |
|--|---|-----------------------------|
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| | <p>PROJECT ALTERATIONS AND ADDITIONS</p> | <p>CHECKED BY AC</p> |
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| WINDOW/DOOR TABLE | | | | |
|-------------------|---------|--------|--------|------|
| No. | Sill RL | Width | Height | Type |
| A | INNACC | INNACC | INNACC | WIN |
| B | 12.25 | 3.82 | 2.1 | DOOR |
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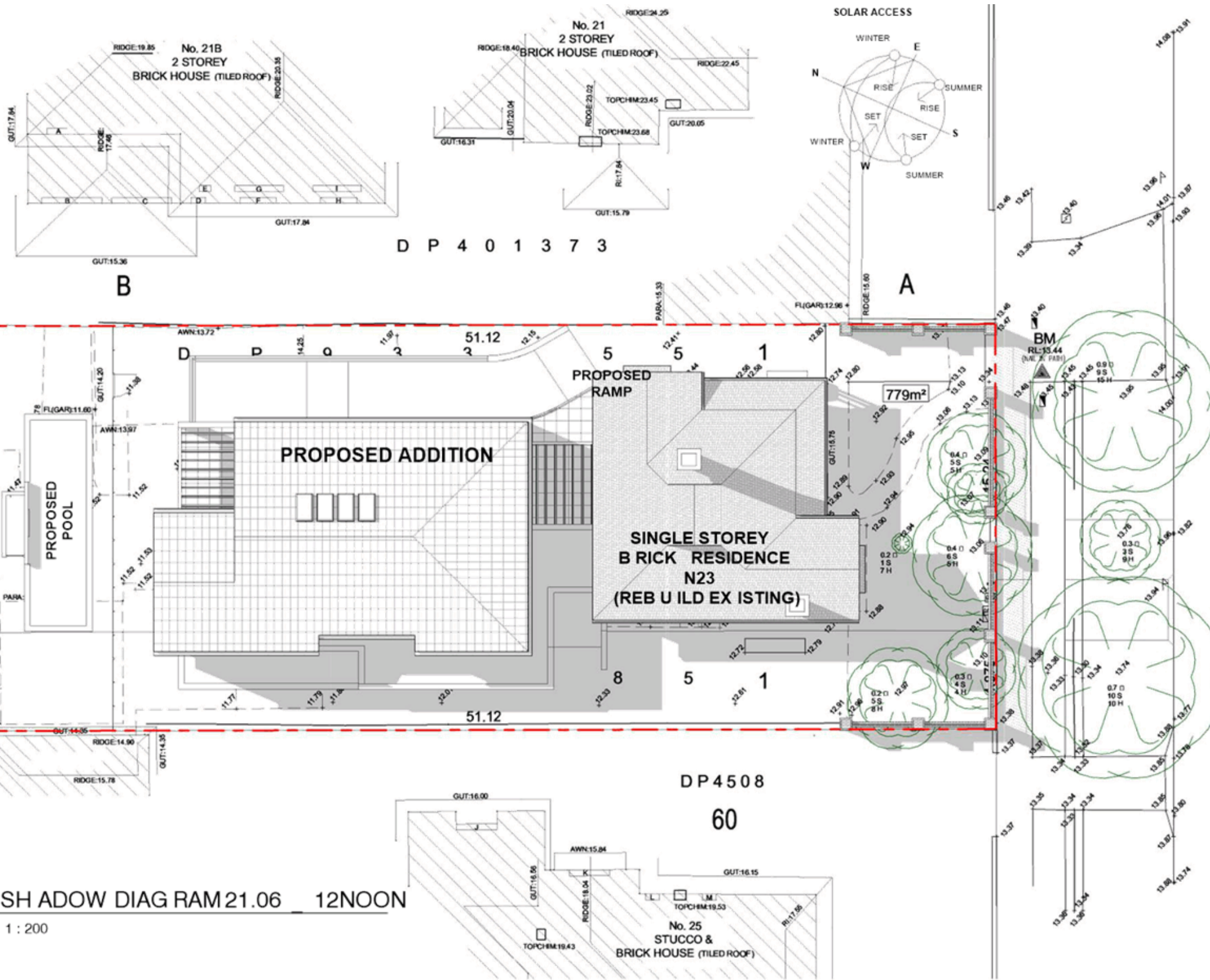
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- LEGEND
- ELECTRICAL POLE
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1 SHADOW DIAGRAM 21.06_12NOON
A2.01 1 : 200

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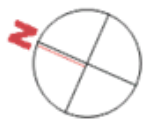
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| CHECKED BY | AC |
| SCALE | 1 : 200@A3 |
| JOB NO | 2579 |
| DRAWING NO | A5.02 C |



| WINDOW/DOOR TABLE | | | | |
|-------------------|---------|---------|---------|------|
| No. | SF RL | Width | Height | Type |
| A | INNACC. | INNACC. | INNACC. | WIN |
| B | 12.25 | 3.82 | 2.1 | DOOR |
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| H | 13.10 | 1.81 | 1.53 | WIN |
| I | 16.93 | 2.43 | 0.60 | WIN |
| J | 13.90 | 2.05 | 1.62 | WIN |
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LEGEND

- ELECTRICAL POLE
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- SIGNPOST

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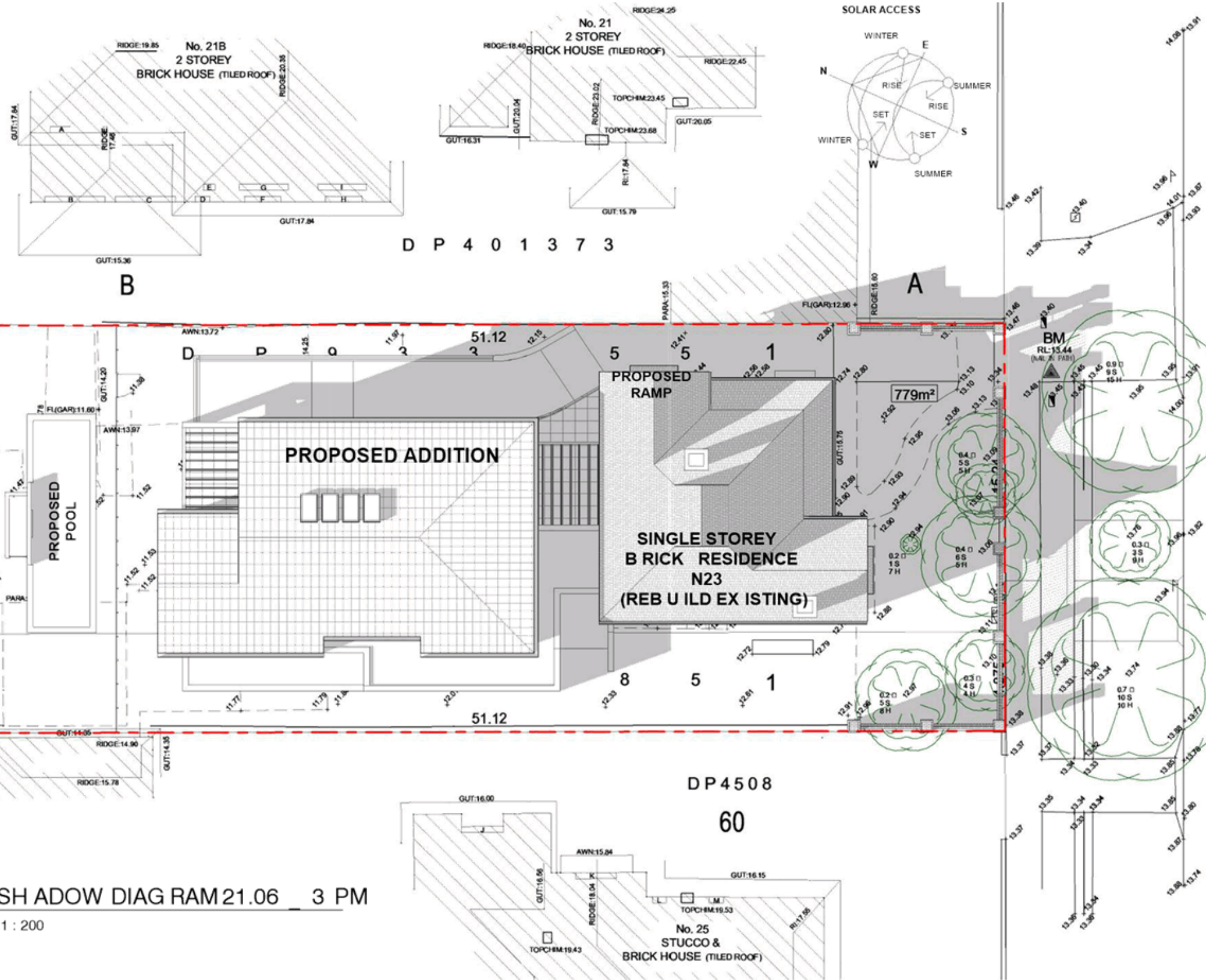
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STRATHFIELD COUNCIL RECEIVED

(AMENDED PLAN)

DA2018/111
10 October 2018

1 SHADOW DIAGRAM 21.06_3 PM
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| THE SITE FOREMAN t: 1300 728 006 f: 1300 728 440 w: THE SITE FOREMAN.COM.AU a: 38-40 PARRAMATTA ROAD SUMMER HILL 2130 NSW | ISSUE | REVISIONS | DATE | DRAWING TITLE | SHADOW DIAGRAM 21.06_3PM | DRAWN/DESIGNED BY | AC |
| | A | CONCEPT FOR REVIEW | 14/05/2018 | PROJECT | ALTERATIONS AND ADDITIONS | CHECKED BY | AC |
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TO: Strathfield Local Planning Panel Meeting - 1 November 2018
REPORT: SLPP – Report No. 2
SUBJECT: DA2018/032-195 PARRAMATTA ROAD, HOMEBUST WEST
LOT 1 DP 34615
DA NO. DA2018/032

SUMMARY

Proposal: Demolition of existing carpark and construction of a five (5) storey hotel, comprising ground floor facilities and 152 hotel suites over two (2) levels of basement car parking, subdivision of existing lot into two (2) lots and the creation of a stratum subdivision to enable car parking access for the Wentworth Hotel

Applicant: Wentworth Freehold Pty Ltd

Owner: Wentworth Freehold Pty Ltd

Date of lodgement: 15 March 2018

Notification period: 27 March 2018 – 19 April 2018

Submissions received: One (1) submissions

Assessment officer: Consultant / Council Contact: SC

Estimated cost of works: \$21,965,900

Zoning: B6 Enterprise Corridor - SLEP 2012

Heritage: Wentworth Hotel is listed as a heritage item (I62) under Schedule 5 of Strathfield LEP 2012.

Is a Clause 4.6 variation proposed? Yes

Extent of the variation supported? Building Height – 16.75m (4.9%)
Floor Space Ratio – 2.25:1 (44%)

Peer review of Clause 4.6 variation: A peer review of both Clause 4.6 variations has been undertaken and the assessment officer's recommendation is supported.

RECOMMENDATION OF OFFICER: **APPROVAL**

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

EXECUTIVE SUMMARY

1. On 15 March 2018, DA 032/2018 was lodged for demolition of the existing car park and construction of a five (5) storey hotel, comprising ground floor facilities and 144 hotel suites over two (2) levels of basement car parking, subdivision of existing lot into two (2) lots and the creation of a stratum subdivision to enable car parking access for the Wentworth Hotel. The application notes provision of 152 hotel suites, contrary to the plan which indicates 144 suites.
2. The site has a total area of 5,338m² and is currently developed by the heritage listed Wentworth Hotel on the front southern portion of the site fronting Parramatta Road and at-grade car parking for eight-five (85) vehicles at the rear. Works to the existing hotel were completed in 2017 under DA 2015/081. A s4.77 application to include additional parking on the site (totalling 95 spaces) was approved in April 2018.
3. It is proposed to construct the new hotel over the existing at-grade car parking area. Parking to the Wentworth Hotel will be provided at the basement level via a stratum subdivision with access via Flemington Road.
4. Vehicular access to the site is provided from Parramatta Road for east-bound vehicles, Flemington Road and Park Road. Existing conditions of consent (DA2015/081/1) preclude use of the Parramatta Road ingress/egress to between the hours of 10pm and 6am and restrict use of the Flemington Road vehicular access during this time. It is noted that the application provides for Parramatta Road access to be converted to egress only.
5. The site forms part of the 'Homebush Precinct' within the Parramatta Road Corridor under the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS). The site is not well serviced by public transport and the application proposes a reduction in the on-site car parking requirement under SCDCP 2005. However, the Traffic and Parking Assessment Report as amended, addresses the cumulative traffic impacts of development envisaged under the strategy within the precinct.
6. RMS has advised that the subject land is no longer affected by a road proposal which related to a widening 'under contemplation' in 1974 plan. The plan isolated a road proposal, which transected a portion of the site adjacent to Park Road. The proposed development involves the construction of basement car parking and erection of structures over the portion of land affected by the road proposal under contemplation.
7. Council's Heritage Advisor generally supports the application subject to retention of existing mature trees, particularly the Paperbark trees, to the rear of the heritage listed Wentworth Hotel.
8. On 31 July 2018, the applicant and project team were advised by Council that there were a number of issues identified with the development which required further attention. These issues related to:
 - non-compliant on-site car parking provision,
 - subdivision of the site,
 - absence of a designated pick up/drop off area for customers/hotel patrons,
 - twenty-four hour operation of the hotel,
 - vehicular ingress/egress and compliance with manoeuvring / aisle width requirements under the relevant standards,
 - clearance height of service/loading areas and vehicular access path,
 - shared loading bay/taxis entry via park road,
 - non-compliance with existing conditions of consent restricting use of the Parramatta Road vehicular access to between 10pm and 6am,

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

- non-compliance with development standard - floor space ratio,
 - non-compliance with development standard - height of buildings,
 - requirement to submit Cl.4.6 written statement relating to noncompliance with development standards,
 - internal amenity of the proposed hotel,
 - inadequate setbacks and height transition of the proposed hotel,
 - configuration of at-grade car parking spaces,
 - loss of existing mature trees on the site, and
 - lack of defined building entry.
9. The applicant sought to address these matters in the submission of an amended scheme on 31 August 2018. The amendments involved:
- further justification relating to DCP car parking rate non-compliance,
 - clarification of operational intention of hotel,
 - submission of a Plan of Management relating to the 24 hour operation of the hotel,
 - submission of a Crime Prevention Through Environmental Design (CPTED) report,
 - amendments to the external façade of hotel to provide visual separation from the existing Wentworth Hotel,
 - revised signage strategy including new blade sign to distinguish hotel entrance and reinforce the proposal as a motel,
 - inclusion of a 3000mm setback along Park Road including expanded deep soil to accommodate three (3) trees along Park and Flemington Roads,
 - removal of twelve motel rooms and 1,110sqm of gross floor area,
 - submission of a Cl.4.6 statement relating to the non-compliance with the Height of Buildings and Floor Space Ratio development standards,
 - a revised acoustic report (Acoustic Logic, Revision 2, dated 06.08.2018).
10. The proposal is considered to be satisfactory with regards to the planning provisions contained within Strathfield Local Environmental Plan (SLEP) 2012, Strathfield Consolidated DCP 2005 and the Draft DCP for the Parramatta Road Precinct.
11. The application was notified to all adjoining and nearby property owners with one (1) submission received raising concerns relating to traffic and parking.
12. The application is recommended for **APPROVAL** subject to conditions of consent.

BACKGROUND

| Relevant application history | | | |
|------------------------------|--|--|--|
| DA No. | Proposal | Relevant Conditions | Determination |
| 2015/081 | Alterations and additions to the heritage listed Wentworth Hotel including new gaming area and rear deck at 195 Parramatta Road, Homebush. | <p>Condition 19: <i>The existing eighty five (85) off-street parking spaces shall be maintained and line marked in accordance with the approved plans and shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.</i></p> <p>Condition 20: <i>The Parramatta Road access shall only be used between the hours of 10pm and 6am. During this period no access shall be available from Flemington Road to the hotel car park.</i></p> | <p>16/12/2015 – Deferred commencement approval.</p> <p>Consent subsequently issued</p> |

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 Lot 1 DP 34615 (Cont'd)

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|------------|--|---|--|
| | | Condition 21: During the 10pm to 6pm period, the hotel car park shall be chained and locked. | |
| 2015/081/1 | Section 4.55(2) application to modify Development Consent No. DA2015/081/01 involving demolition of building structures and construction of additional car parking at 195 Parramatta Road, Homebush. | <p>Conditions 19 and 20 modified as follows:</p> <p>Condition 19: The approved (95) off-street parking spaces shall be maintained and line marked in accordance with the approved plans and shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.</p> <p>Condition 20: The Parramatta Road access shall only be used between the hours of 10pm and 6am. During this period no access shall be available from Flemington Street to the hotel car park.</p> | 04/04/2018 – Approved by Council’s Internal Development Assessment Panel |

Pre-lodgement meeting

28/11/2017: Pre-lodgement meeting held with Council.

Key issues

- **FSR:** No ‘double dipping’ – the applicant cannot rely on the total site area for the proposed FSR.
- **Car parking:** The car parking schedule shall comply with the requirements for a hotel under Part I of SCDCP 2005. Any variation to be supported with a traffic and car parking study.
- **Setbacks:** The development is to address the dual/corner street frontages by providing articulation, setback and landscaping.
- **Heritage:** The proposed development design is to respond to the heritage item on the site and the heritage conservation area adjacent to the site.
- **Contamination:** A preliminary Phase 1 contamination study is required.
- **Acid Sulfate Soils:** Preliminary acid sulfate soils risk assessment report required to determine whether an acid sulfate soil management plan is required.
- **Operation of existing hotel during construction:** Details of how the existing hotel/pub would operate during construction to be provided in terms of traffic, car parking, noise and dust.
- **Tree impacts:** An Arboricultural report is to be submitted for any trees proposed to be removed or impacted by the proposal.

Requirements for lodgement (including but not limited to):

- Clause 4.6 written request to vary the building height control.
- Heritage Impact Statement
- Waste Management Plan
- Concept stormwater drainage plans in accordance with Council’s Stormwater Management Code including water sensitive urban design strategy.

Requests for additional information

19 June 2018 - Email sent to the applicant, requesting the following additional information:

RMS

- Amended plans deleting any proposed structures on land affected by a road proposal.
- Copy of RMS referral response provided to the applicant.

Environmental Health

- Clarification and further details regarding noise measurements for ‘receivers 1’.
- Details of noise impacts of patrons entering and exiting the premises, particularly late at night,

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Lot 1 DP 34615 (Cont'd)**

- particularly at any taxi pick up/drop off area.
- Details of noise impacts generated from music within the dining and sports bar area. A maximum of 70Db(a)Leq is recommended with no music played in outdoor areas.
- Updated Plan of Management to address how the issues above will be regulated.

Waste

- Details of waste volumes during demolition and construction stages including site map displaying bin/waste/storage locations, bin/waste types, access to bins and turning circles.
- Plans to be amended to include provision for 11 x 660L GW bins (stored and collected twice weekly from the back of house).
- Identification on a plans the bin collection point.
- Dimensions of the loading dock including height and turning circle in accordance with DCP requirements.
- Details of path of travel for both waste collection truck and bins to be included in the waste management plan.

Landscaping

- Amended plans showing retention of the trees at the rear of the existing pub site (T4-T9 inclusive), particularly the paperbarks (T4, T5, T6 and T7), which will screen the new development from the rear of the existing pub.

Traffic and parking

- Amended traffic and parking report to include an assessment of traffic generation in the late evening period in order to examine noise impacts on surrounding residential uses.
- The car parking requirement is 345 spaces for the proposed building alone under SCDCP. The proposed on-site parking provision is not acceptable by Council's Traffic Engineer.

Applicant's response

26 June 2018 – Advice received on behalf of applicant from Rod Hawkins, General Counsel of Iris Capital regarding RMS advice. Key points are summarised below:

Section 138 of the *Roads Act, 1993*:

- RMS has asserted that the property is affected by a road proposal.
- No relevant supporting evidence has been provided.
- The 'proposal' may relate to a widening under contemplation in 1974 by the then Department of Main Roads.
- A Planning Certificate issued on 28/11/2017 did not record any widening proposal.
- Section 138 of the *Roads Act 1993* has no application to the DA as no works are proposed which fall within that section, and s138 only covers existing roads, not areas potentially earmarked for road widening. Additionally, Flemington Road is not a 'classified road'.

SEPP (Infrastructure) 2007:

- Council was not required to refer the Development Application to RMS for concurrence pursuant to s.4.13 of the Environmental Planning and Assessment Act 1979.
- RMS does not have a statutory concurrence role in respect to determining this application and their comments are advisory in nature only
- Comments may be considered by the consent authority in making its determination.

Assessing officer's comments

The following responses were received with regards to the additional information requested by Council.

Environmental Health

The application required the submission of a revised Acoustic Report which satisfies the following matters and provides the additional information:

- Confirm the location of the unattended noise measurement location within Figure 1 of the acoustic report;
- Figure 1 of the acoustic report and the corresponding legend are not coherent.
- Confirm which Industry Policy for Noise was used during the assessment, INP 2000 or Noise

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Lot 1 DP 34615 (Cont'd)**

Policy for Industry 2017. New development and assessments after October 2017 must be conducted in accordance with the Noise Policy for Industry 2017.

- d) Specify the specific location of the residential receivers for residences on Flemington Road.
- e) Define "Section 0" as mentioned in S.6.1 and S.8

Waste

Amended plans are acceptable subject to conditions of consent.

Heritage

The open space of the current at-grade car park is not intrinsically linked to the heritage significance of the Wentworth Hotel. While the scale and bulk of the proposed hotel is greater than the Wentworth Hotel and will be visible behind it, the siting of the proposed hotel towards the rear of the site provides some separation between the two developments and mitigates the impacts. Further, the design uses a materials palette that complements the existing hotel and the adjoining conservation area. The choice of materials, colours and finishes reduces the impact of the proposed hotel on the Wentworth Hotel and the Welfare Street Conservation Area.

The subdivision and subsequent development proposed for the site may alter views of the site from the M4 motorway, however the primary views of the site are from Parramatta Road and Flemington Road and as such the proposal would not obscure important views to or from the heritage item. The proposal accords with the general objectives for development on heritage site and is able to be supported, subject to the imposition of appropriate standard and special conditions. A further special condition is to be finalized in consultation with Council's Arborist regarding the incorporation of appropriate landscaping to further lessen the impact on the Wentworth Hotel. Subject to the finalisation of the matter of landscaping, the construction of a new hotel to the rear of the site is acceptable on heritage grounds.

RMS referral:

- Council is not required to refer the Development Application to RMS for concurrence pursuant to s.4.13 of the Environmental Planning and Assessment Act 1979. Accordingly, the concurrence of the RMS is not a requirement of the Development Application process, nor is RMS concurrence a pre-requisite to Council in making its determination with respect to the Development Application. A referral for consultation was forwarded to RMS
- Council elected to refer the application to the RMS for comment. The following notes are offered with regards to s138 of the *Roads Act, 1993*:
 - Section 138 of the *Roads Act, 1993* states that a person must not erect a structure or carry out a work in, or over a public road, without the consent of the appropriate roads authority.
 - The proposal involves the erection of structures within the area of the proposed 'road widening'.
 - Pursuant to section 62(1)(a) of the EP&A Regulations 2000 a concurrence authority that has received a development application from a consent authority must give written notice to the consent authority of its decision on the development application within 40 days after receiving the application. Comments from RMS dated 19 April 2017 were received within the 40 day statutory period refusing concurrence on the basis that the subject property is affected by a road proposal. However as previously noted, concurrence pursuant to EP&A Act is not required.
 - Pursuant to section 60(1) of the EP&A Regulations 2000, a concurrence authority may request additional information. Comments from RMS dated 19 April 2018 confirm that amended plans may be submitted for consideration which remove all structures on the 'road widening' area. Section 60(6) states that if the applicant fails to provide any of the requested information within any specified period, the applicant is taken to have notified the consent authority that the information will not be provided, and the application may be dealt with accordingly.
 - In this regard, the application may be determined.
- An email was sent to RMS seeking clarification regarding the road proposal affecting the subject site.
- RMS advised that a response would be issued by 18 July 2018. No written response has been received by RMS at the time of writing of this report.

DA2018/032-195 Parramatta Road, Homebust West
 Lot 1 DP 34615 (Cont'd)

| Land and Environment Court Appeals |
|------------------------------------|
| None |

DESCRIPTION OF THE SITE AND LOCALITY

13. The subject site is legally described as Lot 1 DP 34615 and is commonly known as 195 Parramatta Road, Homebush West. The site is located on the northern side of Parramatta Road and has a total area of 5,388sqm.
14. The site is generally rectangular in shape with frontage of 51.51m to Parramatta Road to the south, frontage of 43.63m to Park Road to the north, frontage of 121.92m to Flemington Road to the west, and non-linear eastern side boundary of 122.94m. The site has a cross fall of approximately 2.2m from the western side boundary to the eastern side boundary.
15. Existing development on the site is comprised of the heritage listed Wentworth Hotel on the southern portion of the site with frontage to Parramatta Road and associated at-grade car park at the rear for eighty-five (85) vehicles. Approval for additional ten (10) at-grade car parking spaces has been approved on the eastern side of the existing hotel under DA 2015/81/1 (approved 4/04/2018).
16. The site contains a number of mature trees including along the Park Road frontage, to the north and west of the heritage listed hotel, and along the eastern side boundary at the rear.
17. Vehicular access to the site is provided from Parramatta Road for east-bound vehicles, Flemington Road and Park Road.
18. The surrounding area is characterised by the following:
 - North:** M4 Motorway. To the north of the M4 is a mixture of land uses comprised of industrial land (general and light), electricity infrastructure, medium density residential and small pockets of land zoned public recreation.
 - East:** Land zoned B6 – Enterprise corridor developed generally with light industrial and warehouse and distribution centres.
 - South:** Paddy's markets and Sydney Markets on the southern side of Parramatta Road, opposite the site.
 - West:** Single detached dwelling houses fronting Flemington Road and inter-war Bungalows within the Welfare Street Conservation Area to their rear. Land to the west of the site bounded by Parramatta Road, Centenary Drive and the M4 Motorway is zoned B6-Enterprise Corridor and is located.
19. A locality plan is provided at Figure 1 below. Photographs of the subject site and adjoining development are provided at Figures 2-12.

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Lot 1 DP 34615 (Cont'd)



Figure 1. Locality plan (Source: Planning Portal NSW)



Figure 2. Existing trees along the rear of the site fronting Park Road.

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Lot 1 DP 34615 (Cont'd)



Figure 3. Vehicular access to the existing at-grade parking area from Park Road and M4 Motorway to the north.



Figure 4. Adjoining development to the east of the site fronting Park Road.



Figure 5. Existing at-grade car park for eight-five cars to the rear of the existing building

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 Lot 1 DP 34615 (Cont'd)



Figure 6. Existing single detached dwellings opposite the site fronting Flemington Road. To their rear is the 'Welfare Street Conservation Area ("C6") listed under Schedule 5 of WLEP 2015, comprised of a group of inter-war bungalow style dwellings fronting Welfare Street.



Figure 7. Flemington Road streetscape looking south and existing vehicular access to the at-grade car park for the Wentworth Hotel.



Figure 8. Existing plantings to the rear of the Wentworth Hotel as viewed from Flemington Road.

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Lot 1 DP 34615 (Cont'd)



Figure 9. Existing heritage listed 'Wentworth Hotel' fronting Parramatta Road on the southern portion of the site.



Figure 10. Parramatta Road entry to Paddy's Markets and Sydney Markets opposite the site.



Figure 11. Non-signalised intersection of Flemington Road and Parramatta Road. East and West bound vehicles can turn north into Flemington Road.

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 Lot 1 DP 34615 (Cont'd)



Figure 12. Vehicular access on the eastern side of the Wentworth Hotel. Condition 20 of Development Consent No. 2015/81 restricts vehicular access from Parramatta Road to between the hours of 10pm and 6pm. During this period, no access is permitted from Flemington Road to the hotel car park. A s4.55 application was approved on 04/04/2018 to delete the existing kebab shop on the eastern side of the heritage building (shown above) and replace with at-grade parking. It is proposed to convert this driveway to an egress driveway only with unspecified hours of use.

PROPERTY BURDENS AND CONSTRAINTS

- 20. There site is burdened by a road proposal (ref: 'Sketch 7556', supplied by RMS). Details of the road proposal are held by RMS. As the proposal involves the erection of structures on land affected by a road proposal, the RMS was consulted.
- 21. The validity of the road proposal was questioned by the applicant on the basis of construction of the M4 Motorway to the north of the site. Council has been advised that the RMS has accepted that the road proposal is outdated and superceded by the construction of the motorway.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

| Proposal | Details |
|-------------|---|
| Demolition | <ul style="list-style-type: none"> • Demolition and removal of at-grade car parking for eighty-five vehicles |
| Subdivision | <ul style="list-style-type: none"> • Subdivision of the existing lot into two (2) lots • Retention of the existing Wentworth Hotel on the southern portion of the site (proposed Lot 10 – 3,002m²) • Construction of a new hotel on the northern portion of the site (proposed Lot 11 – 2,388m²) • Creation of a stratum subdivision to enable access to the proposed Basement level 1 car parking spaces for use by the Wentworth Hotel. • Three (3) new easements are proposed: <ul style="list-style-type: none"> A. Easement to prevent any structural obstruction to light and air (Lot 10) B. Easement for pedestrian footway access (Lot 11) |

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 Lot 1 DP 34615 (Cont'd)

| | |
|---|--|
| | C. Easement for vehicular access to B1 (Lot 11) |
| Construction of a new five (5) storey hotel | <p><u>Basement 1 (for use by the Wentworth Hotel)</u></p> <ul style="list-style-type: none"> • 68 parking spaces including four (4) disabled parking spaces and six (6) small car spaces • Motorcycle parking provision • Service room in north-eastern corner • Lift access • Stairs in north-western and south-eastern corner <p><u>Basement 2 (for use by the proposed hotel)</u></p> <ul style="list-style-type: none"> • 72 car parking spaces including four (4) disabled spaces and car parking for small cars • Lift access • Service room in north-eastern and south-eastern corner • Motorcycle parking provision <p><u>Ground floor</u></p> <ul style="list-style-type: none"> • Hotel lounge including separate gaming (363m²) • Sports bar (140m²) • Dining (115m²) • Kitchen (45m²) • Storage (19m²) • Office (12m²) • Lobby (114m²) • Reception (30m²) • Loading bay (64m²) and service area (19m²) • Kiosk <p><u>First Floor</u></p> <ul style="list-style-type: none"> • Central courtyard • Service room x 2 • 33 hotel rooms • 2 x Lift core • Internal stair <p><u>Second Floor, Third Floor, Fourth Floor</u></p> <ul style="list-style-type: none"> • Service room x 2 • 33 hotel rooms • 2 x Lift core • Internal stair |
| Vehicular access | <p>Vehicular access to the car parking facilities is to be provided via the three existing vehicular entry/exit driveways located on each of the street frontages of the site, albeit slightly reconfigured as follows:</p> <ul style="list-style-type: none"> • Parramatta Road: The entry/exit driveway located on the eastern end of the Parramatta Road site frontage is to be converted to an egress only driveway • Flemington Road: The entry/exit driveway located in Flemington Road is to be retained in the approximate same location facilitating two-way vehicular movements • Park Road: The entry/exit driveway to Park Road is to be relocated to the eastern end of the Park Road site frontage and converted to an ingress only driveway for service vehicles and mini buses only. |
| Hours of operation and staff | <ul style="list-style-type: none"> • 24 hour operation of the hotel and licensed premises |
| Landscaping | <ul style="list-style-type: none"> • Tree removal • Landscaping works |

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 Lot 1 DP 34615 (Cont'd)

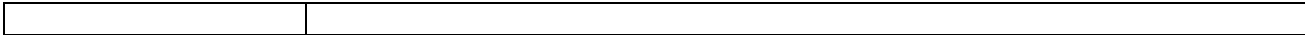


Figure 13: 3D image of proposed Hotel building



Figure 14: Park Road Streetscape (North Elevation)

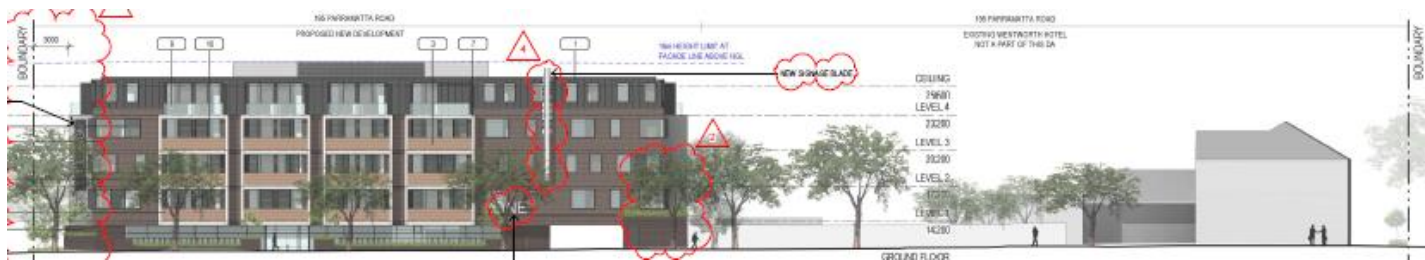


Figure 15: Flemington Road Streetscape (West Elevation)

REFERRALS

DA2018/032-195 Parramatta Road, Homebust West
 Lot 1 DP 34615 (Cont'd)

INTERNAL REFERRALS

| Referral Body | Comments: |
|-----------------------|---|
| Engineering | <p>No objections, subject to recommended conditions of consent.</p> <p>Key comments:</p> <p>Stormwater</p> <ul style="list-style-type: none"> • The subject site has a natural fall to the rear. • The site proposes to discharge to Council's drainage system in Park Road by gravity via an underground OSD tank. • Water Sensitive Urban Design (WSUD) principles have been incorporated into the drainage design and Council's requirements have been met. • From an engineering perspective, the concept plan is feasible, subject to recommended conditions. <p>Flooding</p> <ul style="list-style-type: none"> • Allowance should be made for surface run-off 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. <p>Council's drainage infrastructure</p> <ul style="list-style-type: none"> • Driveway crossings, including apron and layback shall be located a minimum of 1m clear of any stormwater pits, lintels or poles and 2m clear of the trunk of any trees within the road reserve. |
| Waste | <p>Additional information requested:</p> <ul style="list-style-type: none"> • Details of waste volumes during demolition and construction stages including site map displaying bin/waste/storage locations, bin/waste types, access to bins and turning circles. • Plans to be amended to include provision for 11 x 660L GW bins (stored and collected twice weekly from the back of house). • Identification on a plans the bin collection point. • Dimensions of the loading dock including height and turning circle in accordance with DCP requirements. • Details of path of travel for both waste collection truck and bins to be included in the waste management plan. <p>Assessing officer's comments:</p> <ul style="list-style-type: none"> • Additional information requested 19 June 2018. Outstanding Matters to be addressed by conditions of consent. |
| Trees and Landscaping | <p>No objections, subject to recommended standard conditions of consent.</p> <p>Key comments:</p> <ul style="list-style-type: none"> • Tree retention: Trees 1, 2, 3, 4, 10, and 18-22 are to be retained and protected. Suitable conditions are recommended to ensure their retention and protection. • Tree removal: Trees 5, 6, 7, 9, 11-17 are supported for removal. <p>Assessing officer's comments:</p> <ul style="list-style-type: none"> • Trees 5, 6, 7, 8, and 9 are not supported for removal by Council's Heritage Advisor. • The trees above and assesses as being in 'good' health in the submitted Arboricultural assessment report. • It is recommended replacement trees are provided along the rear northern boundary in order to provide landscape amenity and barrier to the M4 Motorway. |
| Traffic | <p>Additional information requested:</p> |


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 Lot 1 DP 34615 (Cont'd)

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| | <ul style="list-style-type: none"> Amended traffic and parking report to include an assessment of traffic generation in the late evening period in order to examine impacts on surrounding residential uses. The car parking requirement is 345 spaces under SCDCP for the proposed hotel alone. The proposed on-site parking provision of 149 spaces (combined for the Wentworth Hotel and the proposed Hotel) was queried by Council's Traffic Engineer. <p>Assessing officer's comments:</p> <ul style="list-style-type: none"> Legal response was obtained on behalf of the applicant submitted on 26 June 2018 with regards to RMS comments and road proposal on the subject land. It was not necessary for the amended plans to delete structures on the proposed in the area of the subject road proposal. The additional documentation submitted does not adequately address the comments made by Council's engineer. The matters relating to traffic and parking deficiencies were not addressed by the applicant in the amended submission. Subsequently, a condition of consent is necessary to obtain a revised Traffic and Parking report which appropriately addresses the outstanding matters. |
| <p>Environmental Health</p> | <p>Additional information requested:</p> <ul style="list-style-type: none"> Figure 1 depicting the site map and monitoring location is unclear in terms of the legend and map. The legend has blue, green, and yellow identifications, and the map only shows green and yellow areas. Specifically the "unattended noise measurement location" requires clarification. Further information regarding noise measurements for "Receivers 1" is required. The assessment only accounts for patrons within hotel rooms. Details of the effects on the patrons in "Receivers 1" is required in accordance with Figure 1. Consideration of the noise impacts of patrons entering and exiting the premises need to be considered, particularly late at night. Noise impacts of taxi pick up / drop off should also be addressed. The noise generated from music within the dining and sports bar area is recommended to be a maximum of 70dB(A)Leq. Further, no music is to be played in outdoor areas. The submitted management plan shall be updated to demonstrate how these items will be regulated. <p>Assessing officer's comments:</p> <ul style="list-style-type: none"> Additional information requested 19 June 2018. An amended Acoustic Report was provided to address the above matters however referenced outdated conventions. An amended Acoustic Report with up-to-date references is required and is recommended as a prior to Construction Certificate condition. Otherwise, the officer provides no objection to the proposal, subject to the imposition of conditions of consent. |
| <p>Heritage</p> | <p>The proposal is determined to be satisfactory by Council's Heritage Advisor on heritage grounds, subject to recommended conditions of consent.</p> <p>Key comments: Views:</p> <ul style="list-style-type: none"> Views of the heritage item (Wentworth Hotel) from Parramatta Road will be altered as a result of the proposal. The proposal should seek to retain the street trees at the rear of the existing pub site, particularly the paperbark trees, which will screen the new development from the rear of the existing pub. If an arborist report states these trees cannot be retained, the suitable replacement trees should be incorporated of sufficient height and density to contribute to the separation between the two (2) uses. Views from the Welfare Street Conservation Area would not be unduly impacted upon by the proposal. |

DA2018/032-195 Parramatta Road, Homebust West
 Lot 1 DP 34615 (Cont'd)

| | |
|--|---|
| | <p>Scale</p> <ul style="list-style-type: none"> The proposal does not comply with Part 3.2 as the proposed scale is substantially greater than that of the heritage item. While a smaller scale building would have a lesser impact, the proposed building is set away from the item to lessen the impact of the proposed scale. While the scale and bulk of the proposed hotel is greater than the Wentworth Hotel and will be visible behind it, the siting of the proposed hotel towards the rear of the site provides adequate separation between the two developments. <p>Materials and colours</p> <ul style="list-style-type: none"> The materials and colours are considered to respond appropriately to the neighbouring heritage item and to the Welfare Street Conservation Area. <p>Open space</p> <ul style="list-style-type: none"> The open space of the current at-grade car park is not intrinsically linked to the heritage significance of the Wentworth Hotel. |
|--|---|

EXTERNAL REFERRALS

| Referral body | Comments |
|---------------|---|
| RMS | <p>Council has consulted the RMS as the proposal involves the erection of structures on land affected by a road proposal, as shown at Figure 16. RMS has advised that the road proposal is now redundant as it relates to a widening under contemplation in 1974 by the then Department of Main Roads and is invalidated by the construction of the M4 motorway.</p>  <p>Figure 16. Land affected by a road proposal - Sketch 7556 (Source: RMS).</p> |

STRATEGIC PLANNING CONTEXT

DA2018/032-195 Parramatta Road, Homebush West
 Lot 1 DP 34615 (Cont'd)

Parramatta Road Corridor Urban Transformation Strategy (Urban Growth NSW 2016)

22. The site forms part of the 'Homebush Precinct' within the Parramatta Road Corridor, as shown at **Figure 17**.
23. The structure plan for the Homebush Precinct within the *Parramatta Road Corridor Urban Transformation Strategy* (PRCUTS) identifies the site as being located within an 'enterprise and business' corridor. This is reflected in the B6- Enterprise Corridor zoning of the site. The proposed use of the rear portion of the site is consistent with this purpose.



Figure 17: Homebush Precinct boundary (Source: Parramatta Road Corridor Urban Transformation Strategy, 2016).

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 Lot 1 DP 34615 (Cont'd)



Figure 18: Homebush Precinct structure plan showing the subject site within the Enterprise and business corridor (Source: Parramatta Road Corridor Urban Transformation Strategy, 2016).

Parramatta Road Corridor Urban Transformation Planning and Design Guidelines (November 2016)

24. The Guidelines do identify the constraints of the site as containing a heritage item and being located in close vicinity to the Welfare Street Conservation Area.
25. The guidelines provide recommendations with regards to the built form transition to a heritage item fronting Parramatta Road, as shown at **Figure 19**, and the recommended landscaped setback to a laneway, as shown at **Figure 20**.
26. The proposal is considered to achieve an appropriate physical separation to the heritage listed Wentworth Hotel however, provides a subjective transition in height to the upper levels. The actual and perceived bulk of the development when viewed from the rear of the Wentworth Hotel is considered disproportionate and contrary to PRCUTS.
27. The application proposes a nil setback to Park Road, with the northern façade articulated with balconies. The proposal affords street planting to provide green amenity and involves the removal of existing mature trees along the rear boundary. A 3000mm landscaped setback is provided to incorporate greater deep soil landscape zones for replacement trees along Park and Flemington Roads.

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 Lot 1 DP 34615 (Cont'd)

Figure 7.9: Transition to Existing Heritage Items



Figure 19 Recommended transition to existing heritage items (Source: Parramatta Road Corridor Urban Transformation Planning and Design Guidelines).

Figure 7.10: Laneway

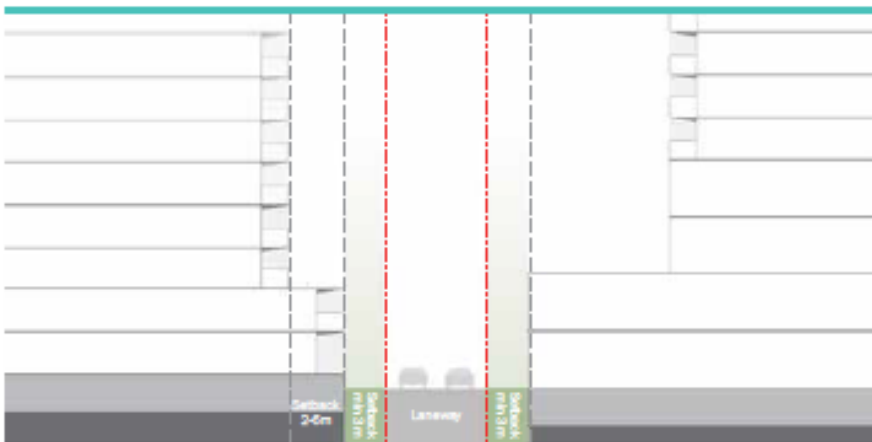


Figure 20 Recommended 3000mm landscaped setback to laneways (Source: Parramatta Road Corridor Urban Transformation Planning and Design Guidelines).

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

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

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

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) – 2007

29. The site has frontage to a classified road. Accordingly, the provisions of Clause 101 of SEPP Infrastructure applies as follows:

101 Development with frontage to classified road

- 1) *The objectives of this clause are:*
 - a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
 - b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

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Lot 1 DP 34615 (Cont'd)**

- 2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*
- a) *where practicable, vehicular access to the land is provided by a road other than the classified road, and*
 - b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - i. *the design of the vehicular access to the land, or*
 - ii. *the emission of smoke or dust from the development, or*
 - iii. *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

30. In accordance with Clause 101(2)(a), vehicular access to the land is provided by a road other than the Classified Road.

31. With regards to subclause (2)(b), information to determine whether the safety, efficient and ongoing operation of the classified road will not be adversely affected by the development is detailed in the submitted Traffic and Parking Assessment (as amended). The recommendations have been considered by Council's Engineers and are accepted.

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

32. Pursuant to Clause 4(4), SEPP 65 does not apply to development for the purpose of a hotel.

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Lot 1 DP 34615 (Cont'd)

STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

33. SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration.
34. A Preliminary Stage 1 Environmental Site Assessment of the site has been carried out by Environmental Investigation Services (EIS).
35. Key findings of the EIS report are summarised below:

Acid Sulfate Soil Risk

36. The risk of encountering acid sulfate soil is considered to be negligible based on borehole testing as part of the Geotechnical investigation. Accordingly, an Acid Sulfate Soil Management Plan (ASSMP) is not considered necessary for the site.

Contamination

37. EIS are of the opinion that the historical land uses and potential sources of contamination identified would not preclude the proposed development. However, the following is recommended to better assess the risks associated with the contaminants of potential concern:
 - i. A Stage 2 investigation to characterise the site contamination conditions, including soil and groundwater contamination assessment.
 - ii. A hazardous building materials survey prior to demolition of any buildings/structures.
 - iii. Prior to removal of the hardstand area, an asbestos clearance certificate is obtained.
 - iv. A waste classification is undertaken to classify material to be excavated for the proposed basement as fill and contaminated soil disposal costs are significant and may affect project viability.
38. Therefore, EIS are comfortable that the site can be made suitable for the proposed development, subject to implementation of the recommendations contained within the Preliminary Site Investigation report. This may be readily addressed by suitable conditions of consent (refer to conditions 56 & 57).

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

39. State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation).
40. 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.
41. The application proposes the removal of twelve (12) mature trees on the site (Trees 5-9 and 11-17). A Construction Impact Assessment and Management Plan (Arboricultural report) has been prepared by George Palmer and submitted with the application. The report contains recommendations to ensure the protection of trees to be retained on the site including Trees 1, 2, 3, 4, 10, and T18-T22.
42. Council's Trees and Landscaping Officer has raised no objections to the proposal, subject to recommended conditions of consent (refer to conditions 11, 12 & 13).

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Lot 1 DP 34615 (Cont'd)

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

43. An assessment of the proposal against the general aims of SLEP 2012 is included below:

| 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> | Yes |
| (d) | <i>To provide opportunities for economic growth that will enhance the local community</i> | Yes |
| (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> | Yes |
| (f) | <i>To identify and protect environmental and cultural heritage</i> | N/A |
| (g) | <i>To promote opportunities for social, cultural and community activities</i> | Yes |
| (h) | <i>To minimise risk to the community by identifying land subject to flooding and restricting incompatible development</i> | Yes |

Permissibility

44. The subject site is Zoned B6 Enterprise Corridor under Strathfield Local Environmental Plan (SLEP) 2012.

45. Development for the purpose of a 'Hotel' is permitted with consent. The proposal is consistent with the definition of 'hotel or motel accommodation' under Strathfield LEP 2012.

Zone objectives

46. An assessment of the proposal against the objectives of the B6 Enterprise Corridor zone is included below:

| Objectives | Complies |
|--|-----------------|
| ➤ <i>To promote businesses along main roads and to encourage a mix of compatible uses.</i> | Yes |
| ➤ <i>To provide a range of employment uses (including business, office, retail and light industrial)</i> | Yes |
| ➤ <i>To maintain the economic strength of centres by limiting retailing activity.</i> | Yes |
| ➤ <i>To ensure that development does not impact on the safe and efficient operation of classified roads.</i> | No |

Part 2.6: Subdivision – Consent requirements

47. Part 2.6(1) states that land to which this Plan applies may be subdivided, but only with development consent. Development consent is sought for the proposed subdivision in accordance with Part 2.6(1) of SLEP 2012.

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 Lot 1 DP 34615 (Cont'd)

Part 4: Principal development standards

48. An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

Minimum subdivision lot size

| Cl. | Standard | Controls | Proposed | Complies |
|-----|------------------------------|----------|--|----------|
| 4.1 | Minimum subdivision lot size | Nil | Lot 10: 3,001m ² Lot 11: 2,388m ² | N/A |

| | Objectives | Complies |
|-----|---|-------------------------------------|
| (a) | To promote consistent subdivision and development patterns that reflect and reinforce the predominant subdivision pattern of the area. | Yes |
| (b) | To ensure a variety of lot sizes are maintained and are of sufficient size and shape to accommodate a variety of development types. | Yes |
| (c) | To preserve large industrial lots in order to provide a range of large-scale sites suitable for industrial activities that require integrate and large floorplates. | N/A – Heritage building on site. |

Height of building

| Cl. | Standard | Controls | Proposed | Complies |
|-----|--------------------|----------|---|--|
| 4.3 | Height of building | 16m | 16.125m – 16.75m (north-eastern corner of the building, lift overrun and condenser decks) | No – Clause 4.6 written request submitted |

| | 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 |

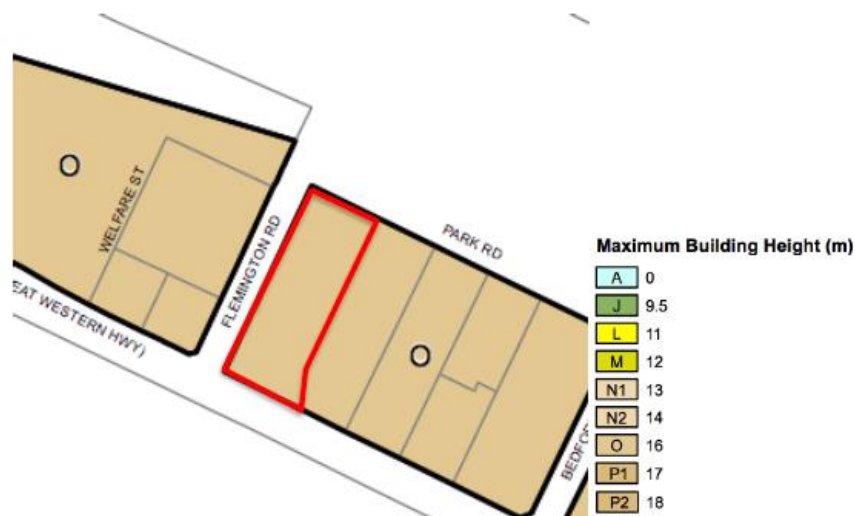


Figure 21: Height of Buildings Map (Source: SLEP 2012)

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 Lot 1 DP 34615 (Cont'd)

49. The proposed Height of Buildings is non-compliant with the development standards as defined by SLEP2012. A written statement accompanies the application seeking consideration pursuant to Cl.4.6.

Floor space ratio

| Cl. | Standard | Controls | Proposed | Complies |
|-----|-------------------|---|--|--|
| 4.4 | Floor space ratio | 1.5:1 (4,501.5m ² - proposed Lot 10) (3,582m ² - proposed Lot 11) | 0.42:1 - 1,249m ² (Lot 10) 2.72:1 – 6,500m ² (Lot 11) | Yes No - Clause 4.6 written request submitted |

| | Objectives | Complies |
|-----|--|----------|
| (a) | To ensure that dwellings are in keeping with the built form character of the local area | N/A |
| (b) | To provide consistency in the bulk and scale of new dwellings in residential areas | N/A |
| (c) | To minimise the impact of new development on the amenity of adjoining properties | No |
| (d) | To minimise the impact of development on heritage conservation areas and heritage items | Yes |
| (e) | In relation to Strathfield Town Centre: <ul style="list-style-type: none"> to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and 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 | Yes |

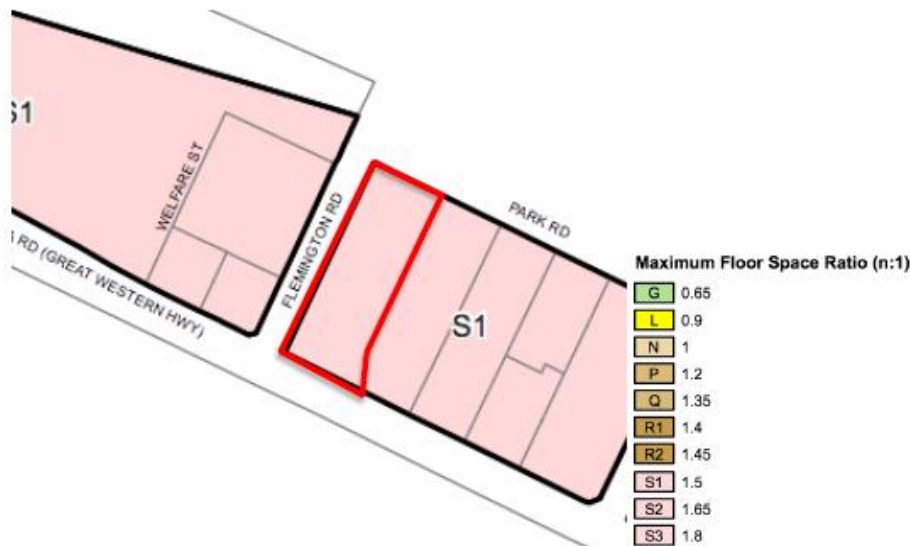


Figure 22: Floor Space Ratio Map (Source: SLEP 2012)

50. The proposed FSR across the total site area is non-compliant. A written statement accompanies the application seeking consideration pursuant to Cl.4.6. Notwithstanding, the proposal seeks approval for subdivision of the site into two allotments. Accordingly, the maximum FSR permitted on the site would apply to each of the sites. In this regard, the proposed hotel contravenes the maximum FSR permitted on the proposed Lot 11 by 44% (1,808sqm).

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Lot 1 DP 34615 (Cont'd)

Clause 4.6 Exceptions to Development Standards

A. Height of Buildings

Departure

51. The proposal contravenes the Height of Building development standard under Clause 4.3 of Strathfield LEP 2012. A maximum variation of 4.7% is sought in relation to the lift overrun and roof plant condenser screen.

Purpose

52. Clause 4.6 allows a contravention of a development standard with the objectives being to allow an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Written Request

53. Part 4.6(3) stipulates that a written request is required from the applicant that justifies the contravention of the development standard by demonstrating that compliance is unreasonable or unnecessary and there are sufficient environmental planning grounds to justify the contravention.
54. The applicant has provided a written request that seeks to justify contravention of the Height of Buildings development standard on the following grounds:

'The extent of variation relates to the proposed north-eastern corner of the building; and the lift overrun and condenser deck screens, which protrude the maximum height control by 125mm to 250mm (0.9% or 1.7%) and 250mm to 750mm (or 1.7% to 4.9%) respectively.

The proposed development provides a maximum height building of 15.1m. Overall, it is considered the variation is of minor non-compliance and does not significantly result in adverse environmental impacts or not be in the public interest.

Compliance with the height standard is unreasonable and unnecessary given the following circumstances of this case (sic):

- i. the areas of non-compliance are minor and can be easily off-set with the predominantly height compliant proposed development;*
- ii. the site's topography has informed the proposed design in which the minor variation is a result of the sloped landform that provides a general fall of approximately 2.5m from the south-west to north-east corner;*
- iii. The variation will enable lift and air-conditioning services in the proposed hotel development, providing appropriate amenities to users,*
- iv. the extent of variation of the lift overrun and condenser screens are appropriately setback from Parramatta Road, Flemington Road and Park Road, and are adequately hidden from the streetscape;*
- v. the additional height is considered significantly minor and would not result in adverse solar or privacy impacts;*
- vi. The proposed development is nevertheless consistent with the objectives of the height control and B4 Enterprise Corridor, as discussed below,*
- vii. contravention of the height standard is considered minor and does not raise any matter of State or regional planning significance;*

Strict compliance with the height standard is considered unreasonable and unnecessary as explained in the cases above. Therefore, there is no public benefit in maintaining strict compliance with the standard in the circumstance

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 Lot 1 DP 34615 (Cont'd)

There are sufficient environmental planning grounds to justify contravening the development standard:

- *The Land and Environment Court in its recent decisions in Four2Five vs Ashfield Council has ruled that a clause 4.6 variation must do more than demonstrate that the development meets the objectives of the development standard and the zone. The clause 4.6 objection must also demonstrate some other environmental planning grounds that justify contravening the development standard, preferably some that are specific to the site, although that is not essential according to the Court of Appeal decision in Four2Five vs Ashfield Council.*

In accordance with the above, sufficient environmental planning grounds for the variations to the height standard are provided below:

- *the lift overrun variation would be largely unseen from the street due to its location towards the middle of the building;*
- *the minor variations would have negligible adverse impacts in terms of visual impacts, view impacts and overshadowing; and*
- *the non-compliance has minimal adverse impacts to adjoining properties nor upon surrounding heritage item and heritage conservation area; and*
- *the minor variation will not detract from the objectives of Clause 4.3, and will ensure a new high quality development that will positively contribute to the existing area.*

The proposed development will be in the public interest because it is consistent with:

- *the objectives of the particular standard, and*
- *the objectives for development within the zone in which the development is proposed to be carried out.*

The relevant objectives of the development standard as per Clause 4.3 Height of Buildings SLEP 2012 are met, as follows:

- *to ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area,*

Response: *Generally, the proposed development is considered to provide a high quality architectural design in that it improves the appearance of the existing area and respects the surrounding heritage context. The variation is of minor non-compliance and would continue to ensure the overall proposed design of the development would be compatible with the existing area.*

- *the objectives for development within the zone in which the development is proposed to be carried out:*

i. To promote businesses along main roads and to encourage a mix of compatible uses.

Response: *The proposal provides a new hotel development that includes hotel suites and a licensed premises, which are compatible uses. The proposal also supports the existing business of the Wentworth Hotel, fronting Parramatta Road, by attracting patrons to the premises.*

ii. To provide a range of employment uses (including business, office, retail and light industrial uses).

Response: *The proposal will provide employment as generated by the proposed hotel and licensed premises.*

iii. To maintain the economic strength of centres by limiting retailing activity.

Response: *The proposal does not include any retail related uses.*

iv. To ensure that development does not impact on the safe and efficient operation of classified roads.

Response: *The proposed development has been considered by Varga Traffic Consultants not to generate unacceptable traffic impacts upon the existing road network.*

In consideration of the above, the proposal is considered to facilitate a better planning outcome and is in the public's interest as it is consistent with the objectives of the development standard and the B6 Enterprise Corridor zone.

Therefore, given the minor nature of the non-compliance, it is considered that this particular contravention of the height standard would not significantly detract the proposal from being

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Lot 1 DP 34615 (Cont'd)

consistent with the objectives of the development standard and zone or result in adverse environmental impacts.

Assessment

55. Part 4.6(4) requires Council to be satisfied that the written request has adequately addressed the relevant matters, the proposed development will be in the public interest because it is consistent with the relevant objectives of the particular standard and zone, and the concurrence of the Director-General has been obtained.
56. The applicant's written request is considered to have adequately addressed the relevant matters required to be demonstrated by subclause (3), i.e. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental grounds to justify contravening the development standard.
57. Furthermore, the proposed development is considered to be in the public interest because it is not inconsistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
58. An assessment of the proposal against the objectives of the Height of Buildings development standard is provided below:

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

59. Despite the nominal non-compliance, the proposed development provides a satisfactory transition in height to the heritage listed Wentworth Hotel and in this regard is considered to fit the objectives.

Compliance with the development standard is unreasonable or unnecessary

60. The following assessment of whether compliance with the standard is unreasonable or unnecessary in the circumstances of the case has adopted what is considered the most appropriate of the five alternate ways that can be founded according to *Wehbe v Pittwater Council* [2007] NSW LEC 827 i.e., that the objectives of the standard are achieved notwithstanding the non-compliance with the standard.
61. In view of the analysis set out above, Council is satisfied that the objectives of the standard are generally met by the development proposal. Accordingly, contravention of the height of buildings development standard is considered to be reasonable and necessary in the circumstances of the case.

Environmental planning grounds which justify the contravention of the standard

62. In having regard to this consideration, it is not sufficient to support a variation to a development standard by merely pointing to an absence of environment harm (*Hooker Corporation Pty Ltd v Hornsby Shire Council* [1986] 130 LGERA 438; *Memel Holdings Pty Ltd v Pittwater Council* [2000] NSWLEC 106; *Winten Property Group Ltd v North Sydney Council* [2001] NSW LEC 46).

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Lot 1 DP 34615 (Cont'd)**

63. Therefore it is necessary to demonstrate that the public interest is satisfied in the circumstances of the case, because the development which does not comply with the development standard will deliver a better environmental planning outcome than would a complying development.
64. It is considered that the proposal will achieve a better environmental planning outcome in that the proposed development is not inconsistent with the objectives of the standard and partially non-compliant with the objectives for the zone as outlined above.
65. In this regard, variation to the development standard is considered to facilitate a better planning outcome in this instance. The proposal is considered to be in the public interest and is worthy of support.

Concurrence of the Director General

66. According to clause 64 of the Environmental Planning and Assessment Regulation (2000), where the Council's standard LEPs includes Clause 4.6-Exceptions to Development Standards, the Director General's [Secretary's] concurrence can be assumed subject to the Council being notified by the Director General [Secretary] of such. On 9 May 2008 the Department of Planning issued a Planning Circular (no PS08 – 003) notifying Councils that they may assume the Director General's [Secretary's] concurrence under environmental planning instruments that adopt clause 4.6(4)(b).

Conclusion

67. In conclusion, the applicant's written request to justify contravention of the Height of Buildings development standard is considered to be well founded. The applicant has satisfactorily demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravention of the development standard.

B. Floor Space Ratio

Departure

68. The proposal contravenes the Floor Space Ratio development standard under Clause 4.4 of Strathfield LEP 2012. A maximum variation of 44% is sought as a consequence of subdividing the site and creating proposed lot 11.

Purpose

69. Clause 4.6 allows a contravention of a development standard with the objectives being to allow an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Written Request

70. Part 4.6(3) stipulates that a written request is required from the applicant that justifies the contravention of the development standard by demonstrating that compliance is unreasonable or unnecessary and there are sufficient environmental planning grounds to justify the contravention.
71. The applicant has provided a written request that seeks to justify contravention of the Floor Space Ratio development standard on the following grounds:

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Lot 1 DP 34615 (Cont'd)**

The DA supports the subdivision of Lot 1 DP 34615 from one lot into two lots, separating the proposed hotel from the existing Wentworth Hotel. The existing Wentworth Hotel will be located on proposed Lot 10 and the proposed hotel on proposed Lot 11.

The proposed lot area of Lot 10 and Lot 11 will be 3,002sqm and 2,388sqm respectively. The proposed subdivision results in the following floor space ratio for each site:

Proposed Lot 10

*Existing GFA 1,249sqm comprising existing Wentworth Hotel
Lot Area 3,002sqm proposed by subdivision FSR 0.45:1*

Proposed Lot 11

*Proposed GFA 5,390sqm comprising new hotel;
Lot Area 2,388sqm proposed by subdivision
FSR 2.25:1*

If considered under the existing lot, the proposal provides a compliant FSR:

Existing Lot

*Total sit area 5,390sqm
Total GFA 6639sqm
FSR 1.23:1*

The extent of variation relates to the creation of proposed Lot 11, which will provide a lot area of 2,388sqm. The proposed hotel provides a GFA of 5,390sqm, which results in a proposed floor space ratio of 2.25:1 on the subject lot. The proposal represents a departure from the sites 1.5:1 FSR of approximately 44%.

We note that the proposed hotel and the existing Wentworth Hotel achieve a combined FSR across the site of 1.23:1 however; the breach of floor space is incidental to subdividing the site and has re-distributed GFA across the site.

Compliance with the height [sic] standard is unreasonable and unnecessary given the following circumstances of this care:

- the SLEP provides Clause 4.4(9), which foresees circumstances similar to the one proposed in this DA and will prevent double dipping;*
- the proposal, when considered under the existing lot, presents a compliant FSR of 1.23:1;*
- the proposed FSR is incidental to the subdivision;*
- the subdivision is a titling component of the development and has redistributed GFA across the site;*
- the proposal presents a better planning outcome, with respect to supporting the viability of centres;*
- the subdivision has been designed to facilitate a lot size and curtilage around the Wentworth Hotel, an item of local heritage significance;*
- the proposal will not result in any additional overshadowing to key private open spaces or areas valued by adjoining residents;*
- the proposed development is consistent with the objectives of the floor space ratio control and B6 Enterprise Corridor, as discussed below; and*
- contravention of the floor space ratio does not raise any matter of State or regional planning significance.*

Strict compliance with the FSR standard is considered unreasonable and unnecessary as explained in the cases above. Therefore, there is no public benefit in maintaining strict compliance with the standard in the circumstance

Assessment

72. Part 4.6(4) requires Council to be satisfied that the written request has adequately addressed the relevant matters, the proposed development will be in the public interest

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because it is consistent with the relevant objectives of the particular standard and zone, and the concurrence of the Director-General has been obtained.

73. The applicant's written request is considered to have adequately addressed the relevant matters required to be demonstrated by subclause (3), i.e. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental grounds to justify contravening the development standard.
74. Furthermore, the proposed development is considered to be in the public interest because it is not inconsistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
75. An assessment of the proposal against the objectives of the Floor Space Ratio development standard is provided below:

| Objectives | Complies |
|--|-----------------|
| (a) <i>To ensure that dwellings are in keeping with the built form character of the local area</i> | N/A |
| (b) <i>To provide consistency in the bulk and scale of new dwellings in residential areas</i> | N/A |
| (c) <i>To minimise the impact of new development on the amenity of adjoining properties</i> | No |
| (d) <i>To minimise the impact of development on heritage conservation areas and heritage items</i> | Yes |
| (e) <i>In relation to Strathfield Town Centre:</i> <ul style="list-style-type: none"> • <i>to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and</i> • <i>to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development</i> | N/A |
| (f) <i>In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor</i> | N/A |

76. The site, when presented as one existing lot provides a compliant FSR of 1.23:1. If subdivision was not proposed, the proposal would provide a largely compliant building envelope and form.
77. The proposed FSR of 2.25:1 is a by-product of redistributing gross floor area across the existing lot, which can be dealt with by the application of Clause 4.5(9), which address the circumstances in which the floor space ratio is varied and restricts double dipping. Clause 4.5(9) envisages situations where lots are subdivided that have resulted in a redistribution of GFA across the site. Condition 75 is recommended in this instance.
78. Overdevelopment on the site will be restricted should a positive covenant be imposed on Lot 10 that restricts the GFA up to 1,585sqm (1.5:1). Imposition of this condition will ensure new development is of a scale and form that preserves the amenity of adjoining properties.
79. Overall, the development produces an optimal built form outcome and relates to the heritage status of the Wentworth Hotel. The subdivision layout and size on the site into two lots, is informed by the Wentworth Hotel and provides a generous curtilage around the building.
80. The proposed 2.25:1 floor space on proposed Lot 11 is a by-product of subdividing the site to a size and scale that ensures a well-defined curtilage around the Wentworth Hotel and preserves the heritage integrity of the item.
81. The site, when presented as one lot, provides a compliant FSR of 1.23:1 and presents a bulk and scale that relates to the character and scale of the Wentworth Hotel. The heritage

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value of the Wentworth Hotel will not be affected by the subdivision as all the components of the heritage listed item will be contained within proposed Lot 10.

Compliance with the development standard is unreasonable or unnecessary

82. The following assessment of whether compliance with the standard is unreasonable or unnecessary in the circumstances of the case has adopted what is considered the most appropriate of the five alternate ways that can be founded according to *Wehbe v Pittwater Council* [2007] NSW LEC 827 i.e., that the objectives of the standard are achieved notwithstanding the non-compliance with the standard.
83. In view of the analysis set out above, Council is satisfied that the objectives of the standard are generally met by the development proposal. Accordingly, contravention of the floor space ratio development standard is considered to be reasonable and necessary in the circumstances of the case.

Environmental planning grounds which justify the contravention of the standard

84. In having regard to this consideration, it is not sufficient to support a variation to a development standard by merely pointing to an absence of environment harm (*Hooker Corporation Pty Ltd v Hornsby Shire Council* [1986] 130 LGERA 438; *Memel Holdings Pty Ltd v Pittwater Council* [2000] NSWLEC 106; *Winten Property Group Ltd v North Sydney Council* [2001] NSW LEC 46).
85. Therefore it is necessary to demonstrate that the public interest is satisfied in the circumstances of the case, because the development which does not comply with the development standard will deliver a better environmental planning outcome than would a complying development.
86. It is considered that the proposal will achieve a better environmental planning outcome in that the proposed development is not inconsistent with the objectives of the standard and is incidentally non-compliant with the objectives for the zone as outlined above.
87. In this regard, variation to the development standard is considered to facilitate a better planning outcome in this instance. The proposal is considered to be in the public interest and is worthy of support. There are sufficient environmental planning grounds to support the contravention.

Concurrence of the Director General

88. According to clause 64 of the Environmental Planning and Assessment Regulation (2000), where the Council's standard LEPs includes Clause 4.6-Exceptions to Development Standards, the Director General's [Secretary's] concurrence can be assumed subject to the Council being notified by the Director General [Secretary] of such.
89. On 9 May 2008 the Department of Planning issued a Planning Circular (no PS08 – 003) notifying Councils that they may assume the Director General's [Secretary's] concurrence under environmental planning instruments that adopt clause 4.6(4)(b).

Conclusion

90. In conclusion, the applicant's written request to justify contravention of the Floor Space Ratio development standard is considered to be well founded. The applicant has satisfactorily demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravention of the development standard.

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Part 5: Miscellaneous Provisions

91. The relevant provisions contained within Part 5 of the SLEP 2012 are addressed below as part of this assessment:

5.6 Architectural roof features

92. The north-eastern corner of the building, lift overrun and condenser decks result in a variation of between 125mm to 750mm to the height of building development standard under Part 4.3 of SLEP 2012. The variation sought to the prescribed height is considered to be acceptable on merit, with the majority of the building located within the maximum permissible height limit.
93. The minor non-compliances will not give rise to any unacceptable overshadowing impacts to adjoining properties.

5.10 Heritage Conservation

94. The subject site contains a heritage item (Wentworth Hotel) and is located in close proximity to the Welfare Street Conservation Area, as shown at **Figure 23**.



Figure 23 Heritage building on the site and proximity to the Welfare Street Conservation Area (Source: SLEP 2012 Heritage Map).

95. An assessment of the proposal against the matters of consideration under Part 5.10 of SLEP 2012 has been undertaken by Council's Heritage Adviser.
96. The proposal is determined to be satisfactory by Council's Heritage Advisor, subject to retention of the existing trees to the rear of the Wentworth Hotel. Council's Heritage Advisor considers the siting of the proposed hotel to provide adequate physical separation to the heritage building.
97. Albeit, it is considered that a more appropriate transition in height should be adopted on the western façade in order to reduce the actual and perceived bulk of the proposed building as viewed from the Wentworth Hotel. This strategy aligns with guidelines under the PRCUTS

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document and the Draft Parramatta Road Precinct DCP with respect to buildings adjacent a heritage item.

Part 6: Local Provisions

98. The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below as part of this assessment:

Acid sulfate soils

99. The subject site is within a Class 5 area as specified in the Acid Sulfate Soils Map.

100. A Preliminary Stage 1 Environmental Site Assessment has been carried out by Environmental Investigation Services (EIS). The EIS report concludes that the risk of encountering acid sulfate soil is considered to be negligible based on borehole testing as part of the Geotechnical investigation by JK Geotechnics. Accordingly, an Acid Sulfate Soil Management Plan (ASSMP) is not considered necessary for the site.

Earthworks

101. Excavation to a maximum depth of approximately 7.5m is required to accommodate the proposed two (2) basement car parking levels. A nil setback (in parts) is proposed to the northern eastern and western side boundaries of the proposed site.

102. The matters of consideration set out under Clause 6.2 have been assessed by Council's Engineer. The proposal is determined to be satisfactory by Council's Engineer, subject to recommended conditions of consent.

103. A Geotechnical Investigation Report has been submitted with the DA. The report contains a number of recommendations to ensure subsurface conditions are suitable to the proposed development.

Flood planning

104. The site is not subject to flood related development control.

Essential services

105. The site is serviced by essential services including water, electricity, management of sewage, disposal and recycling of waste, stormwater drainage, and suitable vehicular access.

Erection or display of signage

106. Signage is proposed to distinguish the premise from the adjacent Wentworth Hotel in the form of blade and illuminated signs. The signage strategy is considered appropriate for the intended purpose of the proposed development.

4.15 (1)(a)(ii) any draft environmental planning instruments

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

4.151(a)(iii) any development control plan

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STRATHFIELD DEVELOPMENT CONTROL PLAN NO. 20 – PARRAMATTA ROAD CORRIDOR

108. Strathfield Development Control Plan No. 20 came into force in May 2006.

109 This document has been superseded by the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).

DRAFT PARRAMATTA ROAD DEVELOPMENT CONTROL PLAN

110. Council, at its meeting on 6 March 2018, resolved to prepare an amendment to DCP No. 20 – Parramatta Road Corridor. The Draft DCP includes key urban design principles, objectives and controls for the Precinct.

111. Key implications are summarised below:

| Design principle | Comments |
|---------------------------------|---|
| Key urban design principles | <ul style="list-style-type: none"> Design excellence Built form should incorporate breaks in the massing of the development at the upper levels. Development should relate to heritage buildings with appropriate setbacks, low rise podiums and other scale breaking devices. Any building adjacent to a heritage item shall be sympathetic in terms of scale and siting, ensure an appropriate transition in height and not encroach upon the setting of the item. |
| Setbacks | <ul style="list-style-type: none"> Setbacks, particularly to street frontages, shall comprise canopy trees and deep soil landscaped areas |
| Building entry | <ul style="list-style-type: none"> Development shall be designed so that it has a clearly defined entry and street address. |
| Park Road | <ul style="list-style-type: none"> The leafy character of the street shall be retained. Development is encouraged to be setback to provide greening of the street frontage. Buildings are to be setback 4m from the property boundary at Levels 1 to 6. No encroachment will be accepted into the 4m setback zone including for basement car parking and balconies. Levels 7 and above are to be setback 12m from the property boundary. This is shown at Figure 24 below. |
| Crime prevention through design | <ul style="list-style-type: none"> Provide a safe environment and minimise opportunities for criminal and anti-social behaviour. |

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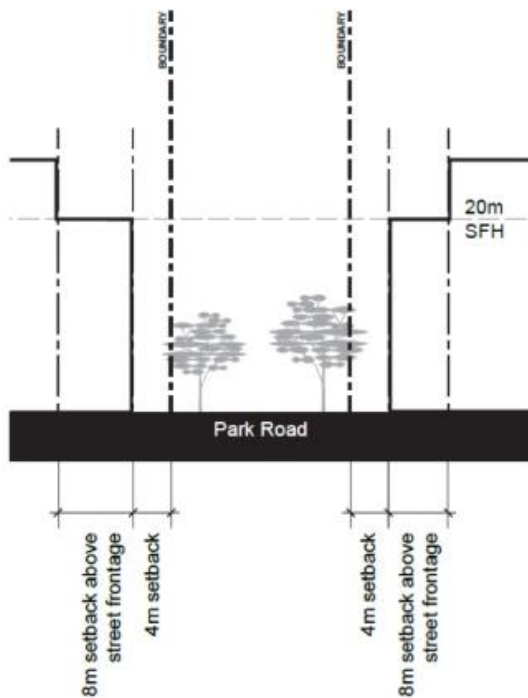


Figure 24. Park Road setback requirements (Source: Draft DCP – Parramatta Road Precinct)

112. The proposed development is inconsistent with the Draft DCP for the Parramatta Road Precinct in terms of setbacks, transition in height to existing heritage building on the site, and building entry.

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

113. The following is an assessment of the proposal’s compliance with the relevant provisions contained within SCDCP 2005.

Heritage and Conservation

| Cl. 1.11 | Aims | Complies |
|-----------------|--|-----------------|
| A | <i>To preserve and enhance the visual and environmental amenity of heritage items and heritage conservation areas within the municipality of Strathfield</i> | Yes |
| B | <i>Ensure all new development affecting heritage items and conservation areas is designed to be compatible in setting, scale, setbacks, form, materials and character with the building and surrounding area</i> | Yes |
| C | <i>Ensure that development in the vicinity of a heritage item or conservation area does not have any adverse impact on the heritage significance or setting and that development is compatible in setting, scale, setbacks, form, materials and character with the item or conservation area</i> | Yes |
| D | <i>Conserve archaeological sites and places of Aboriginal significance</i> | N/A |

114. The proposal is determined to be consistent with the heritage and conservation objectives (a), (b), and (c). The proposal involves the removal of five mature trees (T5-T9) to the rear of the heritage listed building. These trees, whilst not intrinsically linked to the significance of the site, provide an effective screen to the proposed hotel and contribute to the setting of the site.

| Cl. 1.11 | Controls | Complies |
|-----------------|-----------------|-----------------|
|-----------------|-----------------|-----------------|

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| | | |
|-----|---|-----|
| (1) | A Statement of Heritage Impact is required for proposed development: a) affecting a heritage item; b) within a heritage conservation area; or c) in the vicinity of an item or heritage conservation area | Yes |
| (2) | This statement must set out the heritage significance of the structure or place and assess the extent to which carrying out of the proposed development would affect the significance of the heritage item or heritage conservation area concerned and outline measures to minimise any identified impact | Yes |

PART H - WASTE MANAGEMENT (SCDCP 2005)

115. Section 3.3.1(b) of Part H of SCDCP 2005 states that access for waste collection vehicles shall be provided from a secondary street frontage. The proposal is consistent with this requirement.
116. The application proposes a garbage room of 40m² with capacity for eleven x 660 litre general waste bins, 3 x 660L recycling bins and 1 x 660L green waste bin. The submitted Waste Management Plan indicates that the bins will be serviced by a private contractor.
117. Waste collection is screened from public view and is accessed via the loading bay in the north-eastern corner of the building via Park Road.
118. Conditions of Consent (refer to conditions 26 & 81) are recommended to address the following outstanding matters:
- Internal height clearance of the loading bay of approximately 3.7m to accommodate a garbage truck / waste collection vehicle. The submitted Traffic and Parking report states that the loading bay has been designed to accommodate a medium-rigid-vehicle. However, the internal clearance height for a medium rigid vehicle would need to be approximately 4m. It is recommended that the loading bay is designed to accommodate a heavy-rigid-vehicle. It is noted that swept paths have only be provided with respect to a medium-rigid vehicle.
 - Egress of the garbage truck onto Parramatta Road. Condition 20 of Development Consent No. 2015/81/1 restricts use of the Parramatta Road access to between the hours of 10pm and 6am.

PART I – PROVISION OF OFF-STREET PARKING FACILITIES (SCDCP 2005)

Part C: Parking Schedule

119. The off-street parking requirements applicable to the development proposal are contained within *Part I – Provision of Off-Street Parking Facilities* of SCDCP 20005 as follows:

Hotels

- (i) 1 space per 3.5m² licensed floor area plus 1 space per room or motel unit.
- (ii) Where a proposed development includes a function room for live music, performances or for a discotheque, additional parking spaces at 1 space for each 3 seats or spaces totally 1/3 the capacity of the room, whichever provides the greater number of spaces.
120. Application of the above parking requirements to the various components of the proposed hotel yields a minimum off-street car parking requirement of 310 spaces as set out below:

| Use | Required spaces |
|--------------------|-----------------|
| Hotel (133 rooms): | 133.0 spaces |

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| | |
|----------------------------------|---------------------|
| Sports Bar (141sqm): | 40.3 spaces |
| Restaurant (115sqm) | 32.9 spaces |
| Lounge & Gaming Room (363sqm) | 103.7 spaces |
| Total | 309.9 spaces |

121. The submitted Traffic and Parking report confirms that based on the parking rates under SCDCP 2005, the existing hotel yields an off-street parking requirement of 243 spaces. The existing hotel is stated as having only 85 parking spaces, the majority of which remain largely vacant and a maximum parking demand of only 25 spaces. Notwithstanding and based on these findings, it is unclear why additional at-grade parking was sought under the section 4.77 application (approved 04/04/2018).
122. Based on the parking provision of the existing hotel and the parking 'credits' applied historically, the following parking requirement for the site (existing hotel and proposed hotel) is 395 spaces as set out below:

| Use | Required spaces |
|----------------------------------|---------------------|
| Hotel (133 rooms): | 133.0 spaces |
| Sports Bar (141sqm): | 40.3 spaces |
| Restaurant (115sqm) | 32.9 spaces |
| Lounge & Gaming Room (363sqm) | 103.7 spaces |
| Existing Wentworth Hotel | 85 spaces |
| Total | 394.9 spaces |

122. The RMS *Guide to Traffic Generating Development Version 2.2* states that research into parking for hotels based on ten (10) hotel sites surveyed has found no strong relationship between peak car parking accumulation and floor area, or function room capacity. Accordingly, no parking rate is prescribed. However, the guidelines prescribe that adequate provision is to be made on-site for the types of vehicles most likely to service the development. The parking demand for the development shall therefore be determined based on merit.
123. Likely service vehicles for the proposed hotel include garbage collection vehicles, food delivery vehicles, linen cleaning vehicles, and customer transportation vehicles including taxis, min-buses and potentially coaches. The RMS recommends the following provision of areas for delivery and service vehicles:

| Use | Required areas for delivery and service vehicles |
|---|--|
| Hotels and motels (50% of spaces adequate for trucks) | 1 space per 50 bedrooms (for developments with <200 rooms) |
| Total | 4 Areas |

124. The application proposes a loading bay in the north-eastern corner of the new hotel building. A designated pick up/drop off zone has not been proposed.

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125. The submitted Traffic and Parking Study is deficient in providing an adequate explanation of the parking yield of both the existing and proposed developments. Further, the amended documentation does not resolve this matter or the following matters in relation to Traffic and Parking.
- i. The loading bay has been designed to accommodate a variety of commercial vehicles up to and including a medium-rigid-truck. The internal clearance of the loading bay is considered to insufficient.
 - ii. Swept turning paths have been designed for a medium-rigid-vehicle. It is recommended the loading bay is designed for a heavy-rigid-vehicle given the loading bay will be the waste collection point.
 - iii. The on-site loading bay provision is considered to be inadequate based on the RMS guidelines above.
 - iv. Use of the 'service' area for mini-buses to pick/up drop off hotel patrons is not supported based on the reasons below:
 - Access to the service area is only via the 'loading dock entry' from Park Road. Use of this driveway should be restricted to service vehicles only.
 - The hotel should have a clearly defined pick/up drop off point that is accessible and safe to hotel guests.
 - The 'service' area adjoins the main vehicular access point with no adjacent pedestrian crossing to access the hotel.
 - Access to the service area appears to conflict with the proposed at-grade parking spaces.
 - v. Egress of the service vehicles onto Parramatta Road breaches Condition 20 of Development Consent No. 2015/81/1, which restricts use of the Parramatta Road access to between the hours of 10pm and 6am.
126. It is therefore considered necessary that the above matters be addressed by way of a condition of consent.
127. Further, the above deficiencies regarding the servicing arrangements are addressed via suitable conditions of consent (refer to Condition 26).
128. Section 1.3(i) of Part I of SCDCP 2012 lists the criteria, which Council will consider when deciding whether a deviation from the code is justified:
- a) *Will the proposed development create a demand for additional parking?*
 - b) *The existing situation in relation to car parking in the locality.*
 - c) *Whether any dedication of land to Council for public parking purposes is proposed?*
 - d) *Proximity and adequacy of off-street parking facilities to the site, i.e. a public parking station within 180m of the site having the spare capacity during the premises hours of operation.*
 - e) *Whether the site is located on a main or country road.*
 - f) *The hours of operation of the premises.*
 - g) *Any other factors which, in the Council's opinion, may have an impact on the amount of requisite on-street parking.*
129. The amended documentation references the figures which support the original scheme. As mentioned, the documentation does not revise the traffic generation or parking demand rates based on the reduction in the number of rooms (reduced by 12 rooms) and decreased dining and gaming gross floor areas, providing an inaccurate representation of the quantum of parking.
130. Notwithstanding, the applicant provides the following logic to justify a reduced parking rate than that prescribed by the DCP. The amended documentation states:

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Council's car parking rate for hotels appears to be based on parking surveys conducted in the late 1970's by the then Traffic Authority of NSW, prior to the introduction of random breath testing. There has been a substantial shift in community attitudes towards drink-driving since those surveys were undertaken, resulting in a considerable reduction in the parking demands generated by hotels.

In addition, Council's parking rate for hotels does not take into consideration site-by-site variations, and the parking rates would therefore be best determined on a pro-rata basis via extrapolation of car parking surveys conducted at the existing hotel.

Reference is therefore made to the parking surveys undertaken for a week-long period at the existing hotel which identified an average maximum parking demand in the existing hotel of approximately 25 spaces, or 1 space per 34sqm.

Application of the above site specific parking rate to the proposed new pub floor area yields an additional off-street parking requirement of 20 spaces, whilst the parking demand for the existing hotel remains in the order of 25 spaces.

The DCP parking rate for the accommodation component of the proposed hotel is 1 space per room or motel unit. However, this parking rate does not distinguish between hotels and motels, and is not considered to be directly representative of a 3 to 4 star rated hotel. For example, the RMS Guidelines suggest a parking requirement of 1 space per 4 rooms for 3 to 4 star hotels.

In practice, it is anticipated that many hotel guests will be interstate or overseas visitors travelling by taxi or minibuses, as opposed to "motel" guests who, by definition, travel by car. In particular, corporate guests and interstate/international visitors are expected to travel in groups, often with 2 or 3 people in a taxi, or possibly in larger groups in a minibus. A parking rate of 1 space per 2 rooms has therefore been adopted in respect of the proposed hotel accommodation rooms.

In addition, it is also noted that:

- the peak trading periods of the hotel typically occur in the evenings, particularly Friday and Saturday nights and on weekends when the majority of the other business premises located in this precinct are closed;*
- the proposed hotel is primarily intended to cater for the needs of interstate/international tourists who are likely to arrive at the site by taxi or minibus, and will not require a parking space;*
- the proposed hotel's booking system will ask customers whether they will be requiring on-site car parking upon booking confirmation, and will not overbook the available car spaces, thereby having full control over the private vehicle travel demands likely to be generated by the hotel guests;*
- the proposed hotel is not targeting visitors travelling by private car who could be better accommodated at a traditional suburban motel.*

131. There is merit in the applicant's argument for a reduced car parking rate relating to the new hotel accommodation. The reduced car parking requirement for the licenced areas is not accepted based on the deficiencies in the applicant's latest traffic and parking study and having regard to comments from Council's traffic engineer.
132. An updated traffic and parking study that reflects the latest revised plans and operational aspects of the development and which demonstrates that the proposed off-street car parking provision is adequate based on the cumulative car parking demands of the existing hotel and new hotel building should be submitted to council's satisfaction prior to issue of any construction certificate for the development. This may be readily addressed by a suitable condition of consent (refer to condition 23).

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PART Q – URBAN DESIGN

133. An assessment of the proposal against the objectives and development controls contained within Part Q of SCDCP 2005 is included below:

Public Domain and Place Making

| 2.1.1 Objectives | | Satisfactory |
|----------------------------|---|--------------|
| A. | To ensure that development adjacent to the Public Domain complements the landscape character, public use and enjoyment of that land | ✓ |
| B. | To enhance the quality of the Public Domain | ✓ |
| C. | To ensure the Public Domain is attractive, safe, interesting, comfortable, readily understood and easily accessed | ✓ |
| 2.1.2 Development Controls | | Complies |
| 1. | All development applications involving substantial external changes that are visible from or effect public space, or have significant land use implications, must be designed in accordance with this DCP Part Q to ensure a positive contribution to the public environment. | ✓ |
| 2. | Development is to be designed to address elements of the public domain, including the building interface between private and public domains, circulation patterns and access ways, gateways, nodes, edges, landscape features, heritage items, ground floor activity and built form definition to the street. | ✓ |
| 3. | Public access to the public domain is to be maximised | ✓ |
| 4. | Development is to be located to provide an outlook to the public domain, without appearing to privatise that space. | ✓ |
| 5. | Development is to provide passive surveillance to the public domain. Where appropriate, ground floor areas abutting public space should be occupied by uses that create active building fronts with pedestrian flow, and contribute to the life of the streets and other public spaces. | ✓ |
| 6. | Continuous lengths of blank walls and fences at the public domain interface are to be avoided | ✓ |

Streetscape

| 2.2.1 Objectives | | Satisfactory |
|----------------------------|--|--------------|
| A. | To ensure that all development contributes positively to the street and locality. | ✓ |
| B. | To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment. | ✓ |
| C. | To increase the legibility of streetscapes and urban spaces so that the interrelationship between development and the Public Domain is visually coherent and harmonious. | ✓ |
| D. | To maximise opportunities for buildings to define the Public Domain. | ✓ |
| E. | To encourage attractive street frontages and improve pedestrian amenity | ✓ |
| 2.2.2 Development Controls | | Complies |
| 1. | Building height at the street frontage and building alignment must maintain a compatible scale with adjacent development, whilst having | X |

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| | | |
|-----|--|-----|
| | regard to this Plan's height controls; | |
| 2. | Buildings and fences must be designed to complement and/or visually improve existing streetscapes | ✓ |
| 3. | Development must respond and sensitively relate to the broader urban context including topography, block patterns and subdivision, street alignments, landscape, views and vistas and the patterns of development within the area (refer Figure 1a) | ✓ |
| 4. | Building design and landscaping must be in harmony with the form, mass and proportions of the streetscape. | X |
| 5. | New buildings must recognise and reinforce the elements of facades within the street. Designs must have regard to the horizontal and vertical proportions of building elements which create the visual scene | ✓ |
| 6. | New buildings must recognise and reinforce the elements of facades within the street. Designs must have regard to the horizontal and vertical proportions of building elements which create the visual scene | ✓ |
| 7. | Buildings on corner sites must be designed and articulated to address each street frontage and must define corners (refer Figure 4). | ✓ |
| 8. | Development adjoining land use zone boundaries must provide a transition in form, height, scale, appearance, materials and setbacks with adjoining development and the Public Domain | n/a |
| 9. | Buildings must be constructed of suitably robust and durable materials which contribute to the overall quality of the streetscape | ✓ |
| 10. | The use of security devices, such as roller shutters or grilles on shopfronts, shall not compromise natural surveillance of streets and public places. Solid roller shutters will not be permitted as security devices on shop fronts (windows and doors). | ✓ |
| 11. | Where side setbacks are an important part of the local streetscape character, these are to be maintained | ✓ |

134. The proposal is considered to provide a positive contribution to the streetscape generally, as shown at **Figure 25**. The schedule of external finishes and materials is considered to be sympathetic to the heritage building on the site and to the existing dwelling houses on Flemington Road.

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Figure 25 Photomontage of the north-western corner of the proposed hotel on the corner of Flemington Road and Park Road (Source: Squillace Architects).

Siting

| 2.3.1 | Development Controls | Complies |
|-------|--|-----------------|
| 1. | <i>Development must respond to the scale of surrounding buildings and definition of the street networks and public spaces.</i> | ✓ |
| 2. | <i>The distinctive and valued character of the surrounding area, particularly those elements that contribute to a sense of place and identity, must be protected and enhanced.</i> | ✓ |
| 3. | <i>Building forms (including heights and massing) are to be arranged to reinforce the future desired structure and character of the area</i> | ✓ |
| 4. | <i>Buildings must address the street, laneway, new through-site link or open space.</i> | ✓ |
| 5. | <i>Street edges must be defined with low rise buildings or appropriately scaled podiums to create a pedestrian scale and active frontages at street level.</i> | x |
| 6. | <i>Appropriate building separation must be provided to protect privacy and solar access to private property and the Public Domain.</i> | x |
| 7. | <i>Building corners on key streets must be emphasised to signify key intersections and enhance Public Domain legibility.</i> | n/a |
| 8. | <i>Possible future development on adjoining sites must be considered as part of any design</i> | ✓ |

135. The siting of the proposed building is generally acceptable, however, an improved transition in height is recommended for the western side of the building in relation to the heritage item on the site.

Building Envelope

| 2.4.1 | Objectives | Satisfactory |
|-------|-------------------|---------------------|
|-------|-------------------|---------------------|

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 Lot 1 DP 34615 (Cont'd)

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| A. | <i>To ensure the scale and bulk of future development is compatible with site conditions, surrounding development and the existing and desired future character of the streetscape and locality.</i> | x |
| 2.4.2 | Development Controls | Complies |
| 1. | <i>The bulk and scale of any development must reflect the existing and future character of the existing street and surrounding locality</i> | ✓ |
| 2. | <i>The bulk and scale of any development must be compatible with the amenity of the immediately and surrounding locality.</i> | x |
| 3. | <i>Buildings must not be designed to be outside the building envelope even if they do not achieve 100% of the permissible Gross Floor Area (GFA) or maximum height permitted.</i> | x |

Building Massing and Scale

| | | |
|--------------|---|---------------------|
| 2.5.1 | Objectives | Satisfactory |
| A. | <i>To ensure buildings are compatible in form relative to the spatial characteristics of the local area.</i> | x |
| B. | <i>To ensure building mass and form reinforces, complements and enhances the visual character of the street.</i> | x |
| C. | <i>To ensure the building height and mass preserves and enhances the Public Domain, neighbourhood amenity, and site characteristics.</i> | ✓ |
| D. | <i>To ensure that where changes in building scale, mass and/or height is proposed, it occurs in a manner that is sensitive to amenity issues of surrounding or nearby development.</i> | ✓ |
| 2.5.2 | Development Controls | Complies |
| 1. | <i>Buildings must be of a height that responds to the topography and shape of the site.</i> | ✓ |
| 2. | <i>Buildings, or their individual elements, must be appropriately scaled to reinforce the surrounding character</i> | ✓ |
| 3. | <i>Building heights are to be reduced and setbacks increased to provide appropriate transitions to heritage buildings and places or sensitive uses such as public recreation areas and schools.</i> | x |
| 4. | <i>The proportion and massing of buildings must relate favourably to the form, proportions and massing of existing and proposed building patterns in the street.</i> | ✓ |
| 5. | <i>Building height and mass must not result in loss of amenity to adjacent properties, open space or the Public Domain.</i> | ✓ |
| 6. | <i>The form and massing of buildings must provide a transition between adjoining land use zones and building types.</i> | ✓ |
| 7. | <i>Building form and massing must support individual and communal entries.</i> | ✓ |

Building Frontages to the Public Domain

| | | |
|--------------|--|---------------------|
| 2.7.1 | Objectives | Satisfactory |
| A. | <i>To ensure the appearance of buildings complement and enhance neighbourhood and streetscape character.</i> | ✓ |

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| B. | <i>To encourage contemporary designs which integrate with the appearance of the streetscape.</i> | ✓ |
| C. | <i>To provide attractive building facades which establish identity and contribute to the streetscape.</i> | ✓ |
| 2.7.2 | Development Controls | Complies |
| 1. | <i>Building design and architectural style must interpret and respond to the positive character of the locality, including the dominant patterns, textures and compositions of buildings</i> | ✓ |
| 2. | <i>Demonstrated design consideration must be given to the underlying building elements that contribute to the character of the area. Such things include roof shape, pitch and overhangs; entry porches, verandas, balconies and terraces; materials, finishes, fixtures, patterns, fenestrations, colours and detailing; the location and proportion of windows and doors.</i> | ✓ |
| 3. | <i>Building facades must be modulated in plan and elevation and articulated to reduce the appearance of building bulk and to express the elements of the building's architecture</i> | ✓ |
| 4. | <i>Alterations and additions must be compatible with design elements of the existing building.</i> | n/a |
| 5. | <i>Building frontages and entries must provide a sense of address and visual interest from the street. Stairwells must not be located at the front and in view of the Public Domain</i> | ✓ |
| 6. | <i>Where security grilles/screens, ventilation louvres and car park entry doors are proposed, they must be integrated into facade designs. Solid security shutters will not be permitted.</i> | ✓ |
| 7. | <i>New buildings and facades must not result in glare that causes discomfort or threaten the safety of pedestrians or motorists. A Reflectivity Report that analyses the effects of potential glare from the proposed new development on pedestrian and motorists may be required by Council</i> | ✓ |
| 8. | <i>Large areas of blank walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, or a recognisable increased setback to the upper storey</i> | ✓ |
| 9. | <i>New business and industrial buildings shall be designed so that entry points and client service areas are easily identified from the street and are clearly linked to car parking areas and pedestrian paths.</i> | n/a |
| 10. | <i>Where dwelling houses do not face the street, they are to have recognisable entries and a sense of address as they would if they faced the street.</i> | n/a |
| 11. | <i>For commercial and mixed-use development:</i> (i) <i>ground floor activities must activate the adjoining Public Domain to create a vibrant streetscape and promote a sense of community. Buildings shall be carefully designed to ensure active frontages contributes to the liveliness, interest, comfort and safety of the street for those who use it; and</i> (ii) <i>awnings or colonnades for weather protection and shade must be provided along active frontages.</i> | n/a n/a |
| 12. | <i>Site services and related enclosures (such as for waste disposal and recycling, mail and deliveries, water and energy metering and emergency services) are to be integrated into the design of the development and not detract from the streetscape.</i> | ✓ |

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| 13. | <i>Development must respond to the positive attributes of an area by incorporating dominant patterns, textures and compositions into the built form.</i> | ✓ - Generally |
| 14. | <i>Development must provide a sense of address and visual interest from the street through the use of insets and projections that create interest and, where relevant, the appearance of finer grain buildings. Recesses that undermine the safety of the Public Domain are to be avoided.</i> | ✓ |
| 15. | <i>Building materials, finishes and colours must be of a high quality and compatible with those qualities that are dominant in and contribute to the streetscape and locality.</i> | ✓ |
| 16. | <i>The reflectivity of external materials and finishes (including roofs and walls) must be minimal in accordance with industry standards. The use of reflective glass and curtain walling as a facade treatment is not generally favoured by Council. Council may require the lodgement of manufacturer's specifications of certain materials and finishes to demonstrate adequately low levels of glare and reflectivity from external surfaces in certain circumstances.</i> | ✓ |

Roof Forms

| 2.8.1 | Objectives | Satisfactory |
|-------|--|--------------|
| A. | <i>To treat roof spaces and forms as an important element of the overall building appearance.</i> | ✓ |
| B. | <i>To encourage roof forms that provide continuity and consistent character in the streetscape.</i> | ✓ |
| C. | <i>To encourage roof designs that integrate with the building composition and form.</i> | ✓ |
| 2.8.2 | Development Controls | Complies |
| 1. | <i>Plant and lift overrun structures must be incorporated into the roof design. Plant equipment, vents or lift over-runs or solar energy and stormwater collectors are to be designed to avoid visibility from the surrounding spaces and buildings.</i> | ✓ |
| 2. | <i>The roof is to be designed to provide for rainwater and solar energy collection.</i> | X |
| 3. | <i>The proposed roof form shall minimise the appearance of bulk and scale of the building and be treated as an important architectural element in the street, which can reinforce continuity and character</i> | ✓ |
| 4. | <i>Roof forms are to respond to the neighbouring roofs, in particular in terms of scale and pitch. Roof forms should complement, but not necessarily replicate the predominant form in the locality and in particular those of adjacent buildings.</i> | ✓ |
| 5. | <i>Roofs must be designed to avoid or minimise loss of views from adjacent and nearby properties and public spaces, however, this does not justify a roof form that is inconsistent with the prevailing streetscape character.</i> | ✓ |
| 6. | <i>Attics are to be designed to fit within the building envelope with the exception of dormer windows.</i> | n/a |

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Accessibility and Connectivity

| 3.1 | Objectives | Satisfactory |
|--------------|---|---------------------|
| A. | <i>To improve pedestrian access and connectivity between housing, open space networks, community facilities, public transport, local activity centres and schools.</i> | ✓ |
| B. | <i>To encourage pedestrian through-site links that are designed to promote safety and amenity.</i> | ✓ |
| 3.1.2 | Development Controls | Complies |
| 1. | <i>Pedestrian links must be provided where possible through large development sites to improve connectivity between housing, open space networks, community facilities, public transport, local activity centres and schools. Where Council considers it appropriate to have through site links, it will consider the public benefit that is derived from this in terms of potential loss of development potential.</i> | n/a |
| 2. | <i>Through-site links must be arranged on the site to enable casual surveillance from buildings on the site and from the street or Public Domain. Through-site links are to be landscaped appropriately and include provision for appropriate lighting.</i> | n/a |
| 3 | <i>Public, communal and private areas must be clearly delineated within the site</i> | ✓ |
| 4. | <i>Pedestrian and cycle links must be provided on sites adjacent to waterways to improve accessibility to these natural systems.</i> | n/a |
| 5 | <i>Existing through-site pedestrian links are to be retained by all types of development, except where alternative access can be provided to Council's satisfaction.</i> | n/a |

136. The physical constraints of the site namely the existing heritage listed Wentworth Hotel, precludes a direct pedestrian link through the site which connects to Parramatta Road.

Building Entries

| 3.2.1 | Objectives | Satisfactory |
|--------------|---|---------------------|
| A. | <i>To create street entrances with a strong identity that provide a transition from the street to residential interiors.</i> | ✓ |
| B. | <i>To ensure car park entries do not detract from the street</i> | ✓ |
| 3.2.2 | Development Controls | Complies |
| 1. | <i>Legible entry/lobby areas accessed from a public street are to be provided to encourage surveillance and activation of the Public Domain, thereby increasing safety.</i> | x |
| 2. | <i>Strong visual and physical connections must be provided between the street and lobby spaces. Entries and foyers must be designed to be comfortable, sheltered, safe, convenient and visible at all times of day and night.</i> | x |
| 3. | <i>Car park entrances and crossovers are not permitted unless there is no alternative in retail and commercial areas. Entrances must be located off streets that have a predominantly service role, and these streets should be upgraded as necessary to cater for this role.</i> | ✓ |
| 4. | <i>Pedestrian access must be incorporated with car park entrances to reduce the visual impact of the car park entrance. Car park entrances</i> | ✓ |

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| | <i>must be carefully designed to avoid unattractive or extensive gaps in street frontages.</i> | |
| 5. | <i>New commercial and industrial buildings must be designed so that entry points and client service areas are easily identified from the street and are clearly linked to car parking areas and pedestrian paths.</i> | n/a |
| 6. | <i>Where a dwelling house does not face the street, it must have a recognisable entry and a sense of address.</i> | n/a |

Visual and Acoustic Privacy

| | | |
|--------------|--|---------------------|
| 3.3.1 | Objectives | Satisfactory |
| A. | <i>To ensure that development does not cause unreasonable overlooking of habitable rooms and principal private open spaces of dwellings.</i> | n/a |
| B. | <i>To ensure that visual privacy is provided both within a development and between a development and its neighbours.</i> | ✓ |
| C. | <i>To ensure that the siting and design of development minimises the impacts of noise transmission between properties.</i> | ✓ |
| 3.3.2 | Development Controls | Complies |
| 1. | <i>New development must ensure adequate visual and acoustic privacy levels for neighbours and residents</i> | ✓ |
| 2. | <i>Development must be located, oriented and designed to maximise visual and acoustic privacy between buildings.</i> | ✓ |
| 3. | <i>The internal layout of buildings must be designed to minimise overlooking of living areas, private open spaces and adjoining school yards.</i> | n/a |
| 4. | <i>Building elements such as balconies and decks must be designed to minimise overlooking of living areas, private open spaces of adjoining dwellings and adjoining school yards</i> | n/a |
| 5. | <i>The windows of dwellings must be located so they do not provide direct and close views into the windows of other dwellings, particularly those of living areas (refer Figure 9).</i> | n/a |
| 6. | <i>Building design elements shall be used to increase visual and acoustic privacy such as recessed balconies and/or vertical fins between adjacent balconies, oblique windows, fencing, vegetation and louvres and pergolas which limit overlooking of lower dwellings, private open space and adjoining school yards (refer Figure 10).</i> | ✓ |
| 7. | <i>The internal layout of buildings including windows must be designed so as to reduce the effects of noise transmission.</i> | ✓ |
| 8. | <i>Appropriate building materials shall be used to provide acoustic privacy.</i> | ✓ |
| 9. | <i>Consideration to the relationship between residential and non-residential components of mixed use development with regard to noise attenuation and privacy must be demonstrated in the design of the development.</i> | ✓ |

Acoustic Amenity and Air Quality

| | | |
|--------------|--|--|
| 3.4.1 | Objectives | Satisfactory |
| A. | <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> | ✓ (Acoustic assessment report submitted) |

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|--------------|--|-----------------|
| B. | <i>To ensure that new commercial or industrial development does not unreasonably diminish the amenity of nearby residential uses by noise intrusion.</i> | n/a |
| C. | <i>To ensure mitigation measures such as building layout and design and building materials are taken into consideration where poor air quality is likely to affect inhabitants.</i> | ✓ |
| 3.4.2 | Development Controls | Complies |
| 1. | <i>Where dwellings are proposed within proximity to noise-generating land uses such as major roads and rail corridors; entries, halls, storage rooms, bathrooms and laundries must be located on the noise affected side of each dwelling and should be able to be sealed off by doors from living areas and bedrooms where practicable.</i> | ✓ |
| 2. | <i>Where dwellings are proposed within proximity to noise-generating land uses, appropriate materials with acoustic properties shall be incorporated into the development</i> | ✓ |
| 3. | <i>New non-residential development must not adversely affect the amenity of adjacent residential development in terms of noise, odour, poor air quality, hours of operation and/or service deliveries.</i> | ✓ |
| 4. | <i>Noise generating developments particularly those adjacent residential developments and residential developments adjacent to noise generating sources such as busy roads and rail corridors, must submit an Acoustic Report prepared by a suitably qualified acoustic consultant with a development application</i> | ✓ |
| 5. | <i>The provisions of State Environmental Planning Policy (Infrastructure) 2007 and Development near Rail Corridors and Busy Roads Interim Guidelines must be taken into consideration, to minimise impacts of busy roads and railway corridors on residential and other sensitive development such as schools, child care centres, places of public worship and health services facilities when designing a development proposal</i> | ✓ |
| 6. | <i>For residential development:</i> – <i>internal habitable rooms of dwellings affected by high levels of external noise must be designed to achieve internal noise levels of no greater than 50dBA;</i> – <i>The internal layout of buildings/dwellings shall be designed so as to minimize the impacts of poor air quality on inhabitants.</i> | n/a |

Safety and Security

| | | |
|--------------|--|---------------------|
| 3.6.1 | Objectives | Satisfactory |
| A. | <i>To ensure a safe physical environment by promoting crime prevention through design.</i> | ✓ |
| B. | <i>To encourage increased use of shopping centres, particularly at night.</i> | n/a |
| C. | <i>To create a balance of uses that are safe and easily accessible</i> | ✓ |
| D. | <i>To ensure there is adequate lighting and signage.</i> | ✓ |
| E. | <i>To reduce crime risk and minimise opportunities for crime.</i> | ✓ |
| F. | <i>To increase and contribute to the safety and perception of safety in public and semi-public spaces.</i> | ✓ |
| G. | <i>To encourage the consideration and application of crime prevention principles when designing and siting buildings and spaces.</i> | ✓ |
| H. | <i>To encourage dwelling layouts that facilitate safety and encourage</i> | n/a |

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interaction and recognition between residents.

| 3.6.2 | Development Controls | Complies |
|--------------|--|--|
| 1. | <i>Development must be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting, and the appropriate landscaping of public areas.</i> | ✓ |
| 2. | <i>Development must be designed to minimise opportunities for crime through suitable access control. Physical or symbolic barriers should be used to attract, channel and/or restrict the movement of people. Landscaping and/or physical elements may be used to direct people to destinations, identify where people can and cannot go and restrict access to high crime risk areas such as car parks.</i> | x |
| 3. | <i>Development must incorporate design elements that contribute to a sense of community ownership of public spaces. Encouraging people to gather in public spaces through appropriate design techniques, helps to nurture a sense of responsibility for a place's use and condition.</i> | ✓ |
| 4. | <i>Building entrances must be clearly identified and accentuated. Entries and associated elements including signs, street numbers, post boxes, landscaping etc. must be designed to emphasise their visible presence from various locations or approaches to the building.</i> | ✓ |
| 5. | <i>Entrances must serve as points of orientation or way-finding within the development, and providing clear sightlines and visual connections between the street, the entry, foyers and residential interiors.</i> | ✓ |
| 6. | <i>The installation of solid security shutters as a means of defining the boundaries between public and private spaces will not be supported.</i> | ✓ (no solid security shutters proposed) |
| 7. | <i>The incorporation of crime prevention measures in the design of new buildings and spaces shall not to detract from the quality of the streetscape. Subtle design techniques must blend into façades and places and be integrated with the overall design of the development.</i> | x |
| 8. | <i>A site management plan and formal crime risk assessment (Safer by Design Evaluation) involving the NSW Police Service may be required for large developments, which in Council's opinion, would create a crime risk</i> | ✓ |
| 9. | <i>The design of buildings adjoining laneways and through site connections must be designed to activate these spaces at ground level and provide casual surveillance from ground and upper levels</i> | ✓ (The development provides passive surveillance of the adjoining public domain) |
| 10. | <i>Lighting of laneway space is required</i> | n/a |

Views

| 3.8.1 | Objectives | Satisfactory |
|--------------|---|---------------------|
| A. | <i>To provide view sharing for both existing and proposed and future residents</i> | ✓ |
| B. | <i>To minimise disruption to views from adjacent and nearby development and views to and from public spaces, including accumulated view loss i.e. 'view creep'.</i> | ✓ |
| 3.8.2 | Development Controls | Complies |

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| | | |
|----|---|-----|
| 1. | <i>The design of any development must minimise the loss of views from neighbouring and nearby dwellings and from public spaces.</i> | ✓ |
| 2. | <i>Views between and over buildings are to be maximised and exceptions to side boundary setbacks will not be considered if they contribute to loss of primary views from living areas.</i> | ✓ |
| 3. | <i>View assessment is to be carried out having regard to the Land and Environment Court Planning Principle in respect of view sharing, which was set out in Tenacity Consulting v Warringah Council (2004) NSWLEC40 ("Tenacity").</i> | n/a |

Landscaping

| 3.9.1 | Objectives | Satisfactory |
|-------|---|--------------|
| A. | <i>To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings</i> | ✓ |
| B. | <i>To ensure developments make an equitable contribution to the landscape setting of the locality</i> | ✓ |
| C. | <i>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade</i> | n/a |
| 3.9.2 | Development Controls | Complies |
| 1. | <i>The design, quantity and quality of open space must respond to the character of the street and surrounding area and contribute to the garden character of Strathfield.</i> | X |
| 2. | <i>Existing trees within the front setback shall be retained. Front setback areas must contain at least two (2) canopy trees adjacent the front boundary and comprise at least 50% of the setback is to be for deep soil planting.</i> | X |
| 3. | <i>Existing trees on Council's Road Reserve area must be retained and protected. New driveway locations that necessitate removal of a Council street tree will not be supported.</i> | ✓ |
| 4. | <i>In higher density areas the provision of adequate private open space and landscaped areas must maximise residential amenity. Site works must be minimised to protect natural features.</i> | n/a |
| 5. | <i>Landscaping must be designed to protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties including noise and vibration impacts.</i> | ✓ |
| 6. | <i>Where the landscape pattern in the prevailing streetscape and surrounding locality is desirable, this must be retained.</i> | X |
| 7. | <i>In areas adjacent to native habitat, the design of development must be sympathetic to the natural environment in order to protect and enhance the area as habitat for native fauna</i> | n/a |
| 8. | <i>In relation to conservation and energy efficiency, plant species must be retained, selected and planted to achieve:</i> <ul style="list-style-type: none"> - shaded buildings in summer; - reduced glare from hard surfaces; - sunlight access into living rooms in cooler months; - cooling air currents channelled into the dwelling in summer; and | ✓ |

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– windbreaks where desirable.

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|-----|---|---|
| 9. | Natural features on the site, such as trees, rock outcrops, cliffs, ledges, Indigenous species and vegetation communities must be retained and incorporated into the design of development. | n/a |
| 10. | Landscaping must enhance the visual setting and accentuate the design qualities of the built form. Landscaping solutions shall be used to create a screening effect for visually obtrusive land uses or building elements | ✓ |
| 11. | Trees must be planted at the front and rear of properties to encourage tree canopy, to soften the built environment and to encourage the continuity of the landscape pattern | ✓ |
| 12. | Landscaping is to be designed so as to minimise overlooking between properties. | ✓ |
| 13. | The amount of hard surface area shall be minimised to reduce run-off. Run-off from hard surfaces is to be directed to permeable surfaces such as garden beds. | ✓ (Stormwater concept plans acceptable) |

Energy Efficient Design

| | | |
|------------------------------------|---|---------------------|
| 3.11.1 Objectives | | Satisfactory |
| A. | To promote sustainable development which uses energy efficiently and minimises non-renewable energy usage in the construction and use of buildings. | ✓ |
| B. | To ensure that development contributes positively to an overall reduction in energy consumption and greenhouse gas emissions. | ✓ |
| 3.11.2 Development Controls | | Complies |
| 1. | Where applicable, development must demonstrate compliance with the design principles embodied in the Building Sustainability Index (BASIX). All commitments listed on a BASIX certificate must be marked on all relevant plans and specifications. | n/a |
| 2. | For residential development not subject to BASIX, the principles and properties of thermal mass, glazing, insulation and solar energy must be recognised and incorporated into the design of the development. | n/a |
| 3. | Water Sensitive Urban Design principles must be integrated into the development through the design of stormwater drainage, on-site detention and landscaping and in the orientation of the development rather than relying on 'end of pipe' treatment devices prior to discharge. | ✓ |
| 4. | All commercial, mixed-use and residential flat buildings must achieve a 4-6 green star rating in accordance with the Green Building Council of Australia's Green Star program | X |

Car Parking and Vehicular Access

| | | |
|-------------------------|---|---------------------|
| 4.1.1 Objectives | | Satisfactory |
| A. | Vehicular access points are to be minimised and should not break the continuity of the streetscape. Landscaping should be used to minimise the visual intrusion of vehicular access points. | ✓ |
| B. | Garages and parking structures are not to dominate the building facade and front setback | ✓ |
| C. | To ensure that the location and design of driveways, parking spaces | ✓ |

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| | <i>and other areas used for the movement of motor vehicles are efficient, safe, convenient and are integrated into the design of the development to minimise their visual impact.</i> | |
| 4.1.2 | Development Controls | Complies |
| 1. | <p><i>Vehicle access points and parking areas must:</i></p> <ul style="list-style-type: none"> - <i>be easily accessible and recognisable to motorists;</i> - <i>not disrupt pedestrian flow and safety;</i> - <i>be located to minimise traffic hazards and the potential for vehicles to queue on public roads; and</i> - <i>minimise the loss of on street car parking, and to minimise the number of access points.</i> | X |
| 2. | <i>Car parking and service/delivery areas must be located so that they do not visually dominate either the development or the Public Domain surrounding the development.</i> | ✓ |
| 3. | <i>For mixed-use development: – loading/manoeuvring areas must be located within buildings or screened from adjacent residential uses; and – residential non-residential car parking spaces must be physically separated.</i> | ✓ |
| 4. | <p><i>For industrial development:</i></p> <ul style="list-style-type: none"> - <i>loading docks must be designed to allow heavy vehicles to enter and leave the site in a forward direction, without interfering with visitor and employee parking;</i> - <i>adequate and suitable on-site receiving areas and parking for trucks and large vehicles must be provided to prevent queuing or off-site parking of such vehicles;</i> - <i>materials for kerbs, gutters, footpaths, walkways and driveways must be selected to resist damage by large vehicles or frequent use; and</i> - <i>a traffic management plan must be prepared detailing all transport options for the development, including type of transport used, size of trucks and frequency.</i> | n/a |
| 5. | <i>Development on corner sites may be required to accommodate a splay corner to facilitate improved traffic conditions. This matter should be identified at the initial design stage in consultation with Council's development assessment officers.</i> | X |
| 6. | <i>Where properties have access to a rear lane or secondary street frontage, parking and servicing access shall be provided from the secondary street/lane.</i> | ✓ |
| 7. | <i>Driveways must be designed to avoid a long and straight appearance by using landscaping and variations in alignment.</i> | X |
| 8. | <i>Car parking areas and vehicle access ways shall be landscaped to integrate sympathetically with the development and the landscape character of the locality.</i> | X |
| 9. | <i>The area between property boundaries and driveways, access ways and parking spaces must be of sufficient width to enable landscaping and screen planting.</i> | n/a |
| 10 | <i>All parking provision must be designed and sited to respond to and respect the prevailing streetscape. The visual impact of parking within the front setback is to be minimised.</i> | ✓ |
| 11 | <i>The width and number of footpath crossings shall be minimised</i> | ✓ |

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Signage and Advertising

137. Building identification signage and projecting wall signage forms part of this application. The signage identifies and defines the building's entrance and distinguishes the development from the existing Wentworth Hotel. The signage does not proliferate the facades of the building and is appropriate within the context.

4.15 (1)(a)(iia) any planning agreement or draft planning agreement

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

4.15 (1)(a)(iv) matters prescribed by the regulations

139. Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* sets out the additional matters of consideration that the consent authority must take into consideration in determining a development application.
140. Clause 92(1)(a) of the EP&A Regulation 2000 requires the consent authority to take into consideration the Government Coastal Policy, which means the publication entitled *NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast*. The proposal is considered to be acceptable having regard to this policy.
141. Clause 92(1)(b) of the EP&A Regulation 2000 requires Council to consider Australian Standard AS 2601-2004: The demolition of structures. The proposal is considered to be acceptable, subject to the imposition of suitable conditions.

Building Code of Australia

142. The proposal is required to comply with the relevant provisions of the Building Code of Australia. A suitable condition requiring compliance with the BCA should be included as part of any consent, should this application be approved.

(i) any coastal zone management plan

143. The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

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

144. All likely impacts have been addressed elsewhere in the report, or are considered to be satisfactory and not warrant further consideration.

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

145. The proposed development is considered to be suitable to the site

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

146. The application was notified in accordance with Part L of the SCDCP 2005 from **27/03/2018 to 19/04/2018**, with one (1) submission received.

147. The submission raises the following issues:

| Issue | Concerns |
|---|--|
| Impact on surrounding road network | <ul style="list-style-type: none"> Assumptions / conclusions within the submitted traffic report. The increase in traffic from the proposed development on Flemington Road and its impact on Parramatta Road is not addressed in the traffic report. Particular concern is raised with regards to vehicles turning right onto Parramatta Road (towards Homebush Bay Drive) and the absence of traffic signals. Vehicles park on both sides of Flemington Road, particularly on weekends, leaving only one (1) lane for vehicles travelling in/out Flemington Road. This is not addressed in the traffic report. The new hotel will exacerbate existing issues. |
| Parking arrangement | <ul style="list-style-type: none"> Will the proposed car parking spaces be paid parking or free parking for patrons of the Wentworth Hotel? Paid parking may encourage on-street parking, which is currently unrestricted. Will existing parking on Flemington Road remain as unrestricted parking? Flemington Road is used by visitors to the existing Wentworth Hotel and this is not referenced in the traffic report. |
| Employee and visitor designated parking | <ul style="list-style-type: none"> There are no designated staff car parking spaces within the hotel car park. This is not addressed in the submitted traffic report. |
| Pickup / drop off zone | <ul style="list-style-type: none"> Will the hotel provide a pickup/drop off zone? The traffic report indicates that hotel guests will travel in groups either by mini-bus or taxis and that the proposed service driveway can be utilised for pick-up drop-off of patrons. How will this be managed/enforced? There is no plan showing how a mini-bus and taxi can pass a small rigid vehicle in the loading zone. Assuming that most pick-ups/drop offs will occur on Flemington Road, provision of drop-off bay should be provided, particularly for taxis and shuttle buses, and/or dedication of a 15 minute parking zone. The traffic report refers to a traffic audit carried out in September 2015, which is no longer relevant to the existing renovated Wentworth Hotel (DA2015/81). The traffic audit notes that the existing hotel parking is largely vacant, and that the maximum peak demand is for only 25 spaces. |
| Existing condition of consent | <ul style="list-style-type: none"> The traffic report refers to an existing DA consent condition, which requires the driveway on Flemington Road to close at 10pm each night. There is no further comment on whether this will continue with the new hotel. Vehicles should be diverted from Flemington Road onto Park Road due to the residential area and also to minimise traffic congestion. |

4.15 (1)(e) the public interest

148. 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 in the public interest.

SECTION 7.11 CONTRIBUTIONS

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149. Section 7.11 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
- (b) the payment of a monetary contribution,*
- or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

150. Should the application be approved, a condition requiring the payment of a monetary contribution in accordance with the Strathfield Direct Contributions Plan, should be included as part of any consent.

151. 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 Major Open Space | \$156,400.07 |
| Provision of Local Open Space | \$101,934.43 |
| Administration | \$3,018.25 |
| TOTAL | \$261,352.75 |

152. 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.

CONCLUSION

153. The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

In consideration of the written request made by the applicant pursuant to Clause 4.6 of the Strathfield Local Environmental Plan 2012, the consent authority is satisfied that compliance with the development standard contained in Clause 4.3 (Height of Buildings) and Clause 4.4 (Floor Space Ratio) of the SLEP 2012 is well founded and that there are sufficient environmental planning grounds to justify contravening the development standard.

That Development Application No. DA2018/032 for demolition of existing carpark and construction of a five (5) storey hotel comprising ground floor facilities and 152 hotel suites over two (2) levels of basement car parking, subdivision of existing lot into two (2) lots and the creation of a stratum subdivision to enable car parking access for the Wentworth Hotel at 195 Parramatta Road, Homebush West be **APPROVED**, subject to the following conditions:

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 Lot 1 DP 34615 (Cont'd)

SPECIAL CONDITIONS (SC)

1. ENVIRONMENTAL SITE ASSESSMENT (SC)

The recommendations of the Preliminary Stage 1 Environmental Site Assessment dated 13/12/2017 as prepared by Environmental Investigation Services are to be implemented.

(Reason: Statutory requirement and health and safety)

2. FLOODING – COMPLY WITH FLOOD IMPACT REPORT (SC)

As the site is commercial in nature, the applicant must be made aware of the flood risk and should make his/her own assessment as to the flood risk they are willing to take. A minimum Flood Planning Level of 1% AEP is required, however based on the risk extent applicant can decide the level to which the floor level is to be raised above the required minimum level. Applicant shall not be allowed to place floor level below the minimum 1% AEP. Flood Impact Assessment Report prepared by a suitably qualified professional hydraulics/civil engineer shall be submitted to the Principal Certifying Authority for approval and a copy for Council's record prior to issue of a Construction Certificate.

(Reason: To mitigate flood risk and associated damage)

3. FLOODING AND OVERLAND FLOW (SC)

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.

(Reason: To mitigate flood risk and associated damage)

4. COUNCIL'S DRAINAGE INFRASTRUCTURE (SC)

Driveway crossings, including aprons and laybacks shall be located a minimum of 1m clear of any stormwater pits, lintels or poles and 2m clear of the trunk of any trees within the road reserve. An amended stormwater drainage concept plan shall be submitted to this effect prior to issue of a Construction Certificate.

(Reason: Compliance with Council's requirements.)

GENERAL CONDITIONS (GC)

5. APPROVED PLANS AND REFERENCE DOCUMENTATION (GC)

The development is to be carried out in accordance with the following plans and reference documentation, except where modified by the conditions of this consent.

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2018/032:

| Drawing No. | Title/Description | Prepared by | Issue/Revision & Date | Date received by Council |
|-------------|-------------------|-------------|------------------------------|--------------------------|
| DA-011 | Site Plan | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-012 | Demolition Plan | Squillace | Issue B dated 8 March 2018 | 15 March 2018 |

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 Lot 1 DP 34615 (Cont'd)

| | | | | |
|--------|--|---------------------|--------------------------------------|----------------|
| DA-098 | Basement 2 | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-099 | Basement 1 | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-100 | Ground Floor | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-101 | Level 1 | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-102 | Level 2 & 3 | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-104 | Level 4 | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-105 | Roof Plan | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-200 | Elevations | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-300 | Sections | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| DA-301 | Streetscapes | Squillace | Issue C dated 10 August 2018 | 31 August 2018 |
| C1.01 | Cover Sheet, Notes and Legends | Acor Consultants | Issue B dated 15 December 2017 | 15 March 2018 |
| C1.05 | Details - Sheet 1 | Acor Consultants | Issue B dated 15 December 2017 | 15 March 2018 |
| C1.06 | Details - Sheet 2 | Acor Consultants | Issue B dated 15 December 2017 | 15 March 2018 |
| C1.07 | Details - Sheet 3 | Acor Consultants | Issue B dated 15 December 2017 | 15 March 2018 |
| C2.01 | Stormwater Management Plan – Ground Level | Acor Consultants | Issue B dated 15 December 2017 | 15 March 2018 |
| C2.02 | Stormwater Management Plan – Level 1 | Acor Consultants | Issue A dated 15 December 2017 | 15 March 2018 |
| C3.01 | Soil Erosion and Sediment Control Plan | Acor Consultants | Issue B dated 15 December 2017 | 15 March 2018 |
| 1 of 5 | Plan of Subdivision of Lot 1 DP 34615 | LTS Lockley | 27 February 2018 | 15 March 2018 |
| 2 of 5 | Plan of Subdivision of Lot 1 DP 34615 | LTS Lockley | 27 February 2018 | 15 March 2018 |
| 3 of 5 | Plan of Subdivision of Lot 1 DP 34615 | LTS Lockley | 27 February 2018 | 15 March 2018 |
| 4 of 5 | Plan of Subdivision of Lot 1 DP 34615 | LTS Lockley | 27 February 2018 | 15 March 2018 |
| 5 of 5 | Plan of | LTS Lockley | 27 February | 15 March 2018 |

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 Lot 1 DP 34615 (Cont'd)

| | | | | |
|--|----------------------------------|--|------|--|
| | Subdivision of Lot 1 DP 34615 | | 2018 | |
|--|----------------------------------|--|------|--|

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2018/032:

| Title/Description | Prepared by | Issue/Revision & Date | Date received by Council |
|--|---------------------------|---------------------------------|--------------------------|
| Plan of Management | Mecone | Revision B dated 24 August 2018 | 31 August 2018 |
| Geotechnical Investigation | JK Geotechnics | 8 December 2017 | 15 March 2018 |
| Construction Impact Assessment & Management Plan | Botanics Tree Wise People | November 2017 | 15 March 2018 |

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.)

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

The height of the building measured from Australian Height Datum (AHD) must not exceed Reduced Level (RL) 27.70 AHD to the top of the lift overrun on the roof of the building.

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

7. **CONSTRUCTION HOURS (GC)**

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.)

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

The development including but not limited to footings, walls, roofing and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed building 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.)

9. **DEMOLITION – GENERALLY (GC)**

Alteration and demolition of the existing structures 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 existing structures which are not shown to be altered or

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demolished.

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

10. **DEMOLITION - SITE SAFETY FENCING (GC)**

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding/fencing along the street frontage(s) complying with WorkCover requirements must be obtained including:

- payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and
- provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

11. **TREE RETENTION & PROTECTION (GC)**

The trees listed below shall be retained at all times.

| Tree No. in Arborist Report | Height/Spread (m) | Location | Protection Zone (m) | Structural Root Zone (m) |
|-----------------------------|-------------------|--------------|---------------------|--------------------------|
| 1 - Agonis flexuosa | 8x5 | Road Reserve | 8.6 | 3.0 |
| 2 - Cinnamomum camphora | 16x18 | Subject Site | 10.8 | 3.0 |
| 3 - Cinnamomum camphora | 18x18 | Subject Site | 11.4 | 3.0 |
| 4 – Melaleuca quinquenervia | 9x4 | Subject Site | 3.6 | 3.0 |
| 10 - Agonis flexuosa | 9x6 | Road Reserve | 12.0 | 3.0 |
| 18-22 Casuarina glauca | 10x4 | Subject Site | 3.6 | 3.0 |

These trees shall be protected by the establishment of a protection zone (in accordance with Australian Standard AS4970-Protection of trees on development sites) before any site works begin (including any demolition/excavation). The protection zone shall be maintained for the duration of works and implemented as follows:

- a) A minimum 1.8m high barrier (Chain wire mesh panels, plywood or wooden paling fence panels: refer to AS4687-Temporary fencing and hoardings for fencing requirements) shall be erected around the perimeter of the stated Protection Zone as measured from the base of the tree (or where practical). Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area.

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Fence posts and supports should have a diameter greater than 20mm and be located clear of roots. The barrier shall be constructed so as to prevent pedestrian and vehicular entry into the protection zone. The barrier shall not project beyond the kerb onto the roadway or any adjacent footpath.

- b) Signs identifying the Protection Zone should be installed on the fencing and be visible from within the development site. Lettering should comply with AS4970-2009: Protection of Trees on Development Sites.
- c) No concrete slurry or wash, building materials, builders' rubble, excavation soil or similar shall be placed or stored within the tree protection zone.
- d) The whole of the tree protection zone shall be mulched to a minimum depth of 75mm.
- e) The tree protection zone shall be regularly watered.
- f) Any major structural roots which are encountered shall be pruned by a qualified Arborist.
- g) No excavation or construction shall be carried out within the stated Structural Root Zone distances from the base of the trunk surface.
- h) Only permeable surfaces (e.g. decomposed granite, gravel, turfpave, permeable paving systems or soft landscaping) are permitted within the canopy spread of the trees to be protected.

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

12. TREE REMOVAL (GC)

The following listed trees are permitted to be removed to accommodate the proposed development. However, any of the trees listed below that are located on adjoining properties must only be removed after consent from the tree's owner has been sought and obtained in writing.

| Tree No. in Arborist Report | Height/Spread (m) | Location |
|-----------------------------|-------------------|--------------|
| 5 – Melaleuca quinquenervia | 11x5 | Subject Site |
| 6 - Melaleuca quinquenervia | 11x6 | Subject Site |
| 7 - Melaleuca quinquenervia | 9x5 | Subject Site |
| 8 – Lophostemon confertus | 8x4 | Subject Site |
| 9 - Lophostemon confertus | 9x4 | Subject Site |
| 11-17 Various | 8x5 | Subject Site |

(Reason: To ensure a reasonable balance of tree retention/removal to allow development.)

13. TREE & LANDSCAPING REQUIREMENTS (GC)

- a) A minimum 600mm deep root deflection barrier shall be provided on both sides of the proposed driveway crossings and footpaths.
- b) All noxious weeds on the site shall be removed and destroyed as per their classification

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Lot 1 DP 34615 (Cont'd)**

under the Noxious Weeds Act 1993.

- c) All trees permitted to be removed by this consent shall be replaced by species selected from Council's recommended planting list. Replacements shall be a minimum 50 litre container size and shall be maintained until maturity.
- d) General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the full period of all approved works (including any demolition and excavation).
- e) Manual excavation is required within the TPZ of the retained trees.
- f) The landscaped areas including all planters are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance with Sydney Water Codes and all relevant Australian Standards.
- g) All plants specified are to be native Australian plant species.

(Reason: To ensure the protection of trees and enhance landscaping.)

14. LIGHTING (GC)

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

(Reason: To protect the amenity of surrounding development and protect public safety.)

15. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

16. 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.)

17. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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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 2601-2001.
- 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.

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(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.)

18. **WASTE – TRACKABLE (GC)**

Removal of trackable waste (as defined by the NSW Environment Protection Authority) from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and must with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

19. **CLASSIFICATION OF WASTE (GC)**

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be tested and classified in accordance with the provisions of the protection of the environment operations act 1997 and the NSW EPA waste classification guidelines, part 1: classification of waste (November 2014). Testing is required prior to off-site disposal. In accordance with DECC waste classification guidelines (2014) materials identified for off-site disposal must be removed by a suitably qualified contractor to an appropriately licensed waste facility.

Note: attention is drawn to part 4 of the NSW DECC waste classification guidelines (2014) which makes particular reference to the management and disposal of acid & potential acid sulfate soils. The classification of the material is essential to determine where the waste may be legally taken. The protection of the environment operations act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or group a liquid waste advice should be sought from the EPA.

Evidence that the requirements specified above have been satisfied must be provided to the Council and/or Principal Certifying Authority prior to the issue of an occupation certificate. Where an occupation certificate is not required this evidence must be provided to the satisfaction of Council.

(Reason: To ensure compliance with legislation.)

20. **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 a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia 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.)

21. **SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT (GC)**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer

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Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

22. SIGNAGE (GC)

No signage is approved as part of this development consent. A separate development application for any proposed signs which are externally fitted or applied must be submitted for the approval of Council, prior to the erection or display of any such signs. This does not apply to signs which are classified as being "Exempt Development".

(Reason: To protect the amenity of the streetscape.)

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

23. TRAFFIC & PARKING ASSESMENT

An updated traffic and parking study that reflects the latest revised plans and operational aspects of the development and which demonstrates that the proposed off-street car parking provision is adequate based on the cumulative car parking demands of the existing hotel and new hotel building is to be submitted to council's satisfaction prior to issue of any construction certificate for the development.

Further, the updated report is to address the following:

- a) The loading bay has been designed to accommodate a variety of commercial vehicles up to and including a medium-rigid-truck. The internal clearance of the loading bay is considered to insufficient.
- b) Swept turning paths have been designed for a medium-rigid-vehicle. It is recommended the loading bay is designed for a heavy-rigid-vehicle given the loading bay will be the waste collection point.
- c) The on-site loading bay provision is considered to be inadequate based on the RMS guidelines above.
- d) Use of the 'service' area for mini-buses to pick/up drop off hotel patrons is not supported based on the reasons below:
 - Access to the service area is only via the 'loading dock entry' from Park Road. Use of this driveway should be restricted to service vehicles only.
 - The hotel should have a clearly defined pick/up drop off point that is accessible and safe to hotel guests.
 - The 'service' area adjoins the main vehicular access point with no adjacent pedestrian crossing to access the hotel.
 - Access to the service area appears to conflict with the proposed at-grade parking spaces.
- e) Egress of the service vehicles onto Parramatta Road breaches Condition 20 of Development Consent No. 2015/81/1, which restricts use of the Parramatta Road access to between the hours of 10pm and 6am.

(Reason: To ensure adequate off-street car parking and minimal traffic impacts.)

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24. ACOUSTIC ASSESSMENT (CC)

The acoustic assessment (revision 2 and dated 6 August 2018) as prepared by Acoustic Logic is to be amended to address the following criteria and demonstrate compliance with the relevant Industrial Policy for Noise, Liquor & Gaming NSW guidelines and relevant requirements of the NSW Department of Planning's *Developments near Rail Corridors or Busy Roads – Interim Guideline*.

- a) Confirm the location of the unattended noise measurement location within Figure 1 of the acoustic report.
- b) Figure 1 of the acoustic report and the corresponding legend are not coherent. Ensure the items in the figure correspond to the legend.
- c) Confirm which Industry Policy for Noise was used during the assessment, INP 2000 or Noise Policy for Industry 2017. New development and assessments after October 2017 must be conducted in accordance with the Noise Policy for Industry 2017.
- d) Specify the specific location of the residential receivers for residences on Flemington Road. For example, was there a noise logger at the front of each property? Or was there only one receiver to average for each residence?
- e) Define "Section 0" as mentioned in S.6.1 and S.8

The above information is to be submitted to council's satisfaction, prior to issue of any construction certificate for the development.

(Reason: To ensure that noise impacts are appropriately assessed and not unreasonable.)

25. LANDSCAPE PLAN

The landscape plan (Issue C and dated 7 February 2018) as prepared by Paul Scrivener is to be amended to reflect the revisions to the site landscaping as detailed on the approved architectural drawings. This plan is to be prepared by a qualified landscape architect or landscape consultant to a scale of 1:100 or 1:200 and in conformity with all relevant conditions of consent.

The plan must include the following information:

- i) details demonstrating compliance with SCDCP 2005 in relation to landscaping requirements;
- ii) location of all existing and proposed landscape features including materials to be used;
- iii) all trees to be retained, removed or transplanted;
- iv) existing and proposed finished ground levels;
- v) top and bottom wall levels for both existing and proposed retaining and free standing walls; and
- vi) a detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity. A minimum of 25% of species shall be locally sourced indigenous species. Species shall be predominantly selected from Council's Recommended Tree List.

Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.

The above information is to be submitted to council's satisfaction, prior to issue of any

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construction certificate for the development.

(Reason: To ensure consistency in the plans and improve landscape quality.)

26. **SERVICING ARRANGEMENTS**

The approved architectural drawings are to be amended to include the following design changes with respect to the servicing arrangements for the new hotel building:

- a) The loading bay is to be designed to accommodate a variety of commercial vehicles up to and including a heavy rigid vehicle (as defined by the relevant Australian Standard).
- b) The adjacent driveway/manoeuvring areas associated with the loading bay are to be designed to accommodate sufficient manoeuvring for heavy rigid vehicles in accordance with the relevant Australian Standard.

The above information is to be submitted to council's satisfaction, prior to issue of any construction certificate for the development.

(Reason: To ensure adequate servicing arrangements and minimise traffic impacts.)

27. **ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES (CC)**

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

28. **ACCESS - DISABLED TOILETS (CC)**

Plans and details of the disabled toilets complying with the relevant Australian Standards, the Building Code of Australia, and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

29. **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).

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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.)

30. 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.)

31. CAR PARKING - DISABLED CAR PARKING SPACES (CC)

Car parking for people with disabilities shall be provided in accordance with the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Prior to the issue of a Construction Certificate, the plans shall be notated to demonstrate compliance.

The above details shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.

(Reason: To ensure adequate parking for persons with a disability.)

32. CAR PARKING - REQUIREMENTS FOR MULTIPLE USE BUILDINGS (CC)

The following car parking and service vehicle requirements apply:-

- i) 147 car spaces shall be provided on the development site of which 80 car spaces are to be allocated to the new hotel building and the remainder of which are to be allocated to the existing licensed premises comprising the Wentworth Hotel.
- ii) All car spaces shall be allocated and marked according to this requirement.
- iii) If the development is to be strata subdivided, the car park layout must reflect the above allocation and thereafter be regarded as part of the entitlement of that strata lot.
- iv) Under no circumstances shall parking spaces be sold, let or otherwise disposed of for use other than in accordance with this condition.
- v) Each car parking space shall have minimum dimensions in accordance with the relevant Australian Standard and be provided on-site in accordance with the approved plans.
- vi) The parking bays shall be delineated by line marking.

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- vii) Visitor spaces shall be clearly line marked and/or signposted and shall only be used by persons visiting residents of the property or commercial/business/retail premises located within the development. Visitor spaces shall not be allocated as permanent residential parking spaces. Access to visitor parking spaces shall not be restricted without development approval and a sign shall be erected at the vehicular entrance indicating the availability of visitor parking.
- viii) The following traffic control measures shall be implemented on site:-
 - Signage indicating 'Entry Only' shall be prominently displayed at the entrance to the development.
 - Signage indicating 'Exit Only' shall be prominently displayed at the exit to the development.
 - One-Way directional arrows shall be painted on the driveway pavement to indicate the required vehicular directional movement through the car parking area.

Details demonstrating compliance with this condition shall be submitted to and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure car parking provision in accordance with this consent.)

33. 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:

- 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.)

34. 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.)

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35. 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 ASNZS 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.)

36. 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.)

37. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve top soil;

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- identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from WorkCover NSW. A permit will not be granted without a current WorkCover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and
 - appropriate barricades installed as appropriate to prevent public access and

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prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

38. **COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)**

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding/Fencing Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding/fencing along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is proposed to install ground anchors under a State or Classified Regional Road (please refer

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to the end of this application form for more information).

(Reason: Council requirement.)

39. 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.)

40. DRIVEWAY DESIGN - SPEED HUMP AND STOP SIGN ON EXIT (CC)

The applicant shall install a stop sign and a speed hump at the exit from the site. The stop sign must be accompanied by the associated line marking and the speed hump shall be set back by 1.5 metres from the boundary alignment. The devices shall be designed and constructed in accordance with the provision of all relevant Australian Standards. The building plans shall indicate compliance with this requirement, prior to the issue of a Construction Certificate.

(Reason: Traffic safety and management.)

41. 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/

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- 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 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.)

42. 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.)

43. EXCAVATION – DEWATERING (CC)

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- i) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Council for compliance with ANZECC Water Quality Guidelines.
- ii) If tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- iii) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- iv) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million)

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for receiving waters.

(Reason: To ensure compliance with legislation and to protect the surrounding natural environment.)

44. **EXCAVATION – SHORING (CC)**

Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings and specifications certifying the shoring will be adequate for their intended purpose and must be submitted to the Council/Principal Certifying Authority for approval with the Construction Certificate. The documentation prepared and certified by an appropriately qualified and practicing structural engineer is to show all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements. A copy of this documentation must be provided to the Council for record purposes at the time of Construction Certificate application.

(Reason: To ensure the protection of existing public infrastructure and adjoining properties.)

45. **NOISE – VIBRATION (CC)**

The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

(Reason: Noise attenuation.)

46. **NOISE – PLANT (CC)**

All works carried out on site during construction/demolition/excavation or earthworks shall comply with the NSW Protection of the Environment Operations Act 1997. Approved and effective silencing measures shall be provided and maintained on all power-operated plant used on site if required.

(Reason: Safety and amenity.)

47. **NOISE – CONSTRUCTION CC)**

All works carried out on site during construction/demolition/excavation/earthworks shall comply with the NSW Protection of the Environment Operations Act 1997, the Department of Environment and Climate Changes "Interim construction noise guideline" and AS 2436-2010 – "Guide to noise and vibration control on construction, demolition and maintenance sites" for the control of construction noise which specifies that:

- Construction period of 4 weeks and under – The L90 Level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 20 dB(A) at the boundary.
- Construction period greater than 4 weeks but not exceeding 26 weeks – The L90 level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 10 dB(A) at the boundary.
- Construction period exceeding 26 weeks – The L90 level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the

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background level by more than 5 dB(A) at the boundary.

Should complaints of a noise nuisance be substantiated, Council may require the acoustic treatment of the premises to ensure compliance with the NSW Department of Environment and Climate Changes "Interim construction noise guideline" and AS 2436-2010 – "Guide to noise and vibration control, demolition and maintenance sites" for the control of construction noise. A further acoustic assessment and report will be required to be provided to Council assessing the premises in working order.

(Reason: Noise attenuation.)

48. **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 Major Open Space | \$156,400.07 |
| Provision of Local Open Space | \$101,934.43 |
| Administration | \$3,018.25 |

TOTAL **\$261,352.75**

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.)

49. **SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE (CC)**

A security (damage deposit) of **\$33,000** (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 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

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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.

(Reason: Protection of Council infrastructure.)

50. TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material,

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- construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

51. **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.)

52. **WASTE AND RECYCLING STORAGE ROOMS (CC)**

Waste (including grease arrestor rooms) and recycling storage rooms must meet all of the following conditions:

- i) The waste and recycling storage room must be of adequate dimensions to comfortably accommodate the required number of waste and recycling bins
 - 240L bin must have 1.1m² of space per bin
 - 660L bin must have 2.03m² of space per bin
- ii) The layout of the waste and recycling storage room must allow easy unobstructed access to all bins (stacked bin arrangements are not acceptable) and allow the bins to be easily removed for servicing purposes.
- iii) A smooth concrete floor graded and drained to a floor waste connected to the sewer of the Water Board.
- iv) The walls being cement rendered with the intersection of the walls and floor being coved to a radius of not less than 25mm.
- v) The door being close fitting to prevent the access of rats and mice.
- vi) A cold water hose cock being provided for the cleaning of containers and the room itself.
- vii) Ventilation being provided by means of direct connection to the outside air to the satisfaction of Council.
- viii) The ceiling of all waste storage rooms must be constructed of a rigid smooth faced non-absorbent material. The ceiling must be a minimum of 2.4m high to accommodate Councils standard bins. This enables access for use, cleaning and enables the lids of bins to be fully opened.
- ix) Contain a sign, minimum size 600mm x 600mm, directing residents not to place recyclables in garbage carts and encouraging residents to recycle. Sample artwork and signs available from Council.
- x) Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities.
- xi) A caretaker or individual(s) shall be nominated as being responsible for transferring the bins to the collection point and back into the waste storage room/area.
- xii) Detailed plans of waste and recycling storage rooms must be submitted along with Waste Management Plan and Waste and Recycling Storage Room/Area Design Checklist.

(Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.)

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

53. **WATER SUSTAINABILITY - WATER SENSITIVE URBAN DESIGN (CC)**

Details of the Water Sensitive Urban Design (WSUD) components (stormwater treatment measures) shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. Details shall demonstrate compliance with the water conservation and stormwater quality targets set out under Sections 3.1 and 3.2 respectively under Part N of the SDCDP 2005, and be prepared by a suitably qualified professional engineer.

(Reason: To promote Water Sensitive Urban Design.)

54. **WORKS WITHIN THE ROAD RESERVE (CC)**

Detailed drawings including long and short sections and specifications of all works within existing roads (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) shall be submitted to and approved by Council under Section 138 of the Roads Act 1993 and all fees and charges paid, prior to the issue of a Construction Certificate.

Detailed drawings and specifications are to be prepared and certified by an appropriately qualified Civil Engineer.

Upon completion of the works, the Applicant is to provide to Council with electronic copies of 'Work as Executed Plans'. The plans are to show relevant dimensions and finished levels and are to be certified by a surveyor.

The Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works.

All civil engineering works adjacent/near/outside 195 Parramatta Road, Homebush West are to be fully supervised by Council. A maintenance period of six (6) months shall apply to the work, after it has been completed and approved. In that period, the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works.)

55. **WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE (CC)**

An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work (including demolition).

The suitability of the proposed length and duration of the Works Zone is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

(Reason: Council requirement.)

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

56. STAGE 2 DETAILED INVESTIGATION FOR CONTAMINATION

Prior to demolition and prior to any excavation, the person with the benefit of the consent is to undertake a Stage 2 detailed investigation of the site in accordance with the Contaminated Lands Management Act 1997, SEPP 55– Remediation of Land and “Sampling Design Guidelines for Contaminated Sites” NSW EPA.

(Reason: Council requirement.)

57. REMEDIATION WORKS & VALIDATION REPORT

If the Stage 2 detailed site investigation report identifies that remediation works are required, a Remediation Action Plan (RAP) is to be prepared by a suitably qualified person and submitted to the Principal Certifying Authority (PCA) and the RAP must be implemented according to the Contaminated Lands Management Act 1997 & SEPP 55 – Remediation of Land.

On completion of the remediation works identified on Stage 2 detailed site investigation, a validation report shall be prepared by suitably qualified person and be submitted to Principle Certifying Authority. Validation report shall be prepared in accordance with the Contaminated Lands Management Act 1997 & SEPP 55 – Remediation of Land.

(Reason: Council requirement.)

58. 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.
- 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 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.

**DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)**

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.)

59. 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.)

60. HERITAGE – TEMPORARY PROTECTION PLAN (CW)

Prior to the commencement of works, a temporary protection plan must be developed for the site that identifies the potential risks and outlines measures to reduce the potential for damage to heritage fabric for the duration of the works.

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

61. CONTAMINATED LAND UNEXPECTED FINDS (DW)

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

62. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

**DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)**

- i) Virgin excavated material (within the meaning of the Protection of the Environment Operations Act 1997), and
- ii) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

63. FOOD PREMISES - CONSTRUCTION AND FIT-OUT OF (DW)

The construction and fit-out of the food premises must comply with the following:

- iii) The Food Act 2003;
- iv) Food Regulation 2015;
- v) Australia and New Zealand Food Standards Code;
- vi) Australian Standard AS 4674 – 2004 (Design, construction and fit-out of a food premises); and
- vii) The Building Code of Australia.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval, prior to any occupation of the premises.

(Reason: Compliance with food premises legislation and standards.)

64. HERITAGE - HISTORIC RELICS FOUND DURING WORKS (DW)

Should any potentially historic relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage should be informed in accordance with Section 146 of the Heritage Act 1977. 'Relics' are any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and are of State or local heritage significance.

Should any potentially significant Aboriginal material be discovered on the site, all excavation or disturbance of the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage is to be informed in accordance with Section 91 of the National Parks and Wildlife Act 1974.

(Reason: To ensure the proper management and preservation of potentially significant archaeological material.)

65. 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.)

66. PUBLIC INFRASTRUCTURE AND SERVICES (DW)

**DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)**

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.)

67. SURVEY REPORT OF APPROVED LEVELS DURING AND POST CONSTRUCTION (DW)

A Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:

- i) At the completion of the first structural floor level prior to the pouring of concrete indicating the level of that floor and the relationship of the building to the boundaries.
- ii) At the completed height of the building, prior to the placement of concrete inform work, or the laying of roofing materials.
- iii) At the completion of the development.

Progress certificates in response to points (1) through to (3) shall be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances is work allowed to proceed until such survey information is submitted to and approved by the Principal Certifying Authority.

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

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

68. 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 any Occupation Certificate.

(Reason: Maintenance of public infrastructure.)

69. CAR PARKING - VISITOR CAR PARKING SIGNAGE (OC)

A sign shall be erected in a suitable location on the property near the driveway entrance indicating where visitor parking is available on the site. Signage shall also be erected above the visitor parking itself. Details demonstrating compliance shall be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: Adequate access and egress.)

70. 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 a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

- i) the stormwater drainage system; and/or

**DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)**

- 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.)

71. FOOD PREMISES - REGISTRATION REQUIREMENTS (OC)

Prior to the issue of any Occupation certificate, a Registration of Food Premises Form must be completed and submitted to Council, and the appropriate fees paid. The form is available online via council's website. In the instance details on the original registration form change, Council is to be notified of the change within seven (7) days of the change occurring.

(Reason: Registration and notification to relevant authorities.)

72. FIRE SAFETY CERTIFICATION (OC)

A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

A fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- i) has been assessed by a properly qualified person; and
- ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the Environmental Planning & Assessment Regulation 2000.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the Environmental Planning & Assessment Regulation 2000.

A copy of the fire safety certificate and fire safety schedule shall be:

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- iii) prominently displayed in the building.

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

(Reason: Fire safety and statutory requirement.)

73. **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.)

74. **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.)

75. **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 of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility on-site detention and water sensitive urban devices.

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

76. **SYDNEY WATER - SECTION 73 CERTIFICATE (SC)**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained before the issue of the Subdivision Certificate. An application must be made through an authorised Water Servicing Coordinator (refer www.sydneywater.com.au).

Following receipt of the application a 'Notice of Requirements' will be issued detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Water Servicing Coordinator, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

Sydney Water written advice that you have obtained the Notice of Requirements must be submitted to the Principal Certifying Authority.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to release of the Subdivision Certificate/any occupation of the premises.

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

(Reason: To comply with the statutory requirements of Sydney Water.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE (SC)

77. COVENANT – FLOOR SPACE RATIO (SC)

A covenant is to be registered against the title of proposed lot 10 restricting the gross floor area (GFA) of future development of that lot to a maximum of 2,118m² GFA. For the purposes of this condition, gross floor area (GFA) is to be defined in accordance with the dictionary referred to in Clause 1.4 of Strathfield Local Environmental Plan 2012.

(Reason: To prevent 'double dipping' the floor space ratio standard.)

78. SUBDIVISION - LODGEMENT OF FINAL PLAN OF SUBDIVISION (SC)

Once a Subdivision Certificate is issued by the Principal Certifying Authority, the Final Plan of Subdivision must be registered with Land and Property Information. Documentary evidence that the linen plan has been registered with Land and Property Information must be submitted to Strathfield Council as soon as practicable.

(Reason: Statutory requirement.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)

79. FIRE SAFETY ANNUAL STATEMENT (OU)

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- i) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- ii) Prominently displayed in the building.

(Reason: Fire safety.)

80. FOOD PREMISES - ONGOING USE OF (OU)

The ongoing operation and fit out of the premises must be maintained in accordance with the following requirements:

- i) Food Act 2003;
- ii) Food Regulations 2004;
- iii) Australian Standard AS4674-2004: Construction and fit out of food premises;
- iv) Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment; and
- v) Australia and New Zealand Food Standards Code 3.2.2: Food Safety Practices and General Requirements.

(Reason: To ensure compliance with legislation and to protect public health and safety.)

81. SIGNAGE - PORTABLE SIGNS PROHIBITED ON PUBLIC FOOTWAY (OU)

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

Portable signs including sandwich boards, goods or the like shall not be placed on the public footway or other public areas.

(Reason: To ensure pedestrian safety.)

82. HOURS OF OPERATION – NEW HOTEL (OU)

The hours of operation (i.e. hours open for business) of the sports bar and gaming room on the ground floor level of the new hotel building must not exceed the following, without the prior approval of Council:

| Days | Approved hours of operation |
|--------------|-----------------------------|
| Mon-Saturday | 7am – 12midnight |
| Sunday | 7am – 10pm |

(Reason: To ensure the business operates between the approved hours.)

83. VEHICULAR ACCESS (OU)

The Parramatta Road access shall only be used between the hours of 10pm and 6am. During this period, there is to be no vehicular access via the new vehicular crossings in Flemington Road and Park Road (except for service vehicle access in the case of the new vehicular crossing in Park Road). The vehicular crossing in Park Road is to be signposted for service vehicle access only.

84. DELIVERIES (OU)

All deliveries must not occur before 7.00am or after 8.00pm weekdays and before 8.00am or after 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

(Reason: To control noise impacts.)

85. LICENSED PREMISES - NOISE REQUIREMENTS (OU)

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any octave band centre frequency (31.5Hz - 8 Hz inclusive) by more than 5dB (A) between 7am and 12 midnight at the boundary of any affected residence

Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am.

(Reason: Environmental health.)

86. LOADING AND UNLOADING - NO OBSTRUCTION OF PUBLIC ROAD OR FOOTWAY (OU)

All loading and unloading operations including fork lift trucks or other similar loading, lifting and/or carrying appliances used in conjunction with the premises, shall be carried out wholly within the boundaries of the site, at all times. There shall be no obstruction of any public roadway or footway at any time, without the prior

(Reason: Public safety.)

DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)

87. NOISE - NO AMPLIFIED MUSIC (OU)

Music and other amplified sound played on the premises shall not give rise to offensive noise as defined under the provisions of the Protection of the Environment Operations Act 1997. The sound level output shall not exceed 5 dB(A) above the ambient background level at the received boundary.

Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

(Reason: Environmental amenity.)

88. NOISE - SIGNAGE TO PATRONS EXITING THE PREMISES (OU)

A clearly visible sign shall be permanently erected immediately adjacent to the entry/exit doors indicating that patrons are to leave in an orderly fashion and shall leave the vicinity of the premises in a manner that does not disturb the quiet and good order of the neighbourhood.

(Reason: Public interest.)

89. COMPLAINT RESPONSE (OU)

In the event of a complaint being received from a neighbouring resident with respect to disturbance to the quiet and good order of the neighbourhood, hotel management shall respond to such a complaint in a proactive and effective manner.

(Reason: To maintain neighbourhood amenity)

90. WASTE AND RECYCLING COLLECTION (COMMERCIAL AND INDUSTRIAL) (OU)

- i) The collection of commercial and industrial waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm on weekends and public holidays, to avoid noise disruption to the surrounding area.
- ii) Commercial and industrial garbage and recycling must be collected on site unless expressly agreed to in OC.
- iii) Where consent is given for commercial and industrial garbage and recycling to be placed kerbside for collection bins must not be placed on the kerbside more than one hour before the scheduled collection time. Bins and containers are to be removed from the kerbside within one (1) hour of collection and returned to the designated garbage storage area(s).
- iv) The garbage and recyclable storage area and bins must be adequate to contain the volume and type of garbage and recyclable matter of the food premises.
- v) All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.
- vi) Recycling options must be provided for all commercially recyclable waste products including but not limited to paper, cardboard, oil, food waste, plastics, metals, chemicals etc.

(Reason: To regulate noise and garbage collection arrangements.)

91. CONTROL OF LITTER (OU)

**DA2018/032-195 Parramatta Road, Homebust West
Lot 1 DP 34615 (Cont'd)**

The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or public area adjacent to the premises is maintained in a clean and tidy condition.

A litter management plan must be included with all applications, litter management plan must include the below:

- i) All steps being taken to prevent, reduce and collect any litter produced by the site
- ii) Measures such as cleaner to conduct litter collection within a 50m radius to be included.

(Reason: To manage litter throughout the LGA.)

ATTACHMENTS

1. [↓](#) Architecturals

WENTWORTH HOTEL

195 PARRAMATTA ROAD

STRATHFIELD COUNCIL
RECEIVED

AMENDED PLANS

DA2018/032
31 August 2018

| SHEET NUMBER | SHEET NAME |
|--------------|-----------------|
| DA-000 | COVER SHEET |
| DA-010 | SITE ANALYSIS |
| DA-011 | SITE PLAN |
| DA-012 | DEMOLITION PLAN |
| DA-098 | BASEMENT 2 |
| DA-099 | BASEMENT 1 |
| DA-100 | GROUND FLOOR |
| DA-101 | LEVEL 1 |
| DA-102 | LEVEL 2 & 3 |
| DA-104 | LEVEL 4 |
| DA-105 | ROOF PLAN |
| DA-200 | ELEVATIONS |
| DA-300 | SECTIONS |
| DA-301 | STREETSCAPES |
| DA-302 | SECTIONS 2 |
| DA-400 | SHADOW ANALYSIS |
| DA-500 | GFA / FSR PLANS |
| DA-800 | PHOTOMONTAGE |
| DA-801 | 3D VIEWS |

DA NEGOTIATION

- BUILDING ADJUSTED TO PROVIDE 3m SETBACK ALONG PARK RD.
- ADDITIONAL DEEP SOIL TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD.
- REMOVAL OF 9 ROOMS (3 ON EACH LEVEL) TO PROVIDE 3m SETBACK ALONG PARK RD.
- NEW BLADE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING.
- ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL.
- "ONE" TEXT SIGN ADDED FOR ENTRY STATEMENT + ADDRESS.
- SIGNAGE ADDED TO BALCONY WALLS TO CREATE LOADING AREA ENTRY STATEMENTS.
- SHADOWS IMPROVED AS A RESULT OF 3m SETBACK ALONG PARK RD.
- GFA REDUCED AS A RESULT OF 3m SETBACK ALONG PARK RD.
- ADDITIONAL 3D VIEWS PROVIDED.



1 3D VIEW -



LOCATION PLAN

EXISTING WENTWORTH HOTEL
NOT A PART OF THIS DA

EXTENT OF PROPOSED
DEVELOPMENT

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DEVELOPMENT APPLICATION

DA 2018/032 - 195 PARRAMATTA ROAD
RECEIVE ANY DISCREPANCIES IN DOCUMENTATION TO ARCHITECT.
THIS DRAWING IS FOR THE PURPOSES OF COUNCIL APPROVAL AND IS SUBJECT TO ANY VARIATION FOR CONSTRUCTION.

| NO. | DATE | PURPOSE OF ISSUE |
|-----|------------|----------------------------|
| 1 | 2018/08/31 | ISSUE FOR COUNCIL APPROVAL |
| 2 | 2018/08/31 | ISSUE FOR DA |
| 3 | 2018/08/31 | ISSUE FOR DA |

NOTES

PROJECT
WENTWORTH HOTEL
195 PARRAMATTA ROAD

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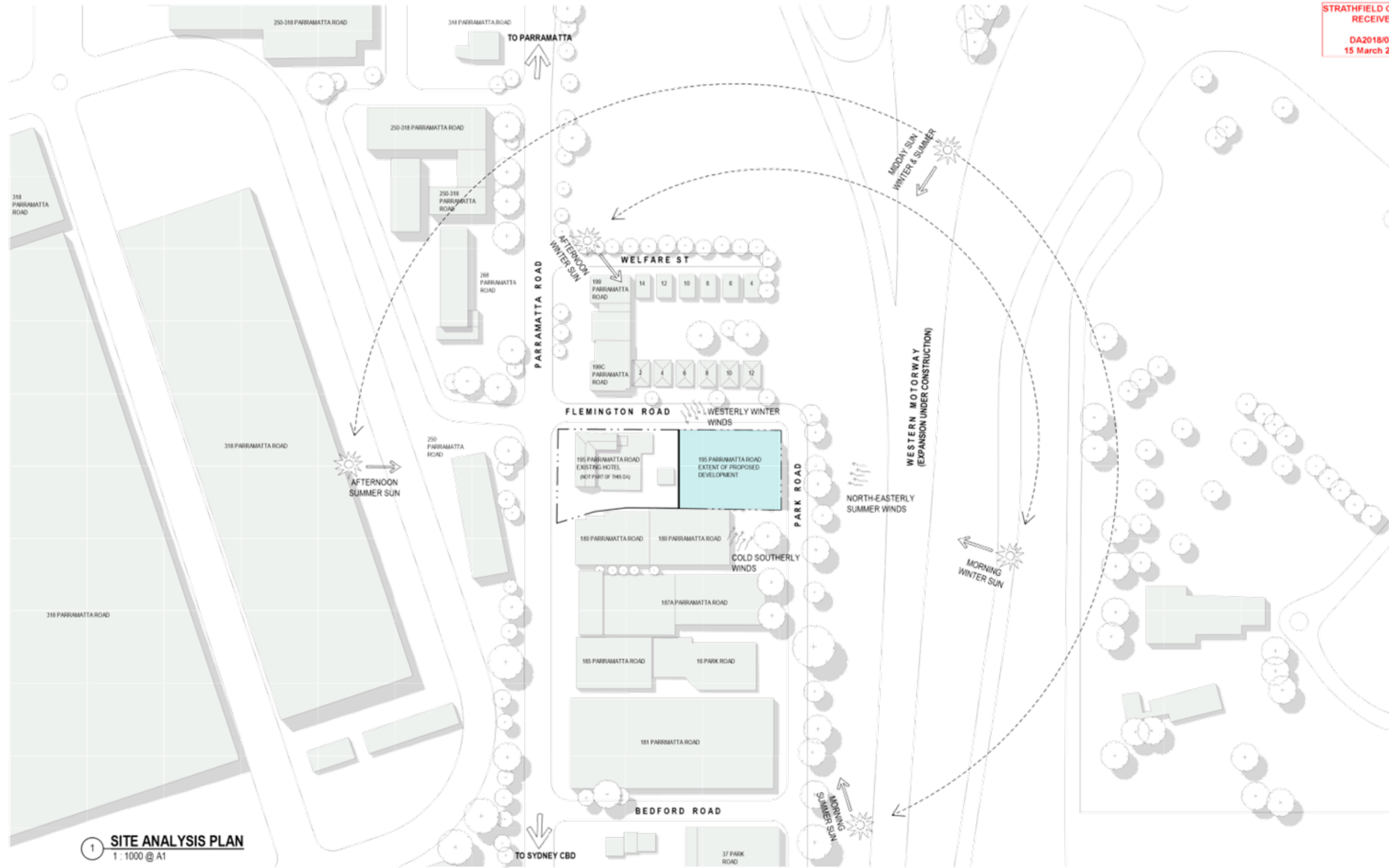
NOMINATED ARCHITECT
Squillace Architects Pty Ltd, ABN 60 629 170 916
2018/08/31 - 3611/2223B

DRAWING NO. **DA-000** TITLE **C** DTP NO. **IR1512**

DRAWN BY **FO** CHECKED BY **SC** SCALE **N.T.S.** DATE **10.08.18**

DRAWING TITLE **COVER SHEET**

STRATHFIELD COUNCIL
RECEIVED
DA2018/032
15 March 2018



1 SITE ANALYSIS PLAN
1 : 1000 @ A1

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STATUS
DEVELOPMENT APPLICATION
part of suite of plans, ready for submission to council. Please refer to any conditions in your agreement to the Squillace Electronic Transfer to www.squillace.com.au

| NO. | DATE | ISSUE FOR | PURPOSE OF ISSUE |
|-----|----------|--------------|------------------|
| 1 | 08.02.18 | ISSUE FOR DA | |
| 2 | 15.02.17 | ISSUE FOR DA | |
| 3 | | | |



PROJECT
WENTWORTH HOTEL
195 PARRAMATTA ROAD

CLIENT
Iris Capital

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ANU: 54 537 620 538

NOMINATED ARCHITECT
11/11/18 (Sydney Reg. No. 6408 P/2018)
2018/1/18 (Melb Reg. No. 6408 P/2018)

DRAWING NO.
DA-010

ISSUE
B

JOB NO.
IR11512

DRAWN BY
SOA

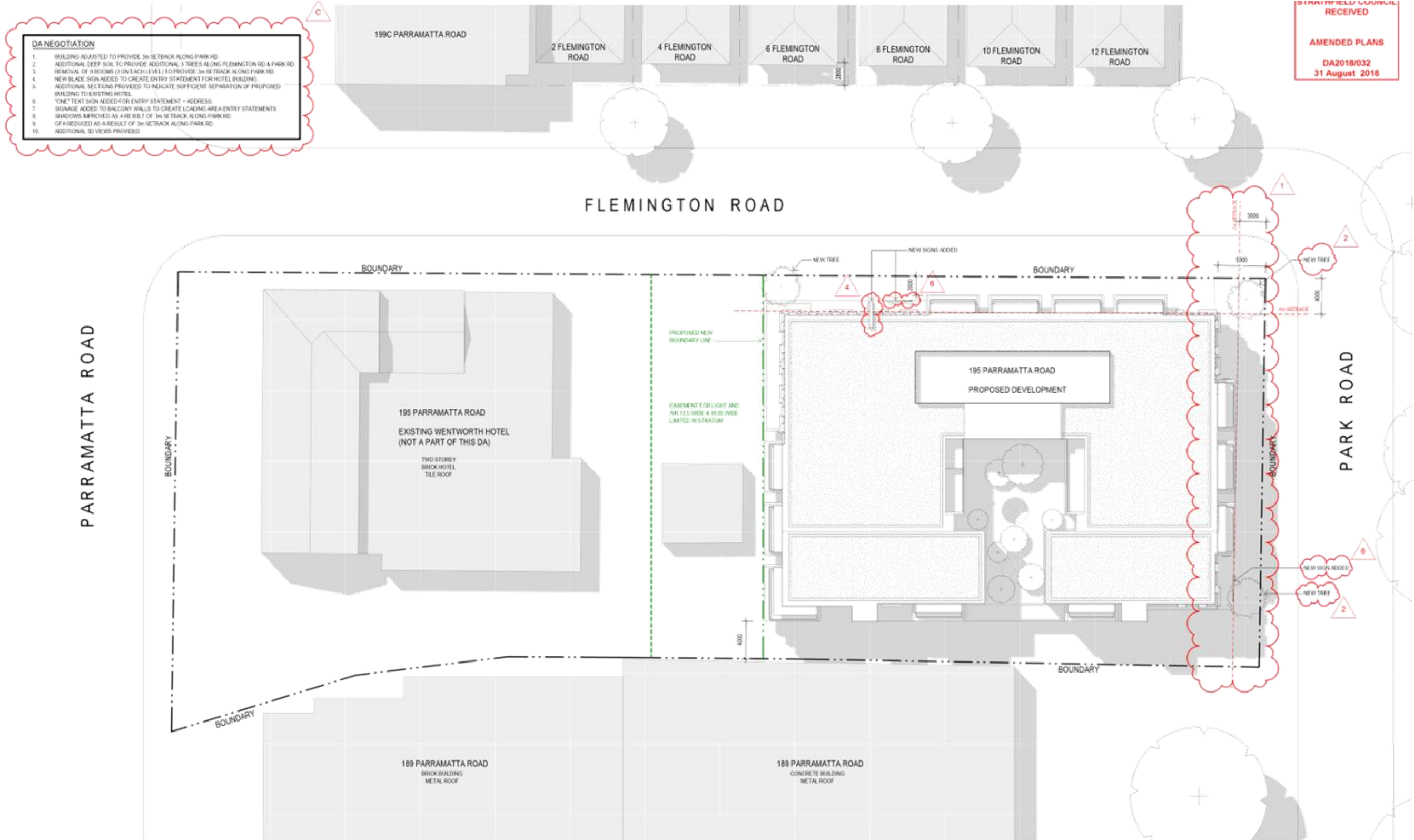
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SC

SCALE
1 : 1000 @ A1

DATE
08.03.18

DRAWING TITLE
SITE ANALYSIS

STRATHFIELD COUNCIL
RECEIVED
AMENDED PLANS
DA2018/032
31 August 2018



1 SITE PLAN
1:200 @ A1

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STATE OF
DEVELOPMENT APPLICATION
For the purpose of section 159 of the Environmental Planning and Assessment Act 1979, the following development is proposed. This drawing is for the purpose of council approval and is not to be used for construction.

| NO. | DATE | PURPOSE OF ISSUE |
|-----|----------|---------------------------------|
| 1 | 2018/08 | ISSUE FOR CONCEPT APPROVAL ONLY |
| 2 | 28/02/18 | ISSUE FOR DA |
| 3 | 16/02/17 | ISSUE FOR DA |



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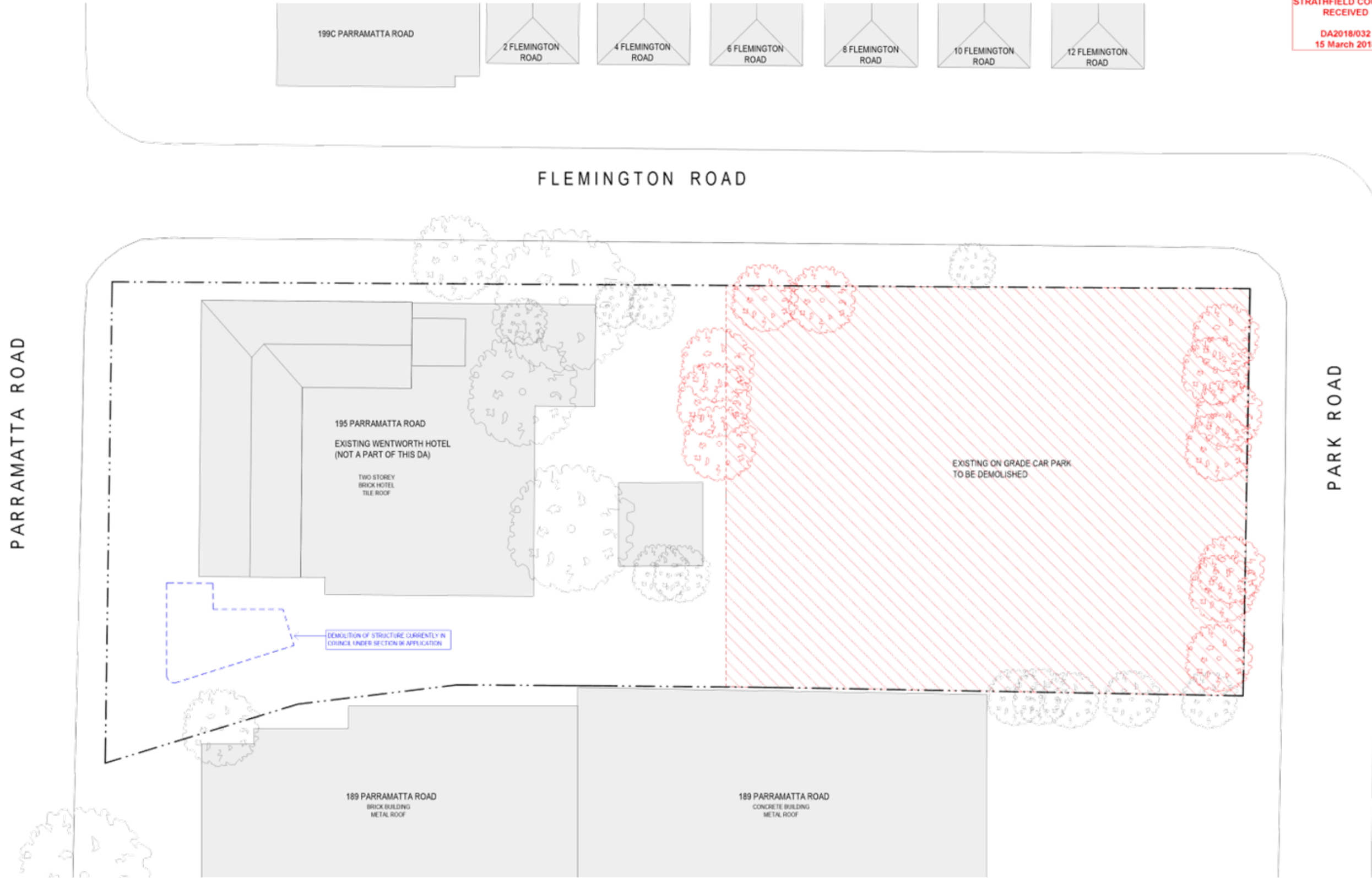
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2/145 GOSWOLD ST, SYDNEY NSW 2000

DRAWING NO. **DA-011** TITLE **C** JOB NO. **IR1512**

DRAWN BY **FO** CHECKED BY **SC** SCALE **1:200 @ A1** DATE **10.08.18**

DRAWING TITLE **SITE PLAN**

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DA2018/032
15 March 2018



1 DEMOLITION PLAN
1:200 @ A1

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STATE DEVELOPMENT APPLICATION
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| NO. | DATE | ISSUE FOR DA | PURPOSE OF ISSUE |
|-----|----------|--------------|------------------|
| 1 | 08.02.18 | ISSUE FOR DA | |
| 2 | 15.02.17 | ISSUE FOR DA | |



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NOMINATED ARCHITECT
11/11/13/1311 (100/100 Melbourne VIC 3000)
PH: +61 3 9629 4888 FAX: +61 3 9649 1944
ANZ: 54 537 620 538

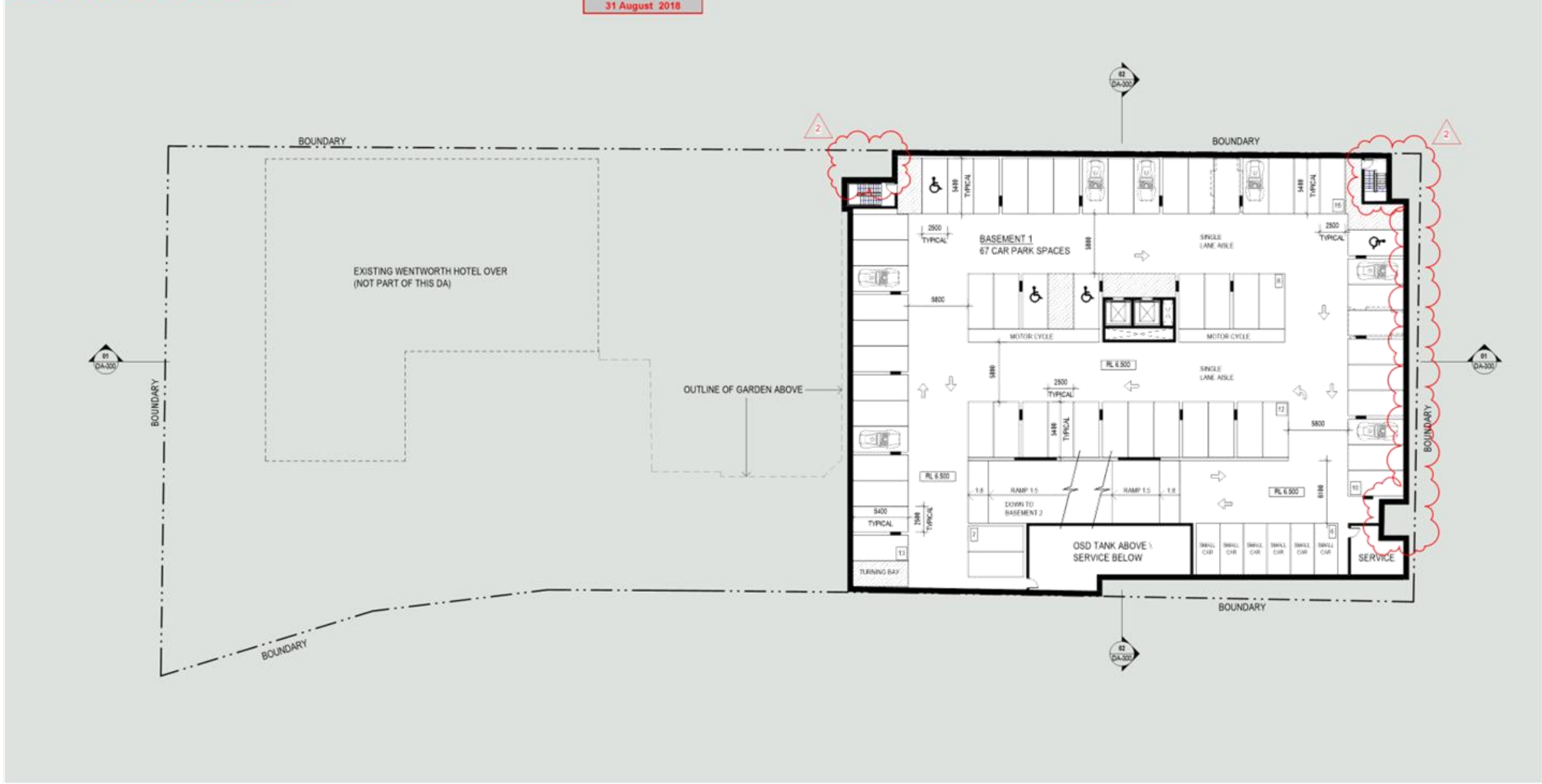
DRAWING NO.
DA-012
ISSUE
B
JOB NO.
IR11512
DRAWN BY
SOA
CHECKED BY
SC
SCALE
1:200 @ A1
DATE
08.03.18
DRAWING TITLE
DEMOLITION PLAN

- DA NEGOTIATION**
- BUILDING ADJUSTED TO PROVIDE 3m SE TRACK ALONG PARK RD
 - ADDITIONAL DEEP SOIL TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD
 - REMOVAL OF 9 ROOMS (2 ON EACH LEVEL) TO PROVIDE 3m SE TRACK ALONG PARK RD
 - NEW BLADE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING
 - ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL
 - "ONE" TEXT SIGN ADDED FOR ENTRY STATEMENT - ADDRESS
 - SIGNAGE ADDED TO BALCONY WALLS TO CREATE LOADING AREA ENTRY STATEMENTS
 - SHADOWS IMPROVED AS A RESULT OF 3m SE TRACK ALONG PARK RD
 - OFA REDUCED AS A RESULT OF 3m SE TRACK ALONG PARK RD
 - ADDITIONAL 3D VIEWS PROVIDED

**STRATHFIELD COUNCIL
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AMENDED PLANS

DA2018/032
31 August 2018



1 BASEMENT -1
1 : 200 @ A1

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| NO. | DATE | PURPOSE OF ISSUE |
|-----|----------|-------------------------------|
| C | 20/08/18 | ISSUE FOR COUNCIL NEGOTIATION |
| A | 18/08/18 | ISSUE FOR DA |
| A | 15/07/18 | ISSUE FOR DA |
| R2 | 04/12/17 | ISSUE FOR CONSULTANTS |
| R1 | 19/11/17 | ISSUE FOR CONSULTANTS |



PROJECT
WENTWORTH HOTEL
195 FARRIMATA ROAD

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DRAWING NO.
DA-099

TITLE
C

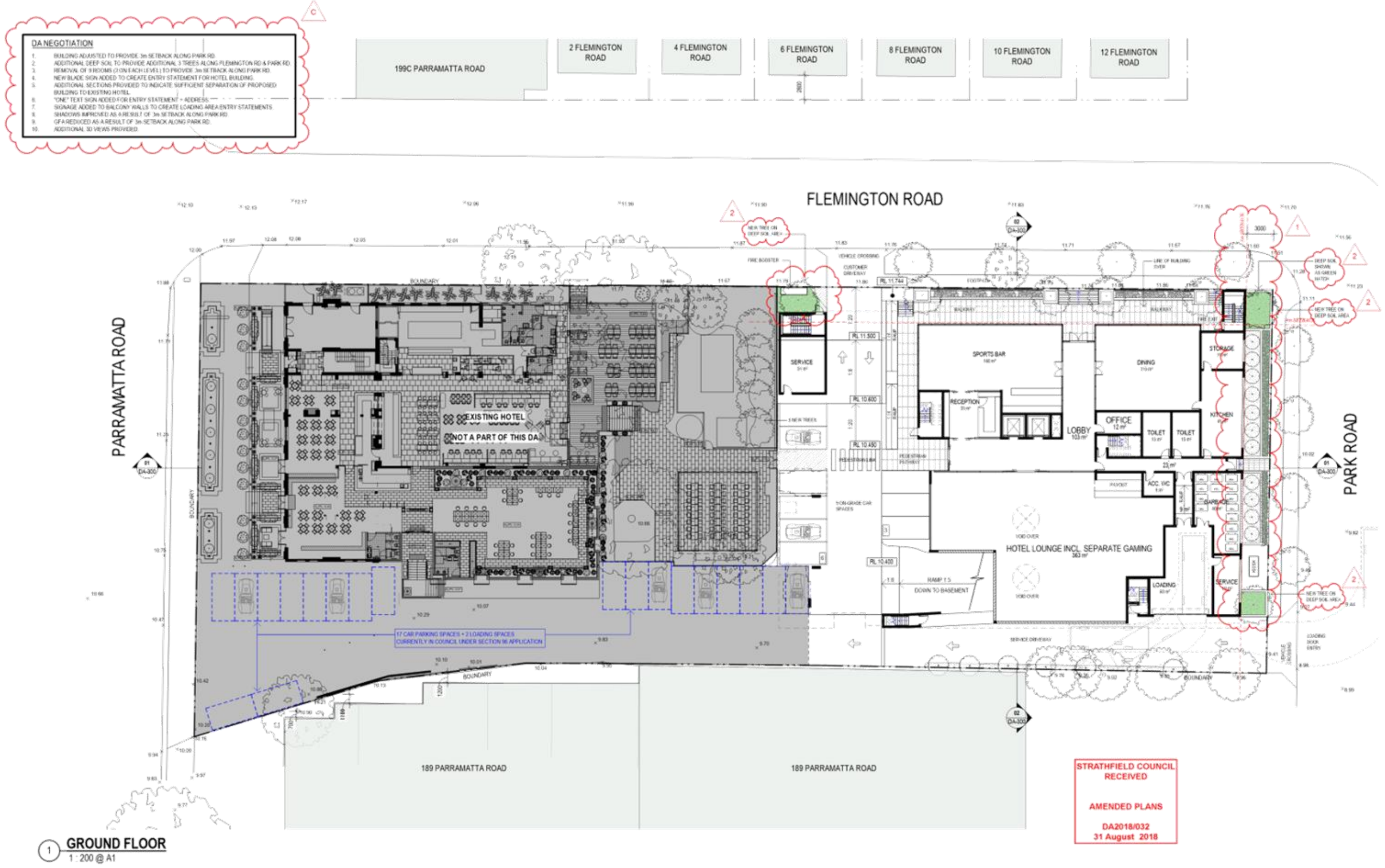
DATE
10.08.18

SCALE
1 : 200 @ A1

DRAWN BY
FO

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SC

DRAWING TITLE
BASEMENT 1



1 GROUND FLOOR
1:200 @ A1

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| NO. | DATE | PURPOSE OF ISSUE |
|-----|----------|-------------------------------|
| C | 20/08/18 | ISSUE FOR COUNCIL NEGOTIATION |
| H | 08/09/18 | ISSUE FOR DA |
| A | 15/02/17 | ISSUE FOR DA |
| R2 | 04/12/17 | ISSUE FOR COUNCIL DA |
| R1 | 16/11/17 | ISSUE FOR COUNCIL DA |



PROJECT
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199C PARRAMATTA ROAD

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2020B-VAO-18071-0223B

DRAWING NO. DA-100
TITLE C
DATE 10.08.18

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SCALE 1:200 @ A1
DRAWING TITLE GROUND FLOOR



1 LEVEL 1
1:200 @ A1

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| NO. | DATE | ISSUE FOR COUNCIL NEGOTIATION | PURPOSE OF ISSUE |
|-----|----------|-------------------------------|------------------|
| C | 20/08/18 | ISSUE FOR COUNCIL NEGOTIATION | |
| A | 18/08/18 | ISSUE FOR DA | |
| A | 15/07/18 | ISSUE FOR DA | |
| R2 | 04/12/17 | ISSUE FOR CONSULTANTS | |
| R1 | 19/11/17 | ISSUE FOR CONSULTANTS | |



PROJECT
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199C PARRAMATTA ROAD

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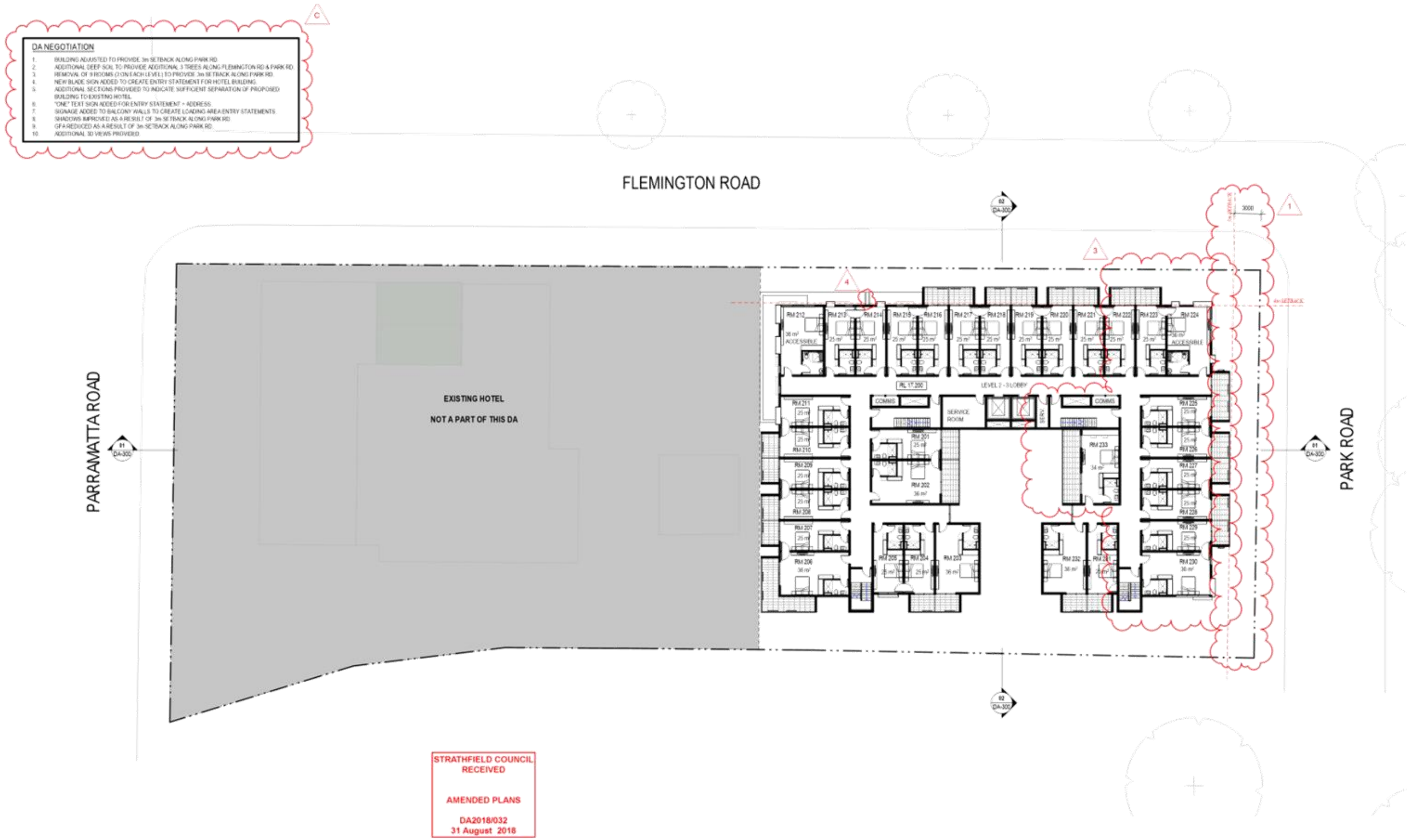
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DRAWING NO. DA-101
ISSUE C
DATE 10.08.18

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DRAWING TITLE LEVEL 1



1 LEVEL 2 & 3
1 : 200 @ A1

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STATE OF DEVELOPMENT APPLICATION

DA2018/032
31 August 2018

NOTES

1. 2018/032 - IRIS CAPITAL ASSOCIATES PTY LTD
2. 2018/032 - ISSUE FOR DA
3. 2018/032 - ISSUE FOR DA
4. 2018/032 - ISSUE FOR DA

DATE: 31/08/2018



PROJECT
WENTWORTH HOTEL
135 PARRAMATTA ROAD

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Sydney NSW 2000
2018/032 - 30/08/2018

DRAWING NO.
DA-102

SCALE
1 : 200 @ A1

DATE
10.08.18

ISSUE NO.
IR1512

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FO

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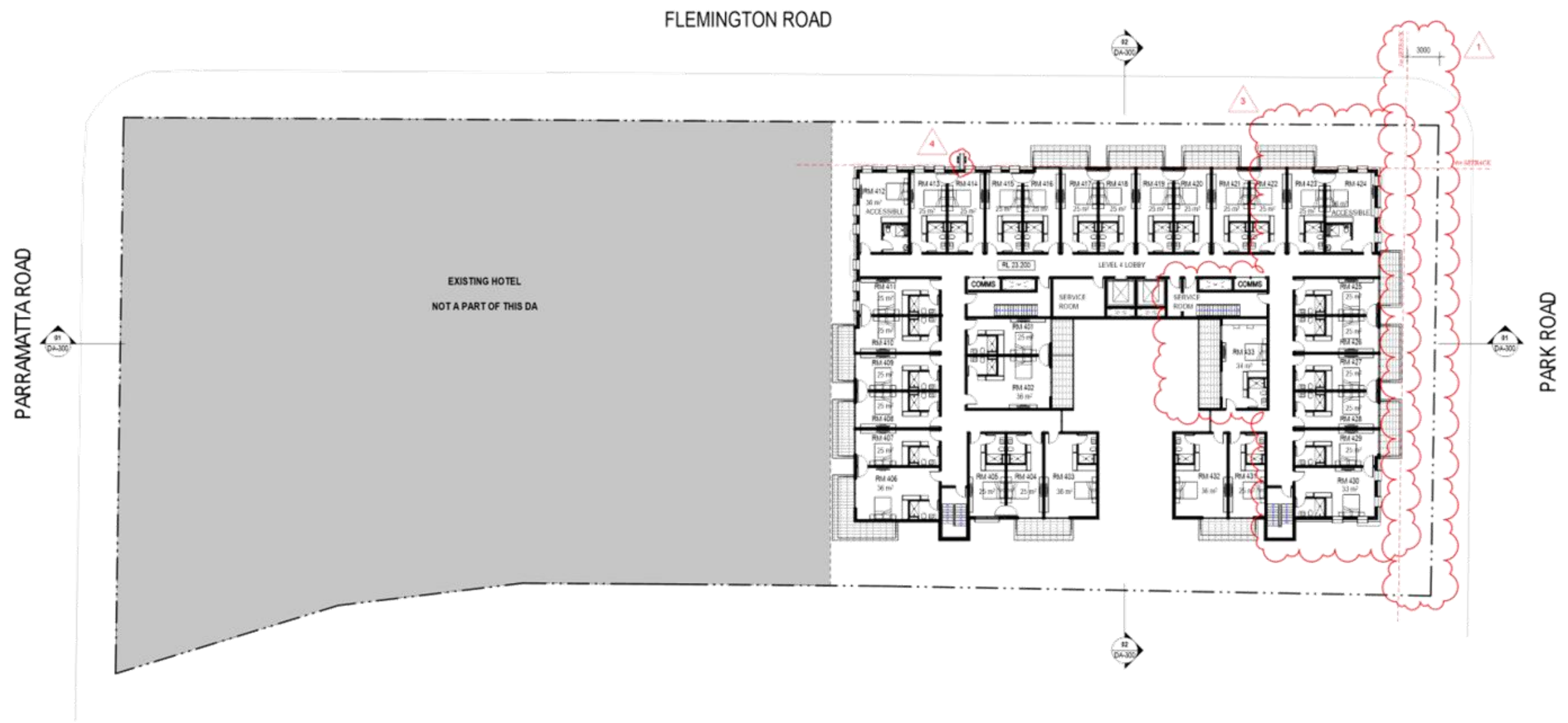
DRAWING TITLE
LEVEL 2 & 3

- DA NEGOTIATION**
- BUILDING ADJUSTED TO PROVIDE 3m SETBACK ALONG PARK RD.
 - ADDITIONAL DEEP SOIL TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD.
 - REMOVAL OF 9 ROOMS (2 ON EACH LEVEL) TO PROVIDE 3m SETBACK ALONG PARK RD.
 - NEW BLADE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING.
 - ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL.
 - "ONE" TEXT SIGN ADDED FOR ENTRY STATEMENT - ADDRESS.
 - SIGNAGE ADDED TO BALCONY WALLS TO CREATE LOADING AREA ENTRY STATEMENTS.
 - SHADOWS IMPROVED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - CFR REDUCED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - ADDITIONAL 3D VIEWS PROVIDED.

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DA2018/032
31 August 2018



1 LEVEL 4
1 : 200 @ A1



STATE OF DEVELOPMENT APPLICATION

For further details, refer to Development Application DA2018/032. Refer to the attached DA documentation for details. This drawing is for the purpose of council approval and is not suitable for construction.

| NO. | DATE | PURPOSE OF ISSUE |
|-----|------------|--------------------------------|
| C | 2018/08/18 | ISSUE FOR CONCEPT PROVISION ON |
| S | 08/05/18 | ISSUE FOR RFA |
| A | 05/10/17 | ISSUE FOR DA |
| R | 04/10/17 | ISSUE FOR CONCEPT PLAN |
| SC | 04/17 | PURPOSE OF ISSUE |



PROJECT
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DRAWING NO. **DA-104** TITLE **C** JOB NO. **IR1512**

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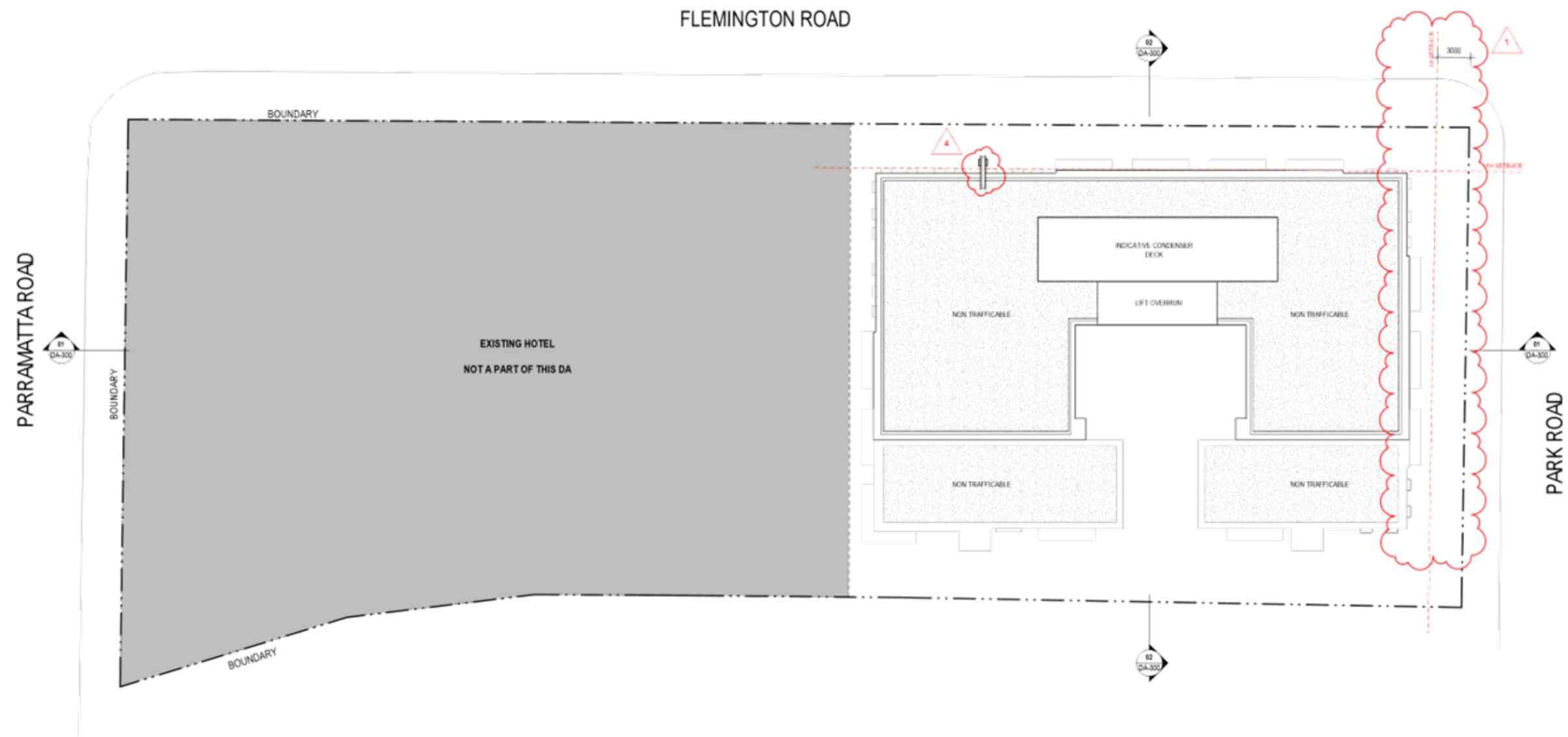
DRAWING TITLE **LEVEL 4**

- DA NEGOTIATION**
- BUILDING ADJUSTED TO PROVIDE 3m SETBACK ALONG PARK RD.
 - ADDITIONAL DEEP SOIL TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD.
 - REMOVAL OF 9 ROOMS (2 ON EACH LEVEL) TO PROVIDE 3m SETBACK ALONG PARK RD.
 - NEW BLADE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING.
 - ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL.
 - "ONE" TEXT SIGN ADDED FOR ENTRY STATEMENT + ADDRESS.
 - SIGNAGE ADDED TO BALCONY WALLS TO CREATE LOADING AREA ENTRY STATEMENTS.
 - SHADOWS IMPROVED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - OFA REDUCED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - ADDITIONAL 3D VIEWS PROVIDED.

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**DA2018/032
31 August 2018**



1 ROOF
1:200 @ A1

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| NO. | DATE | PURPOSE OF ISSUE |
|-----|----------|-------------------------------|
| C | 20/08/18 | ISSUE FOR COUNCIL NEGOTIATION |
| A | 08/02/18 | ISSUE FOR DA |
| A | 25/12/17 | ISSUE FOR DA |
| R2 | 04/12/17 | ISSUE FOR CONSULTANTS |
| R1 | 16/11/17 | ISSUE FOR CONSULTANTS |



PROJECT
WENTWORTH HOTEL
195 PARRAMATTA ROAD

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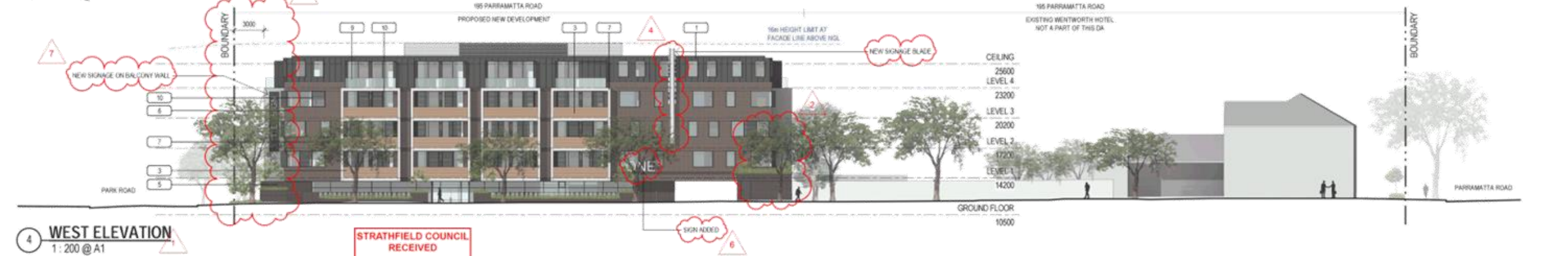
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AMN: 54 137 620 538

NOMINATED ARCHITECT
11/118/16/0000 Reg. No. 6408 (V/19/0)
2018-0-01: 387112218

DRAWING NO. DA-105
VOLUME C
JOB NO. IR1512

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SCALE 1:200 @ A1
DATE 10.08.18

DRAWING TITLE ROOF PLAN



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AMENDED PLANS

DA2018/032

31 August 2018



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DEVELOPMENT APPLICATION

DA2018/032 - 31 August 2018

FOR YOUR INFORMATION: DA2018/032 DA 2018/032

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| NO. | DATE | ISSUE FOR COUNCIL APPROVAL | PURPOSE OF ISSUE |
|-----|----------|----------------------------|------------------|
| 1 | 08/05/18 | ISSUE FOR COUNCIL APPROVAL | |
| 2 | 08/05/18 | ISSUE FOR COUNCIL APPROVAL | |
| 3 | 08/05/18 | ISSUE FOR COUNCIL APPROVAL | |
| 4 | 08/05/18 | ISSUE FOR COUNCIL APPROVAL | |

PROJECT
WENTWORTH HOTEL
195 PARRAMATTA ROAD

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APP: 04 132 044 753

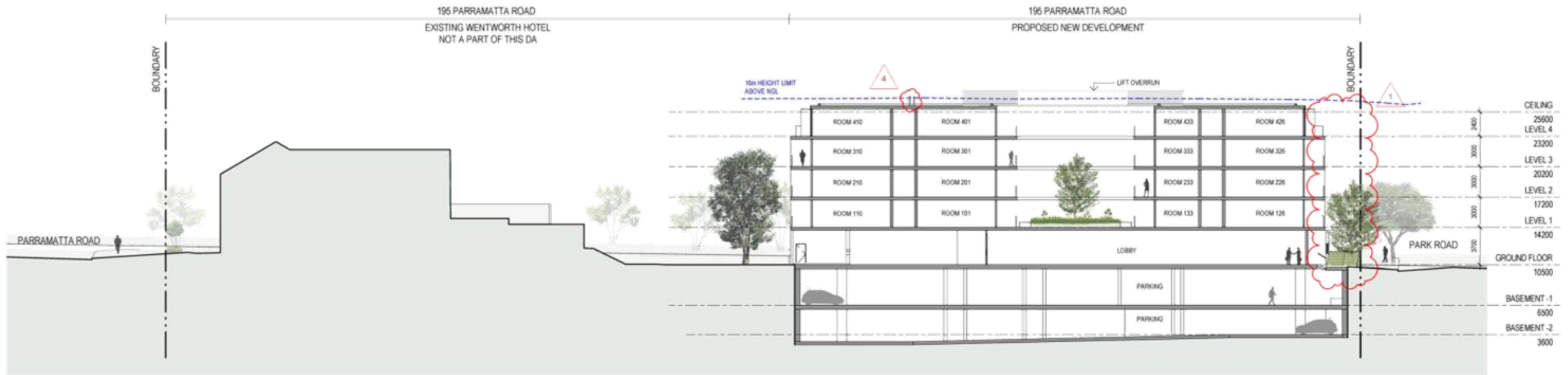
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APP: 04 132 044 753

NOMINATED ARCHITECT
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0413204753

DRAWING NO. **DA-200** TITLE **C** DTP NO. **IR1512**

DRAWN BY **FO** CHECKED BY **SC** SCALE **@ A1** DATE **10.08.18**

DRAWING TITLE **ELEVATIONS**



SECTION 1
1: 200 @ A1

- DA NEGOTIATION**
- BUILDING ADJUSTED TO PROVIDE 3m SETBACK ALONG PARK RD.
 - ADDITIONAL STEEP SLOPE TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD.
 - REMOVAL OF 5 ROOMS (2 ON EACH LEVEL) TO PROVIDE 3m SETBACK ALONG PARK RD.
 - NEW BLADE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING.
 - ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL.
 - "ONE" TEXT SIGN ADDED FOR ENTRY STATEMENT + ADDRESS.
 - SCREENAGE ADDED TO BALCONY WALLS TO CREATE LEADING AREA ENTRY STATEMENTS.
 - SHADOWS IMPROVED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - OFA REDUCED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - ADDITIONAL 3D VIEWS PROVIDED.



SECTION 2
1: 200 @ A1

STRATHFIELD COUNCIL RECEIVED
AMENDED PLANS
DA2018/032
31 August 2018

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STATE OF DEVELOPMENT APPLICATION
DA2018/032
31 August 2018

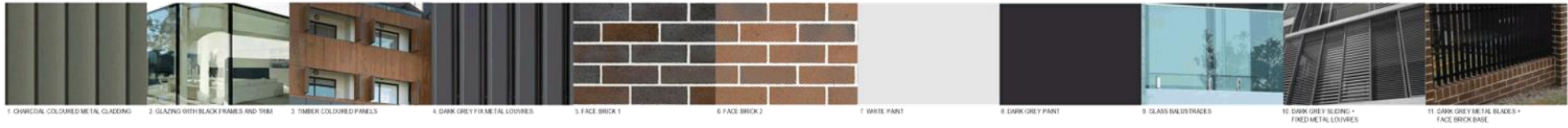
DATE: 31 August 2018
ISSUE: 01
ISSUE FOR: DA

NOTES
1. 1:200 @ A1
2. 1:200 @ A1
3. 1:200 @ A1
4. 1:200 @ A1

PROJECT
WENTWORTH HOTEL
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- DA NEGOTIATION**
- BUILDING ADJUSTED TO PROVIDE 3m SETBACK ALONG PARK RD.
 - ADDITIONAL DEEP SOIL TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD.
 - REMOVAL OF 9 ROOMS (2 ON EACH LEVEL) TO PROVIDE 3m SETBACK ALONG PARK RD.
 - NEW BLADE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING.
 - ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL.
 - "ONE" TEXT SIGN ADDED FOR ENTRY STATEMENT + ADDRESS.
 - SIGNAGE ADDED TO BALCONY WALLS TO CREATE LOADING AREA ENTRY STATEMENTS.
 - SHADOWS IMPROVED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - OF A REDUCED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - ADDITIONAL 30 VIEWS PROVIDED.



1 FLEMINGTON ROAD STREETSCAPE
1:300 @ A1

STRATHFIELD COUNCIL
RECEIVED

AMENDED PLANS

DA2018/032
31 August 2018



2 PARRAMATTA ROAD STREETSCAPE
1:300 @ A1

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Member Australian Institute of Architects

DEVELOPMENT APPLICATION

FOR THE ABOVE DEVELOPMENT, REF ID: DA2018/032 DA 2018/032

Project and documentation in accordance with the provisions of the Local Government Act 1995 and the Building Act 1993.

| NO. | DATE | PURPOSE OF ISSUE |
|-----|---------|--|
| 1 | 2018/08 | ISSUE FOR CONSULTATION WITH IRIS CAPITAL |
| 2 | 2018/08 | ISSUE FOR DA |
| 3 | 2018/08 | ISSUE FOR DA |



PROJECT
WENTWORTH HOTEL
195 PARRAMATTA ROAD

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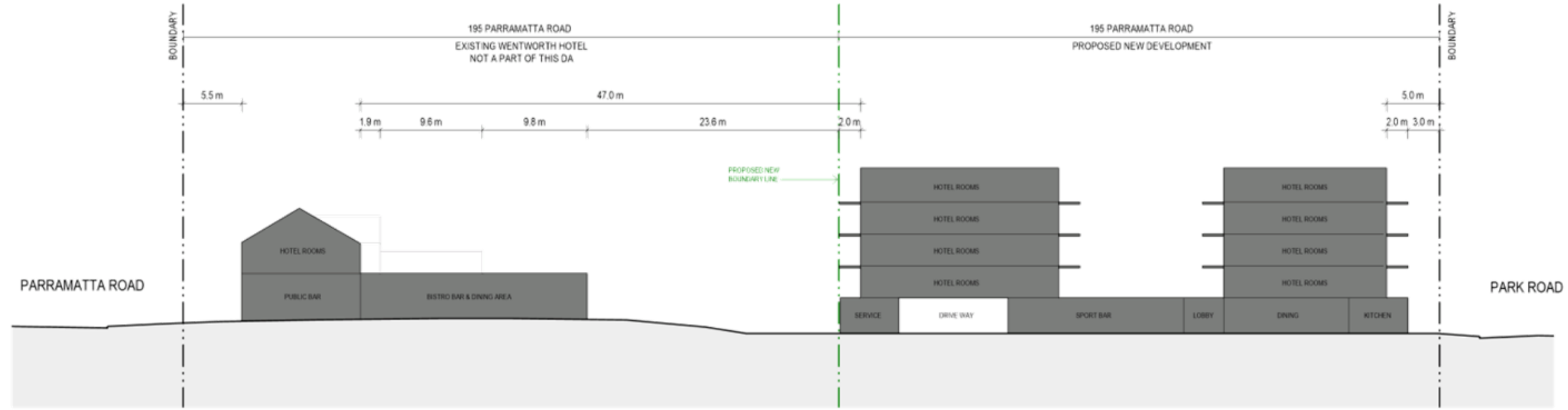
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- DA NEGOTIATION**
- BUILDING ADJUSTED TO PROVIDE 3m SETBACK ALONG PARK RD.
 - ADDITIONAL DEEP SOIL TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD.
 - REMOVAL OF 9 ROOMS (ON EACH LEVEL) TO PROVIDE 3m SETBACK ALONG PARK RD.
 - NEW BLADE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING.
 - ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL.
 - "ONE" TEXT SIGN ADDED FOR ENTRY STATEMENT - ADDRESS.
 - SIGNAGE ADDED TO BALCONY WALLS TO CREATE LOADING AREA ENTRY STATEMENTS.
 - SHADOWS IMPROVED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - CFR REDUCED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - ADDITIONAL 3D VIEWS PROVIDED.

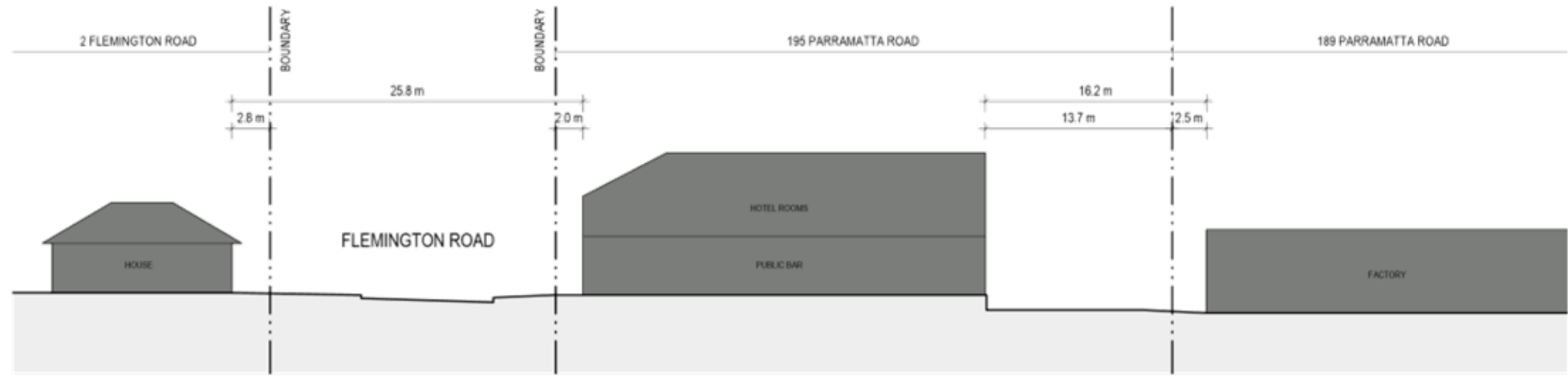
**STRATHFIELD COUNCIL
RECEIVED**

AMENDED PLANS

DA2018/032
31 August 2018



SECTION 3
1:200 @ A1



SECTION 4
1:200 @ A1

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STATE DEVELOPMENT APPLICATION

Part of a suite of plans, forms of development or site. Review any discrepancies in documentation to architect. This drawing is for the purpose of council approval and is subject to no liability for construction.



| NO. | DATE | PURPOSE OF ISSUE |
|-----|----------|---------------------------------|
| 1 | 10/08/18 | ISSUE FOR COUNCIL PERMIT/DA/CDR |

PROJECT
WENTWORTH HOTEL
195 PARRAMATTA ROAD

CLIENT
Iris Capital

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NOMINATED ARCHITECT
1/1111 1/1111 1/1111 1/1111
2/2/2/2 (A/C) 3/3/3/3 (A/C)

DRAWING NO. DA-302

VOLUME A

DATE 10.08.18

SCALE 1:200 @ A1

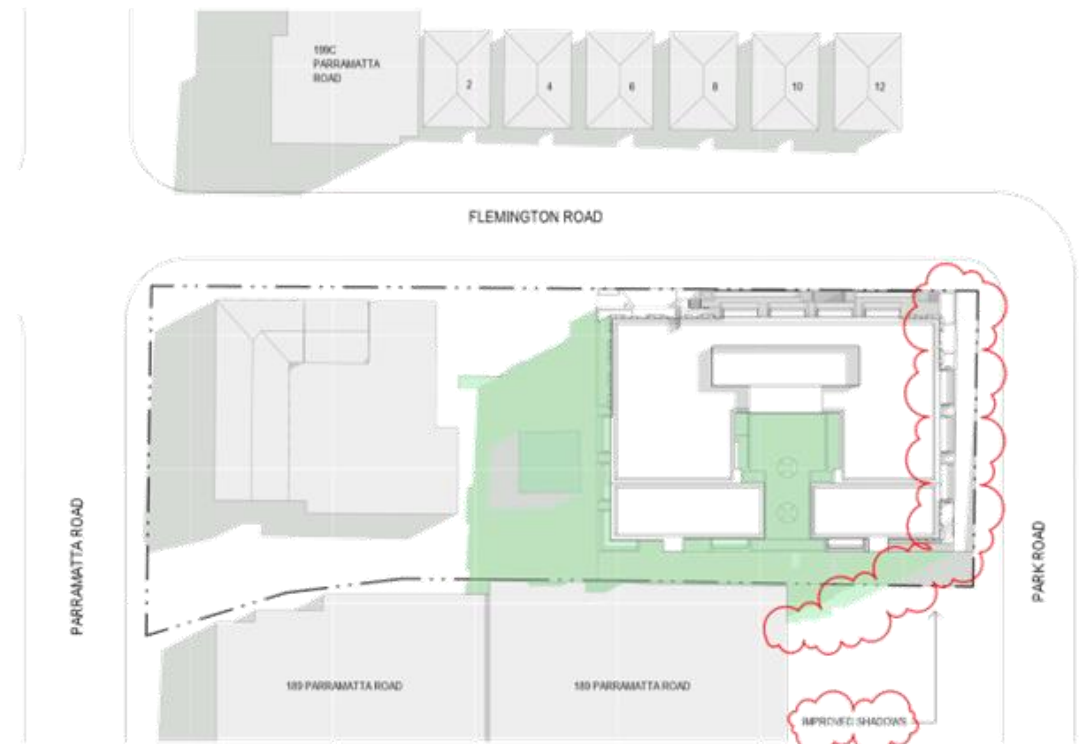
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CHECKED BY SC

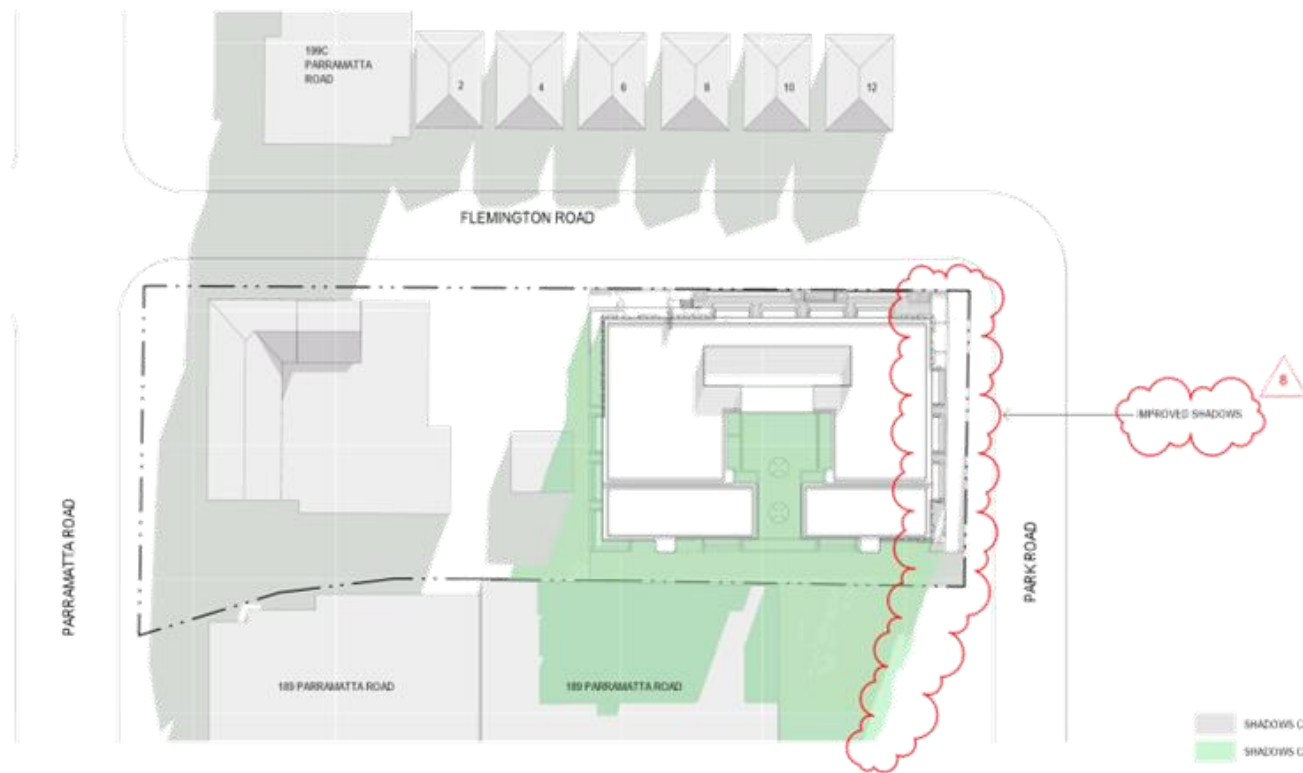
DRAWING TITLE SECTIONS 2



1 SHADOW ANALYSIS 21 JUNE 9AM
1:500 @ A1



2 SHADOW ANALYSIS 21 JUNE 12PM
1:500 @ A1



3 SHADOW ANALYSIS 21 JUNE 3PM
1:500 @ A1

STRATHFIELD COUNCIL
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AMENDED PLANS

DA2018/032
31 August 2018

- DA NEGOTIATION**
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SHADOWS CAST BY EXISTING DEVELOPMENT
SHADOWS CAST BY PROPOSED DEVELOPMENT

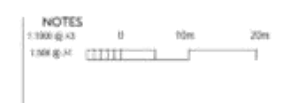


DEVELOPMENT APPLICATION
SEE PLAN FOR DETAILS OF PROPOSED DEVELOPMENT.
FOR MORE INFORMATION, CONTACT THE ARCHITECTS AT 08 9439 6200 OR VISIT WWW.SQUILLACE.COM.AU

NOTES
1:500 @ A1
1:500 @ A1
1:500 @ A1

1: 20/08/18 ISSUE FOR CONSULTATION
2: 28/02/18 ISSUE FOR DA
3: 16/02/17 ISSUE FOR DA

SC DATE PURPOSE OF ISSUE

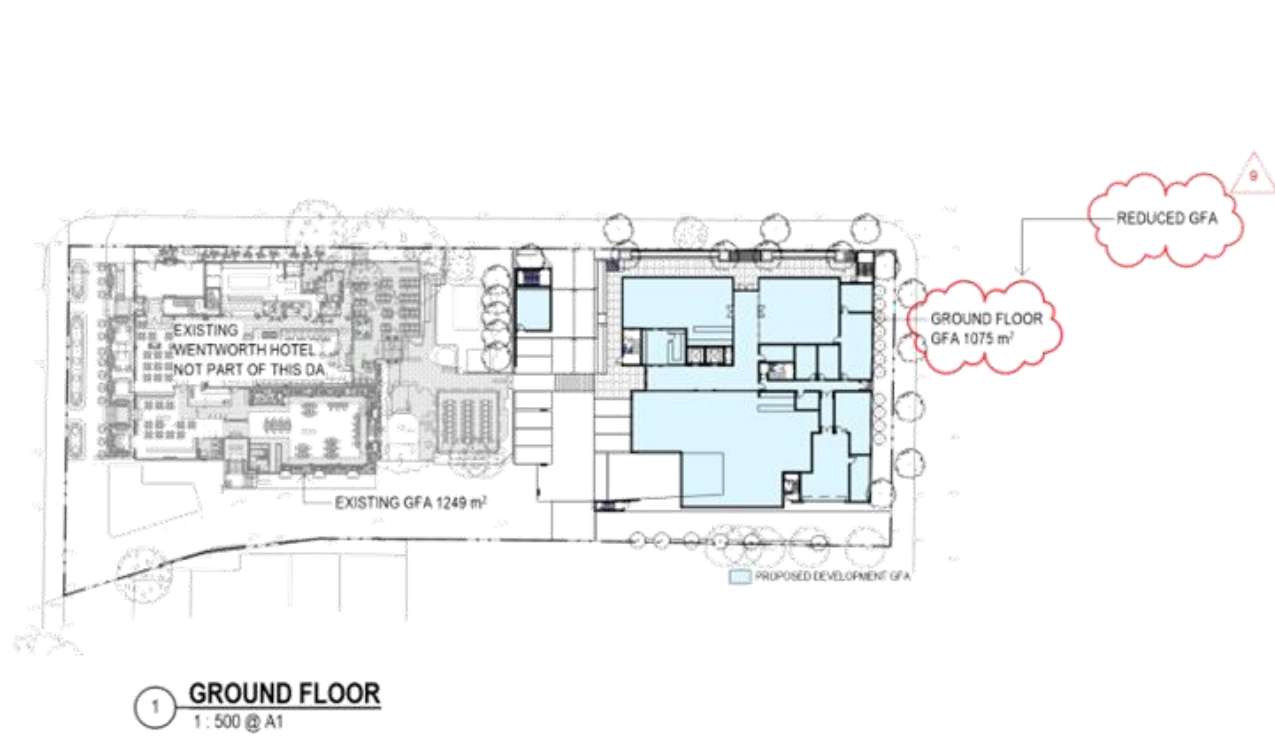


PROJECT
WENTWORTH HOTEL
195 PARRAMATTA ROAD

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- DA NEGOTIATION**
- BUILDING ADJUSTED TO PROVIDE 3m SETBACK ALONG PARK RD.
 - ADDITIONAL DEEP SOIL TO PROVIDE ADDITIONAL 3 TREES ALONG FLEMINGTON RD & PARK RD.
 - REMOVAL OF 9 ROOMS (3 ON EACH LEVEL) TO PROVIDE 3m SETBACK ALONG PARK RD.
 - NEW GLAZE SIGN ADDED TO CREATE ENTRY STATEMENT FOR HOTEL BUILDING.
 - ADDITIONAL SECTIONS PROVIDED TO INDICATE SUFFICIENT SEPARATION OF PROPOSED BUILDING TO EXISTING HOTEL.
 - 'ONE' TEXT SIGN ADDED FOR ENTRY STATEMENT + ADDRESS.
 - SIGNAGE ADDED TO BALCONY WALLS TO CREATE LOADING AREA ENTRY STATEMENTS.
 - WINDOWS IMPROVED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - GFA REDUCED AS A RESULT OF 3m SETBACK ALONG PARK RD.
 - ADDITIONAL 32 VIEWS PROVIDED.

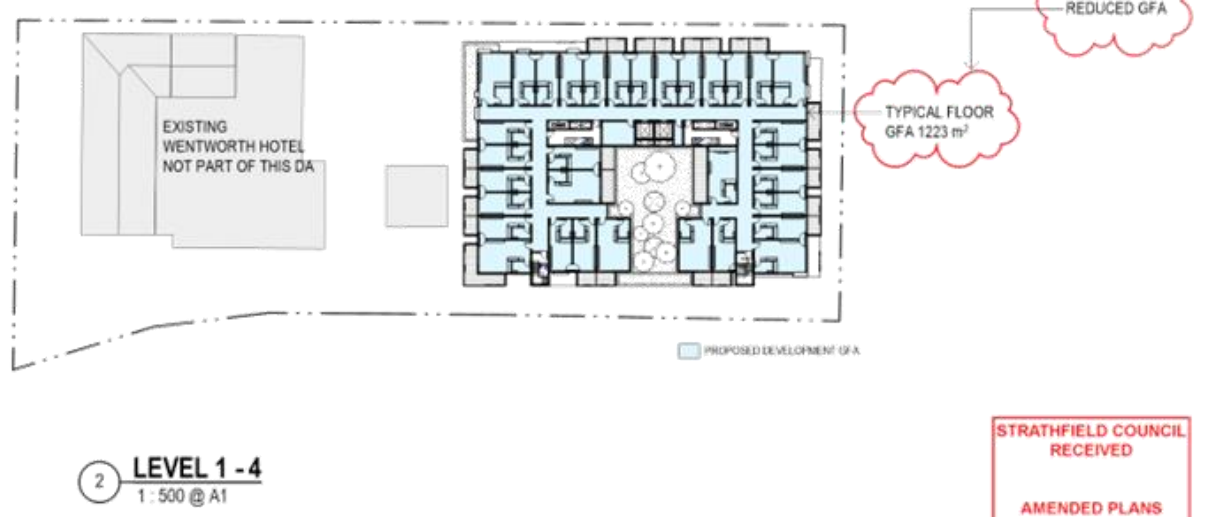
| | |
|---------------------|---|
| SITE AREA | 5390 m ² |
| MAX PERMISSIBLE FSR | 1.5:1 |
| ALLOWABLE GFA | 1.5 x 5390 m ² = 8085 m ² |

EXISTING GFA

| | |
|------------------------|---------------------|
| GROUND FLOOR + LEVEL 1 | 1249 m ² |
|------------------------|---------------------|

PROPOSED DEVELOPMENT GFA

| | |
|-------------------------|--|
| GROUND FLOOR | 1075 m ² |
| LEVEL 1 | 1223 m ² |
| LEVEL 2 | 1223 m ² |
| LEVEL 3 | 1223 m ² |
| LEVEL 4 | 1223 m ² |
| TOTAL | |
| EXISTING + PROPOSED GFA | 7216 m ² |
| EXISTING + PROPOSED FSR | 7216 m ² / 5390 m ² = 1.34 : 1 |
| PROPOSED FSR | 1.34 : 1 |



STRATHFIELD COUNCIL RECEIVED

AMENDED PLANS

DA2018/032

31 August 2018

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STATE OF DEVELOPMENT APPLICATION

DA 2018/032 - 150 FARRAHATTA ROAD, STRATHFIELD NSW

Project and description of development to be undertaken. This drawing is for the purpose of council approval and all such is not suitable for construction.

NOTES

1. 1:500 @ A1

2. 1:500 @ A1

3. 1:500 @ A1

4. 1:500 @ A1

5. 1:500 @ A1

6. 1:500 @ A1

7. 1:500 @ A1

8. 1:500 @ A1

9. 1:500 @ A1

10. 1:500 @ A1



PROJECT

WENTWORTH HOTEL

150 FARRAHATTA ROAD

CLIENT

Iris Capital

squillace

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APP: 04 132 024 753

NOMINATED ARCHITECT

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APP: 04 132 024 753

DRAWING NO. **DA-500**

SCALE **C**

DATE **10.08.18**

DRAWN BY **FO**

CHECKED BY **SC**

SCALE **As indicated @ A1**

DRAWING TITLE **GFA / FSR PLANS**



EXISTING VIEW FROM CORNER OF FLEMINGTON ROAD & PARK ROAD



EXISTING VIEW FROM CORNER OF FLEMINGTON ROAD & PARRAMATTA ROAD



PROPOSED VIEW FROM CORNER OF FLEMINGTON ROAD & PARK ROAD



PROPOSED VIEW FROM CORNER OF FLEMINGTON ROAD & PARRAMATTA ROAD

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STATUS
DEVELOPMENT APPLICATION

DATE OF ISSUE: 08/03/18
 DESIGNER: SQUILLACE ARCHITECTS
 THIS DRAWING IS FOR THE PURPOSE OF COUNCIL APPROVAL AND IS NOT TO BE USED FOR CONSTRUCTION.

9 08/03/18 ISSUE FOR OIA
 14 08/03/18 ISSUE FOR OIA

SC DATE PURPOSE OF ISSUE

NOTES

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PROJECT
 WENTWORTH HOTEL

195 PARRAMATTA ROAD

CLIENT
 Iris Capital

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 11/111 Squillace Way, Box 6408 PLYMOUTH
 31080 VIC 3207

DRAWING NO.
 DA-600

DRAWN BY
 SQA

CHECKED BY
 SC

DRAWING TITLE
 PHOTOMONTAGE

ISSUE
 B

SCALE
 @ A1

DATE
 08.03.18

JOB NO.
 IR11512

**STRATHFIELD COUNCIL
RECEIVED**

AMENDED PLANS

**DA2018/032
31 August 2018**



3 3D View 2



1 3D VIEW - 1



2 3D VIEW - 2

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**STATE OF
DEVELOPMENT
APPLICATION**

FOR THE CONSTRUCTION OF A HOTEL AND RESIDENTIAL DEVELOPMENT AT 195 FARRAMATTA ROAD, STRATHFIELD NSW. Refer to any DISCUSSION DOCUMENTATION TO ARCHITECT. This drawing is for the purpose of council approval and is not suitable for construction.

4. 195 FARRAMATTA ROAD STRATHFIELD NSW
DATE: 10/08/18 PURPOSE OF ISSUE

NOTES

1. 100% @ 1:100
2. 100% @ 1:200
3. 100% @ 1:500

PROJECT
WENTWORTH HOTEL
195 FARRAMATTA ROAD

CLIENT
Iris Capital

squillace

ARCHITECTS
INTERIOR DESIGNERS
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NOMINATED ARCHITECT
Squillace Architects Pty Ltd, ABN 64 008 747 000
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10

DRAWING NO. **DA-601** TITLE **A** JOB NO. **IR1512**

DRAWN BY **FO** CHECKED BY **SC** SCALE **N.T.S.** DATE **10.08.18**

DRAWING TITLE **3D VIEWS**



- Existing trees to be removed
- Existing trees
- Proposed evergreen trees
- Proposed deciduous trees
- Palm
- Straggly leaved plants / succulents
- Dragon tree
- Low shrubs / ornamental grasses
- Screen planting
- Medium shrubs
- Steps up
- Tiles / pavers
- Groundcovers
- Lawn areas
- Concrete
- Walls
- Proposed levels
- Subsoil layer under
- Planting symbol, see schedule sheet 2

PAUL SCRIVENER
ARCHITECTURE

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Project: **Wentworth Hotel, 195 Parkmore Avenue, Sydney, NSW**

Draw: **LANDSCAPE PLAN**

Date: **2.2.18** Scale: **1:100 GA**

Job No: **1701967** Sheet No: **1 of 2**

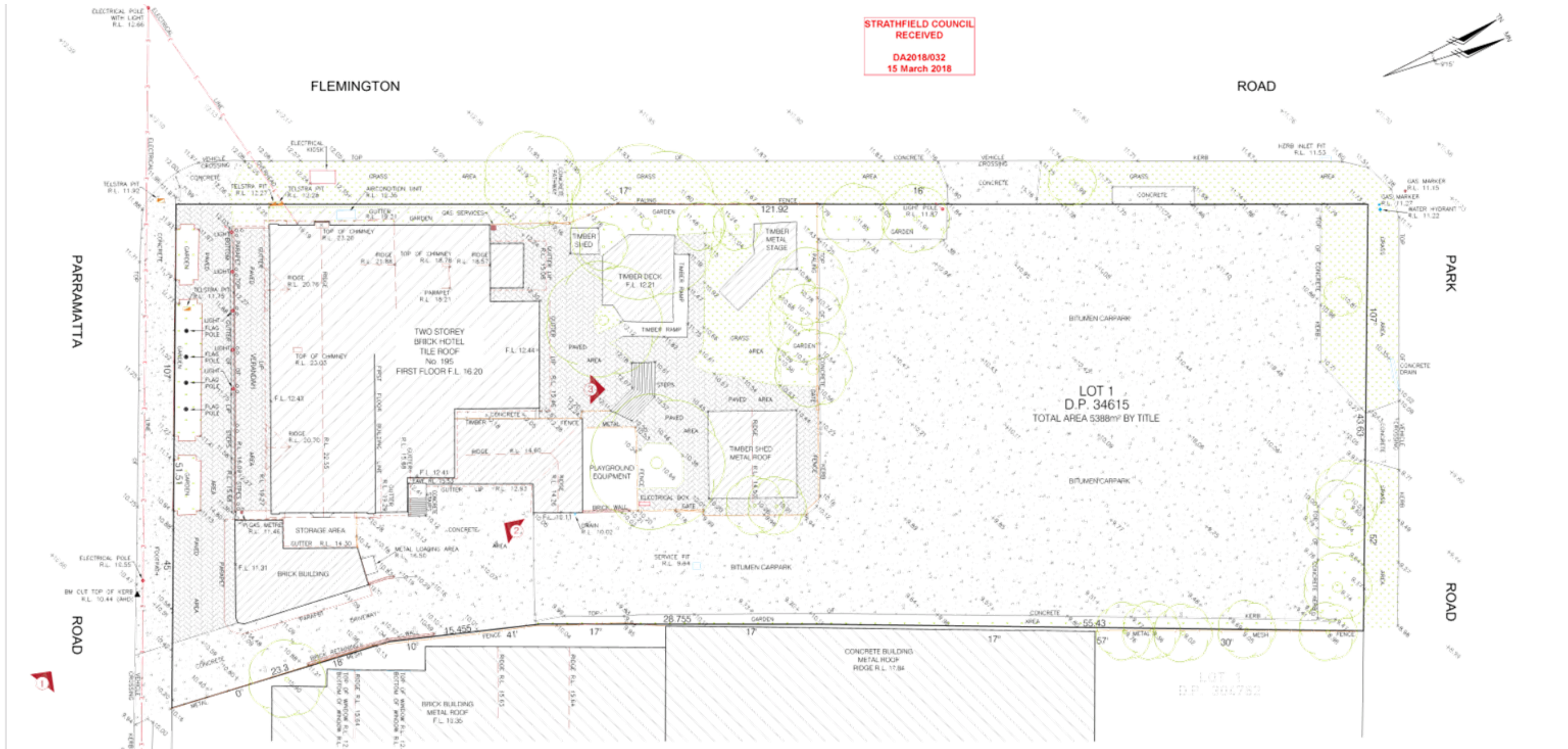
Author: **[Signature]**

Check: **[Signature]**

Approved: **[Signature]**

STRATHFIELD COUNCIL RECEIVED
DA2018/032
4E 28 March 2018

STRATHFIELD COUNCIL
RECEIVED
DA2018/032
15 March 2018



ROUGE R.L. 20.76
TOP OF CHIMNEY R.L. 23.21
GUTTER UP R.L. 19.27

ROUGE R.L. 22.70
PARAPET R.L. 16.09
GUTTER UP R.L. 15.88
GUTTER UP R.L. 19.27



PHOTO LOCATION 1



PHOTO LOCATION 2



PHOTO LOCATION 3

Notes:

- No boundary survey has been undertaken. Bearings and dimensions are from title only and are subject to confirmation by boundary survey.
- Services shown are indicative only. Positions are based on surface indicators located during field survey. Confirmation of the exact position should be made to the relevant authorities prior to any excavation work. Other services may exist which are not shown.
- Levels are based on Australian Height Datum (AHD) using SSM 71408 with a reduced level RL: 62.354 Class LB Order L2
- Ridge, Eave, Gutter, Parapets, Windows & Doors heights have been obtained by an indirect method and are accurate to ± 0.05m.
- Adjoining buildings have been plotted for diagrammatic purposes only.
- Contours are an indication of landform and should not be taken in preference to spot levels shown.
- Contour interval 0.2m

LAWRENCE group
Surveyors & Development Consultants
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Hawesbury NSW 2051 | F: 0200 700 241

| NO. | DESCRIPTION | DATE | LEGEND |
|-----|-------------|------|--------|
| | | | |
| | | | |

CLIENT
WENTWORTH HOTEL

PROJECT
WENTWORTH HOTEL
No. 195 PARRAMATTA ROAD,
FLEMINGTON

TITLE INFORMATION
Lot: 1
D.P. No: 34615
D.P. Title: 1/34615
D.P. Date: STRATHFIELD

QUALITY ASSURANCE
Checked by: GW
Date: 22/02/08
Approved by: GW
Date: 22/02/08

DATE OF SURVEY: 06/02/08
DATE OF PLAN: 23/02/08
DRAWN: JHD
SCALE: 1:200
SHEET: 1 of 1

TO: Strathfield Local Planning Panel Meeting - 1 November 2018
REPORT: SLPP – Report No. 3
SUBJECT: DA2018/080 - 14 FRANCIS STREET, STRATHFIELD
LOT 15 SECTION 1 DP 12467
DA NO. DA2018/080

SUMMARY

Proposal: Demolition of existing structures and construction of new two (2) storey dwelling with basement level, front fence and in-ground swimming pool.

Applicant: Urban Link Pty Ltd

Owner: David and Elizabeth Starr

Date of Lodgement: 6 June 2018

Notification period: 20 June 2018 – 7 July 2018

Submissions received: Two (2)

Assessment officer: LM

Estimated cost of works: \$1,341,628.15

Zoning: R2 Low Density Residential - SLEP 2012

Heritage: N/A

Flood affected: Yes

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The application is for the demolition of existing structures and construction of a new two (2) storey dwelling with basement level, front fence and in-ground swimming pool.
- 2.0 The plans and documentation submitted as part of the application were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005 from 20 June 2018 to 7 July 2018. Two (2) written submissions were received raising concerns in relation to excavation, privacy, landscaping, overshadowing and the streetscape compatibility amongst other things.
- 3.0 The proposal complies with the relevant floor space ratio and the building height standards as prescribed in the SLEP 2012. The proposal also generally satisfies with the relevant provisions of the SCDCP 2005.
- 4.0 It is recommended that the Development Application be approved subject to standard conditions of consent and special conditions that will result in design changes to reflect the privacy and visual bulk concerns raised by neighbouring residents.

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LOT 15 SECTION 1 DP 12467 (Cont'd)

BACKGROUND

12 July 2018

The applicant was requested to submit revised plans and further information addressing the following matters:

- Amendments to the proposed roof form in order to achieve a more sympathetic outcome;
- Reduction of the driveway width;
- A landscape plan including additional deep soil landscaping that demonstrates compliance with Part A of the SCDCP 2005;
- An arborist report including recommended tree protection measures for the mature tree located at the rear of the subject site; and
- A cost of works summary report.

31 July 2018

Amended plans and additional information addressing the concerns raised by Council.

17 October 2018

The applicant was requested to submit revised plans addressing the excessive height between the proposed and existing ground floor level. The revised plans submitted on the same day resolved this concern by ensuring that the ground floor level is no more than 1m above the existing site level.

18 October 2018

The applicant was requested to further clarify the floor space of the proposal. Floor space ratio calculations and drawings submitted on the same day resolved this concern by demonstrating compliance with the relevant standard.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 15, Section 1 DP 12467 and is commonly known as 14 Francis Street, Strathfield (refer to **Figure 1**). It is located east off the eastern side of Francis Street between Shortland Avenue and Arthur Street. The site is rectangular in shape and has a street frontage of 14.94m and a depth of 50.29m. It is occupied by a single storey dwelling incorporating exposed face brick and a chipped tile roof form (refer to **Figure 2**). To the rear of the site is a public park, comprising of various tree species.

The wider streetscape consists of single and two (2) storey residential dwellings with rendered or exposed face brick work to the exterior and pitched tile roof (**Figures 3-6**).

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LOT 15 SECTION 1 DP 12467 (Cont'd)

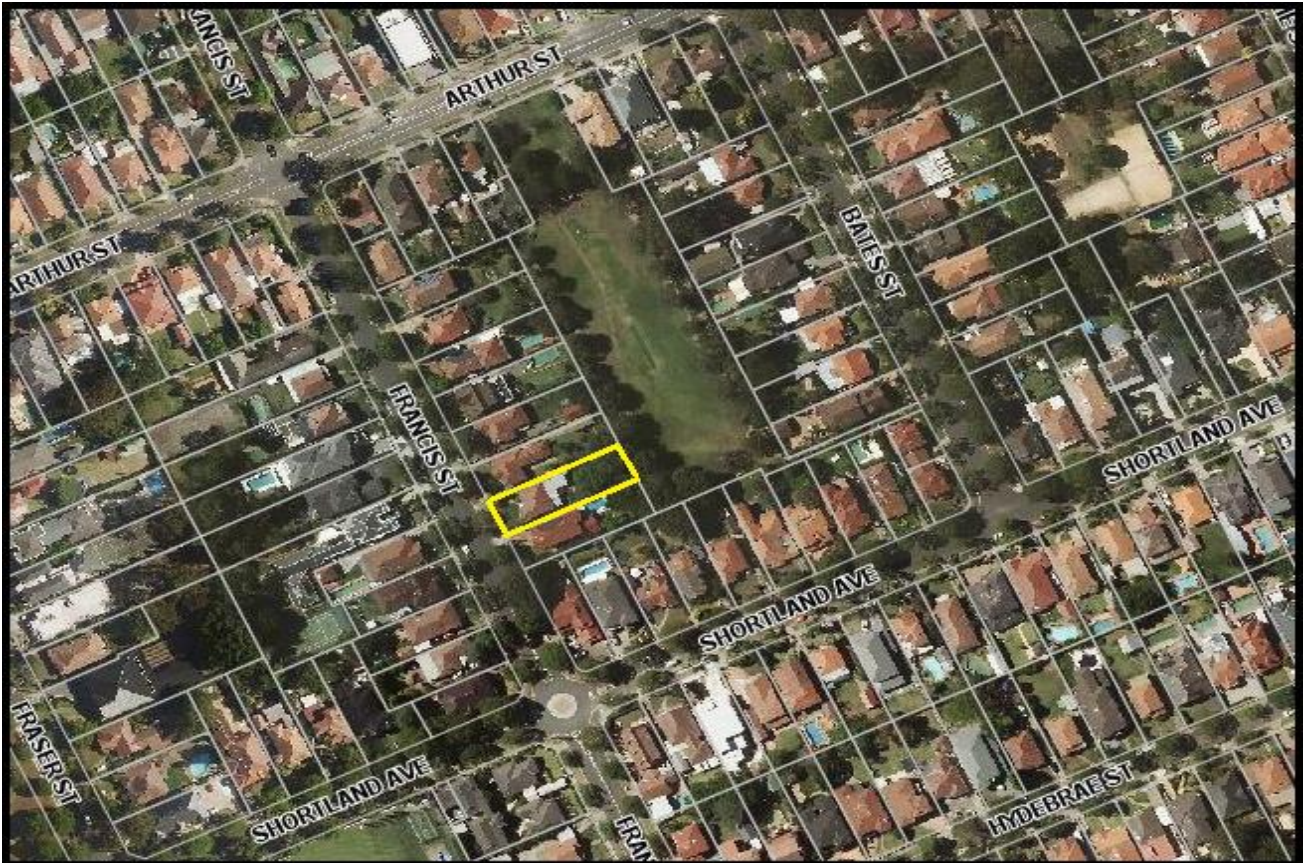


Figure 1: The site as highlighted in yellow and the surrounding context.



Figure 2: The existing residential dwelling located on the subject site.

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LOT 15 SECTION 1 DP 12467 (Cont'd)



Figure 3: A residential dwellings situated in the vicinity of the subject site.



Figure 4: A residential dwellings situated in the vicinity of the subject site.

DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)



Figure 5: 16 Francis Street, Strathfield (neighbouring residential dwelling).



Figure 6: 12 Francis Street, Strathfield (neighbouring residential dwelling).

PROPERTY BURDENS AND CONSTRAINTS

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for the demolition of the existing dwelling and construction of a new two (2) storey dwelling with basement, front fence and in-ground swimming pool. The specific elements of the proposal are:

Basement level:

- Two (2) car parking spaces and associated turning area;

DA2018/080 - 14 Francis Street, Strathfield
 LOT 15 SECTION 1 DP 12467 (Cont'd)

- Pool pump room;
- Service room; and
- Storage room.

Ground floor level:

- Kitchen, dining and family room;
- A bathroom;
- A laundry;
- A study; and
- A theatre room.

First floor level:

- Two (2) ensuites;
- Three (3) bedrooms; and
- A bathroom.

External works:

- Outdoor terrace;
- In-ground swimming pool;
- Outbuilding; and
- A bathroom.

The front elevation of the proposed residential dwelling is shown below in **Figure 7**. A streetscape elevation of the proposed dwelling is shown below in **Figure 8**.



Figure 7: Front elevation of the proposal

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 LOT 15 SECTION 1 DP 12467 (Cont'd)

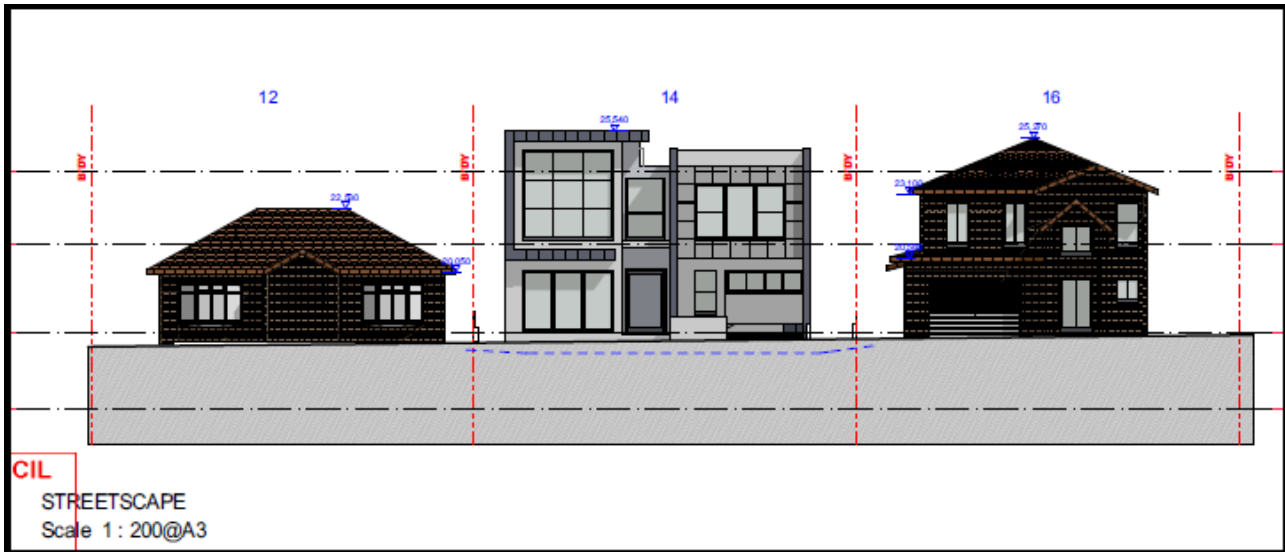


Figure 8: Streetscape elevation of the proposal and neighbouring dwellings.

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Development Control Engineer raises no concerns in terms of the Stormwater Management or Flood risk, subject to the imposition of standard conditions of consent.

Landscaping Comments

Council's Tree Management Officer raised concerns initially over the lack of information submitted regarding the impact of the proposal on existing trees within and in the vicinity of the site.

Following the submission and review of the revised plans and further information, Council's Tree Management Officer raises no significant issues subject to the imposition of standard conditions of consent including tree protection measures and additional tree planting.

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) the provisions of:

- (i) 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 indicating 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

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 LOT 15 SECTION 1 DP 12467 (Cont'd)

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 satisfied.

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

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed Clause 5.9 of SLEP 2012 (Preservation of Trees and Vegetation).

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

The proposal was referred to Council's Tree Management Officer and no objections were raised subject to the imposition of standard conditions of consent.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

| 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> | N/A |
| (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 |

Comments: The existing streetscape comprises of 1-2 storey dwellings with pitched tile roof forms. The proposed development provides an appropriate level of articulation throughout its front and side elevations and is of a compatible bulk and scale, relative to the existing dwelling in the streetscape. Further, the proposal has been designed so as to minimise flood risks to occupants of the dwelling and surrounding properties.

Permissibility

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

'**Dwelling houses**' are permissible within the R2 Low Density Residential Zone and are defined under the SLEP 2012 as follows:

"A building containing only one dwelling."

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 LOT 15 SECTION 1 DP 12467 (Cont'd)

The proposed development being for the purpose of a '**dwelling house**' is consistent with the definition above and is permissible with consent in the R2 Low Density Residential Zone.

Zone Objectives

An assessment of the proposal against the objectives of the R2 Low Density Residential Zone as follows:

| Objectives | Complies |
|--|----------|
| ➤ To provide for 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 proposed development comprising of a two (2) storey residential dwelling achieves the relevant objectives for the R2 Low Density Residential Zone.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions within Part 4 of the SLEP 2012 is provided below.

Height of building

| Cl. | Standard | Required | Proposed | Complies |
|-----|--------------------|------------|----------|----------|
| 4.3 | Height of building | 9.5m (max) | 7.84m | 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 |

Floor space ratio

| Cl. | Standard | Controls | Proposed | Complies |
|-----|-------------------|-----------------------------------|------------------------------------|----------|
| 4.4 | Floor space ratio | 0.575:1 (431.8m ²) | 0.569:1 (427.83m 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 | N/A |
| (e) In relation to Strathfield Town Centre: <ol style="list-style-type: none"> 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 |

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 LOT 15 SECTION 1 DP 12467 (Cont'd)

Part 5: Miscellaneous Provisions

There are no relevant provisions contained within Part 5 of the SLEP 2012 that are applicable.

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the SLEP 2012 are addressed below:

6.1 Acid sulfate soils

The subject site is identified as having Class 5 acid sulfate soils but is not located within 500m of Class 1, 2, 3 or 4 acid sulfate soils. Accordingly, the proposed development does not trigger the provisions of this Clause and is 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.

6.2 Earthworks

Major excavation works will be required for the basement and in-ground swimming pool. The basement will be confined wholly within the ground floor building footprint of the dwelling, thus minimising risks to soil stability. Appropriate conditions are recommended to ensure the careful management of excavation works during the construction phase of the development.

6.3 Flood planning

The proposed development is located on a site that is affected by the 1 in 100 year flood planning level. The proposal has been designed so as to minimise flood risks to the occupants of the dwelling and surrounding properties. Further, Council's Stormwater Engineer raised no objections to the proposed development, subject to the recommended conditions of consent.

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.

4.15(1)(a)(ii) 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) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

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 |

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 LOT 15 SECTION 1 DP 12467 (Cont'd)

| | | |
|----|---|----------------|
| 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. | No – see below |
| 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. | <i>Streetscape Presentation</i> | | |
| | 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 |
| .2. | <i>Scale, Massing & Rhythm of Street</i> | | |
| | 1 | Scale, massing, bulk and layout complement the existing streetscape and the dominant building rhythm | Yes |
| .3. | <i>Building Forms</i> | | |
| | 1 | Building form articulated. | Yes |
| | 3 | Attic located within roof space of 1 or 2-storey dwelling or garage via internal stairs. | 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 |
| | 3 | First floor additions complement the architectural style of the ground floor and delineate the existing roof form, slope and ridge | Yes |
| | 4 | Roof structures are not visible from the public domain | 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 | |

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 LOT 15 SECTION 1 DP 12467 (Cont'd)

| | | |
|---|--|-----|
| 9 | The external colours integrate harmoniously with the external design of the building | Yes |
|---|--|-----|

Comments: Part A, Section 2 of the SCDCP 2005 requires that all new dwellings are to be sympathetic with other dwellings located within the immediate vicinity. The proposed development is a contemporary design including a flat/parapet form roof form and aluminum clad with rendered external walls. Although flat/parapet roof forms are not consistently prevalent, the proposed dwelling has incorporated finishes that are already used on other dwellings within the wider streetscape (as shown in **Figures 9 and 10**).

It is also evident that some recently constructed dwellings in the vicinity of the site have incorporated flat/parapet roofs on their front facades (as evident in **Figure 11**). Having regard to the similar extreme finishes and front facade treatments of more recently constructed dwellings in the vicinity of the site, the built form of the proposal and particularly its flat/parapet roof forms are acceptable in the circumstances.



Figure 9: A residential dwelling situated in the vicinity of the site with a similar finish to the proposed dwelling.



Figure 10: A residential dwelling situated in the vicinity of the site with a similar finish to the proposed dwelling.

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 LOT 15 SECTION 1 DP 12467 (Cont'd)



Figure 11: A dwelling located directly opposite the subject site with a front façade treatment not dissimilar to the current proposal.

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 |
| <i>Floor Space Ratio</i> | | |
| .1. | 1 Floor Space Ratio permissible pursuant to SLEP 2012 | Yes |
| | 2 Development compatible with the lot size | Yes |
| <i>Building Height</i> | | |
| .2. | 1 Height of building permissible pursuant to SLEP 2012 | Yes |

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 LOT 15 SECTION 1 DP 12467 (Cont'd)

| | | | |
|-------|-------------------------------|--|-----|
| | 2 | Height of outbuildings, detached garages and carports is 3.5m (max) measured at the highest point on the roof above NGL | Yes |
| | 3 | Dwelling houses and any ancillary structures 2-storeys (max) | Yes |
| | 4 | Building height responds to the gradient of the site to minimise cut and fill | Yes |
| .3.1. | <i>Street Setbacks</i> | | |
| | 1 | Setbacks consistent with minimum requirements of Table A.1 | Yes |
| .3.2. | <i>Side and Rear Setbacks</i> | | |
| | 1 | A combined side setback of 20% of the width of the block (incorporating a 1.2m min side setback on each side). | Yes |
| | 2 | A rear setback of 6m (min) | Yes |
| | 3 | 1Subject to meeting the minimum landscaped area (as per section 5 of this part of the DCP) in the rear of the site, ancillary facilities such as garages/outbuildings may be located within the rear setback area. | Yes |
| | 4 | Garages and carports setbacks consistent with Table A.2 | Yes |

Comments: The proposed dwelling has a front setback of 10.2m, rear setback of 12.46m and side setback of 1.2m (north-west) and 1.8m (south-east). These setbacks are consistent with the requirements under Part A of the SCDCP 2005. The proposed articulation of the front and side elevations of the dwelling house assists in reducing its perceived visual bulk and scale.

The proposed built form minimises the added bulk that is apparent from all setbacks. In response to the concerns raised by the immediate neighbours to the north west in relation to the bulk and scale of the dwelling, it is recommended that the overall building height is reduced by a further 500mm (refer to **Condition 1**). This will minimise visual bulk and overshadowing impacts on neighbouring property (being a single storey dwelling), as well as reducing the visual bulk apparent from the street.

5: Landscaping

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

DA2018/080 - 14 Francis Street, Strathfield
 LOT 15 SECTION 1 DP 12467 (Cont'd)

| | | |
|-----------|---|------------|
| G. | <i>To encourage the use of native flora such as open woodland canopy trees, to provide a habitat for native fauna.</i> | Yes |
| H. | <i>To ensure that landscaped areas are designed to minimise water use.</i> | Yes |
| I. | <i>To provide functional private open spaces for active or passive use by residents.</i> | Yes |
| J. | <i>To provide private open areas with provision for clothes drying facilities screened from the street and lane or a public place.</i> | Yes |
| K. | <i>To ensure the protection of trees during construction</i> | Yes |
| L. | <i>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.</i> | Yes |
| M. | <i>To maximise the amenity of existing and proposed developments, including solar access, privacy and open space.</i> | Yes |

5.2 Development Controls

Complies

| | | |
|------------------------|--|-----------------------|
| <i>Landscaped area</i> | | |
| .1. | 1 Landscaped area in accordance with Table A.3 | No – See below |
| | 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 |
| <i>Tree Protection</i> | | |
| .2. | 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 trees | Yes |
| | 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 |

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| | | | |
|---------------------------|----|---|-----|
| | 11 | 25% (min) of canopy trees and other vegetation shall be locally sourced indigenous species | Yes |
| <i>Private Open Space</i> | | | |
| .3. | 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 | 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> | | | |
| .4. | 1 | Fencing designed to be compatible and sympathetic to the style of the dwelling, adjoining properties and the streetscape | Yes |
| | 2 | Landscaping used when the streetscape is characterised by the absence of front fences | Yes |
| | 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 |
| | 5 | Side and rear fences limited to 1.8m (max) | Yes |
| | 6 | Side fences forward of the FBL taper down to the front fence. | Yes |
| | 7 | Front fences visually permeable | Yes |
| | 9 | Listed undesirable materials and finishes not used forward FBL | Yes |
| | 11 | Solid fences adjoining driveways are provided with 1m x 1m (min) splay | Yes |
| | 12 | A splay adjacent to a road intersection or driveway entrance must be landscaped | Yes |
| | 13 | Significant trees maintained | Yes |
| | 14 | Stormwater flows through or under fencing on sloping sites | Yes |
| | 15 | Dividing fences constructed of timber palings (lapped and capped) with height of 1.8m (max) | Yes |

Comments: The proposed development has a total of 291.677m² (38.7%) deep soil landscaping, thus falling short of the required 322.93m² (43%) by 31m². As minor amendments to the current landscape plan are readily achievable in order to achieve compliance with this requirement, a condition is recommended (**Condition 2**), where by an amended landscape plan is to be submitted to Council, demonstrating compliance with the minimum landscaping requirements as provided in Part A of the SCDCP 2005.

As there is a large mature tree located at the rear of the subject site, an arborist report, including further information in relation to the required protection measures during the ongoing demolition and construction phases was requested. The Arborist Report subsequently submitted has appropriately responded to the ongoing requirements of the tree located at the rear and therefore, no concerns were raised by Councils Tree Management Officer, subject to the inclusion of **Condition 12**.

The proposal includes a front fence with a rendered base up to 700mm in height and prick posts up to 1.5m in height. Semi-transparent horizontal slats/bars will be included in between the brick posts, affording an outlook onto the street, whilst are maintaining reasonable privacy for future residents. The overall design intent of the proposed front fence is replicated in the immediate vicinity of the subject site (as seen in **Figures 12 and 13**).

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Figure 12: Front fence adjacent to the subject site, with a similar design intent to the proposal.



Figure 13: Front fence adjacent to the subject site, with a similar design intent to the proposal.

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 |
| Sunlight Access | | |
| .1. | 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 proposal seeks demolition of an existing single storey dwelling and construction of a new two (2) storey dwelling which inevitably results in some loss of solar access for the adjoining properties. Notwithstanding, given the orientation of the site, the sun will move from east to west throughout the day whereby adjoining dwellings will receive more than 3 hours direct solar access during the winter solstice.

7: Privacy

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

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| | | |
|-----------|--|-----|
| B. | To maintain reasonable sharing of views from public places and living areas | Yes |
| C. | To ensure that public views and vistas are protected, maintained and where possible, enhanced | Yes |
| D. | To ensure that canopy trees take priority over views | Yes |
| E. | To ensure that the siting and design of buildings minimises noise impacts from abutting roads, rail corridors and other noise-generating land uses | N/A |

| 7.2 | Development Controls | Complies |
|------------|--|----------|
| | <i>Visual Privacy</i> | |
| .1. | 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 |
| | <i>Windows</i> | |
| .2. | 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 |
| | <i>Acoustic Privacy</i> | |
| .4. | 2 Noise-sensitive rooms located away from noise sources | Yes |
| | 3 Suitable acoustic screen barriers or other noise mitigation measures are required where physical separation cannot be achieved | Yes |
| | 4 An acoustic report (where relevant) demonstrates that habitable rooms achieve internal noise levels of no greater than 35 dBA | Yes |

Comments: All noise-sensitive rooms have been oriented away from the street frontage, ensuring appropriate levels of acoustic privacy. A condition of consent is recommended whereby the first floor windows on both side elevations are to be reconfigured such that their sills are a minimum of 1.5m above the respective floor level (**Condition 3**). This will minimise any potential overlooking onto adjoining properties either side, whilst still maintaining reasonable access to natural light and ventilation for future residents.

8: Vehicle Access and Parking

| 8.1 | Objectives | Satisfactory |
|-----------|--|--------------|
| A. | To provide adequate and convenient on-site car parking. | Yes |
| B. | 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. | Yes |
| C. | To ensure garages, carports, basements and hard standing areas for cars do not visually dominate the street façade of the dwelling. | Yes |
| D. | To ensure that construction materials used for driveways respect the architectural qualities of the dwelling. | Yes |

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| | | |
|-----------|---|------------|
| E. | To minimise the area of access driveways to minimise impermeable surfaces and maximise landscaped areas. | Yes |
| F. | To ensure basements have discreet entries, safe access and a high degree of natural cross-ventilation. | Yes |
| G. | To minimise excavation to reduce disturbance to natural ground level particularly adjacent to site boundaries. | Yes |
| H. | 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. | Yes |

8.2 Development Controls

Complies

| 8.2 Development Controls | | Complies |
|---------------------------------|---|-----------------|
| <i>Driveway and Grades</i> | | |
| .1. | 1 Existing driveways must be used (exceptions apply) | Yes |
| | 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. | Yes |
| | 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 | Yes |
| | 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 |

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Comments: The proposed basement level is contained within the ground floor level footprint of the dwelling. The basement will include two (2) car parking spaces and associated maneuvering spaces. Entry into the basement will be via a 3m wide driveway located adjacent to the south eastern boundary. The basement also includes a storage and service room with a maximum area of 60.29m². The generous proportions of space makes it conducive for use of a wide variety of purposes. To ensure that this space is not being used for habitable purposes, it is recommended that a condition of consent (**Condition 4**) is included specifying that this area is not to be used for habitable purposes.

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. | Yes |
| 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 |
| 8 | Avoid excessive fill that creates the potential for overlooking of adjoining properties | Yes |

Comments: As concerns have been raised by adjoining residents to potential vibrations impacts of proposed excavation, a condition is recommended (**Condition 29**) whereby a dilapidation report is to be provided, as a safe guard to protect the interests of all parties affected.

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. | N/A |
| 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 |

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| | | | |
|-------------|--|--|------------|
| G. | <i>To appropriately manage stormwater and overland flow to minimise damage to occupants and property</i> | Yes | |
| 10.2 | Development Controls | Complies | |
| .1. | <i>Stormwater Management and Flood Prone areas</i> | | |
| | 1 | Applicant contacted Council regarding site being flood prone land | Yes |
| | 2 | Compliance with Council's Stormwater Management Code | Yes |
| | 3 | Flood affected properties comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas & Through Site Drainage) | Yes |
| | 4 | Minimum habitable floor height advice obtained for flood affected sites | Yes |
| | 5 | A drainage/flood report prepared by a hydraulics engineer submitted for sites affected by overland flows | Yes |
| | 6 | Stormwater Management Code compliance | Yes |
| .2. | <i>Acid Sulfate Soils</i> | | |
| | 1 | Site managed consistent with the provisions contained in Clause 6.1 SLEP 2012 | Yes |
| .3. | <i>Soil Erosion and Sediment Control</i> | | |
| | 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: Council's Development Control Engineer has raised no concerns with the proposed method of stormwater drainage subject to the imposition of standard conditions of consent.

11: Access, Safety and Security

| | | | |
|-------------|--|---|------------|
| 11.1 | Objectives | Satisfactory | |
| A. | <i>To encourage the incorporation of crime prevention principles in the design of the proposed developments.</i> | Yes | |
| B. | <i>To increase the safety and perception of safety in public and semi-public spaces.</i> | Yes | |
| C. | <i>To provide passive surveillance of the public domain to promote a safe pedestrian environment whilst maintaining the privacy of residents</i> | Yes | |
| D. | <i>To ensure the safety of pedestrians by separating pedestrian access from vehicular access.</i> | Yes | |
| 11.2 | Development Controls | Complies | |
| .1. | <i>Address and Entry Sightlines</i> | | |
| | 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 |
| .2. | <i>Pedestrian Entries</i> | | |

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| | | |
|---|---|-----|
| 1 | Pedestrian entries and vehicular entries suitably separated | Yes |
| 2 | Dwelling entrances easily identifiable | Yes |
| 3 | House numbers are to be clearly visible from the street | Yes |

Comments: The proposed windows on the front elevation will provide some passive surveillance of the street, whilst still maintaining privacy for the residents of the dwelling. Pedestrian and vehicular entries are suitably separated by sufficient landscaping in the front yard, ensuring the safety of residents.

Further, the front fence has also been designed in a way that will enable passive surveillance of the subject site, whilst still ensuring the privacy of the residents.

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 | |
| .2. | <i>Outbuildings</i> | | |
| | 1 | Outbuilding located behind the front building line | Yes |
| | 2 | Side and rear setback is 0.5m (min) | Yes |
| | 4 | Windows do not face an adjoining property (exceptions apply) | Yes |
| | 5 | The roof area is not accessible for any purpose | Yes |
| | 6 | Outbuildings are not to be used for habitable purposes | Yes |
| | 7 | Kitchen facilities are not permitted in an outbuilding | Yes |
| | 8 | Any external lighting of an outbuilding is to be positioned or shielded to prevent glare to adjoining premises | Yes |
| .3. | <i>Retaining Walls</i> | | |
| | 1 | Retaining walls 1.2m (max) in height. | Yes |
| | 2 | Retaining walls in excess of 0.6m are fully designed and documented by a qualified practising engineer | Yes |
| .4. | <i>Air-conditioning</i> | | |
| | 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 |

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| <i>Swimming Pools</i> | | | |
|-----------------------|---|--|-----|
| .6. | 1 | Side and rear setbacks from the outside edge of the pool concourse are 1m (min) wide and comprise deep soil soft landscape area | Yes |
| | 2 | If greater than 1m above ground, the space between the bond beam/concourse and the ground is finished to Council's satisfaction | Yes |
| | 3 | The pool filter and pump equipment designed and located to not emit a noise level that exceeds 5dBA above the ambient background noise level measured at any property boundary. The pool equipment shall be located within an enclosed structure so as to not be readily visible | Yes |
| | 4 | Lighting positioned to prevent light spillage and minimise any nuisance to adjoining premises | Yes |
| | 5 | Enclosures shall comply with the Swimming Pools Act and relevant Australian Standards as amended. | Yes |

Comments: The proposal has not specified the location of any potential external air-conditioning units. To address the concerns that were raised in the submissions, a condition of consent has been recommended to ensure that any Air Conditioning units are located and installed appropriately in accordance with the relevant standards (Condition 50). This will ensure there are no potential noise impacts to local residents situated on the subject site or on neighbouring allotments.

The proposal includes a swimming pool is sought to the rear of the subject site. The pool is sited no more than 200mm above the ground level. The location of the pool is done where there is a maximum 2.51m side setback and 2.82m rear setback. Further, the associated pool filter and pump equipment are proposed to be located inside the outbuilding, situated at the rear of the subject site. This will ensure that there are minimal noise implications to neighbouring allotments.

13: Ecologically Sustainable Development

| 13.1 | <i>Objectives</i> | <i>Satisfactory</i> | |
|--|--|---|-----|
| A. | <i>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.</i> | Yes | |
| B. | <i>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.</i> | Yes | |
| C. | <i>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.</i> | Yes | |
| D. | <i>To encourage the use of new technology that reduces energy consumption, minimises greenhouse emissions and results in cost savings</i> | Yes | |
| E. | <i>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 SCDPCP 2005).</i> | Yes | |
| 13.2 | <i>Development Controls</i> | <i>Complies</i> | |
| <i>Natural Lighting and Heating</i> | | | |
| .1. | 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 |
| | 3 | Materials used of high thermal mass | Yes |
| <i>Natural Cooling and Ventilation</i> | | | |
| .2. | 1 | Windows and walls on northern facades shaded by shading devices, trees, eaves and louvres sympathetic to the dwelling | Yes |

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| | | | |
|-------------------------------|---|--|-----|
| | 2 | Windows positioned to capture breezes and allow for cross-ventilation | Yes |
| <i>Water Tanks</i> | | | |
| | 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 |
| .3. | 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 |
| <i>Hot Water Heater Units</i> | | | |
| .4. | 1 | Located behind the dwelling or wholly behind the dwelling | Yes |
| | 2 | Not located on balconies unless screened from public view | Yes |
| | 3 | Placed within a short distance of the most frequent point of use | Yes |

Comments: The BASIX Certificate was submitted with the development application, satisfies the designated targets for energy and water reduction.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The proposal was accompanied by a Waste Management Plan prepared in accordance with Part H of the SCDCP 2005. Compliance with the waste minimisation strategies of this waste management plan may be enforced via suitable conditions of consent.

4.15 (1)(a)(iia) 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) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

Should this application be approved, appropriate conditions of consent are included within the recommended to ensure compliance with any relevant regulations.

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(i) any coastal zone management plan

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is located on a site that is affected by the existing 1 in 100 year flood event or is likely to be as a result of the planning benchmarks for sea level rise mentioned above. Accordingly, the proposed development has been assessed against the relevant provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

As previously discussed, the subject site has a natural fall to the rear with Council's drainage pipe traversing the site at the rear. The proposed development was referred to Council's Development Engineer and no objections were raised subject to the recommended conditions of consent.

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 proposal will result in a new two (2) storey residential dwelling that will actively respond to the ongoing housing needs of future residents on the subject site. Overall, the proposed design has been considered with respect to adjoining properties to minimise adverse impacts to adjoining neighbours and achieve an appropriate level of streetscape compatibility.

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

The site is appropriately zoned for the development proposed and is not subject to any major environmental constraints. The minor flood risks associated with the site are appropriately managed.

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

The application was notified in accordance with Part L of the SCDCP 2005 from 20 June 2018 to 7 July 2018. Two (2) submissions were received, raising the following concerns:

1. Architectural Design and Streetscape Presentation

Concerns were raised that the overall scale of the development will dominate the streetscape.

Assessing officer's comments: The existing streetscape comprises of both single and two (2) storey residential dwellings that either have exposed facebrick or rendered masonry finishes. The proposed development incorporates a readily compliant building height of 7.84m (with a further reduction as recommended in **Condition 1**), as well as complying with the required front, side and rear setbacks. In addition, the proposed development includes significant articulation on its front and side elevations. This assists in achieving creating a compatible bulk and scale. Overall, the proposal has been done in a way that enables a contemporary design that is still sympathetic with the existing character of the area.

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2. Landscape

Concerns were raised in relation to the two (2) plantings on the south-eastern boundary being: Lagerstroemia Indica Natchez and Elaeocarpus eumundii. The proposed trees will impact existing old mature plantings that are hedged to the boundary line.

Assessing officer's comments: An amended landscape plan has been submitted where *Lagerstroemia Indica Natchez* and *Elaeocarpus eumundii* are no longer proposed on the south-eastern boundary. Council's Tree Management Officer has reviewed the amended landscaped plan as well as the Arborist Impact Statement and raised no further objections, subject to the recommended conditions of consent.

3. Solar Access

Concerns were raised in relation to overshadowing and loss of amenity.

Assessing officer's comments: the proposed dwelling being a two (2) storey dwelling will inevitably results in some loss of solar access for the adjoining properties. Notwithstanding, the adjoining dwellings will receive more than three (3) hours direct solar access during the winter solstice.

The overshadowing impact on the adjoining properties concerns is not considered unreasonable given that the proposal readily complies with the building height standard and is adequately setbacks from the relevant side boundary.

4. Fence

"The proposed masonry boundary fence and driveway fence on south-eastern side will completely block our view of pedestrians as we exit our property."

Assessing officer's comments: Revised architectural plans were submitted whereby a complying front fence design and heights are achieved. Accordingly, visibility of pedestrians using the adjacent footpaths will be reasonably maintained.

5. Privacy

Concerns were raised that the proposed first floor window to the south-eastern boundary is directly opposite to a bedroom window on the neighbouring property.

Assessing officer's comments: A condition of consent is recommended whereby the first floor level windows on both side elevations are to be reconfigured such that their sills are a minimum of 1.5m from the finished floor level. This will minimise potential overlooking onto adjoining properties either side whilst still maintaining reasonable access to natural light and ventilation.

6. Cut and Fill

We do not object to the underground area but insist a dilapidation report be provided to us.

Assessing officer's comments: this is not an unreasonable request. A suitable condition of consent is recommended in this respect.

7. Water and Soil Management

The overland flood path moves from front to rear and continues right to left at the rear of the blocks. The proposed setback to the south-eastern boundary of 1.8m will not accommodate for the

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raising of the driveway at its peak. We object to the proposed swimming pool and decking height of approximately 400mm. This will impede the overland flow path at the rear of the property.

Assessing officer's comments:

During the assessment process Council's Development Engineer indicated that the proposed pool must be located where possible out of the direct line of the overland flow path and not be more than 200mm above ground level. Accordingly, amended plans have been submitted to Council where the proposed swimming pool is not more than 200mm above ground level.

8. Ancillary Development

No placement of any air-conditioning units have been noted on the plans. If the unit is to be located on ground level and on the developments south-east side, we would request its placement against the proposed dwelling wall toward the front setback (away from our living areas and adjacent to our garage).

Assessing officer's comments: A standard condition of consent has been imposed to ensure the air conditioning unit is located and installed in accordance with the relevant standards (**Condition 56**).

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.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- "(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
 - or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned."*

STRATHFIELD INDIRECT SECTION 7.11 CONTRIBUTIONS PLAN

Section 7.11 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030 as follows:

| | |
|--------------------------------|--------------------|
| Local Amenity Improvement Levy | \$13,416.28 |
|--------------------------------|--------------------|

CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield

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Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. DA2018/080 for demolition of existing structures and construction of new two (2) storey dwelling with basement level, front fence and in-ground swimming pool at 14 Francis Street, Strathfield be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)

1. BUILDING HEIGHT (SC)

The overall building height of the dwelling shall be reduced by a minimum of 500mm such that it does not exceed on RL25.040 based on the Australian Height Datum. Details are to be indicated on the plans and approved by Council, **prior to the issue of a Construction Certificate.**

(Reason: To reduce the overall bulk of the building.)

2. DEEP SOIL SOFT LANDSCAPING (SC)

A minimum of 31m² of deep soil landscaping is to be added to the subject site. Details are to be indicated on the plans and signed off by a Principle Certifying Authority, **prior to the issue of a Construction Certificate.**

(Reason: To ensure compliance with Part A of the SCDCP 2005.)

3. VISUAL PRIVACY MEASURES (SC)

The first floor windows located of the south-east and the north-west elevation of the dwelling are to be modified such that they have a way where each window is to have a minimum sill height of 1.5m from the ground. Details are to be indicated on the plans and approved by Council, **prior to the issuing of a Construction Certificate.**

(Reason: To minimise potential overlooking of the neighbouring properties.)

4. STORAGE BASEMENT (SC)

(The storage and service room within the basement is not to be used as a habitable room as defined by the BCA.)

(Reason: To ensure compliance with Clause 4.4C of the SLEP 2012.)

5. 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. DA2018/080:

| Drawing No. | Title/Description | Prepared by | Issue / Revision & Date | Date received by Council |
|-------------|-------------------|-------------|---|--------------------------|
| DA6002 | Demolition Plan | Urban Link | Project No. 18/048, Rev 'B', dated 27/07/2018 | 31/07/2018 |

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| | | | | |
|--------|-------------------|--------------------------|---|-----------------|
| DA2001 | Basement Plan | Urban Link | Project No. 18/048, Rev 'D', dated 16/10/2018 | 17 October 2018 |
| DA2002 | Ground Floor Plan | Urban Link | Project No. 18/048, Rev 'D', dated 16/10/2018 | 17 October 2018 |
| DA2003 | First Floor Plan | Urban Link | Project No. 18/048, Rev 'D', dated 16/10/2018 | 17 October 2018 |
| DA2004 | Roof Plan | Urban Link | Project No. 18/048, Rev 'B', dated 27/07/2018 | 17 October 2018 |
| DA3001 | Elevations | Urban Link | Project No. 18/048, Rev 'D', dated 16/10/2018 | 17 October 2018 |
| DA4001 | Sections | Urban Link | Project No. 18/048, Rev 'D', dated 16/10/2018 | 17 October 2018 |
| L-01 | Landscape Plan | Rfa landscape architects | Project No. 4380b, Rev 'B', dated 23/07/2018 | 31 July 2018 |

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2018/080:

| Title / Description | Prepared by | Issue/Revision & Date | Date received by Council |
|----------------------------------|---------------------------------|--|--------------------------|
| Arboricultural Impact Assessment | Redgum Horticultural | Ref: 4514, dated 24 July 2018 | 31/07/2018 |
| Flood Risk Management Plan | Australian Consulting Engineers | Project No. ACE180488, Rev 'A', dated April 2018 | 06/06/2018 |
| Waste Management Plan | Urban Link | | 06/06/2018 |
| BASIX Certificate | Designview | Cert No. 930588S | 06/06/2018 |

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.)

6. **CONSTRUCTION HOURS (GC)**

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.)

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.)

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LOT 15 SECTION 1 DP 12467 (Cont'd)

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. DEMOLITION - SITE SAFETY FENCING (GC)

Site fencing is to be erected to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site, prior to any demolition works occurring and maintained for the duration of the demolition works.

If applicable, a separate Hoarding Application for the erection of an A class (fence type) or B class (overhead type) hoarding/fencing along the street frontage(s) complying with WorkCover requirements must be obtained including:

- payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges before the commencement of work; and
- provision of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy provided to Council.

(Reasons: Statutory requirement and health and safety.)

10. LANDSCAPING ADJACENT SWIMMING POOLS/SPAS (GC)

A minimum one (1) metre wide landscape strip is to be provided between the swimming pool and adjacent common boundaries. The landscape strip is to be planted with a continuous row of evergreen shrubs of a minimum five (5) litre container size and capable of achieving a minimum mature height of three (3) metres. Details of the selected plants shall be submitted to and approved by the Principal Certifying Authority. Compliance with this condition shall be certified by the Principal Certifying Authority, prior to occupation of the premises.

(Reason: Privacy amenity of adjoining properties.)

11. LANDSCAPING - CANOPY TREES IN FRONT SETBACK (GC)

New development shall provide at least two (2) canopy trees within the front setback adjacent the front boundary (existing trees may be included). New canopy trees shall be at least three (3) metres high at the time of planting and capable of reaching a mature height of 10m.

Species shall be selected from Council's Recommended Tree List (Available from Council's website or from the Customer Service Centre). Compliance with this condition is to be demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the landscape character of the locality is maintained.)

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12. 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 Construction 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 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.

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

13. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the schedule submitted and approved by Council with the development application.

(Reason: To ensure compliance with this consent.)

14. 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.)

15. 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 2601-2001.
- 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

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- 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.)

16. 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 a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia 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.)

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

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

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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:

- 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.

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- 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. 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.)

22. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CC)

The applicant must prepare and submit a Construction and Environmental Management Plan (CEMP) to the Principal Certifying Authority, including:

- i) Detailed information on any approvals required from other authorities prior to or during construction.
- ii) Traffic management, including details of:
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - the location of heavy vehicle parking off-site; and
 - designated routes for vehicles to the site.
- iii) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- iv) Erosion and sediment control, detailing measures and procedures consistent with the requirements of Council's guidelines for managing stormwater, including:
 - the collection and treatment of stormwater and wastewater generated on site prior to discharge; and
 - procedures to prevent run-off of solid material and waste from the site.
- v) Waste management, including:
 - details of the types and estimated volumes of waste materials that will be generated;
 - procedures for maximising reuse and recycling of construction materials; and
 - details of the off-site disposal or recycling facilities for construction waste.
- vi) Dust control, outlining measures to minimise the generation and off-site transmission of dust and fine particles, such as watering or damp cloth fences.
- vii) A soil and water management plan, which includes:
 - measures to minimise the area of soils exposed at any one time and conserve

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- top soil;
 - identification and protection of proposed stockpile locations;
 - preservation of existing vegetation and revegetation;
 - measures to prevent soil, sand, sediments leaving the site in an uncontrolled manner;
 - measures to control surface water flows through the site in a manner that diverts clean run-off around disturbed areas, minimises slope gradient and flow distance within disturbed areas, ensures surface run-off occurs at non-erodible velocities, and ensures disturbed areas are promptly rehabilitated;
 - details of sediment and erosion control measures in place before work commences;
 - measures to ensure materials are not tracked onto the road by vehicles entering or leaving the site; and
 - details of drainage to protect and drain the site during works.
- viii) Asbestos management procedures:
- Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies and a current WorkCover Demolition License where works involve demolition. To find a licensed asbestos removalist please see www.workcover.nsw.gov.au
 - Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
 - Before starting work, a work site-specific permit approving each asbestos project must be obtained from WorkCover NSW. A permit will not be granted without a current WorkCover licence. All removal, repair or disturbance of or to asbestos material must comply with the following:
 - The Work Health and Safety Act 2011;
 - The Work Health and Safety Regulation 2011;
 - How to Safety Remove Asbestos Code of Practice – WorkCover 2011; and
 - Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.
 - Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.
 - The developer or demolition contractor must notify adjoining residents at least two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of asbestos removal works. Notification is to include, at a minimum:
 - the date and time when asbestos removal works will commence;
 - the name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
 - the full name and license number of the asbestos removalist/s; and
 - the telephone number of WorkCover's Hotline 13 10 50
 - warning signs informing all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance; and

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- appropriate barricades installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

23. **COUNCIL PERMITS – FOR ALL ACTIVITIES ON COUNCIL LAND (CC)**

Works Permit

(as per Section 68 of the Local Government Act 1993 and Section 138 and 139 of the Roads Act 1993)

A Works Permit is required for construction of a vehicular crossing (driveway), new stormwater down pipe connection to kerb and gutter, new footpath and/or stormwater connection. A Works Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Standing Plant Permit

This permit must be applied for where it is intended to park a concrete pump, crane or other plant on the roadway or footpath. A Standing Plant Permit Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Skip Bin Permit

This permit must be applied for if you intend to place a skip bin on the roadway or footpath. A Skip Bin Application Form is available from Council's Customer Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Temporary Full or Part Road Closure Permit

This permit must be applied for if you require a full or a part road closure to take place to assist in your construction works. Please use the Works Permit Application Form, which is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website. Please note a Road Closure Permit is not required for standing plant.

Hoarding/Fencing Permit

This permit must be applied for if you intend to erect a Class A (fence type) or Class B (overhead type) hoarding/fencing along the street frontage(s). A Hoarding Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Work Zone Permit

This permit must be applied for if you require permanent parking along the kerbside at the front of the site during construction works. A Work Zone Permit Application Form is available from Council's Customer Service Centre or can be downloaded from Council's website. The applicable fees and charges are located on Council's website.

Ground Anchoring Permit

This permit must be applied for, for the installation of ground anchors under Council's footway/road reserve. It does not cover ground anchors under private properties. A separate approval is required to be obtained from Roads and Maritime Services (RMS) if it is

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proposed to install ground anchors under a State or Classified Regional Road (please refer to the end of this application form for more information).

(Reason: Council requirement.)

24. **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.)

25. **ARBORIST REPORT – INITIAL (CC)**

The applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works and determine best practices (e.g. minimise compaction, soil build up and or excavation within the Primary Root Zone*) to ensure the longevity of the trees to be retained. The arborist is to prepare and submit, to the satisfaction of the Principal Certifying Authority, a report prior to the issue of a Construction Certificate, documenting the measures to be employed for the additional trees number #5 and #6 (Celtis occidentalis) in the rear yard and certifying that they have been implemented. The report will include all trees both in the site and in adjacent properties in the form of a tree survey and safety audit, a tree impact assessment and a tree protection plan, in accordance with Australian Standard AS4970 - 2009 , Protection of Trees on Development Sites.

- i) *Primary root zone = 10 x trunk diameter 1400mm from ground level (measured as a radius from the centre of the trunk).

(Reason: Qualified assessment of impact of proposed works on trees to be retained on the site.)

26. **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.)

27. **PROTECTION OF EXISTING TREES (GC)**

**DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)**

The masonry brick boundary fence is to be constructed so as to support all brick in-fill panels using a lintel. This lintel is to be installed above ground level along the entire length of each in-fill panel.

(Reason: Environmental protection, protection of existing tree roots and landscape amenity.)

28. SECTION 7.11 CONTRIBUTION PAYMENT - INDIRECT CONTRIBUTIONS PLAN) (CC)

In accordance with the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect 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:

| | |
|--------------------------------|--------------------|
| Local Amenity Improvement Levy | \$13,416.28 |
|--------------------------------|--------------------|

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. The amount of the contribution under this condition shall be indexed in accordance with clause 4.12 of the Strathfield Indirect 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.

A copy of this condition is to be presented to Council's Customer Service Centre when paying the contribution so that it can be recalculated.

Note: A copy of Strathfield Council's Section 7.11 Indirect 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.)

29. 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.

DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)

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

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. **SWIMMING POOLS / SPAS (CONSTRUCTION OF)**

The approved swimming pool/spa must comply with all relevant legislation including:

- i) Swimming Pools Amendment Act 1992 (as amended);
- ii) Swimming Pools Regulations 2008; and
- iii) Australian Standard AS1926.1-2012 – Safety Barriers for Swimming Pools.

Details demonstrating compliance with this condition shall be demonstrated to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: Safety and statutory compliance.)

33. **SWIMMING POOLS / SPAS - MECHANICAL PLANT ENCLOSURE (CC)**

Any mechanical plant associated with the swimming pool and spa shall be acoustically treated to comply with the Protection of the Environment Operations Act 1997. Details are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the acoustic amenity of the neighbouring residents.)

34. **TRAFFIC - CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CC)**

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately

**DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)**

qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

- i) description of the demolition, excavation and construction works;
- ii) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- iii) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- iv) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- v) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- vi) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
- vii) proposed hours of construction related activities and vehicular movements to and from the site;
- viii) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- ix) any activities proposed to be located or impact upon Council's road, footways or any public place;
- x) measures to maintain public safety and convenience;
- xi) any proposed road and/or footpath closures;
- xii) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- xiii) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- xiv) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- xv) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- xvi) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- xvii) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
- xviii) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- xix) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

(Reason: To mitigate traffic impacts on the surrounding area during the construction period.)

35. 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.

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LOT 15 SECTION 1 DP 12467 (Cont'd)

(Reason: Compliance with SCDCP 2005.)

36. **TREE BONDS (CC)**

A tree bond of **\$6,600** (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to the issue of a Construction Certificate.

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

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

A 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.)

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

37. **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.
- 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.

**DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)**

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.)

38. 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 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.)

39. 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

DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)

- ii) proposed to commence works associated with the Development Consent; 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 (DW)

40. CONTAMINATED LAND UNEXPECTED FINDS (DW)

In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Strathfield Council's Environmental Services Manager.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

(Reason: To ensure compliance with statutory requirements.)

41. FILL MATERIAL (DW)

The only waste derived material which may be received at the development site is:

- i) Virgin excavated material (within the meaning of the Protection of the Environment Operations Act 1997), and
- ii) any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any (b)-type material received at the development site must be accompanied by documentation certifying by an appropriately qualified environmental consultant the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

(Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.)

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

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 a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

- i) the stormwater drainage system; and/or

**DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)**

- 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
- 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. RAINWATER TANKS (OC)

**DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)**

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- i) Australian/New Zealand Standard AS/NZS 3500:2003;
- ii) NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR); and
- iii) Council's rainwater tank policy.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To protect public health and amenity.)

46. 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.)

47. 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.)

48. SWIMMING POOLS / SPAS - REGISTRATION AND REQUIREMENTS (OC)

The approved swimming pool/spa must comply with all relevant legislation including:

- i) Swimming Pools Amendment Act 1992 (as amended);
- ii) Swimming Pools Regulations 2008; and
- iii) Australian Standard AS1926.1-2012 – Safety Barriers for Swimming Pools.

Swimming pool owners must register their swimming pool or spa on the NSW Swimming Pool Register. A copy of a valid certificate of compliance or relevant occupation certificate must be attached to new residential tenancy agreements to rent property with a swimming pool or spa pool. Note: This requirement does not apply to a lot in strata or community title schemes with more than two lots.

DA2018/080 - 14 Francis Street, Strathfield
LOT 15 SECTION 1 DP 12467 (Cont'd)

A copy of a valid certificate of compliance or relevant occupation certificate must be attached to new residential tenancy agreements to rent property with a swimming pool or spa pool. Note: This requirement does not apply to a lot in strata or community title schemes with more than two lots; or for any off the plan contacts.

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

(Reason: Safety and statutory compliance.)

regulations/standards.)

49. **AIR-CONDITIONING UNIT (SC)**

All air-conditioning units are to be installed as follows:

- a) Only residential grade air conditioners are to be installed;
- b) Installed to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulations 2008; and
- c) If located less than 3m from any property boundary then the unit is to be placed in an acoustic dampening enclosure.

Documentation demonstrating compliance with the above measures is to be submitted and approved by Principal Certifying Authority **prior to the issue of the Occupation Certificate.**

(Reason: Acoustic privacy)

50. **LANDSCAPING – CERTIFICATION OF COMPLETED LANDSCAPING AND TREE PLANTING (OC)**

Prior to the issue of the Occupation Certificate an AQF Level 5 Landscape Designer, or Landscape Architect, is to certify that all landscape works and tree planting has been carried out in accordance with the approved landscape design and conditions of development consent. Additionally the certification is to include a statement that all plants are healthy and that the landscaped areas are well maintained, safe and free of biosecurity issues (pests, diseases and weeds).

(Reason: Tree preservation and environmental amenity.)

ATTACHMENTS

1. [↓](#) Architectural Plans
2. [↓](#) Flood Impact Statement

THIS DOCUMENT MUST BE USED ONLY FOR THE PROJECT AND SITE FOR WHICH IT WAS PREPARED. ANY OTHER USE IS NOT PERMITTED.



| DEVELOPMENT STANDARDS RELATING TO LOT AREA | | | |
|---|---|--|--------|
| LOT SIZE 751m ² | | | |
| | REQUIREMENT | PROPOSED | COMPLY |
| HEIGHT | 9.5m | <9.5m | YES |
| FSR | 0.575 :1 = 431.8m ² | 426m ² | YES |
| LANDSCAPING AREA FORWARD OF THE BUILDING LINE | MIN. 50% DEEP SOIL 50% OF 170m ² = 85m ² | 135m ² | YES |
| TOTAL LANDSCAPE | 43% = 323m ² | FRONT LSC=127m ² REAR LSC=207m ² TOTAL = 334m ² = 47% | YES |
| PRIV. OP. SPACE | 24m ² | 260m ² | YES |
| LANDSCAPE AREA FRONT SETBACK | 25% OF THE AREA FORWARD OF THE BUILDING LINE MUST CONTAIN LANDSCAPED AREA | FRONT AREA=205m ² 25% OF 160=51.25m ² PROPOSED 127m ² | YES |
| FRONT SET BACK | 9.0m | 10.2m | YES |
| SIDE SET BACK | 20% OF BLOCK WIDTH =2.967m | WEST SET BACK=1.2m EAST SET BACK=1.8m TOTAL=3m | YES |
| REAR SET BACK | 6.0m | 12.49m | YES |

**STRATHFIELD COUNCIL
RECEIVED**

(AMENDED PLAN)

**DA2018/080
17 October 2018**



LOCATION MAP

| DRAWING INDEX | |
|---------------------------------|--|
| DA0001 - COVER SHEET | |
| DA1001 - SITE ANALYSIS | |
| DA1002 - SITE PLAN | |
| | |
| DA2001 - BASEMENT PLAN | |
| DA2002 - GROUND FLOOR | |
| DA2003 - FIRST FLOOR | |
| DA2004 - ROOF PLAN | |
| DA2902 - SHADOWS | |
| | |
| DA3001 - ELEVATIONS | |
| DA3002 - SECTIONS & STREETSCAPE | |
| | |
| DA6001 - SCHEDULE OF FINISHES | |
| DA6002 - DEMOLITION PLAN | |

| | | | |
|---|---------------------------|------------|----|
| D | ADDED BAL & WC TO L1 | 16/10/2018 | ZB |
| C | AS PER COMMENT 15/10/2018 | 15/10/2018 | ZB |
| B | AS PER COMMENT 12/07/2018 | 27/07/2018 | ZB |
| A | DA SUBMISSION | 22/05/2018 | ZB |

| | | | |
|--------------------------------|-------------|------|------|
| Rev | Description | Date | Appr |
| Project | | | |
| #Project Name | | | |
| SINGLE DWELLING | | | |
| 14 Francis St | | | |
| Strathfield NSW 2135 Australia | | | |

URBAN LINK

Nominated Architects:
Ziad Baumeister Reg no 8038
Youssef El Khawaja Reg no 8033

Drawing Title:
**COVER SHEET
COVER**

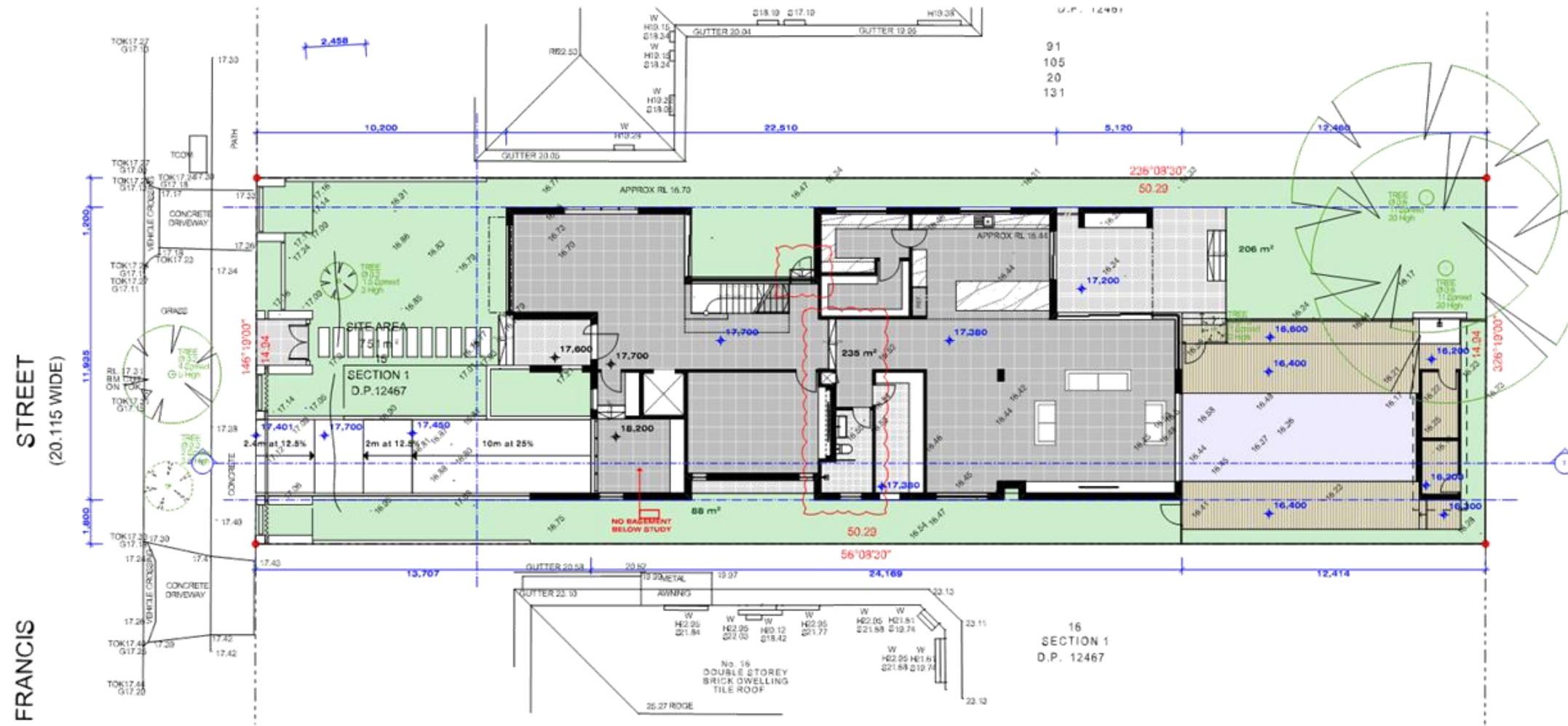
Drafted: GU Approved: ZB

Scale: 1:5.41 Date of Issue: 16/10/2018

Project Number: **18-048** Drawing Number Revision: **DA001 D**

DEVELOPMENT APPLICATION

NOT FOR CONSTRUCTION. VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK. OR PREPARED FOR REFERENCE ONLY. DO NOT SCALE DRAWING.



**STRATHFIELD COUN
RECEIVED**

(AMENDED PLAN)

DA2018/080
17 October 2018

| Rev | Description | Date | Appr |
|-----|---------------------------|------------|------|
| D | ADDED BAL & WC TO L1 | 16/10/2018 | ZB |
| C | AG PER COMMENT 15/10/2018 | 15/10/2018 | ZB |
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| A | DA SUBMISSION | 22/05/2018 | ZB |

Rev Description Date Appr
Project
#Project Name
SINGLE DWELLING
14 Francis St
Strathfield NSW 2135 Australia



Nominated Architects:
Ziad Baumeister Reg no 8038
Youssef El Khawaja Reg no 8033

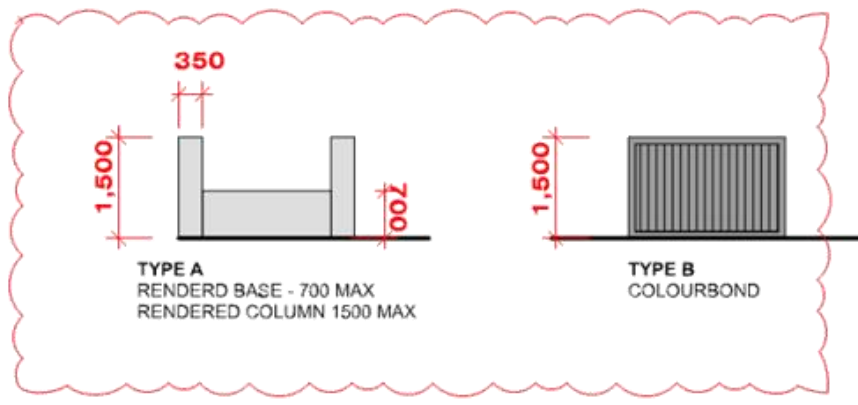
Drawing Title
**SITE
SITE PLAN**

Drafted: GU Approved: ZB

Scale: 1:200 Date of Issue: 16/10/2018

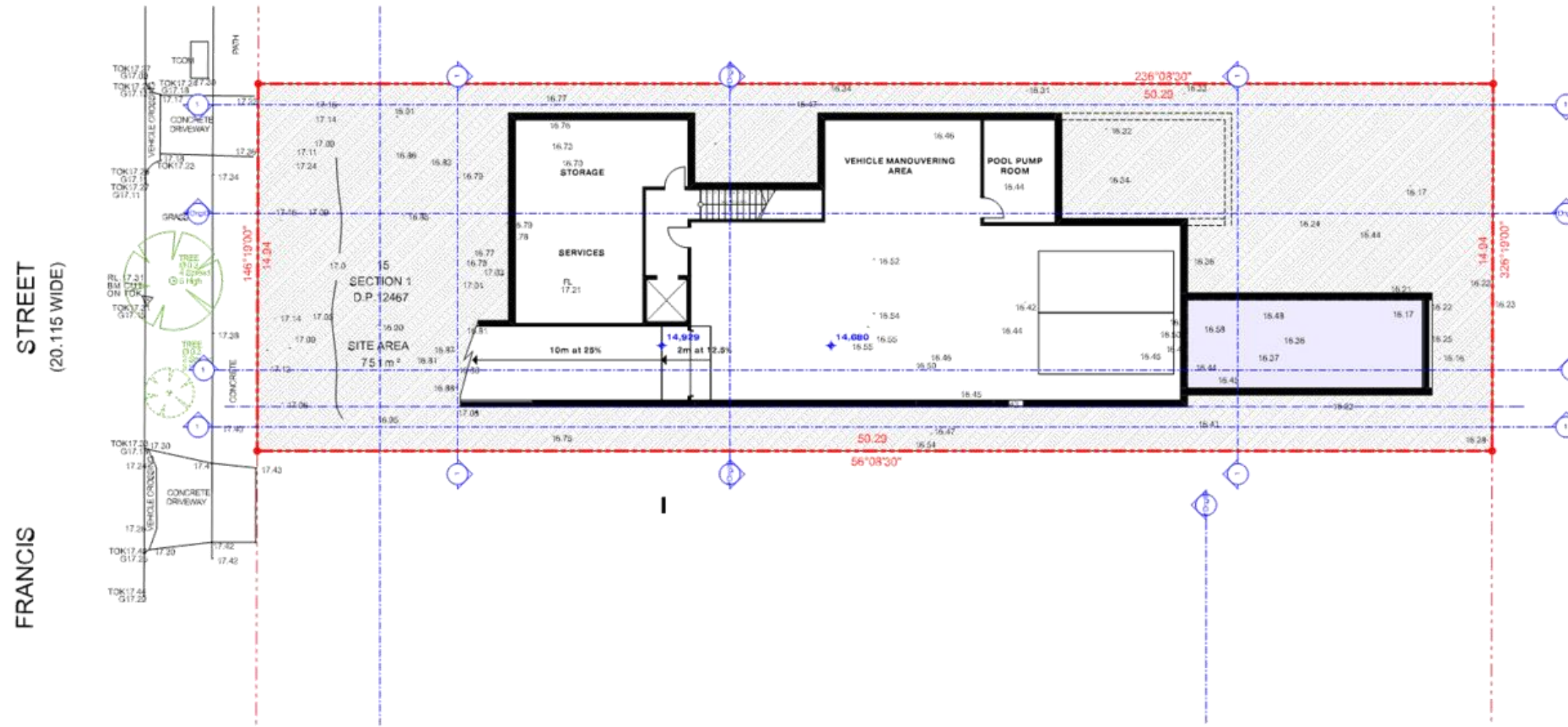
Project Number: 18-048 Drawing Number Revision: DA1002 D

DEVELOPMENT APPLICATION



Certificate no.: 0002797264
Assessor Name: Robert Mallindino
Accreditation no.: VIC/BDV/12/1475
Certificate date: 30 May 2018
Dwelling Address: 14 Francis Street, Strathfield, NSW 2135
www.nathers.gov.au

NOTE: CONSULTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK. ON PREPARING ANY DRAWING, DO NOT SCALE DRAWING.



STREET (20.115 WIDE)
FRANCIS

**STRATHFIELD COUNCIL
RECEIVED**
(AMENDED PLAN)
DA2018/080
17 October 2018

| Rev | Description | Date | Appr |
|-----|---------------------------|------------|------|
| D | ADDED BAL & WC TO L1 | 15/10/2018 | ZB |
| C | AS PER COMMENT 15/10/2018 | 15/10/2018 | ZB |
| B | AS PER COMMENT 12/07/2018 | 27/07/2018 | ZB |
| A | DA SUBMISSION | 20/05/2018 | ZB |

Project
#Project Name
SINGLE DWELLING
14 Francis St
Strathfield NSW 2135 Australia



Nominated Architects:
Ziad Baumeister Reg no 8038
Youssef El Khawaja Reg no 8033

Drawing Title
**FLOOR PLANS
BASEMENT PLAN**

Drafted: GU
Approved: ZB

Scale: 1:200
Date of Issue: 16/10/2018

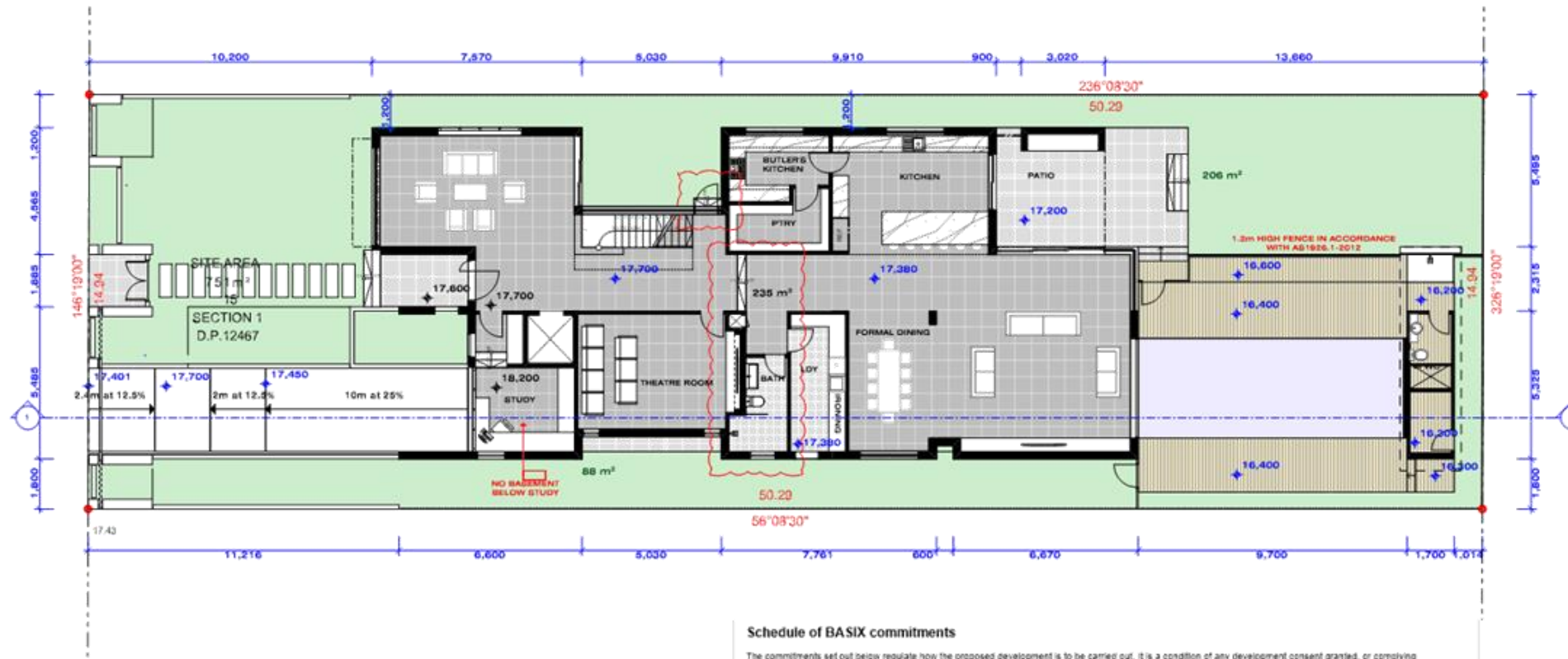
Project Number: 18-048
Drawing Number Revision: DA2001 D

DEVELOPMENT APPLICATION

BASEMENT PLAN

Certificate no.: 0002797264
Assessor Name: Robert Mallindino
Accreditation no.: VIC/BDV/12/1475
Certificate date: 30 May 2018
Dwelling Address: 14 Francis Street, Strathfield, NSW 2135
www.nhfrs.gov.au

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DA2018/080
17 October 2018**

GROUND FLOOR PLAN


 Certificate no.: 0002797264
 Assessor Name: Robert Mallindino
 Accreditation no.: VIC/BDAV/12/1475
 Certificate date: 30 May 2018
 Dwelling Address: 14 Francis Street, Strathfield, NSW 2135
 www.nathens.gov.au

Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or copying development certificate issued, for the proposed development, that BASIX commitments be complied with.

| Water Commitments | Show on DA plans | Show on CC/DOC plans & specs | Certifier check |
|--|------------------|------------------------------|-----------------|
| Landscape The applicant must plant indigenous or low water use species of vegetation throughout 80 square metres of the site. | ✓ | ✓ | ✓ |
| Alternative water Rainwater tank The applicant must install a rainwater tank of at least 2000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities. | ✓ | ✓ | ✓ |
| Swimming pool The swimming pool must not have a volume greater than 30 kilolitres. | ✓ | ✓ | ✓ |
| Water Commitments The swimming pool must be outdoors. | ✓ | ✓ | ✓ |
| Thermal Comfort Commitments | ✓ | ✓ | ✓ |
| Simulation Method The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or copying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications. The applicant must construct the floors and walls of the dwelling in accordance with the specifications listed in the table below: | ✓ | ✓ | ✓ |
| Energy Commitments | ✓ | ✓ | ✓ |
| Hot water The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 3.5 stars. | ✓ | ✓ | ✓ |
| Natural lighting The applicant must install a window and/or skylight in the kitchen of the dwelling for natural lighting. The applicant must install a window and/or skylight in 4 bathroom(s)/toilet(s) in the development for natural lighting. | ✓ | ✓ | ✓ |
| Alternative energy The applicant must install a photovoltaic system with the capacity to generate at least 1.5 peak kilowatts of electricity as part of the development. The applicant must connect this system to the development's electrical system. | ✓ | ✓ | ✓ |

| Rev | Description | Date | App'd |
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| D | ADDED BAL & WC TO L1 | 16/10/2018 | ZB |
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| B | AG PER COMMENT 12/07/2018 | 27/07/2018 | ZB |
| A | DA SUBMISSION | 20/05/2018 | ZB |

#Project Name
SINGLE DWELLING
 14 Francis St
 Strathfield NSW 2135 Australia



Nominated Architects:
 Ziad Boumelhem Reg no 8038
 Yousef El Khawaja Reg no 8033

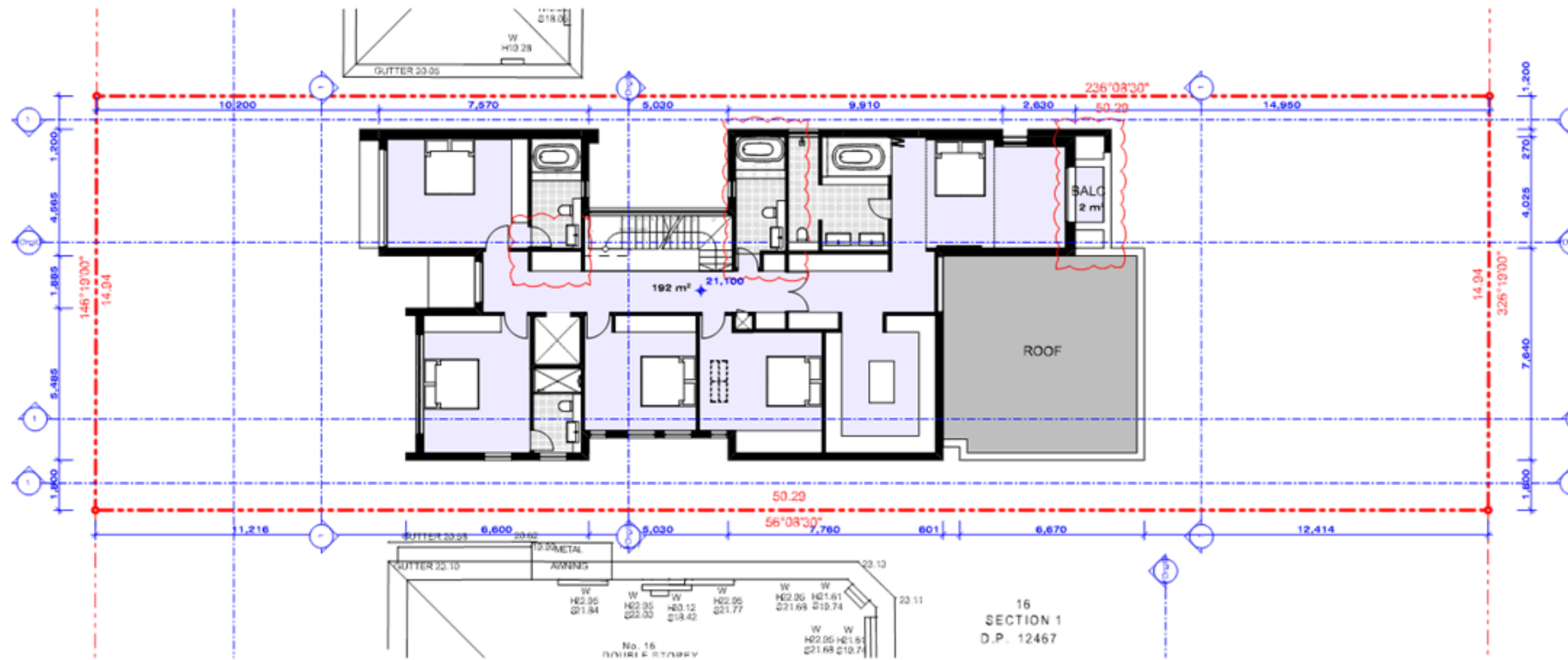
Drawing Title:
**FLOOR PLANS
GROUND FLOOR PLAN**

Drafted: GJ
 Approved: ZB

Scale: 1:200, 1:2.06
 Date of Issue: 16/10/2018

Project Number: **18-048**
 Drawing Number Revision: **DA2002 D**
DEVELOPMENT APPLICATION

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(AMENDED PLAN)

DA2018/080
17 October 2018

FIRST FLOOR PLAN

NATHERS Thermal Performance Specifications (BASIX Thermal Comfort)
14 Francis Street, Strathfield

These are the Specifications upon which the Certified Assessment is based. If details included in these Specifications vary from other drawings or written specifications, these Specifications shall take precedence. If only one specification option is detailed for a building element, that specification must apply to all instances of that element for the project.

| Windows | Glass | Frame | U value | SHGC | Detail |
|---------|--|-----------|---------|------|--|
| Default | Double glazed, low e (high solar gain) | Aluminium | 4.3 | 0.47 | Generally for window types: Awning, bi-fold, casement, tilt 'n' turn |
| Default | Double glazed, low e (high solar gain) | Aluminium | 4.3 | 0.53 | Generally for window types: Sliding window/ door, double hung, fixed, louvre |

| Skylights | Glass | Frame | U value | SHGC | Detail |
|-----------|----------------------|-----------|---------|------|--------|
| Default | Single glazed, clear | Aluminium | 7.3 | 0.79 | |

| External walls | Construction | Added Insulation | Detail |
|----------------|--------------|------------------|-----------------------------------|
| Default | Cavity brick | R 1.0 | All external walls, except garage |

| Internal walls | Construction | Added Insulation | Detail |
|----------------|-----------------------|------------------|-----------|
| Default | Plasterboard on studs | None | Generally |

| Floors | Construction | Added Insulation | Covering | Detail |
|----------|--------------|------------------|----------|----------------------------|
| Concrete | Concrete | None | Tiles | Ground floor |
| Concrete | Concrete | None | Carpet | First floor |
| Concrete | Concrete | R 1.0 | Carpet | First floors over open air |

| Ceilings | Construction | Added Insulation | Detail |
|----------|--------------|------------------|-----------|
| Default | Plasterboard | None | Generally |

| Roof | Construction | Added Insulation | Detail |
|---------|--------------|------------------|--------|
| Default | Concrete | R 2.5 | |

Other Requirements
All exhaust fans and downlights (if installed) to be sealed to prevent air infiltration

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| B | AG PER COMMENT 12/07/2018 | 27/07/2018 | ZB |
| A | DATE SUBMISSION | 23/05/2018 | ZB |

#Project Name
SINGLE DWELLING
14 Francis St
Strathfield NSW 2135 Australia



Nominated Architects:
Ziad Boumelhem Reg no 8038
Youssef El Khawaja Reg no 8033

Drawing Title
FLOOR PLANS
FIRST FLOOR PLAN

Drafted: GU
Approved: ZB

Scale: 1:200, 1:1.26
Date of Issue: 16/10/2018

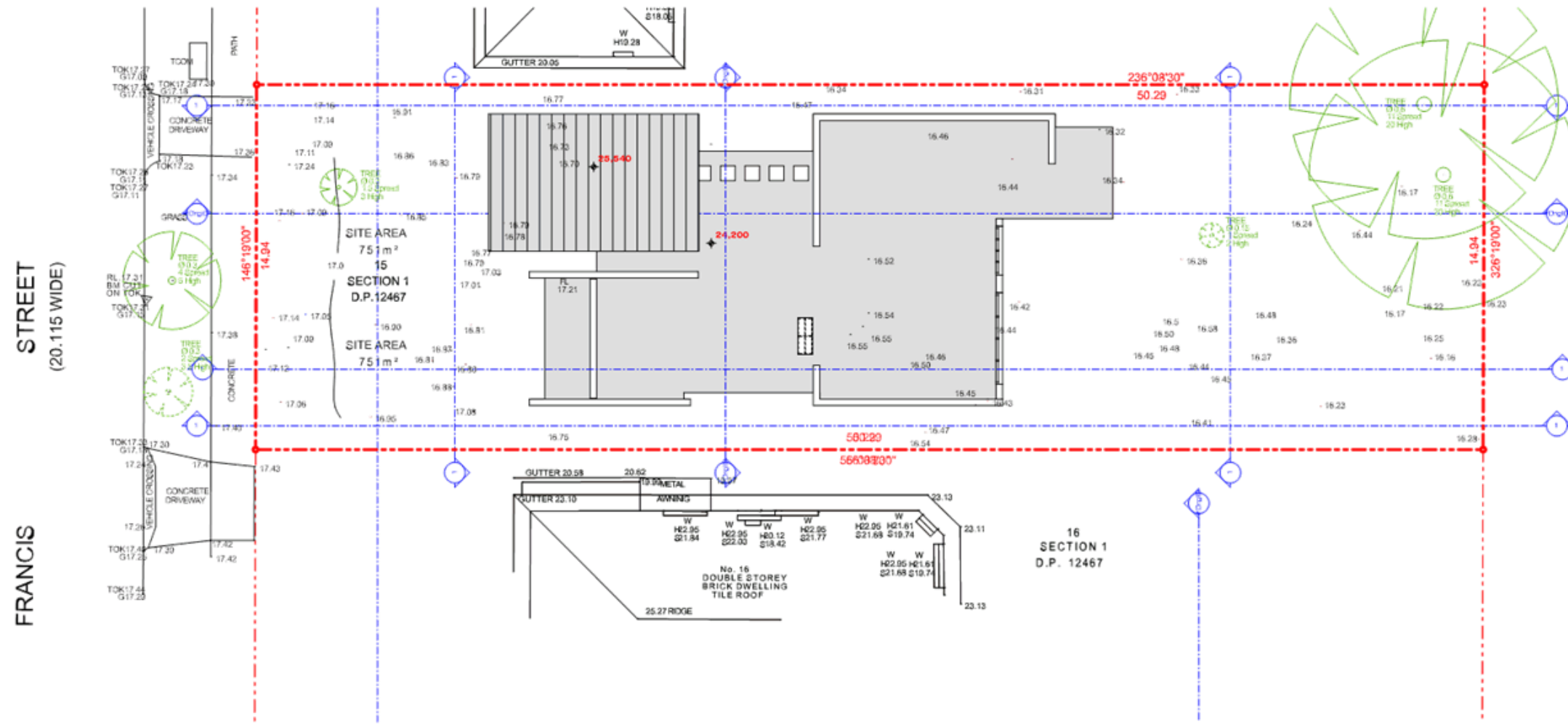


Project Number: **18-048**
Drawing Number/Revision: **DA2003 D**

DEVELOPMENT APPLICATION

Certificate no.: 0002797264
Assessor Name: Robert Mallindine
Accreditation no.: VIC/BDV/12/1475
Certificate date: 30 May 2018
Dwelling Address: 14 Francis Street Strathfield, NSW 2135
www.nathers.gov.au

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FIRST FLOOR PLAN

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**DA2018/080
17 October 2018**

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| A | DA SUBMISSION | 23/05/2018 | ZB |

Rev Description Date App'd
Project
#Project Name
SINGLE DWELLING
14 Francis St
Strathfield NSW 2135 Australia



Nominated Architects:
Ziad Baumeister Reg no 8038
Youssef El Khawaja Reg no 8033

Drawing Title
**FLOOR PLANS
ROOF PLAN**

Drafted: GJ
Approved: ZB

Scale: 1:200
Date of Issue: 16/10/2018

Project Number: 18-048

Drawing Number/Revision: DA2004 D

STATUS: DEVELOPMENT APPLICATION

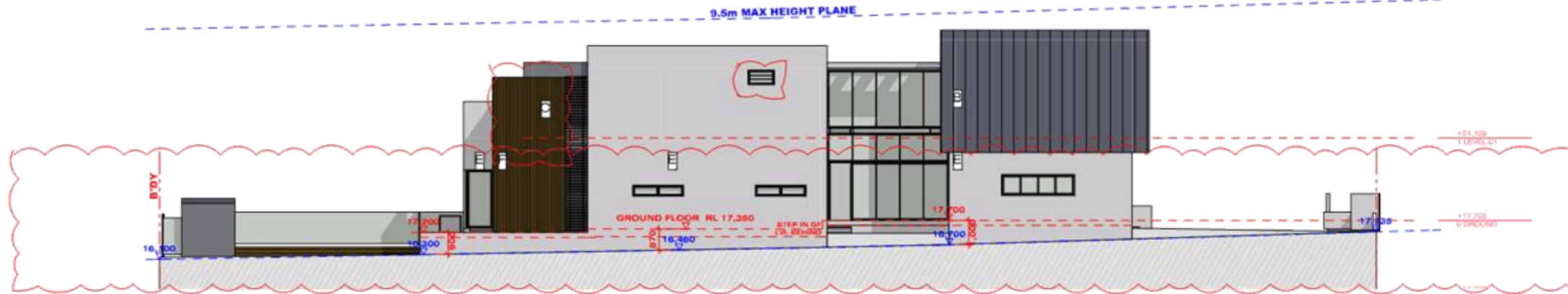
Certificate no.: 0002797264
Assessor Name: Robert Mallindine
Accreditation no.: VIC/BDV/12/1475
Certificate date: 30 May 2018
Dwelling Address: 14 Francis Street, Strathfield, NSW 2135
www.nshers.gov.au



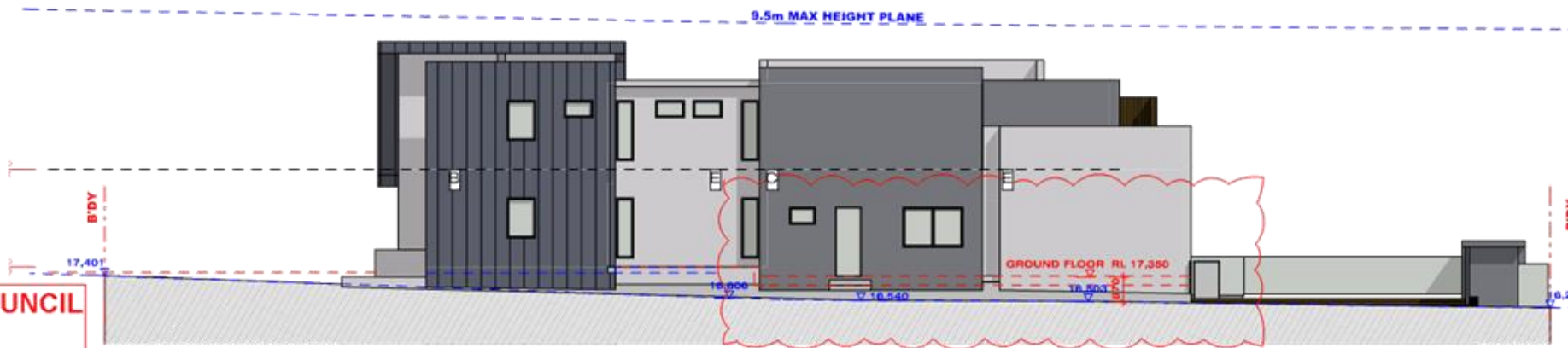
SOUTH-WEST ELEVATION



NORTH-EAST ELEVATION



NORTH-WEST ELEVATION



SOUTH-EAST ELEVATION



Certificate no.: 0002797264
 Assessor Name: Robert Mallidine
 Accreditation no.: VIC/BDAV/12/1475
 Certificate date: 30 May 2018



Dwelling Address:
 14 Francis Street
 Strathfield, NSW
 2136
 www.nahs.gov.au

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- EQUITONE TECTIVA T15 OR SIMILAR
- ARCHCLAD GREY ALUMINIUM CLADDING OR SIMILAR
- DULUX SG607 GRID OR SIMILAR
- DULUX GR24 ENDLESS DUSK OR SIMILAR
- DULUX SN4F1 TERRACE WHITE OR SIMILAR
- ALUMINIUM TIMBER LOOK ALIKE CLADDING OR SIMILAR
- BLACK POWDERCOAT WINDOW/DOOR FRAME OR SIMILAR

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| B | AG PER COMMENT 12/07/2018 | 27/07/2018 | ZB |
| A | DA SUBMISSION | 20/05/2018 | ZB |

Rev Description Date App'd
 Project
 #Project Name
 SINGLE DWELLING
 14 Francis St
 Strathfield NSW 2135 Australia



Nominated Architects:
 Ziad Baumeister Reg no 8038
 Yousef El Khawaja Reg no 8033

Drawing Title
ELEVATIONS
ELEVATIONS

Drafted: GU Approved: ZB

Scale: 1:200 Date of Issue: 16/10/2018

Project Number: 18-048 Drawing Number Revision: DA3001 D

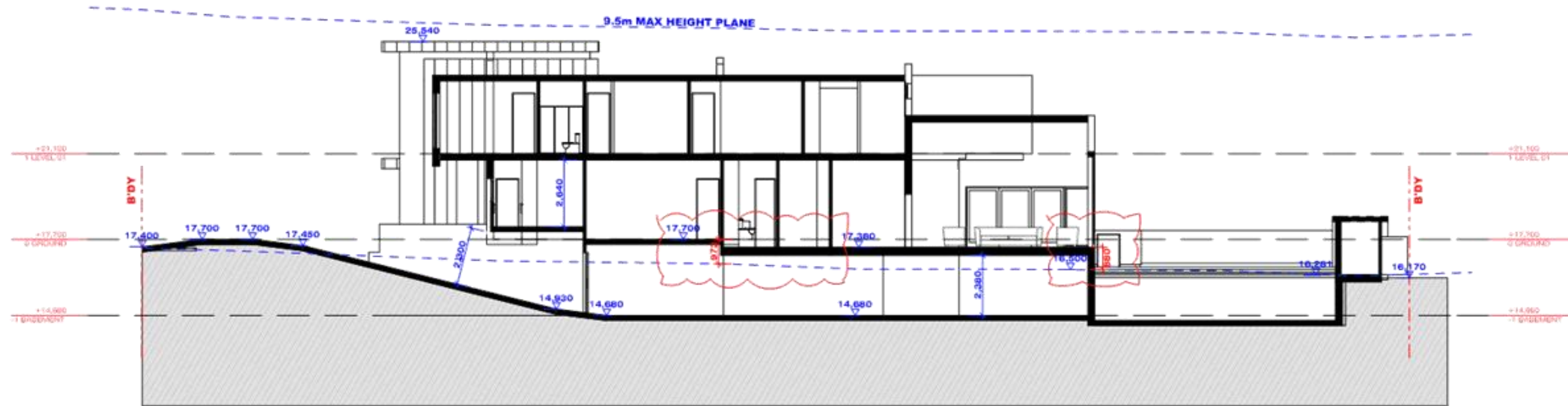
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Certificate no.: 0002797264
 Assessor Name: Robert Mallidine
 Accreditation no.: VIC/BOAV/121475
 Certificate date: 30 May 2018
 Dwelling Address: 14 Francis Street Strathfield, NSW 2136
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LONGIDUDINAL SECTION
 Scale 1 : 200@A3



STREETSCAPE
 Scale 1 : 200@A3

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| B | AG PER COMMENTS 12/07/2018 | 27/07/2018 | ZB |
| A | DATE SUBMISSION | 22/05/2018 | ZB |

Rev Description Date Appr
 Project
 #Project Name
 SINGLE DWELLING
 14 Francis St
 Strathfield NSW 2135 Australia



Nominated Architects:
 Zaid Baumeister Reg no 8038
 Yousef El Khawaja Reg no 8033

Drawing Title
SECTIONS
 SECTION/STREETSCAPE

Drafted: GJ
 Approved: ZB

Scale: 1:200
 Date of Issue: 16/10/2018



Project Number: 18-043
 Drawing Number Revision: DA4001 D
DEVELOPMENT APPLICATION

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135 April 2018



Flood Risk Management Plan

Proposed Two-Storey Dwelling Development

14 Francis Street, Strathfield, 2135

Prepared For
Strathfield Council

Client
Urban Link

ACE Project No.
ACE180488

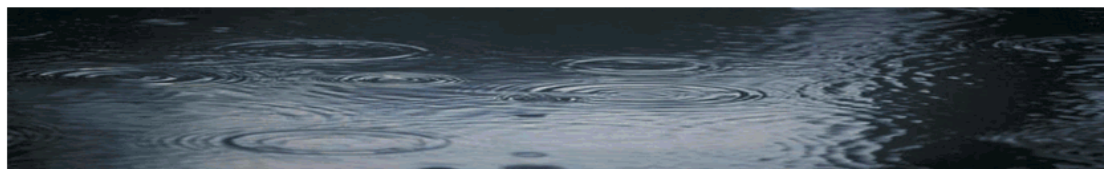
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6 June 2018**

Issue A April 2018

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FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

Document Information

| Project No: ACE180488 | | | | |
|--|--------------|----------------|---------------|----------|
| Report Type: Flood Risk Management Plan | | | | |
| Site Address: 14 Francis Street, Strathfield, NSW 2135 | | | | |
| Document Filename: ACE180488.FRM.DA -14 Francis St, Strathfield revA | | | | |
| Revision A | | Position | Date | Comments |
| Prepared By | Nicole Farah | Civil Engineer | 10 April 2018 | Nil |
| Reviewed By | Joe Bacha | Civil Engineer | 11 April 2018 | Nil |

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| Client | Comments |
|------------|----------|
| Urban Link | Nil |

Disclaimer

The advice and information contained within this report relies on the quality of the records and other data provided by the Client and obtained from Council along with the time and budgetary constraints imposed.

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135 April 2018

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FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135 April 2018

1 INTRODUCTION

Australian Consulting Engineers have been commissioned to undertake a Flood Risk Management Plan for the Proposed Two-Storey Dwelling Development at 14 Francis Street, Strathfield.

This report will:

1. Determine the existing Flood characteristics;
2. Define the flood risk for the proposed development in accordance with the *Strathfield Council DCP Flood Risk Management Policy*;
3. Set development levels for the proposed dwelling in accordance with Council's guidelines;
4. Provide flood risk management procedures for the proposed development in accordance with Council's Flood Risk Management Guidelines;

This report has been prepared generally in accordance with Strathfield Council advice, Council's Flood Risk Management Policies and other reference documents.

2 SITE DETAILS

2.1 Location

The proposed development site is located within the municipality of Strathfield Council and is identified as lot 15 of DP 12467. The site is located on the eastern side of Francis Street, number 14, Strathfield. The site has a total site area of approximately 751m² by title. The site is bounded by built up residential allotments to the south and north.

Figure 2-1 below shows the site's location outlined in red.



Figure 2-1 – Approximate Location of Site

2.2 Proposed Development

The proposed development consists of the construction of a two-storey dwelling with an underground basement car parking development. Access to the site shall remain via Francis Street.

Refer **Figure 2-2** for the proposed dwelling development ground floor plan.

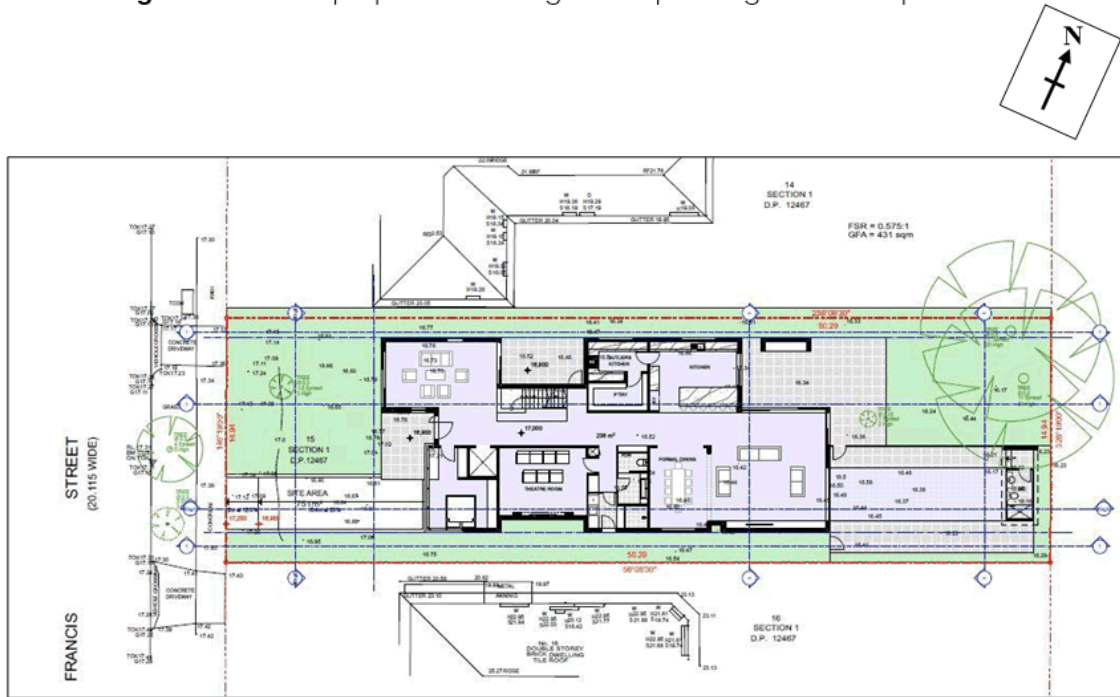


Figure 2-2 – Ground Floor Plan

3 FLOOD ASSESSMENT

3.1 Flood Risk Precinct

Three Flood Classifications have been defined as follows:

1. **High Flood Risk Precinct;** This has been defined as the area of land below the 100-year flood event that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties.

The high flood risk precinct is where high flood damages, potential risk to life or evacuation problems would be anticipated, or development would significantly and adversely affect flood behaviour. Most development should be restricted in this precinct. In this precinct, there would be a significant risk of flood damages without compliance with flood related building and planning controls.

2. **Medium Flood Risk Precinct;** This has been defined as land below the 100-year flood event that is not within a High Flood Risk Precinct. This is land that is not subject to a high hydraulic hazard or where there are no significant evacuation difficulties.

In this precinct there would still be a significant risk of flood damage, but these damages can be minimised by the application of appropriate development controls

3. **Low Flood Risk Precinct;** This has been defined as all land within the floodplain (i.e. Within the extent of the probable maximum flood) but not identified within either a High Flood Risk or a Medium Flood Risk Precinct. The Low Flood Risk Precinct is that area above the 100-year flood event.

The Low Flood Risk Precinct is where risk of damages is low for most land uses. The Low Flood Risk Precinct is that area above the 100-year flood and most land uses would be permitted within this precinct.

3.2 Flood Risk Assessment

Based on the flood information provided by Strathfield Council, this site is affected by the 1% Annual Exceedance Probability (AEP) flood. The flood level is estimated as RL 17.433m Australian Height Datum (AHD) upstream of the subject site and RL 16.238m AHD downstream of the subject site.

Refer to **Figure 3.1** below for the flood extent and flood levels at the subject site provided by Strathfield Council.

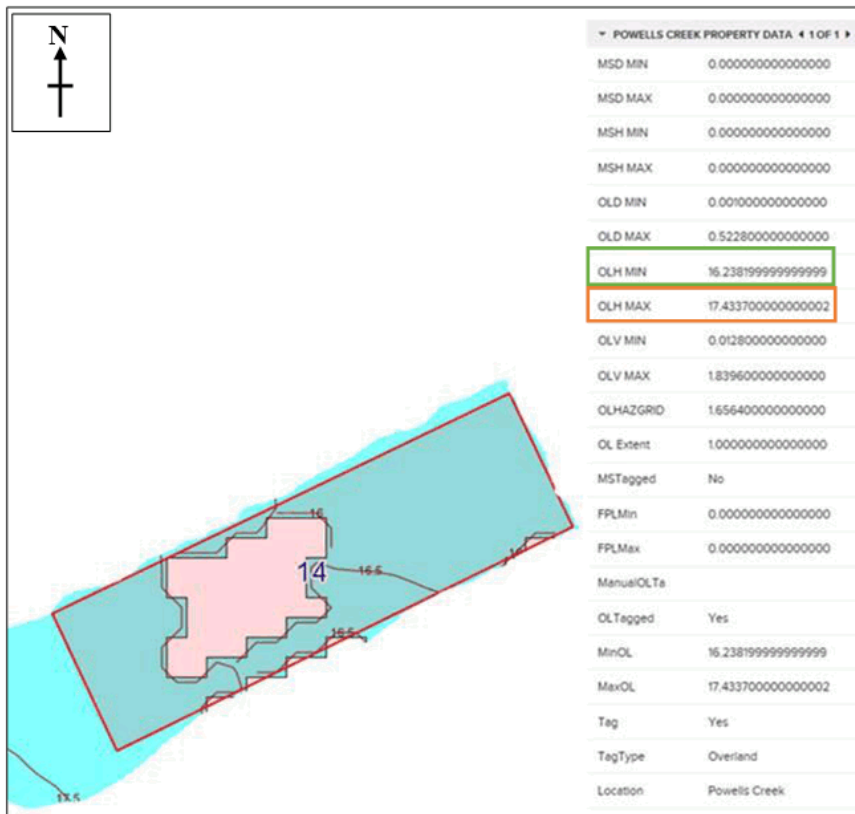


Figure 3-1 – Flood Extent Image

The subject site is classified as Medium Flood Risk.

4 CRITERIA FOR SETTING FLOOR LEVELS

All precautions within the planning and design stages of the proposed development should be taken to ensure that the risk of flood impacts are minimised.

Strathfield Council's DCP sets the development levels for all developments impacted by flooding. Minimum habitable floor levels shall be 0.5m above the 1% AEP flood level at the upstream side of the structure. Driveway basements access ramps shall have a crest point at the front section 0.3m above 1% AEP flood level to prevent ingress of flood water into the basement.

Table 4-1 below shows the minimum levels for the proposed development in accordance with Council's DCP.

Table 4-1- Minimum Development Levels

| Building Element | 1% AEP Flood Level | Council Design Requirement | Elevation |
|-----------------------------------|--------------------|---------------------------------------|-----------|
| Minimum Habitable Floor Level | 17.20m | 1 in 100 year ARI plus 0.5m freeboard | 17.70m |
| Minimum Basement Ramp Crest Level | 17.40m | 1 in 100 year ARI plus 0.3 freeboard | 17.70m |

5 FLOOD SAFETY AND AMENITY ISSUES

As described in **Section 3.2**, the subject site is affected by Overland Flow Flooding (Medium Flood Risk Precinct).

Council has adopted the following objectives for developments located nearby flood risk precincts:

1. To control development at risk of flooding in accordance with the NSW Government's Floodplain Development Manual.
2. To ensure that the economic and social costs which may arise from damage to property due to flooding is minimised and can be reasonably managed by the property owner and general community.
3. To reduce the risk to human life and damage to property caused by flooding by controlling development on land impacted by potential floods.
4. To ensure that development is appropriately sited and designed according to the site's sensitivity to flood risk.

6 FLOOD RESTRICTIONS

Floor Levels: Floor levels of habitable and non-habitable areas are to be in accordance with the advice given in **section 4** of this report.

Building Components: All proposed structures are to have flood compatible building components below the flood levels. All structures shall be constructed to withstand the forces of floodwater, debris and buoyancy up to and including the floor levels. A structural assessment is advised prior to occupation of building by an accredited Structural Engineer.

Climate Change: It is recommended to review this flood impact assessment every 10 years particularly with the potential effects of climate change and increased rainfall intensities.

In order for the proposed development to not have adverse impacts on surrounding properties, it is recommended that open style fencing should be adopted within the floodway area to ensure no blockages/obstructions to external flows. It is also recommended that no OSD basin retaining walls, garden bed etc. impeded flows within the floodway.

7 FLOOD RISK MANAGEMENT

This development complies with Council's flood evacuation requirements. In order to evacuate, residents would not have to travel through deep water to reach a place of refuge above the PMF flood waters.

It is anticipated that able residents could seek refuge above the PMF within the proposed dwelling on the first floor.

8 CONCLUSION

This Flood Risk Management Plan has been prepared to support the proposed two-storey dwelling development at 14 Francis Street, Strathfield.

- This Proposed development will be governed by Council's guidelines and discussions with Council when setting floor levels, as per **Table 4-1**.
- Open style fencing should be adopted within the site where/if fencing is to be placed to ensure no blockages/obstructions to external flow.
- It is recommended that no OSD basin, retaining walls, garden bed etc impede flows within the floodway (if applicable).

The report shows that the proposed development will achieve Strathfield Council's DCP requirement for flood control and flood risk management, and therefore recommends that the proposed development to proceed.

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

9 REFERENCES

1. Australia Government, Bureau of Meteorology Website
<http://www.bom.gov.au/>
2. New South Wales Government – Floodplain Development Manual – the management of flood liable land, April 2005
3. Strathfield Council – Development Control Plan 2012.

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

10 APPENDICES

Appendix A – Survey Plan

Appendix B – Development Layout Plan

Appendix C – Council Flood Extent

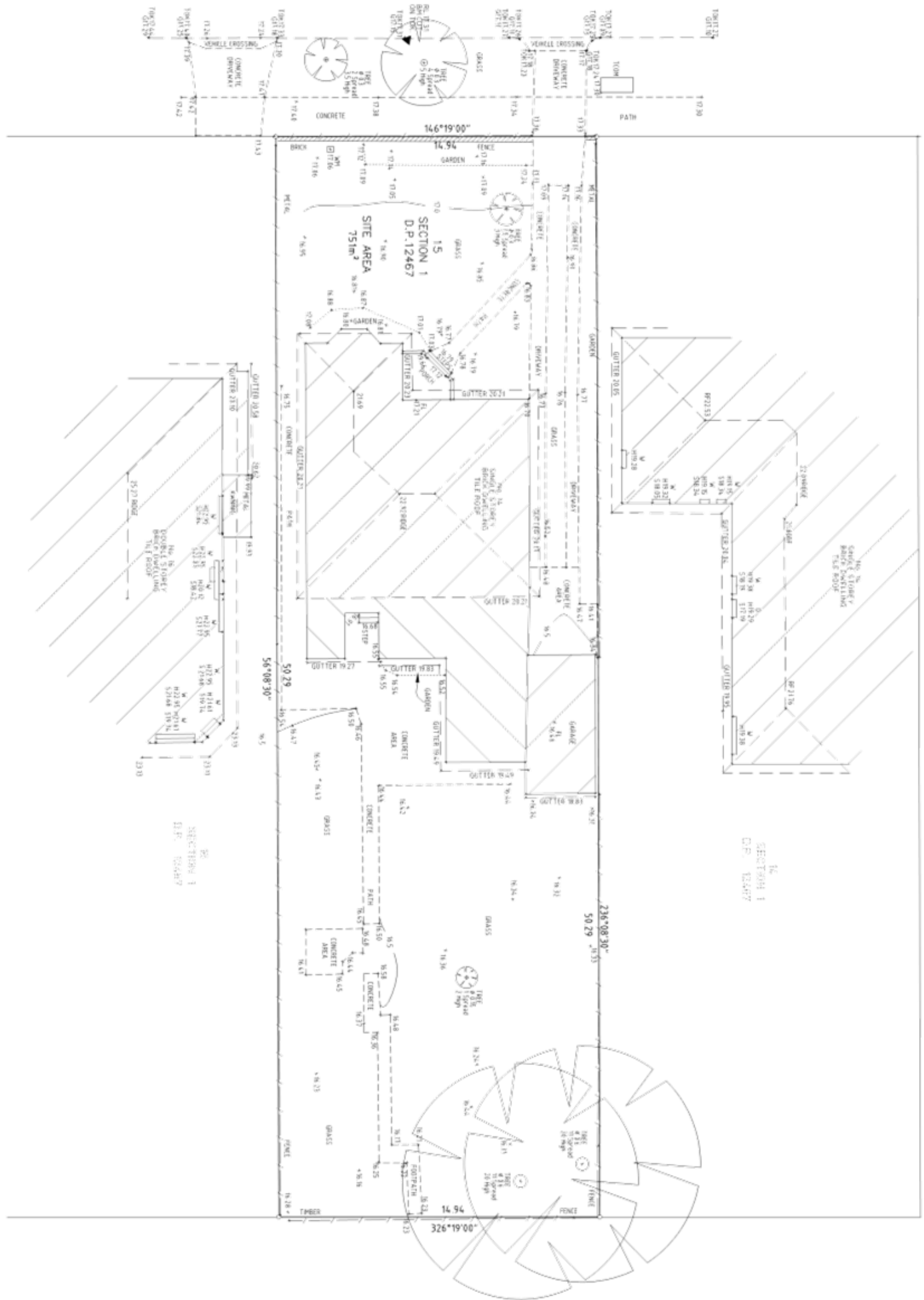
Appendix D – Site Photos

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

Appendix A SURVEY PLAN

FRANCIS STREET (20.115 WIDE)



IMPORTANT NOTE:
 This plan is prepared from a combination of field surveys and existing records for the purpose of determining the location of the site boundaries. The site boundaries shown on this plan are not intended to be used for any other purpose. The site boundaries shown on this plan are not intended to be used for any other purpose. The site boundaries shown on this plan are not intended to be used for any other purpose.

LEGEND:
 BM - BENCH MARK
 RL - REDUCED LEVEL
 CL - CLIMB LEVEL
 TL - TYPICAL LEVEL
 TR - TOP OF RISE
 TM - TYPICAL METRE
 WM - WATER METER
 G - GARDEN
 P - PATH
 C - CONCRETE
 B - BRICK
 T - TIMBER

| | |
|------------|----------------|
| DATE | REVISION |
| 07/04/2018 | TRACES REMOVED |

| | |
|-------------------------------------|-----------------------------|
| SCALE: 1:100 | VERT. I. |
| CONTR. INTERVAL: 0.5 | MAJOR: 1 |
| HORIZONTAL GREEN: 0.5 | MARKS ACCEPTED: COORDINATES |
| COORDINATE SYSTEM: M M | MARKS: COORDINATES |
| VERTICAL DATUM: BM ADAPTED: S118913 | |

A1

ATS LAND & ENGINEERING SURVEYORS PTY. LTD.
 A. C. N. 003 402 426
 Suite 3, 75 Ryedale Road, 9657 FIVE 2114
 (P.O. Box 331 CLADESBVILLE 16795)
 Phone: (02) 9808 8854 Fax: (02) 9808 8855
 E-Mail: ats@atsurveyors.com.au

PROJECT:
 TOPOGRAPHICAL SURVEY PLAN OF NO. 14 FRANCIS STREET, STRATHFIELD BEING LOT 15 IN SECTION 1 DP 12467

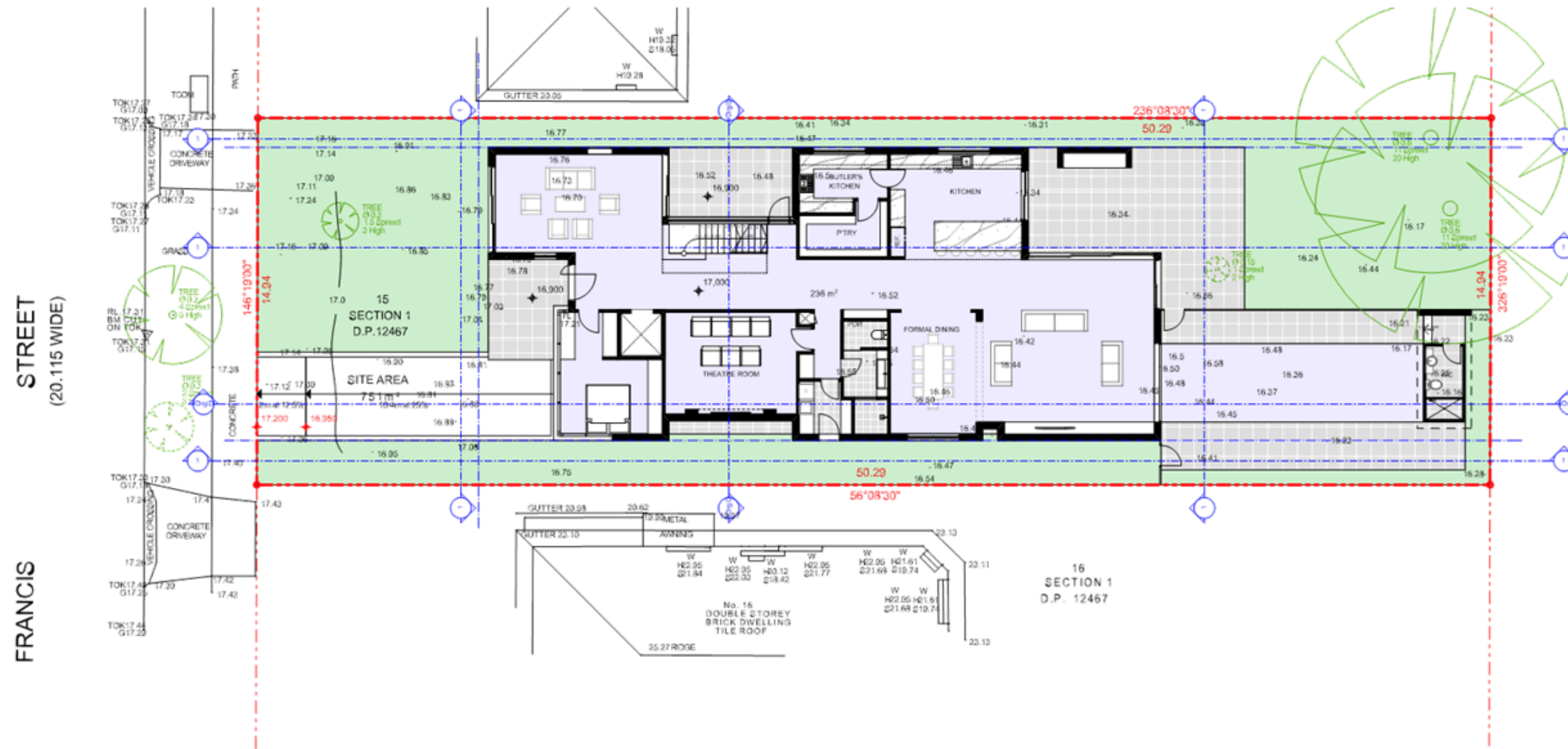
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| SHEET 1 OF 1 | |
| DRAWING | REV. |
| NO. | |
| 10377 | A |

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

Appendix B DEVELOPMENT LAYOUT PLAN

NOTE: CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWINGS.



GROUND FLOOR PLAN
Scale 1 : 200 @ A3

Rev Description Date Ass'd

Project

#Project Name
DUAL OCCUPANCY
14 Francis St
Strathfield NSW 2135 Australia



Nominated Architects:
Ziad Baumeister Reg no 8008
Youssef El Khawaja Reg no 8033 Nicholas Toubis Reg no 8036

Drawing Title
FLOOR PLANS
GROUND FLOOR PLAN

Checked: GJ
Approved: ZB

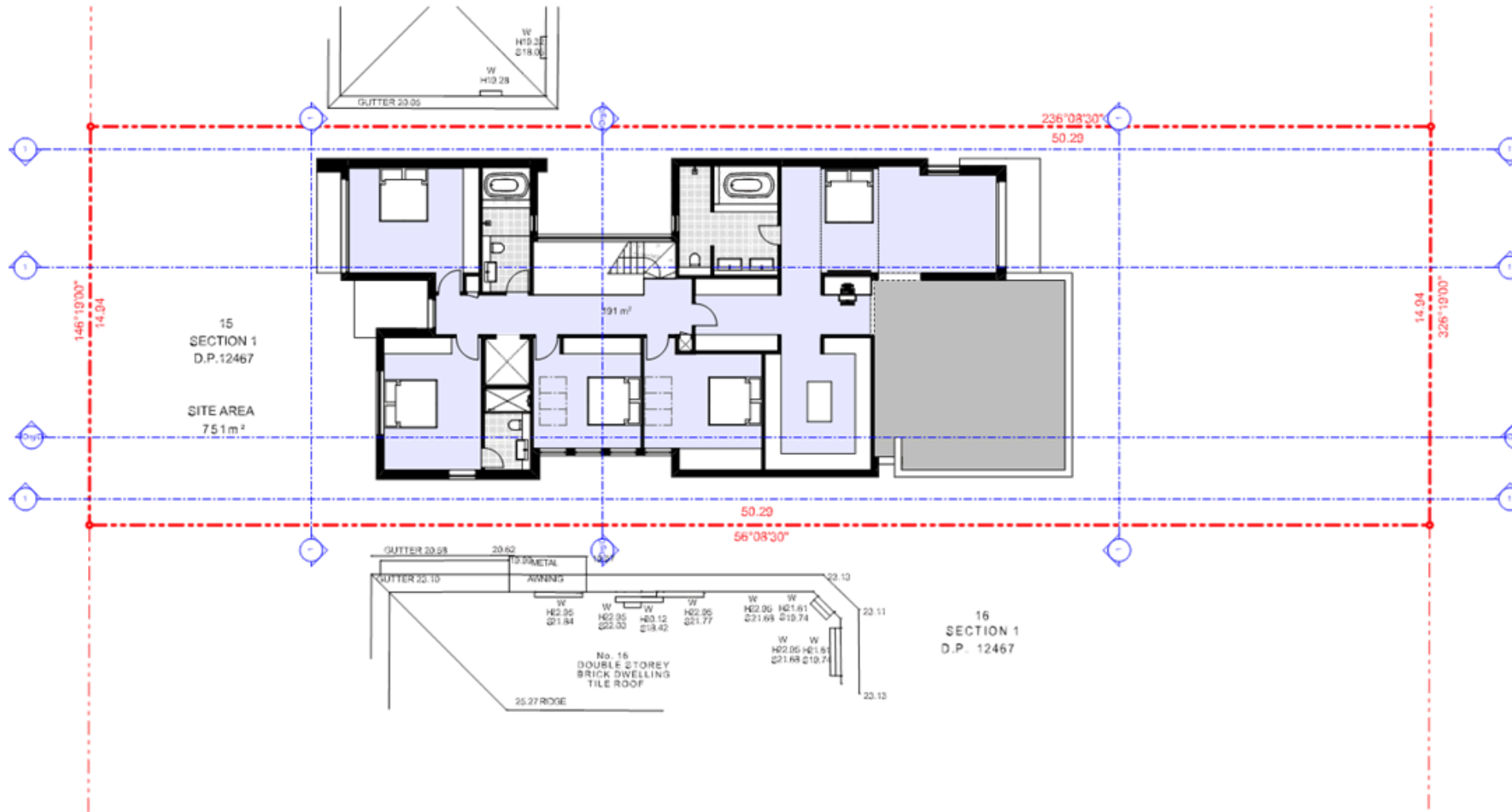
Scale: 1:200
Date of Issue: 10/04/2018



Project Number: 18-043
Drawing Number Revision: DA2001

DEVELOPMENT APPLICATION

NOTE: CONSULTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING ANY DRAWINGS. DO NOT SCALE DRAWINGS.



FIRST FLOOR PLAN
Scale 1 : 200@A3

| Rev | Description | Date | App'd |
|-----|-------------|------|-------|
| | | | |

Project
#Project Name
DUAL OCCUPANCY
14 Francis St
Strathfield NSW 2135 Australia



Nominated Architects:
Ziad Baumeister Reg no 8038
Youssef El Khawaja Reg no 8033
Nicholas Toubia Reg no 8036

Drawing Title
FLOOR PLANS
FIRST FLOOR PLAN

Checked: GJ
Approved: ZB

Scale: 1:200
Date of Issue: 10/04/2018



Project Number: **18-043**
Drawing Number Revision: **DA2002**

DEVELOPMENT APPLICATION

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

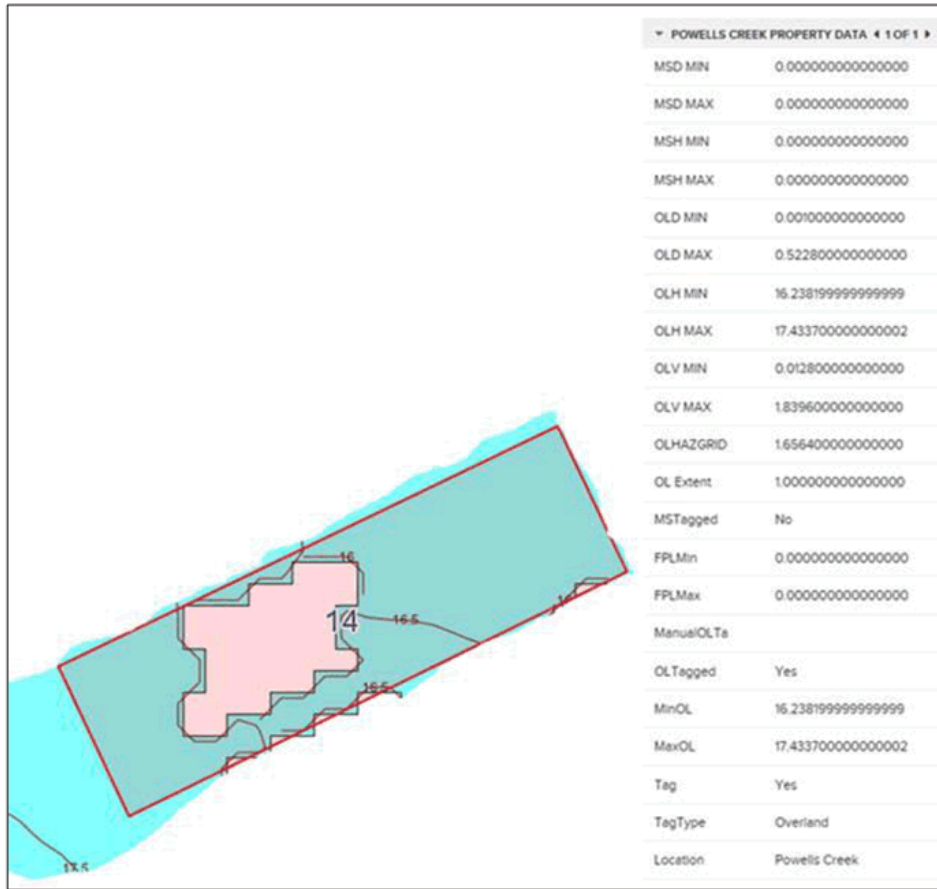
April 2018

Appendix C COUNCIL FLOOD EXTENT

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
 14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

Flood extent and 1% AEP Flood levels



FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

Appendix D SITE PHOTOS

FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

Photo 1: Standing on Francis Street facing number 14



Photo 2: Standing on Francis Street, facing East



FLOOD RISK MANAGEMENT PLAN FOR PROPOSED TWO-STOREY DWELLING DEVELOPMENT
14 FRANCIS STREET, STRATHFIELD, 2135

April 2018

Photo 3: Standing on Francis Street, facing North



Photo 4: Standing on Francis Street, facing South



TO: Strathfield Local Planning Panel Meeting - 1 November 2018
REPORT: SLPP – Report No. 4
SUBJECT: DA2017/051/01 - 14-18 PILCHER STREET, STRATHFIELD SOUTH
LOT 17-19 IN DP 11432
DA NO. DA2017/051/01

SUMMARY

Proposal: Section 4.55(2) modification to alter the approved hours of operation and increase staff numbers to the approved powder coating facility.

Applicant: Chapman Planning Pty Ltd

Owner: Qingela Pty Ltd

Date of lodgement: 5 March 2018

Notification period: 16 March 2018 to 29 March 2018

Submissions received: Five (5) submissions

Assessment officer: ND

Estimated cost of works: Nil

Zoning: IN1 General Industrial - SLEP 2012

Heritage: No

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

- 1.0 On 7 June 2017, IDAP approved Development Application No. 2017/051 for the use of the site as a powder coating facility.
- 2.0 The current application seeks to extend the hours of operation and increase the staff numbers of the approved powder coating facility.
- 3.0 The application was notified in accordance with part L of the SCDCP 2005 from 16 March 2018 to 29 March 2018. Five (5) submissions were received as a result raising concerns regarding noise and hours of operation.
- 4.0 The proposal initially sought to extend the hours of operation to 24 hours, 7 days a week. The proposed extended hours have since been substantially reduced due to compatibility concerns with the surrounding industrial and wider residential land uses.
- 5.0 In conjunction with the amendments pertaining to the hours of operation and staff numbers, additional conditions of consent have been recommended including the implementation of measures to minimise noise and air pollution from the approved powder coating facility.
- 6.0 The proposed modification is acceptable on its merits and recommended for approval subject to the imposition of additional conditions of consent.

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

BACKGROUND

- 8 March 2017: A letter was sent to the owners of the site by Council's Compliance Officer indicating that the current use of the site as a powder coating facility was being undertaken without approval and that a Development Application was required to be lodged.
- 11 April 2017: Development Application No. 2017/051 for the use of the site as a powder coating facility was lodged.
- 27 June 2017: Development Application No. 2017/051 for the use of the site as a powder coating facility was approved by IDAP.
- 5 March 2018: The current application (DA2017/051/01) was lodged. The application sought to modify the approved hours of operation and increase staff numbers.
- 16 March 2018 to 29 March 2018: The application was publicly notified. Five (5) written submissions were received as a result.
- 28 August 2018 An amended Statement of Environmental Effects was submitted to Council with changes to the proposed hours of operation to 7:00am – 6:00pm Monday to Saturday. The proposed maximum number of staff members remains unchanged.
- 22 October 2018 A site inspection of the subject site was undertaken by the Planning Officer and Council's Environmental Health Officer.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located off the southern side of Pilcher Street, approximately 50m east of the intersection of Pilcher Street and Cosgrove Road and approximately 150m west of the intersection of Pilcher Street and Madeline Street (as shown in **Figure 1**).

The subject site is a rectangular shaped allotment with a 34.74m frontage to Pilcher Street, a maximum site depth of 35.825m and a site area of 1233m². The site is occupied by a industrial warehouse building used for powder coating. The immediate locality is characterised by single and two (2) storey buildings used primarily for industrial uses including warehouse distribution centres, fabrication and mechanical workshops.

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

REFERRALS

INTERNAL REFERRALS

Building Comments

Council's Building Officer offered no objections to the proposal, subject to the imposition of the following additional conditions of consent:

“Access - Access for people with disabilities

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

Access - Disabled toilets

Plans and details of the disabled toilet/s complying with the relevant Australian Standards, the Building Code of Australia, and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)”

Environmental Health Comments

Council's Environmental Health Officer has commented on the proposal as follows:

“The application contained a Statement of Environmental Effects which was reviewed for compliance with the Protection of Environment Operations Act 1997 (“the POEO”) and the NSW EPA Noise Policy for Industry 2017 (“the NPI”).

The application is to amend the proposed hours of operation to 24 hours a day, Monday to Sunday. Objections and submissions from residents identified reversing alarms and the 24 hours, 7 days a week operation as likely to cause a noise impact.

The operation 24 hours a day is not likely to be suitable. A more suitable application would be the weekday operations more in line with the “day hours” - 7:00am to 6:00pm – as defined by the NPI with no changes to the approved weekend hours.”

SECTION 4.55 OF THE EP&A ACT 1979

Section 4.55(2) of the Environmental Planning and Assessment states as follows:

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

4.55 Modifications of consents - generally

(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*

Comment: The proposed modification does not seek approval for any physical works. The built form and use of the site as a powder coating facility remains unchanged from the original development consent. The submitted application is solely seeking an extension of hours of operation and an increase in staff numbers.

The application originally sought approval to extend the hours of operation to 24 hours, seven days a week. As these proposed hours are not consistent with similar industrial businesses in Pilcher Street, the applicant subsequently amended the proposal with reduced hours.

Overall, the development to which the consent as modified is substantially the same development for which consent was originally granted.

- (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

Comment: No concurrence or approval was required under the original development application.

- (c) it has notified the application in accordance with:*

- (i) the regulations, if the regulations so require, or
(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

Comment: In accordance with Part L of the SCDCP 2005, the application was publicly notified from 16 March 2018 to 29 March 2018.

- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comment: Five (5) written submissions were received, raising concerns regarding noise, hours of operation and residential amenity. The concerns raised in the submissions are addressed later in this report.

- (3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in Section 4.15(1) as are of relevance to the development the subject of the application.*

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

Comment: An assessment of the modification application against the matters referred to in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* is included in this report.

(3) *The consent authority must also take into consideration the reason given by the consent authority for the grant of the consent that is sought to be modified.*

Comment: The original development application was granted approval on 7 June 2017 at IDAP. In accordance with Clause 4.55(3), the assessment report presented to the IDAP meeting has been taken into consideration. In considering the suitability of the site for the development, the report noted that:

“The proposed use of the site as a powder coating facility generally complies with the provisions outlined in Part D, ‘Industrial Development’ of the Strathfield Consolidated Development Control Plan 2005. The subject is therefore, considered to be suitable in its current state for the purposes of the proposed development.”

The development as modified is consistent with the original development consent in that it generally complies with the controls contained in Part D Industrial Development of the SDCDP 2005. However, as a result of the concerns raised in the submissions received including the Council's Environmental Health officer, additional conditions of consent have been recommended to minimise noise pollution from the premises.

SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

In determining an 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) the provisions of:

(i) any environmental planning instrument

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Schedule 1 of the *Protection of the Environment and Operations Act 1997* (POEO Act) prescribes scheduled activities including metallurgical activities:

metal coating, meaning the coating of metal by any method (including spray painting, powder coating, enamelling, electroplating, anodising and galvanising, but not the coating of metal on vehicles or vessels).

Metal coating is a scheduled activity if the processing capacity is more than 10,000 tonnes of metal per year. The original development application estimated a processing capacity of ten (10) tonnes of aluminium, and five (5) tonnes of steel per year. Accordingly Condition No. 3 was imposed capping the processing capacity of the facility at 10,000 tonnes of metal per year. The current modification application does not seek to increase its capacity.

STATE ENVIRONMENTAL PLANNING POLICY NO. 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

The powder coating facility has been assessed in accordance with the definition of potentially hazardous industry contained in Clause 3 of the State Environmental Planning Policy No. 33 – Hazardous and Offensive Development. The definition is:

potentially hazardous industry means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example,

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

(a) to human health, life or property, or

(b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.

potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.”

The proposed use of the site as a powder coating facility does not meet the definition of a potentially hazardous or offensive industry based on the following assessment:

- The operation includes the use of a spray booth equipped with a fan filtration system that does not result in unreasonable noise or air quality impacts in the industrial locality;
- The handling and powder coating process is undertaken within the warehouse located on the site and does not result in unreasonable noise emissions; and
- The use of the premises as a powder coating facility does not exclude the future development of the site.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

Clause 7 of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires the consent authority to consider whether the land is contaminated and if the land is suitable for the proposed development.

The site has historically been used as a wholesale computer warehouse. The use of the site as a powder coating facility does not involve any excavation or change to the existing ground levels. In this instance Clause 7 of SEPP 55 has been satisfied and the land deemed suitable by the consent authority for the purpose of a powder coating facility.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal against the general aims of SLEP 2012 is included below:

| 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> | N/A |
| (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> | Yes |
| (d) | <i>To provide opportunities for economic growth that will enhance the local community</i> | Yes |
| (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> | Yes |

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

| | | |
|-----|--|-----|
| (f) | To identify and protect environmental and cultural heritage | Yes |
| (g) | To promote opportunities for social, cultural and community activities | N/A |
| (h) | To minimise risk to the community by identifying land subject to flooding and restricting incompatible development | N/A |

Comments: The use is consistent with the IN1 General Industrial zone and provides employment opportunities within the Local Government Area.

Permissibility

The site is zoned IN1 General Industrial. The development the subject of the proposed modification being for the purpose of a powder coating facility is defined as a "General Industry" and is permissible with consent.

Zone Objectives

An assessment of the proposed modification against the objectives of the IN1 General Industrial Zone is as follows:

| Objectives | Complies |
|---|----------|
| ➤ To provide a wide range of industrial and warehouse land uses | Yes |
| ➤ To encourage employment opportunities | Yes |
| ➤ To minimize any adverse effect of industry on other land uses | Yes |
| ➤ To support and protect industrial land for industrial uses | Yes |
| ➤ To minimize fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities | Yes |

Comments: The proposed modification seeks to increase the hours of operation and staff numbers of the approved powder coating facility, thus continuing the use of the site for industrial purposes and providing employment opportunities. During the assessment process, concerns were raised regarding the suitability of the site in relation to the proposed 24 hour, 7 day operations. Accordingly, the proposal was amended by way of reduced hours of operation so as to be more in line with the NSW EPA Noise Policy for Industry 2017.

Part 4: Principal development standards

The modification application does not seek any amendments to the approved building height and floor space ratio as follows:

Height of building

| Cl. | Standard | Controls | Existing | Proposed | Complies |
|-----|--------------------|----------|----------|-----------|----------|
| 4.3 | Height of building | 11m | 6.89m | Unchanged | Yes |

Floor space ratio

| Cl. | Standard | Controls | Existing | Proposed | Complies |
|-----|-------------------|-------------------------------|-----------------------------------|-----------|----------|
| 4.4 | Floor space ratio | 1:1 (1,233m ²) | 0.708:1 (873.1m ²) | Unchanged | Yes |

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

Comments: The proposed modification application does not seek to alter the existing floor area or building height of the premises as approved under the original development consent.

Part 5: Miscellaneous Provisions

This modification application involves no changes to the assessment of the original application against the relevant provisions contained within Part 5 of the SLEP 2012.

Part 6: Local Provisions

This modification application involves no changes to the assessment of the original application against the relevant provisions contained within Part 6 of the SLEP 2012.

4.15(1)(a)(ii) 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) any development control plan

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

PART D – INDUSTRIAL DEVELOPMENT

An assessment of the proposal against the objectives contained within Clause 1.2 of Part d of SCDCP 2005 is included below:

| No. | Objectives | Complies |
|-----|---|----------|
| A | To improve the quality of industrial development within the Strathfield Municipality | Yes |
| B | To ensure the orderly development of industrial sites to minimise their environmental impact while maximising their functional potential | Yes |
| E | To ensure that new industrial development is of a type, scale, height, bulk and character that is compatible with the streetscape characteristics of the surrounding area | Yes |
| G | To ensure that development will not unreasonably impact upon the amenity of any residential area in the vicinity | Yes |
| H | To ensure that traffic generated by industrial development does not adversely impact upon local or regional traffic movements | Yes |
| I | To ensure that each development has adequate on-site parking and manoeuvring areas for vehicles | Yes |

Comments: The subject application proposes the intensification of the approved use of the site as a powder coating facility through the proposed extension of operational hours and an increase in staff numbers. The scale of the business as modified will remain compatible with the industrial related business in the surrounding locality. To ensure the extended hours of operations do not give rise to adverse noise and air pollution, conditions of consent have been recommended to ensure the spray booth and ventilation system used in the powder coating process comply with the relevant Australian Standards.

2.4: Development Adjoining Residential Zones

| | | |
|-----|------------|--------------|
| 2.4 | Objectives | Satisfactory |
|-----|------------|--------------|

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
 Lot 17-19 in DP 11432 (Cont'd)

| | | |
|-----------------------|---|-----------------|
| A. | <i>To ensure industrial development does not unreasonably impact or intrude upon any adjoining residential area(s).</i> | Yes |
| 2.4 Guidelines | | Complies |
| 5 | Noise associated with the premises including plant and equipment will be subject to the NSW Environmental Protection Authority's Environmental Noise Control Manual and Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997. | Yes |
| 6 | Noise generated from fixed sources or motor vehicles associated with the proposed industrial development will be effectively insulated or otherwise minimised. | Yes |
| 7 | The operating noise level of plant and equipment shall generally not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises between the hours of 7.00am and 10.00pm. | Yes |
| 9 | The development shall not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting and the like. | Yes |

Comments:

The subject site is located approximately 340m from the nearest residential property (as shown in Figure 2). Submissions received as a result of the notification process raised concerns regarding the hours of operation and noise specifically in relation to reversing alarms of trucks and general noise. The nature of the approved use, being a powder coating facility requires the utilisation of equipment and machinery that create noise and air pollution. To minimise noise and air pollution as a result of the intensification of the use and so as not to unreasonably impact on the amenity of the nearby residential area, additional conditions of consent have been recommended. Specifically, additional conditions are recommended to ensure the management of the spray booths and exhaust ventilation system comply with Australian Standards 4114.1 and 4114.2.

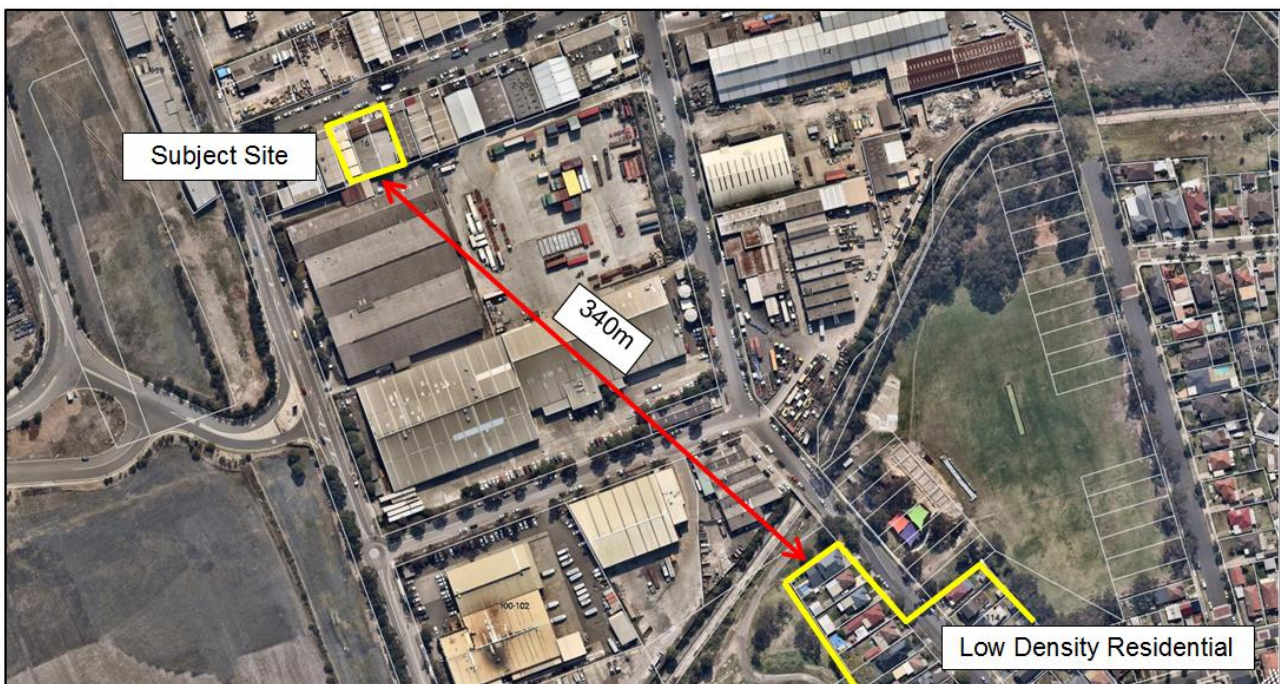


Figure 2: Aerial view of the subject site and the nearest residential properties.

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 Lot 17-19 in DP 11432 (Cont'd)

The subject application originally sought an extension to the hours of operation from Monday to Saturday 7:30am to 4:30pm as approved under the parent consent to 24 hours, seven day a week. As the proposed hours were not consistent with the surrounding industrial uses, the application was subsequently amended seeking hours of operation from Monday to Saturday 7:00am to 6:00pm with no trading on Sundays.

The subject site is located in Pilcher Street and is surrounded by IN1 General Industrial zoned land in Cosgrove Road, Madeline St and Cleveland Street, with existing uses including a waste facility, container terminal, warehouse and distribution centre, timber yard and storage of scaffolding and with approved hours as shown in the table below.

| Location | Use | Hours of Operation |
|---------------------|--|--|
| 94-98 Cosgrove Road | Container terminal with adjoining warehouse. | Monday – Friday: 5:00am to 11:00pm Saturday: 5:00am to 2:00pm Sunday: Closed |
| 78-80 Cosgrove Road | Waste Facility | Monday – Friday: 7:00am to 5:00pm Saturday: 7:00am to 3:00pm Sunday: Closed |
| 2 Pilcher Street | Chemical mixing and storage | Monday – Friday: 7:00am to 6:00pm Saturday: 7:00am to 4:00pm Sunday: Closed |

Having regard to the hours of operation of surrounding business (as outlined above) and the relatively close proximity of the subject site to residential zoned land, it is recommended that the hours of operation on Mondays to Fridays be limited to 7:00am to 6:00pm with Saturday hours to remain as per the original consent, 7:30am to 4:30pm to maintain residential amenity.

2.9: Parking, Access and Manoeuvring

| 2.9.1 Objectives | | Satisfactory |
|------------------|--|--------------|
| A. | To ensure sufficient car parking spaces are provided on-site for employees and visitors; | Yes |
| B. | To ensure the effective design of car parking areas; | Yes |
| C. | To encourage the provision of parking areas that will integrate with proposed the building(s) and be suitably landscaped to reduce large expanses of hard paving | Yes |
| D. | To ensure car parking areas are accessible for persons with a disability and safe for all pedestrians to use | Yes |

| 2.9 Guidelines and Requirements | | Complies | |
|---------------------------------|---------|---|-----|
| .1. | Parking | | |
| | 1 | The design of off-street parking areas meet the requirements of Australian Standard (AS) 2890.1-1993 – Off-street car parking, AS2890.2-1989 – Commercial vehicles and Strathfield Part I - Provision of Off-Street Parking Facilities. | Yes |
| | 2 | Provision of spaces: (i) Industry: 1 space per 50m ² GFA where any office component is under 20%. If the office component is greater than 20% that additional area will be assessed at a rate of 1 | No |

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
 Lot 17-19 in DP 11432 (Cont'd)

| | | |
|-------|---|-----|
| | space per 40m2 GFA. | |
| (iii) | Delivery and service vehicles associated with a development: 1 space per 800m2 GFA up to 8,000m2 GFA plus 1 space per 1,000m2 GFA thereafter. | Yes |
| 3 | Car parking areas located in the front setback for easy access. | Yes |

Comments:

In accordance with Section 2.9.1 of the SDCDP 2005, the premise is required to provide a minimum of 18 car parking spaces and one (1) loading dock. The subject site currently provides seven (7) car parking spaces (including one accessible) and one (1) loading dock as approved under the original development consent, resulting in a shortfall of 11 car parking spaces. As the subject application seeks an increase of the maximum number of staff at any one time from six (6) to twelve (12) staff, the likely realistic shortfall is five (5) car spaces. Pilcher Street has unrestricted on-street car parking with spare capacity available for additional cars. As such, the proposed parking variation is considered acceptable in this instance.

Nonetheless, during the site inspection undertaken as part of the assessment process it was noted that vehicles were not able to be parked in the designated parking area within the front setback of the building as it contained products in various stages of the powder coating process and timber pallets. Additional conditions of consent have been recommended to ensure that the front setback is utilised for car parking as per the approved plans including requirements that no goods, chemicals or machinery are to be storage in any area external to the building and that for the swept path (illustrated in **Figure 3**) is to be permanently marked and clear at all times.

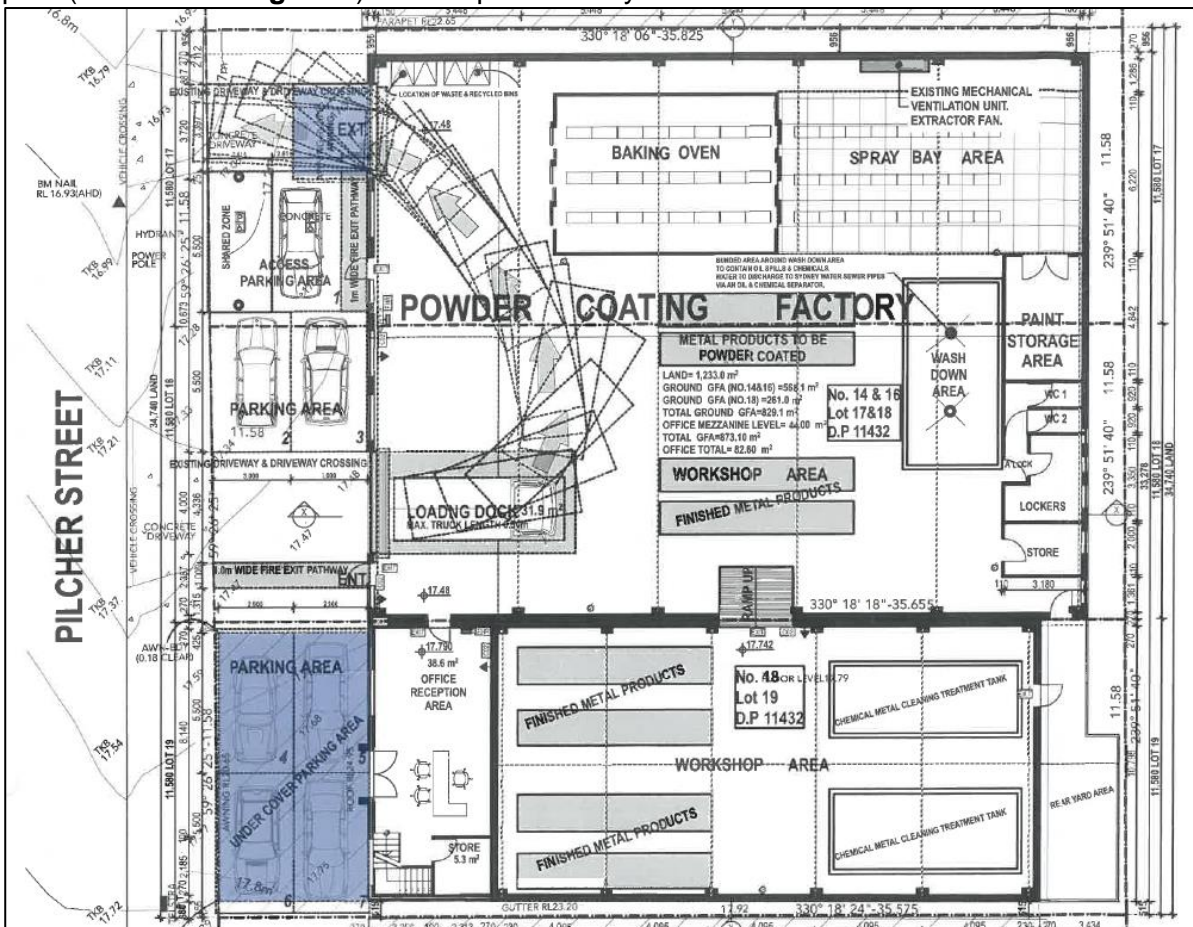


Figure 3: Layout of the ground floor as approved under the original consent (DA2017/051) including car parking area within the front setback.

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
 Lot 17-19 in DP 11432 (Cont'd)



Figure 4: Photograph taken at site inspection of designated off-street car parking area.

2.14: Air Noise and Water Pollution

| 2.14 Objectives | | Satisfactory |
|---|--|---------------------|
| A. | To ensure industrial developments do not create a pollution problem by the discharge of an unacceptable level of air, noise and/or water emissions. | Condition No |
| 2.14 Guidelines and Requirements | | Complies |
| | <i>General</i> | |
| .1. | 1 The emission of any air impurities including offensive odours, the discharge of any waste into any waters or the emission of noise associated with any development shall not contravene the Protection of the Environment Operations Act 1997. | Yes |
| | <i>Noise</i> | |
| | 2 The proximity of the proposal to residential areas will influence the type of land use or machinery that will be permissible. | Yes |
| .2. | 3 The proposed building(s) are designed to inhibit the transmission of noise. Note: Council may require an acoustic report from a suitably qualified acoustic consultant where a proposed development may create excessive noise. | Yes |
| | 4 The use of the premises including plant and equipment will be subject to strict compliance with the NSW Environmental | Yes |

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

Protection Authority's Environmental Noise Control Manual and
the Industrial Noise Policy 2000.

Comments: The proposal seeks an intensification of the approved use through the proposed extended hours of operation and increase in staff numbers. As a result, noise and air pollutants emitted from the premises. It is important that the ventilation system used for the spray booths is appropriate to mitigate air impurities, as well as the noise emitted from the ventilation system itself. A condition of consent is recommended to the effect that a Plan of management pertaining to the maintenance and operation of the spray booth and exhaust capture system is prepared and complied with.

PART H - WASTE MANAGEMENT (SCDCP 2005)

The modification application will not alter the waste arrangements as approved under the original development consent.

4.15 (1)(a)(iia) 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) matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures*.

(i) any coastal zone management plan

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

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

Hours of Operation

As discussed throughout this report, the modification application originally sought to extend the hours of operations of the approved powder coating facility to 24 hours, seven days a week. A revised proposal was submitted due to residential amenity concerns. Whilst the proposed reduced weekday hours align with the daytime hours of the NSW Noise Policy for Industry 2017, it is recommended that Saturday trading hours remain as per the parent consent (7:30am to 4:30pm) to align with similar industrial premises in the surrounding locality and maintain amenity for local residents on weekends.

Building

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Lot 17-19 in DP 11432 (Cont'd)

As the subject application seeks to increase the maximum number of staff at the premises at any one time from six (6) to twelve (12), it is reasonable that the premises achieves compliance with the minimum requirements for access for people with disabilities and disabled toilet facilities with the relevant Australian Standards, the Building Code of Australia and the Disability Discrimination Act 1992. Hence, a condition of consent

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

The approved development as modified by the current section 4.55 application does not alter the suitability of the development to the site. Through the imposition of additional conditions of consent to minimize potential noise and air pollution impacts, the approved use and extend hours of operation will unlikely to result in adverse amenity impacts on the surrounding locality.

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

The application was notified from 16 March 2018 to 29 March 2018 in accordance with Part L of the SCDPC 2005. Five (5) written submissions were received as a result. The issues raised are summarised and addressed as follows:

1. Hours of Operation:

Concern is raised regarding the proposed extension of hours to 24 hours, seven days a week and its impact on the surrounding residents, specifically noise. The proposed increase of 48hrs per week to 168hrs is substantial.

Assessing Officer's Comments: As previously discussed, the application initially sought to extend the approved hours of operation to 24 hours, seven days a week. The expanded hours of operation are not consistent with the operational hours of similar industrial businesses in Pilcher Street. Consequently the application was amended to seek consent for an extension of hours to Monday to Friday 7:00am to 6:00pm only.

2. Noise

The premises is located approximately 350m from residential properties. Concern is raised that the proposed increase in the hours of operation will have a negative impact on the acoustic amenity of nearby residents.

Assessing Officer's Comments: As stated above, the subject site is located approximately 340m from the nearest residential property. The continuous hours of operation 7 days a week was unacceptable in these circumstances. Accordingly, the operational hours were reduced so as to align with the daytime hours as defined by the NSW EPA Noise Policy for Industry 2017. Additional conditions of consent have been recommended pertaining to the maintenance of the spray booth and its exhaust ventilation system to ensure compliance with the Australian Standards, specifically in regards to noise and air quality so as to protect the amenity of nearby residents.

3. Truck Noise

The proposed extension of operation hours includes an extension of the delivery and pick-up times. The reverse beeping noise emitted from trucks during the delivery and pick-up times are very loud and impact on residential amenity.

Assessing Officer's Comments: During the site inspection conducted as part of the process, it was noted that trucks picking up finished products were reversing out of the premises due to the maneuvering (as illustrated in **Figure 3**) being obstructed by goods and materials. To ensure the approved delivery arrangements are complied with and thereby minimising truck noise, additional conditions of consent have been recommended to the effect that vehicles with reversing alarms must exit the site in a forward direction and the swept path as annotated on the approved plans be permanently marked to ensure that the area is cleared at all times.

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Lot 17-19 in DP 11432 (Cont'd)

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. The approved development as modified by the current modification application is not contrary to the public interest.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
 - or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

This section 4.55 application does not trigger any changes to the original condition of consent requiring payment of a section 7.11 contribution in accordance with Council's Section 94 Contributions Plan.

CONCLUSION

The application has been assessed having regard to Section 4.55 of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2012 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval.

RECOMMENDATION

Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, the proposed modification(s) to Development Consent No. 2017/051 for the use of the site as a powder coating facility at 14-18 Pilcher Street, Strathfield South be **APPROVED**, subject to:

1. The original conditions of consent as approved by IDAP on 7 June 2017 for use of the site as a powder coating facility (DA2017/051).
2. As modified by the Section 4.55(2) application (DA2017/051/01) to alter the approved hours of operation and increase staff numbers to the approved powder coating facility as follows:
 - Alteration to Condition No. 8 regarding hours of operation;
 - Amendment to Condition No. 9 regarding maximum staff numbers;
 - Addition of Condition No. of
 - 11A Complaints – Air and noise pollution
 - 13 Spray Booth Requirements
 - 14 Spray Booth Plan of Management
 - 15 Storage of Materials Externally
 - 16 Vehicles
 - 17 Swept Path

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GENERAL CONDITIONS (GC)

1. 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. DA2017/029:

| Drawing No. | Title/Description | Prepared by | Issue / Revision & Date | Date received by Council |
|--------------------|--------------------------|--------------------|------------------------------------|---------------------------------|
| A01 | Site Analysis Plan | Ergo Designs | A | 11 April 2017 |
| A02 | Ground Floor Plan | Ergo Designs | A | 11 April 2017 |
| A03 | Front Elevation | Ergo Designs | A | 11 April 2017 |
| A04 | Sections | Ergo Designs | A | 11 April 2017 |
| A05 | Notes and Calculations | Ergo Designs | A | 11 April 2017 |

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2017/029:

| Title / Description | Prepared by | Issue/Revision & Date | Date received by Council |
|----------------------------|--------------------|----------------------------------|---------------------------------|
| Waste Management Plan | Peter Chao | | 15 April 2017 |

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail. However, the conditions of this consent shall prevail to the extent of any inconsistency.

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

2. WASTE BINS

All waste storage bins are to be located within the warehouse and not in the parking lot. The amended waste management plan with location of waste bins being internal to the building must be submitted to PCA prior to **Occupation Certificate**.

(Reason: To minimise visual impacts of the development.)

3. OPERATIONAL CAPACITY

At no time is the facility to process more than 5,000 tonnes of metal per year. A register of materials processed upon the site is to be maintained and kept upon the site at all times.

(Reason: Further supporting documentation is required to support development beyond this threshold.)

4. STREET TREES

A minimum of two (2) street trees shall be provided within Council's nature strip in Pilcher St in accordance with the following:

- (a) Trees are to conform to the *NATSPEC guide* and *Guide for assessing the quality of and purchasing of landscape trees* by Ross Clarke, 2003.
- (b) Trees shall be minimum 50 litre container size. Trees are to be true to type, healthy

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

and vigorous at time of delivery and planting, shall be pest and disease free, free from injury and wounds and self-supporting. Supplied trees are to have an appropriate stem taper. Roots shall generally grow in an outwards (radial) or downwards direction.

- (c) Trees must be selected from Council's Recommended Tree List.
- (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.
- (e) Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.
- (f) Apply soil conditioner/fertilizer/moisture retention additive/s in accordance with manufacturer's recommendations, and mix into the backfilling soil after planting tree/s.
- (g) Minimum 75mm depth of organic mulch shall be placed within an area 0.5m from the base of the tree.

(Reason: Environmental amenity)

5. LANDSCAPING – MAINTAINENCE

General maintenance of Council's nature strip adjoining the development site, including regular lawn mowing, edging, irrigation of the lawn and street trees and restricting the storage of materials, rubbish and parking or driving of vehicles on the nature strip, must be carried out during the ongoing operation of the site.

(Reason: Tree preservation and environmental amenity.)

6. FIRE SAFETY (CERTIFICATION)

A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

An fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- (i) has been assessed by a properly qualified person; and
- (ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the *Environmental Planning & Assessment Regulation 2000*.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the *Environmental Planning & Assessment Regulation 2000*.

A copy of the fire safety certificate and fire safety schedule shall be:

- (i) submitted to Strathfield Council;
- (ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- (iii) prominently displayed in the building.

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Lot 17-19 in DP 11432 (Cont'd)

7. WASTE MANAGEMENT PLAN

Full compliance is to be given to the endorsed Waste Management Plan (WMP) All requirements of the approved Waste Management Plan must be implemented during the on-going use of the premises.

The WMP must identify the types of waste that will be generated and all proposals to re-use, recycle or dispose of the waste. The WMP is to be submitted to the Principal Certifying Authority, prior to issue of the Construction Certificate.

(Reason: To ensure appropriate management of waste.)

8. HOURS OF OPERATION (INDUSTRIAL PREMISES)

The hours of operation of the approved industrial premises must not exceed the following, without the prior approval of Council:

| <i>Days</i> | <i>Approved hours of operation</i> |
|-----------------|------------------------------------|
| Monday – Friday | 7:00am to 6:00pm |
| Saturday | 7:30am to 4:30pm |

The premises must not open for business on Sundays or Public Holidays.

This condition does not apply in respect of refrigeration equipment/or machinery, unless they create a nuisance or were not part of the original consent.

Should substantiated complaints or breaches of noise regulations occur, a suitably qualified acoustic consultant shall be engaged by Council to measure noise emanating from the building/premises and to recommend appropriate action. The cost of such an appointment shall be borne by the operator/owner and any works recommended by the acoustic consultant shall also be borne by the operator/owner and carried out within a time frame set by Council.

(Reason: Noise control and amenity.)

(Reason: Ensure the industry operates between approved hours.)

9. STAFF NUMBERS

A maximum of twelve (12) staff members are to be present upon the subject site at any time.

(Reason: To ensure the development operates as proposed.)

10. NOISE - REQUIREMENTS FOR INDUSTRIAL PREMISES

The use of the premises shall comply with the requirements of the NSW Environment Protection Authority Industrial Noise Policy 2000 and shall not give rise to the transmission of offensive noise as defined in the Protection of the Environment Operation Act 1997 (NSW)

(Reason: Noise control and amenity.)

11. POLLUTION - COMPLIANCE WITH PEOA 1997 GENERALLY

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection.)

11A. COMPLAINTS – AIR AND NOISE POLLUTION

In the event of Council receiving complaints regarding air pollution, noise pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an Air Quality Impact Assessment or Acoustic Impact Assessment, or other environmental investigation specified in writing by Council to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour or noise emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

(Reason: Environmental protection)

12. WASTEWATER CONTROL

The applicant shall contact Sydney Water, to determine the requirements for the disposal of wastewater and liquid trade waste (including grease traps or grease arrestors). The applicant must provide a copy of the Authority to connect to the sewer system prior to the issue of a Construction Certificate.

There is to be no discharge of wastewater to the stormwater system.

(Reason: To ensure suitable disposal of waste water.)

13. SPRAY BOOTH REQUIREMENTS

The premises must be provided with a spray booth that is designed, constructed and installed to comply with AS/NZS 4114.1: Spray painting booths, designated spray painting areas and paint mixing rooms – Design, construction and testing and AS/NZS 4114.2: Spray painting booths, designated spray painting areas and paint mixing rooms – Installation and maintenance.

In addition, the spray booth must:

- a) be fitted with an exhaust capture system and a ventilation system that includes a filter for removing airborne contaminants;
- b) have ventilation systems capable of producing a minimum air movement of:
 - 0.3 m/s for a full downdraft booth;
 - 0.4 m/s for electrostatic spraying;
 - 0.5 m/s for any other booth.
- c) be inspected at regular intervals and maintained according to manufacturer's specifications, a plan of management and AS/NZS 4114.2:2003, and
- d) have a sign indicating the time people should allow for chemicals to clear before entering the spray booth.

Council and the Principle Certifying Authority must be provided with a certificate from a suitably qualified spray booth technician/installer confirming compliance with

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

the above requirements.

(Reason: To ensure compliance with legislation and to protect public health and safety)

14. SPRAY BOOTH (PLAN OF MANAGEMENT)

, Council and the Principle Certifying Authority must be provided with a copy of the Plan of Management relating to the maintenance and operation of the spray booth and exhaust capture system.

(Reason: To ensure compliance with legislation and to protect public health and safety)

15. STORAGE OF MATERIALS EXTERNALLY

No storage of goods, material, equipment, machinery, refuse, or refuse bins (except as indicated on the approved plans) shall take place in any area external to the building, between the building and the street alignment and nor shall the same be stored or placed within the road reserve except in accordance with Council's Materials on the Footpath Policy.

(Reason: To ensure car parking provision and amenity)

16. VEHICLES

The following measures must be complied with at all times:

- a) Reversing alarms for vehicles used on site are to be "quacker" type alarms, or other reversing alarm with tonality designed to dissipate quickly and reduce noise nuisance.
- b) Vehicles with reversing alarms must exit the site are to driving forwards.

(Reason: Environmental protection.)

17. SWEPT PATH

The swept path depicted on the Ground Floor Plan & Site Plan, Drawing No. A02 dated 6 April 2017 and stamped approved by Council on 7 June 2017 is to be permanently marked on the floor

(Reason: To ensure compliance with the approved plans)

18. ACCESS - ACCESS FOR PEOPLE WITH DISABILITIES

Access for people with disabilities must be provided in accordance with the requirements of the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

DA2017/051/01 - 14-18 Pilcher Street, Strathfield South
Lot 17-19 in DP 11432 (Cont'd)

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

19. ACCESS - DISABLED TOILETS

Plans and details of the disabled toilet/s complying with the relevant Australian Standards, the Building Code of Australia, and with regard to the Disability Discrimination Act 1992. Plans shall be notated demonstrating compliance and approved by the Principal Certifying Authority, prior to the issue of a Construction Certificate.

Note: Disability (Access to Premises - Buildings) Standards 2010 - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To provide equitable access for people(s) with disabilities in accordance with the relevant legislation and Australian Standards.)

20. APPOINTMENT OF A PRINCIPAL CERTIFYING AUTHORITY

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.
- 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.

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Lot 17-19 in DP 11432 (Cont'd)

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.)

ATTACHMENTS

1. [↓](#) Statement of Environmental Effects
2. [↓](#) Amended Statement of Environmental Effects

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**STRATHFIELD COUNCIL
RECEIVED**

**DA2017/051/01
5 March 2018**

STATEMENT OF ENVIRONMENTAL EFFECTS

**S96(2) - Powder Coating Facility –
General Industries**

14 – 18 PILCHER STREET, STRATHFIELD SOUTH

20 February 2017

Prepared by Chapman Planning



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1.0 INTRODUCTION and SUMMARY

This statement has been prepared for *KUOK DHA LO Pty Ltd* as part of the supporting documentation for a S96(2) application for 14-18 Pilcher Street, Strathfield South.

The site contains an existing *powder coating facility* (DA2017/051), approved by Strathfield Council on 7 June 2017.

This S96(2) application seeks to amend condition 8 and condition 9 of development consent DA2017/051. Condition 8 relates to hours of operation and condition 9 relates to staff numbers.

In this statement, the proposal is assessed in accordance with the relevant planning controls, being:

- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development,*
- *State Environmental Planning Policy No. 55 – Remediation of Land,*
- *Strathfield Local Environmental Plan 2012,*
- *Strathfield Development Control Plan, and*
- *S.96 and S.79C Environmental Planning and Assessment Act 1979.*

2.0 SITE and CONTEXT

2.1 Locality Description

The subject site is located on the southern side of Pilcher Street, approximately 50m east of the intersection of Pilcher Street and Cosgrove Road, Strathfield South and approximately 150m west of the intersection of Pilcher Street and Madeline Street, Strathfield South. The Southern Sydney Freight Line (SSFL) is located 70m west of the subject. The immediate locality is characterised by industrial and warehouse land uses within 1 – 2 storey buildings used for warehouse, storage, fabrication and mechanical workshops.

Located immediately to the east of the subject site is a single storey brick industrial building – 12 Pilcher Street, Strathfield South and located immediately to the west of the subject site is a two storey cement rendered industrial building, currently used as a printing premises – 20 Pilcher Street, Strathfield South.

Figure 1: Locality Map.

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Source: SIX Maps Viewer

2.2 Site Description

The real property description is Lots 17, 18 and 19 in DP11432 and is known as 14 - 18 Pilcher Street, Strathfield South. The subject site is a rectangular shaped allotment with a 34.74m frontage to Pilcher Street, a maximum site depth of 35.825m and a site area of 1233m².

The subject site contains 1-2 storey industrial building. The ground floor level of the existing building is currently used for an approved powder coating facility and the mezzanine level is used for offices, associated with the powder coating factory. Hardstand area is located between the front building line and front site boundary and contains 7 on site car parking spaces and an internal loading bay.

Figure 2: Aerial map of the subject site.

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Source: SIX Maps Viewer

Photograph 1 shows the subject site when viewed from Pilcher Street, Strathfield South, looking south.



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Photograph 2 depicts the streetscape of Pilcher Street to the east.



Photograph 3 depicts the streetscape of Pilcher Street to the west.



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3.0 S96(2) APPLICATION

This S96(2) application is for the modification of Condition 8 and Condition 9 of development consent DA2017/051. The site will continue to be used as a powder coating facility- *general industrial* which is permissible within the IN1 – General Industrial land zoning noting powder coating facilities falls under the general industries definition and is listed as permitted with consent.

Hours of Operation

The application seeks to alter the approved hours of operation of the powder coating facility from 7:30am – 4:30pm Monday to Saturday to 24 hour operation, 7 days a week.

Deliveries and pick-ups will be restricted to 7:00am – 7:00pm Monday to Saturday.

Condition

Condition 8. Hours of Operation (industrial premises) – The proposal seeks the condition to be amended as follows:

The hours of operation of the approved industrial premises must not exceed the following, without prior approval of Council:

| Days | Approved hours of operation |
|------------------|------------------------------------|
| Monday to Sunday | 24 hours |

Staff Numbers

The proposal seeks to increase approved staff numbers from 6 staff members to 12 staff members.

Condition

Condition 9. Staff numbers – The proposal seeks the condition to be amended as follows:

A maximum of twelve (12) staff members are to be present upon the subject site at any time.

4.0 PLANNING LEGISLATION and CONTROLS

4.1 Section 96 Environmental Planning and Assessment Act, 1979

S.96(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) allows the consent authority (Strathfield Council) to modify the consent. Clause 96(2) states:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

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(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and

(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and

(c) it has notified the application in accordance with:
(i) the regulations, if the regulations so require, or
(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1) and (1A) do not apply to such a modification.

The proposed modifications meet the requirements of S.96(2) of the Act, as follows;

- The proposed amendments apply to the approved powder coating facility in accordance with development consent No. DA2017/051.
- The proposed modifications meet the test of substantially the same development noting the modifications do not present change to the approved use, built form or general operations on the premises.
- The application will be notified in accordance with Council's notification policy and any submission will be considered in the assessment of the application.

Relevantly, Section 96(3) of the Act states:

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.

This statement addresses the relevant matters prescribed in Section 79C(1).

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4.2 Protection of the Environment Operations Act 1997

Schedule 1 of the *Protection of the Environment and Operations Act 1997* (POEO Act) contains schedule activities including metallurgical activities stating:

metal coating, meaning the coating of metal by any method (including spray painting, powder coating, enamelling, electroplating, anodising and galvanising, but not the coating of metal on vehicles or vessels).

Metal coating is a schedule activity if the processing capacity is more than 10,000 tonnes of metal per year. The facility will continue to processes less than 10,000 tonnes of metal per year and this limitation can be addressed by a condition of consent.

In this case, the proposed modifications retain the approved use of the premises, noting the approved used is not a scheduled activity requiring a license pursuant to Part 3.2 of the POEO Act, and the modification application is not integrated development pursuant to Section 91 of the Environmental Planning and Assessment Act, 1979.

4.3 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

The powder coating facility has been assessed in accordance with the definition of potentially hazardous industry contained in Clause 3 of the State Environmental Planning Policy No. 33 – Hazardous and Offensive Development. The definition is:

potentially hazardous industry means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.

potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.”

The modifications to the approved powder coating facility are not defined as potential hazardous or offensive industry based in the following assessment:

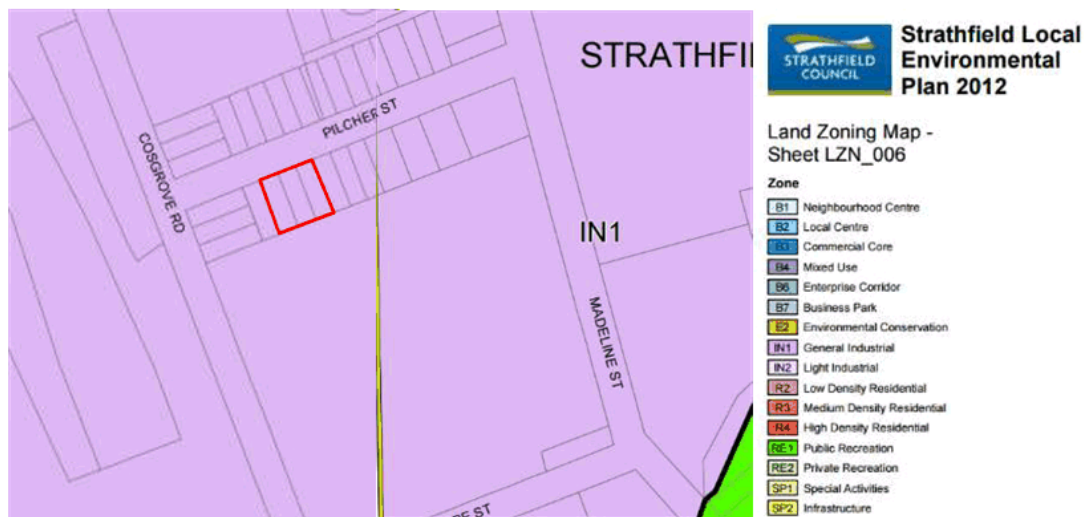
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- The handling, powder coating and storage of the materials does not result in unreasonable noise emissions, air pollution or impact on the air quality or waterways,
- The use of the premises as a powder coating business does not exclude the future development of the site, and
- The operation includes the use of a mechanical ventilation extractor fan filtration system that does not result in unreasonable noise or air quality impacts in the industrial locality.

4.4 Strathfield Local Environmental Plan 2012

The subject site is zoned IN1 – General Industrial pursuant to the Strathfield Local Environmental Plan 2012 and the existing powder coating facility is permissible within the IN1 land zoning noting powder coating factory falls under the general industries definition and is listed as permitted with consent.

The zoning of the subject site is shown on the following map.



The definition of general industries is contained in the Dictionary of the LEP as follows:

“General industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.”

The proposed use of the site for the powder coating of raw aluminium, steel and pre-coated aluminium products.

The objectives of the IN1 – General Industrial zone are:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*

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- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.*

The S96 application meets the objectives of the IN1 – General Industrial zone with the powder coating facility classified as an industrial activity. The S96 application will provide increased employment opportunities within the industrial precinct and will not result in any negative impacts to surrounding land uses. The subject site is suitable for 24 hour operation noting the land zoning and adjoining land uses.

The proposal does not involve any change to the built form on the subject site and as such the Strathfield LEP 2012 development standards of Height and FSR do not apply to the proposal.

The proposal is not located within a heritage conservation area or located within close proximity to any heritage items and as such clause 5.10 Heritage Conservation does not apply to the proposal.

4.5 Strathfield Development Control Plan

The Strathfield DCP applies to the modification application. The sections of the DCP relevant to the proposed land use are addressed under the following headings.

Part D Industrial Development

2.4 Development Adjoining Residential Zones

The subject site does not adjoin residential land as shown in the below aerial photograph. The subject site is located approximately 350m from the nearest residential property, therefore this part of the DCP does not apply to the proposal and the site is not restricted to 7:00am – 10pm hours of operation. Further, deliveries and pick-ups will be restricted to 7:00am – 7:00pm Monday to Saturday.

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Source: Google Maps

2.9 Parking, Access and Maneuvering

2.9.1 *Parking* - The site has seven (7) existing on-site car parking spaces, including one (1) accessible space located within the front setback of the site. Four (4) car parking spaces are located in a tandem arrangement, with a maximum of 2 x car parking spaces per tandem car parking space. The existing tandem car spaces are appropriate for staff parking, with car keys being stored in site office and can be moved if required.

The proposal does not seek to alter existing on-site car parking.

The below table makes an assessment of the required on-site car parking provisions.

| Required On-Site Parking As per Part I 3.8 DCP. | Proposed |
|---|---|
| 1 space per 55m ² gross floor area (where the office component is less than 20% of the floor area); or 1 space per 2 employees whichever provides the greater number of spaces. 873.1m ² /55m ² = 15.87 (16) spaces | 7 car parking spaces, including 1 accessible space (existing- no change) |
| Delivery and service vehicles associated with a development: 1 space per 800m ² GFA up to 8,000m ² GFA plus 1 space per 1,000m ² GFA thereafter. 873.1m ² /800m ² = 1.09 (2) spaces | 1 Loading Bay (existing- no change) |

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The increase of staff numbers from 6 staff to 12 staff does not increase the requirement for additional on-site car parking, noting the floor space of the building generates the need for a greater number of parking spaces than employees. The development will continue to utilize existing approved on-site car parking and loading bay.

Further the additional operating hours are outside the standard hours of operation of the industrial area and will not lead to additional traffic or parking demand with deliveries and pick-ups restricted to 7:00am – 7:00pm Monday to Saturday.

2.9.4 *Site Design* – Waste will continue to be collected by a commercial contractor as detailed within the approved Waste Management Plan.

2.14 Air, Noise and Water Pollution

2.14.1 *General* – The powder coating facility will continue to process less than 10,000 tonnes of metal per year and in this case is not a scheduled activity under the POEO Act 1997 and is not defined as a licensed activity.

2.14.2 *Noise* – The use of the site as a powder coating facility is not classified as a noise generating use and will not impact on the acoustic amenity of the industrial area. It should be noted that the site is not located within the vicinity of residential development and the 24 hour operation of the powder coating facility is not expect to have any adverse impacts on surrounding land uses. Further, deliveries and pick-ups will be restricted to 7:00am – 7:00pm Monday to Saturday.

Part H Waste Minimisation and Management

Waste will continue to be managed in accordance with the Waste Management Plan approved under DA2017/051.

Part I Provisions for Off Street Parking Facilitates

3.8 Industry

Parking

Required on-site parking is addressed in the below table.

| Required On-Site Parking | Proposed |
|--|---------------------------------|
| 1 space per 55m ² gross floor area (where the office component is less than 20% of the floor area); or 1 space per 2 employees whichever provides the greater number of spaces. 873.1m ² /55m ² = 15.87 spaces | 7 car parking spaces (existing) |

As addressed, the increase of staff numbers from 6 staff to 12 staff does not increase the requirement for additional on-site car parking, noting the floor space of the building generates the need for a greater number of spaces than employees. The development will continue to utilize existing approved on-site car parking and loading bay.

5.0 ENVIRONMENTAL ASSESSMENT

5.1 Section 79C Considerations

Environmental Planning and Assessment Act 1979, Strathfield LEP 2012 and Strathfield DCP have been addressed in previous sections of this report pursuant to S.79(c)(1)(a).

With regard to remaining matters for consideration the preceding analysis covers the range of environmental impact that may be associated with the development proposal. The following comments are made pursuant to S.79C (1) (b) and (c) which cover respectively:

(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; and

(c) the suitability of the site for the development;

- The use of the site will not result in any unreasonable acoustic impacts to surrounding properties, noting residential zoned land does not adjoin the site;
- The subject site is located within an industrial precinct and adjoins industrial and warehouse land uses ensuring amenity impacts associated with the proposed hours of operation are acceptable in this location;
- The proposed hours of operation and additional staff numbers are not expected to increase traffic generation or result in unreasonable traffic impacts on the surrounding road network;
- The development proposal increases staff numbers and therefore provides continued employment generating activities within the industrial precinct; and
- There are no site constraints restricting the development proposal.

6.0 CONCLUSION

In conclusion it is considered that this S96(2) application is acceptable under the considerations of S.79C of the E.P& A. Act 1979. For reasons outlined in this S96(2) application, the proposed hours of operation and staff numbers for the approved powder coating facility, at 14-18 Pilcher Street, Strathfield South should be approved.

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28 August 2018

General Manager
Strathfield Municipal Council
PO Box 120
STRATHFIELD NSW 2135

Attention: Mr. Kevin Lee

Property: 14-18 Pilcher Street, Strathfield South
Re: Addendum to Statement of Environmental Effects – DA-2017/51/1

Dear Mr. Lee,

This letter is an addendum to the Statement of Environmental Effects submitted for 14-18 Pilcher Street, Strathfield South to address the issues raised in Council's phone call on 27 August 2018.

The following is a summary of amendments to the proposal:

- Reduce proposed hours of operation from 24 hour operation, 7 days a week to 7:00am to 6:00pm – Monday to Saturday.
- **S4.55(2) Application**

This S4.55(2) application is for the modification of Condition 8 and Condition 9 of development consent DA2017/051. The site will continue to be used as a powder coating facility- *general industrial* which is permissible within the IN1 – General Industrial land zoning noting powder coating facilities falls under the general industries definition and is listed as permitted with consent.

Hours of Operation

The application seeks to alter the approved hours of operation of the powder coating facility from 7:30am – 4:30pm Monday to Saturday to 7:00am – 6:00pm, Monday to Saturday.

Deliveries and pick-ups will be restricted to the approved hours of operation.

Condition

Condition 8. Hours of Operation (industrial premises) – The proposal seeks the condition to be amended as follows:

The hours of operation of the approved industrial premises must not exceed the following, without prior approval of Council:

| Days | Approved hours of operation |
|--------------------|------------------------------------|
| Monday to Saturday | 7:00am to 6:00pm |

Staff Numbers

The proposal seeks to increase approved staff numbers from 6 staff members to 12 staff members.

Condition

Condition 9. Staff numbers – The proposal seeks the condition to be amended as follows:

A maximum of twelve (12) staff members are to be present upon the subject site at any time.

▪ Strathfield Development Control Plan

The Strathfield DCP applies to the modification application. The sections of the DCP relevant to the proposed amended hours of operation are addressed under the following headings.

Part D Industrial Development**2.4 Development Adjoining Residential Zones**

The subject site does not adjoin residential land as shown in the below aerial photograph. The subject site is located approximately 350m from the nearest residential property, therefore this part of the DCP does not apply to the proposal and the site is not restricted to 7:00am – 10pm hours of operation. Further, deliveries and pick-ups will be restricted to the approved hours of operation Monday to Saturday.

The approved use of the site is not considered a noise generating use and the proposed hours of operation 7:00am – 6:00pm, Monday to Saturday would not further impact on the acoustic amenity of the locality, noting the proposed hours are not outside the specified industrial hours of operation contained in the DCP being 7:00am – 10pm.



Source: Google Maps

2.14 Air, Noise and Water Pollution

2.14.1 General – The powder coating facility will continue to process less than 10,000 tonnes of metal per year and in this case is not a schedule activity under the POEO Act 1997 and is not defined as a licensed activity.

2.14.2 Noise – The use of the site as a powder coating facility is not classified as a noise generating use and will not impact on the acoustic amenity of the industrial area. It should be noted that the site is not located within the immediate vicinity of residential development and the proposed 7:00am – 6:00pm operation of the powder coating facility is not expected to have any adverse impacts on surrounding land uses. Further, deliveries and pick-ups will be restricted to the approved hours of operation, Monday to Saturday.

The proposed hours of operation- 7:00am – 6:00pm, Monday to Saturday are considered appropriate hours of operation of the site which is located within an industrial area.

The proposed hours of operation are consistent with existing approved operating hours within the immediate locality. The below table provides a summary of approved hours of operation within the locality.

| DA Number | Location | Use | Approved Hours of Operation | Noise Generation |
|--|--|---|---|------------------|
| DA2018/120 – Pending Approval | 3 Pilcher Street, Strathfield South | Warehouse | 7:00am – 6:00pm | Low |
| DA2007/303/03 – Approved 8 November 2011 | 78-80 Cosgrove Road, Strathfield South | Waste Facility | 7:00am – 5:00pm Monday to Friday 7:00am – 3:00pm Saturday | High |
| DA-2009/126 – Approved 11 March 2010 | 94-98 Cosgrove Road, Strathfield South | Container terminal in conjunction with the adjoining warehouse units for the receipt and distribution of paper goods. | 5:00am – 11:00pm Monday to Friday 5:00am – 2:00pm Saturday | High |
| DA-2009/072 – Approved 9 July 2009 | 92-98 Cosgrove Road, Strathfield South | Use of buildings 1 & 2 for the warehousing and distribution of paper goods, bagged sand and palletised products | 5:00am – 11:00pm Monday to Friday 5:00am – 2:00pm Saturday | Medium |
| DA2014/034 | 64-68 Cosgrove Road, Strathfield South | Timber yard with ancillary hardware store | 6:30am – 5:30pm Monday to Friday 7:30am – 5:00pm Saturday | Low |

| | | | | | |
|--|--|-------------------------|--|---|-----------------|
| | | | | 8:00am – 5:00pm Sunday | |
| DA0203/112 – Approved 30 June 2015 | 64-76 Road, South | Cosgrove Strathfield | Receipt, sorting, storage and dispatch of stainless steel scrap metal | 7:30am – 4:00pm Weekdays 7:30am – 3:30pm Saturdays | High |
| DA-2011/111/4 – Approved 5/1/2016 | 1 Cleveland Street, Strathfield South | | Warehousing and distribution business consumable products | 24 hour operation, 7 days | Low |
| DA-2008/028 – Approved 18 August 2008 | 4 Cleveland Street, Strathfield South | | Road transport warehouse /terminal | 7:00am – 4:00pm Monday to Saturday | Medium |
| DA-2018/44 – Pending Approval | 14-40 Madeline Street, Belfield | | Storage Premises (scaffolding) | 6:00am – 5:00pm Monday to Friday 7:00am – 12 noon Saturday | Low- Medium |
| DA-2017/098 – Approved 16 August 2017 | 84-108 Street, South | Madeline Strathfield | Industrial retail outlet for the manufacture of timber furniture | 7:00am – 6:00pm Monday to Friday 8:00am – 1:00pm Saturday 8:00am – 1:00pm Sunday & Public Holidays | Low – Medium |
| DA-2008/420/01 – Approved 14 July 2009 | 4/1-21 Street, South | Madeline Strathfield | Warehousing and wholesale of dairy products | 24 hour operation, 7 days | Low |

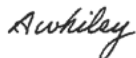
Given the approved use of the site- powder coating facility is considered a low noise generation use, the proposed hours of operation- 7:00 - 6:00pm, Monday to Friday are considered acceptable and consistent with existing approvals within the industrial area.

The extended hours of operation are sought due to the time the powder coating operations takes (painting/drying time).

The site is located within an industrial zone, surrounded by industrial buildings and the proposed hours of operation will not impact the acoustic amenity of adjoining premises.

If you wish to discuss the above proposed amendments or require clarification of the issues addressed in this letter please contact Adriane Whiley on 9560 1718.

Regards,



Adriane Whiley
Chapman Planning Pty Ltd