

Agenda

Strathfield Local Planning Panel Meeting

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

Thursday, 5 December 2019

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 - 5 December 2019
REPORT: SLPP – Report No. 1
SUBJECT: DA2013/206/06: 459-463 LIVERPOOL ROAD, STRATHFIELD
LOT 5 DP536094, LOT 1 DP 515665 & LOT Y DP440571
DA NO. DA2013/206/06

SUMMARY

Proposal: Section 4.56 Modification Application to modify external façade and internal room conversion.

Applicant: ZTA Group

Owner: 461 Living P/L

Date of lodgement: 14 August 2019

Notification period: 23 August 2019 – 6 September 2019

Submissions received: Nil

Assessment officer: LG

Estimated cost of works: Nil

Zoning: B4 – Mixed Use - SLEP 2012

Heritage: No, however adjoins Heritage Item 11168 “Strathfield South Public School – school and trees”

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: APPROVAL

EXECUTIVE SUMMARY

- 1.0 On 22 September 2014, a Development Consent under DA2013/206 was granted by the NSW Land and Environment Court for the demolition of existing buildings and construction of a five (5) storey mixed use development comprising (5) x 1 bedroom units, (16) x 2 bedroom units, two (2) x commercial tenancies, and parking for (37) cars.
- 2.0 On 9 January 2017, Council approved a subsequent Section 96(AA) application involving modification of stormwater drainage through the site.
- 3.0 On 11 October 2017, Council approved a Section 96(AA) application to amend the development description to reflect the correct unit mix throughout the site.
- 4.0 This modification application seeks to modify the external façade of the development and ground floor layout under Section 4.56 of the *Environmental Planning and Assessment Act 1979*.
- 5.0 The application was referred to the Design Review Panel for comment. The matters raised at the 18 September 2019 meeting are discussed further in this report.
- 6.0 The proposed modifications are considered appropriate for the site and are therefore recommended for approval subject to amended conditions of consent.

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SECTION 4.56 OF THE EP&A ACT 1979

Section 4.56 of the Environmental Planning and Assessment states that a consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the Court and subject to and in accordance with the regulations, modify the development 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 the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has notified the application in accordance with—*
 - (i) *the regulations, if the regulations so require, and*
 - (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*
- (c) *it has notified, or made reasonable attempts to notify, each person who made a submission in respect of the relevant development application of the proposed modification by sending written notice to the last address known to the consent authority of the objector or other person, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

As regards subclause 'a', Council is satisfied that the development to which the consent as modified relates is substantially the same development for which consent was originally granted and before that consent as originally granted was modified (if at all). The proposal continues to remain for the purposes of a five (5) storey mixed use development comprising (18) x 2 bedroom units, four (4) x 1 bedroom units, two (2) commercial tenancies and three (3) levels of basement car parking, landscaping and drainage works.

Further, a comparative analysis of the approved development as modified has been undertaken. In this regard, the proposed use does not change; the external building appearance in terms of bulk and scale as viewed from the adjoining properties and public domain is not altered in a significant or readily discernible manner; and amenity impacts to neighbouring development in terms of privacy, views, solar access and overshadowing are essentially the same as that of the approved development. Accordingly, the development as modified is considered to satisfy the 'substantially the same' test in that it will result in essentially and materially the same development as that originally approved.

As regards subclause 'b', 'c', and 'd', the application was notified in accordance with Part L of SCDCP 2005 and no submissions were received.

Clause 1A of Section 4.56 of the *Environmental Planning and Assessment 1979* also applies to the modification application. Clause 1A states the following:

- (1A) *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. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

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With regard to Clause 1A, the application was granted approval pursuant to an agreement between parties under Section 34 of the Land and Environment Court Act 1979. Reasons for approval were not given by the Court.

BACKGROUND

- 22 September 2014: Development Consent under DA2013/206 was granted by the NSW Land and Environment Court for the demolition of existing buildings and construction of a five (5) storey mixed use development comprising (5) x 1 bedroom units, (16) x 2 bedroom units, two (2) x commercial tenancies, and parking for (37) cars.
- 9 January 2017: Council approved a subsequent Section 96(AA) application involving modification of stormwater drainage through the site.
- 11 October 2017: Council approved a Section 96(AA) application to amend the development description to reflect the correct unit mix throughout the site. The development description reads as follows:

Demolition of existing structures and construction of a five (5) storey mixed use development comprising (18) x 2 bedroom units, four (4) x 1 bedroom units, two (2) commercial tenancies and three (3) levels of basement car parking, landscaping and drainage works.

- 14 August 2019: The subject application was lodged.
- 18 September 2019: The application was referred to the Design Review Panel meeting for comment.
- 2 October 2019: A letter was issued to the Applicant requesting design amendments to be made as per the Panel's recommendations.
- 24 October 2019: Amended plans were received by Council incorporating design amendments as recommended by the Design Review Panel.
- 20 November 2019: Amended external finishes and colours schedule was submitted to Council.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is located on the northern side of Liverpool Road. The site is described as being irregular in shape comprising of three separate lots, Lot 1 DP515665, Lot Y DP440571 and Lot 5 DP536094. The site has an overall width of 20m with a depth of 33.6m along the eastern side and 33.3m along the western side. The site has an overall area of 679.8m². There is a slight splay to the front boundary of the site. The site gently falls to the rear. Three (3) individual shop top housing developments previously existed on the site however construction on the site has since commenced.

To the south and west of the subject property are similar types of commercial and mixed use developments. The immediate streetscape has undergone a state of transition from low scale shop-top housing development to high rise mixed use development centred upon the intersection with Liverpool Road and Homebush Road. To the rear of the site is a recently approved mixed use development. Situated to the east is the Strathfield South Public School.

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Figure 1: Aerial view of subject site and surrounding development. The subject site is outlined in yellow.



Figure 2: View of subject site. Construction of the site has commenced.

DESCRIPTION OF THE PROPOSED MODIFICATION(S)

The specific elements of the modification(s) sought are as follows:

Internal Works

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- Provision of an electrical room to the ground floor.

External Works

- Modification to front façade to remove precast concrete panelling and replacement with glass and solid render balustrading;
- Revised schedule of finishes including incorporation of sandstone cladding to the ground floor; and
- Removal of aluminium louvers to southern orientated balconies.



Figure 3: Approved Southern Elevation Plan under parent consent.



Figure 4: Proposed Southern Elevation Plan

REFERRALS

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EXTERNAL REFERRALS

Design Review Panel

The application was referred to the Design Review Panel on 18 September 2019 for consideration. The following comments were made:

1. *Deletion of Ground Floor Bathroom*

1.1 *The Panel does not support the deletion of this bathroom as it is required to service the communal open space area at the ground floor.*

Assessing Officer Comments: The amended architectural plans submitted to Council 24th October 2019 demonstrate that the bathroom has been reinstated on the ground floor.

2. *Glass Blocks*

2.1 *The light and amenity available to the living areas of units 103 and 105, repeated on floors above, is already significantly compromised in the approved development.*

2.2 *The Panel does not support the removal of the glass blocks on the east and west elevation as this further reduces light to the already compromised living areas and impacts on the amenity of the future occupants.*

2.3 *The Panel advises that the glass blocks should be retained as approved.*

Assessing Officer Comments: The amended architectural plans submitted to Council 24th October 2019 demonstrate that the bathroom has been reinstated on the ground floor. Further, the amended plans demonstrate the reinstatement of the glass blocks as per the parent consent and that windows to units 103 and 105 and above remain unchanged.

3. *Façade Presentation*

3.1 *Floor plans of each level have not been provided to the Panel so any implication in the layout cannot be assessed. The applicant clarified at the meeting that the approved floor plan was not being modified.*

3.2 *The design response and material selections for the facades do not reflect the needs of users behind eg. an operable obscured glass window servicing a bathroom and a glass balustrade on a busy road. The Panel noted that the existing DA does not appear to address the acoustic issues associated with apartments on busy roads with regard to both the ADG and the infrastructure SEPP. Any changes that will further reduce the mediation of traffic noise are not supported.*

3.3 *The Panel does not support the facade change and believes that the original approved development had more design integrity. The change in the material lowers the quality of the materiality and durability.*

3.4 *The Panel recommends that to improve constructability the previous design could be improved by deletion of the chamfered spandrels to create clean rectilinear openings and highlight windows servicing the bathrooms.*

Assessing Officer Comments: It is noted that the internal floor plans for levels 1-5 do not change and thus, no amended floor plans have been submitted as part of this proposal.

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Amended architectural plans were submitted to Council 24th October 2019 which demonstrate that the windows servicing the bathrooms which front Liverpool Road are designed as highlight windows. In regards to the acoustic treatment of the windows, conditions (Conditions 82 and 83) were imposed under the parent consent to include compliance with the submitted Acoustic Report. This required specifications to windows and doors fronting Liverpool Road so as to not result in adverse acoustic amenity impacts. The requirement for the development to satisfy this condition will in turn satisfy the requirements of the Infrastructure SEPP 2007.

Council is in receipt of amended plans received 20 November 2019 which depict a revised schedule of finishes. The schedule of finishes propose sandstone cladding, concrete sheeting and render which are all proposed in neutral colours. The material colours and finishes are considered appropriate in terms of quality, materiality and durability.

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 development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004

The value of works is less than \$50,000 and as a result there is no requirement for the application to be assessed in accordance with the BASIX SEPP.

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

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration. The site is not located in an area of investigation under Part K of the SCDCP 2005, which identifies past known landfill and potentially contaminated sites in the Strathfield local government area.

As per the parent consent, the site has historically been used for commercial and residential purposes. Based on the continued use of the site for residential and commercial purposes, there was no need for further investigation of the site.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 102(3) of the Infrastructure SEPP 2007 states the following:

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,*
- (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

With regard to the above, an Acoustic Report prepared by Acoustic Consulting Engineers Pty Ltd was prepared and submitted as part of the original application. The recommendation which has been included as a condition of consent (Condition 82 and 83), requires a maximum of 35dB(A) at any time between 10pm-7am and a maximum of 40dB(A) for all other parts of the building. It is

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anticipated that the development will achieve compliance with these requirements. This aligns with the requirements of Clause 102(3) of the Infrastructure SEPP 2007 and is therefore acceptable.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65)

SEPP 65 aims to improve the design quality of residential flat development in New South Wales. SEPP 65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

Clause 115 of the Environmental Planning and Assessment Regulation 2000 contains the following provisions that apply to the proposed modifications:

“(3) In addition, if an application for the modification of a development consent under section 4.55 (2) or section 4.56 (1) of the Act relates to residential apartment development and the development application was required to be accompanied by a design verification from a qualified designer under clause 50 (1A), the application must be accompanied by a statement by a qualified designer.

(3A) The statement by the qualified designer must—

(a) verify that he or she designed, or directed the design of, the modification of the development and, if applicable, the development for which the development consent was granted, and

(b) provide an explanation of how—

(i) the design quality principles are addressed in the development, and

(ii) in terms of the Apartment Design Guide, the objectives of that guide have been achieved in the development, and

(c) verify that the modifications do not diminish or detract from the design quality, or compromise the design intent, of the development for which the development consent was granted.

(3B) If the qualified designer who gives the design verification under subclause (3) for an application for the modification of development consent (other than in relation to State significant development) does not verify that he or she also designed, or directed the design of, the development for which the consent was granted, the consent authority must refer the application to the relevant design review panel (if any) for advice as to whether the modifications diminish or detract from the design quality, or compromise the design intent, of the development for which the consent was granted.”

With regard to the above, the application was required for consideration by the Design Review Panel as the project involved a new designer who was not involved in the original design. The recommendations made by the Design Review Panel have previously been discussed in this report and are considered to adequately address their concerns.

The proposed modification was also assessed against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide (ADG). A summary of this assessment is contained in the table below:

Principle	Objective	Proposed
Context and neighbourhood character	Responding to context involves identifying the desirable elements of an	The proposed modification is considered to appropriately respond to the local context and the desired

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Principle	Objective	Proposed
	<p>area's existing or future character.</p> <p>Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>future character of the area.</p> <p>The proposed modification only involves minor changes to the building including the external colours and finishes as well as provision of a new electrical room on the ground floor. The proposal will not result in any changes to the scale and mass of the overall development.</p>
Safety	<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposed modification involves minimal changes that do not affect this aspect of the ADG. Balconies continue to be orientated to overlook the public domain and common open space areas to optimise safety and security within the development.</p>
Aesthetics	<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The proposed modification continues to achieve a well-articulated built form where portions of the solid elements to the front façade of the building have been deleted. This improves the sense of openness of the building as viewed from Liverpool Road. The proposed modification is considered an improvement to the finishes approved under the parent consent as it now incorporates sandstone cladding and concrete sheeting with render. This will improve the longevity of the external finishes.</p>

Apartment Design Guide Quality Design of Residential Flat Buildings

Design Criteria	Required	Proposed	Compliance
4X – Building Maintenance	Material selection reduces ongoing maintenance costs.	<p>The proposed amended schedule of external finishes will include a mixture of render, concrete look cement sheeting and sandstone cladding.</p> <p>The selected materials are suitable for the scale of the</p>	Yes.

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		development and are durable which will reduce the ongoing maintenance costs of the building.	
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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) 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	Yes
(b) 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	Yes
(c) To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	Yes
(d) To provide opportunities for economic growth that will enhance the local community	Yes
(e) 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	Yes
(f) To identify and protect environmental and cultural heritage	Yes
(g) To promote opportunities for social, cultural and community activities	Yes
(h) To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	Yes

Comments: The approved development as modified by this current section 4.56 modification application is consistent with the general aims of SLEP 2012.

Permissibility

The subject site is within the B4 – Mixed Use zone under Strathfield Local Environmental Plan (SLEP) 2012.

Mixed Use Developments are permissible within the B4 – Mixed Use zone with consent and is defined under SLEP 2012 as follows:

“mixed use development” means a building or place comprising 2 or more different land uses.”

The proposed modification involves no changes to the approved land use as a mixed use development and is therefore considered permissible under this zone.

Zone Objectives

An assessment of the proposal against the objectives of the B4 – Mixed Use zone is included below:

Objectives	Complies
• To provide a mixture of compatible land uses.	Yes
• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.	Yes
• To facilitate mixed use urban growth around railway stations and	Yes

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transport nodes and corridors, commercial centres and open space.

- To provide local and regional employment and live and work opportunities. Yes

Comments: The proposed modification is for the purposes of a mixed use development which will provide a use which remains compatible with surrounding land uses.

Part 4: Principal development standards

The modification application will not result in any modifications to the height and FSR approved for the site.

Part 5: Miscellaneous Provisions

5.10 Heritage Conservation

The site is located immediately adjoining Heritage Item 11168 "Strathfield South Public School – school and trees" under Schedule 5 of the SLEP, 2012. The proposed modification is specifically in relation to modifications to the external finishes of the development as well as provision of an electrical room to the ground floor. The proposed development will not result in any changes to the built form in relation to height, bulk, scale and setbacks. Accordingly, the proposed development will not result in any undue impact to the adjoining heritage item and is considered acceptable in this regard.

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.

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>	Yes

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	a) affecting a heritage item; b) within a heritage conservation area; or c) in the vicinity of an item or heritage conservation area	
(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

Comments: As previously discussed, the proposed modifications will not result in any changes to the built form of the development in relation to building height, bulk, scale and setbacks. The proposed modifications are unlikely to result in any adverse impact to the heritage item (*11168 Strathfield South Public School – school and trees*) immediately adjoining the site.

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*.

Appropriate conditions are included on the original consent to ensure compliance with any relevant regulations.

(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 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

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Internal Works

The proposed modifications to the internal portions of the building result in the provision of an electric room to the ground floor to accommodate for services on the site. Whilst the provision of the electric room results in a minor loss of floor space to the adjoining ground floor commercial tenancy, the positioning of the room is considered appropriate and will unlikely result in any loss of amenity to residents of the site. Accordingly, the proposal is considered acceptable in this regard.

External Works

The proposed modifications to the external elevations of the building are considered a vast improvement to the original design. The proposal has sought to delete the aluminium louvres to the front façade as well as replace portions of solid balustrading with glazing to the balconies. In turn, the front façade achieves an improved sense of openness as well as improved passive surveillance to the street. The reduction in the solid balustrading and deletion of louvers provides better articulation to the front façade as well as provides a better interface to the street. The material colours and finishes are in neutral tones which will blend well with the transitioning streetscape. Overall, the proposed external modifications are considered appropriate in this regard.

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

The approved development as modified by the current section 4.56 application does not alter the suitability of the development to the site.

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 and no 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. The approved development as modified by the current modification application is not contrary to the public interest.

LOCAL INFRASTRUCTURE CONTRIBUTIONS

This section 4.56 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 7.11 Contributions Plan.

CONCLUSION

The application has been assessed having regard to Section 4.56 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.

PEER REVIEW

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

RECOMMENDATION

Pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979, the proposed

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modification(s) to Development Consent No. DA2013/206 involving modify external façade and internal room conversion at 459-463 Liverpool Road, Strathfield be **APPROVED**, subject to:

- The original conditions of consent of Development Application No. (DA2013/206) as approved by NSW Land and Environment Court on 22 September 2014 for demolition of existing buildings and construction of a five (5) storey mixed use development comprising (5) x 1 bedroom units, (16) x 2 bedroom units, two (2) x commercial tenancies, and parking for (37) cars.
- As modified by the Section 96(AA) Application (DA2013/206/2) as approved by Council on 9 January 2017 for modification of stormwater drainage through the site.
- As modified by the Section 96(AA) Application (DA2013/206/4) as approved by Council on 11 October 2019 to amend the development description to reflect the correct unit mix throughout the site. The development description now reads as:

Demolition of existing structures and construction of a five (5) storey mixed use development comprising (18) x 2 bedroom units, four (4) x 1 bedroom units, two (2) commercial tenancies and three (3) levels of basement car parking, landscaping and drainage works.

- As modified by the Section 4.56 application (DA2013/206/6) as follows:
 - Modify Condition 2.

Accordingly, Development Consent No. DA2013/206/06 is approved as following:

PART B – OPERATIONAL CONDITIONS

Plans

2. The development shall be completed in accordance with the approved plans and documents listed below prior to the building being use of occupied, and subject to any variation as required by the conditions of this consent:

Basement Levels 2 & 3, Drawing No.A1200, Issue G, Project No. 20.13, prepared by Ghazi Al Ali Architect dated 19 August 2014.

Basement Level 1, Drawing No.A1201, Issue G, Project No. 20.13, prepared by Ghazi Al Ali Architect dated 19 August 2014.

General Arrangement, Ground Floor Plan and Detail At 1, Drawing No.A203, Issue C, prepared by ZTA Group, dated 24 October 2019, received by Council 24 October 2019

(MODIFIED: DA2013/206/06 on 5 December 2019)

Ground Floor Plan & Level 01 Floor Plan, Drawing No. 1202, Issue F, Project No.20.13, prepared by Ghazi Al Ali Architect dated 19 August 2014.

Level 02 Floor Plan & Level 03 Floor Plan, Drawing No.1203, Issue F, Project No. 20.13 prepared by Ghazi Al Ali Architect dated 19 August 2014.

Level 04 Floor Plan & Roof Plan, Drawing No.1204, Issue F, Project No. 20.13 prepared by Ghazi Al Ali Architect dated 19 August 2014.

North & South Elevation Plans, Drawing No.A300, Issue C, prepared by ZTA Group,

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dated 15 November 2019, received by Council 20 November 2019

(MODIFIED: DA2013/206/06 on 5 December 2019)

East & West Elevation Plans, Drawing No.A301, Issue C, prepared by ZTA Group,
dated 15 November 2019, received by Council 20 November 2019

(MODIFIED: DA2013/206/06 on 5 December 2019)

~~Elevation Plan (North & South), Drawing No.A 1500, Issue F, Project No.20.13, prepared by
Ghazi Al Ali Architect dated 19 August 2014.~~

(DELETED: DA2013/206/06 on 5 December 2019)

~~Elevation (East & West), Drawing No.A 1500, Issue F, Project No.20.13, prepared by Ghazi
Al Ali Architect dated 19 August 2014.~~

(DELETED: DA2013/206/06 on 5 December 2019)

Elevations with Finishes Schedule, Drawing No.A800, Issue C, prepared by ZTA
Group, dated 15 November 2019, received by Council 20 November 2019

(MODIFIED: DA2013/206/06 on 5 December 2019)

~~Material Schedule South & West Elevation, Drawing No. A1601, Issue C, Project No 20.13,
prepared by Ghazi Al Ali Architect dated 12 September 2014.~~

(DELETED: DA2013/206/06 on 5 December 2019)

BASIX Certificate No. 513955M_02, prepared by Sustainable Thermal Solutions, dated 14
September 2014.

Waste Management Plan prepared by Solution Traffic Engineers, dated October 2013,
Revision 1.

Preliminary Geotechnical Investigation report prepared by Geo-Environmental Engineering
dated 1 November 2013.

3. Amended plans shall be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate depict soil landscaping:
 - (a) **Ground Floor** - car spaces labelled Residential GO1 and G02 shall be deleted and soft usable landscaping reinstated,
 - (b) The width of unit G01 shall be reduced by 3m thereby increasing the width of the communal open space area from approximately 6.2m to a minimum of 8.6m for the length of Unit G01. This will necessitate Unit GO1 becoming a one (1) bedroom Unit, and
 - (c) **Basement Level 01** - car space G02 shall be deleted so as to accommodate the deep soil planting for the ground level communal open space above.
4. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
5. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
6. A copy of the approved plans and specifications, together with a copy of the Development

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Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

7. The use and fitout of the commercial tenancies (labelled 001 and 002) shall be the subject of a further development application for the consideration of Council.
8. The awning proposed across the frontage of the development shall be the subject of a further development application to Council. Details of material finishes shall be submitted to Council for approval prior to the commencement of any awning work.

Subdivision

9. The strata subdivision of the proposed development shall be the subject of a further development application to Council.
10. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained for the proposed development. Application must be made through an authorised Water Servicing Coordinator For details see the Sydney Water website www.sydnevwater.com.au then follow the "e-developer" icon, or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of a Subdivision Certificate or occupation of the development.
11. The approval of the relevant electricity supply authority shall be obtained for the supply of electricity to the site.
12. Accessible and functional bicycle storage shall be provided within the basement for use by residents and visitors to the site

General

13. For residential flat developments which are subject to State Environmental Planning Policy (SEPP) No 65 - Design Quality of Residential Flat Development and required to be accompanied by a design verification from a qualified designer under Clause 50(1A) of the Environmental Planning and Assessment Act Regulation 2000, a certifying authority must not issue
 - (a) a **Construction Certificate** unless the certifying authority has received a design verification statement from a qualified designer that verifies that the plans and specifications achieve or Improve the design quality of the development for which development consent was granted having regard to the design quality principles set out in Part 2 of SEPP No. 65, In accordance with Clause 143A of the Regulations: and
 - (b) an **Occupation Certificate** to authorise a person to commence occupation or use of the residential flat building unless the certifying authority has received a design verification statement from a qualified designer that verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications In respect of which the construction certificate was Issued. Having regard to the design quality principles set out in Part 2 of SEPP No 65. In accordance

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with Clause 154A of the Regulations.

14. A Works Permit shall be obtained from Council's Customer Service Centre at least 48 hours prior to undertaking any works on public/Council-controlled areas. The permit is to be retained on site at all times.
15. Prior to the issue of a Construction Certificate, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
16. Storage of goods or the use of portable clotheslines on balconies visible from a public place is strictly prohibited.
17. All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.
18. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

19. In accordance with the provisions of Section 94(1)(b) 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 **prior to the issue of a Construction Certificate** for the development as follows:

Provision of Community Facilities	\$19,57640
Provision of Major Open Space	\$74,405.64
Provision of Local Open Space	\$13,270.62
Provision Roads and Traffic Management	\$2.641
Administration	\$305246
TOTAL	\$112,946.10

The total amount of the contribution is valid as at the date of determination and is subject to annual Indexation. If the contribution is paid after 1" July in any year, the amount of the contribution under this condition shall be indexed in accordance with clause 2.14 of the Strathfield Direct Development Contributions Plan 2010-2030.

20. A security payment of \$8,127 00 in the form of cash bank guarantee, cheque or credit card (financial transactions fees apply) shall be paid to Council prior to the issue of a Construction Certificate. The security payment is GST inclusive and comprises the following:

Refundable works bond	\$8,00000
Non-refundable administration fee (\$127/bd)	\$127 00
TOTAL	\$8,127.00

The security payment covers the following matters and will be released upon satisfactory

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completion of these items:

- (a) road and stormwater drainage works in roadways and public areas;
- (b) connection to Council's stormwater drainage system;
- (c) Installation and maintenance of sediment control measures for the duration of construction activities, and
- (d) Ensuring no damage occurs to or building debris/materials are left on Council land including footpath, nature strip, kerb and gutter. The security bond may be used to recover the costs Incurred by Council In cleaning and restoring the land to its original condition.

21. Fees are payable where Council is appointed as principal certifying authority to carry out the post-approval Inspections. A quotation for the fees can be obtained by contacting Council and the fees shall be paid **prior to the carrying out of any of the inspections.**

Any re-inspection which is necessary due to site access not being available, defective work, or tile mailer not being ready for inspection will be charged in accordance with Council's Fees and Charges Policy Council will advise in writing if an additional re-inspection is required and the re-inspection fee shall be paid prior to release of the damage deposit. If tile additional fee is not paid it will be deducted from the damage deposit.

Parking/Traffic Matters

23. A total of **37** off-street parking spaces, hard paved, line marked, labelled and drained, shall be provided In accordance with the approved plans as amended by condition 3, and distributed as follows

Residents	(31) including (3) accessible spaces)
Visitors (residential)	(4)
Commercial	(2)
TOTAL	(37)

These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

24. A sign shall be erected in a suitable location on the site advising that parking is available for Visitors.
25. Where entry points to carpark areas are fitted with security gates/shutter and access to visitor parking is required to be provided a suitable communication systems shall be provided at the entry point to allow the security gates/shutter to be opened remotely by occupants of the building.
26. The entry and exit driveways shall be suitably signposted and directional arrows shall be painted on the internal roadway.
27. All vehicles entering and leaving the site shall be driven in a forward direction only.
28. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.
29. The vehicle spaces must not be enclosed with walls or meshed security screens without

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the prior approval of Council.

30. Reconstruction of the footpath, kerb and gutter to Council's specifications for the full frontage of the development site shall be undertaken at the completion of all building works.
31. A specific bay for car washing shall be provided within the basement for use by residents this car wash bay shall be drained In accordance with the requirements of Sydney Water.

Plans demonstrating compliance with this requirement must be submitted to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. This information shall also form part of any future development application for the strata subdivision of the development.
32. Purpose built storage compartment(s) shall be provided to and within each of the residential car parking bays and/or associated dwellings at the following rate:
 - 6m' for each one (1) bedroom unit
 - 8m3 for each two (2) bedroom unit
 - 10m' for each three (3) bedroom unit.

Amended plans showing the location and configuration of each of storage compartment(s) shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of the Construction Certificate.**

Drainage/Stormwater

33. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of gravity fed system via an onsite stormwater detention tank and via the easement created pursuant to deferred commencement condition 1. Details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional Civil engineer In accordance with the endorsed concept plans and the requirements of Council's Stormwater Management Code.
34. **Driveway Grades.** The driveway access and footpath crossing(s) shall be designed to fully comply with the relevant section of AS 2890.1 -2004 and Council's issued alignment levels. Engineering certification Indicating compliance with this condition is to be submitted with the Construction Certificate application.
35. Prior to the issue of an Occupation Certificate/use of the building, written verification from a suitably qualified professional Civil engineer shall be obtained, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans.

In addition detailed works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to and approved by the Principal Certifying Authority. Where changes have occurred the plans shall be marked-up in red ink and shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels.
36. Temporary measures shall be provided and regularly maintained during demolition,

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excavation and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures In accordance with the NSW Department of Housing, Managing Urban Stormwater and Construction Manual dated August 1998 shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

37. For drainage works within public land or connecting to Council's stormwater drainage system the following Inspections will be required:-
 - (a) After the excavation of pipeline trenches.
 - (b) After the laying of all pipes prior to backfilling
 - (c) After the completion of nil pits and connection points.A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Engineering Works and Services section on 9748-9999 during office hours Work is not to proceed until the works are inspected and approved by Council.
38. All pits shall be constructed In accordance with Australian Standard AS3500.3.
39. All subsoil drainage must be designed to meet the requirements of AS3500.
40. Access to the basement car park, head room for basement entry, driveway ramp and turning circles shall be designed in accordance With AS 2890.1-2004.
41. The proposed basement pump out system is to be strictly in accordance with the requirements set out In Strathfield Council's Stormwater Management Code 2007. The rising main shall be connected to the OSD tank/basin. Final details of this system are to be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
42. All surface inlet drains upstream of the on-site detention basin must be designed so that there is no overflow before the storage is full.
43. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
44. 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.
45. 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.

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

(a) On-site stormwater detention system AND

The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at Land & Property Information NSW. The Instrument shall be registered and a registered copy of the Document shall be submitted to and approved by the consent authority **prior to the issue of an Occupation Certificate/use of the building.**

The positive covenant is required to prevent future modification or alteration without the written consent of the consent authority and to ensure suitable maintenance is carried out.

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Public Authority Matters

46. Prior to the issue of an Occupation Certificate all existing overhead electricity and telecommunication cabling adjacent to the development site shall be amalgamated into a single Aerial Bundle Cable (ABC) at the applicants' expense In accordance with the specifications of Ausgrid and the telecommunications supplier.

Public Domain Works

47. Works will be required to upgrade both the Public Domain and footpath along the Liverpool Road frontage of the site. **Council's Technical Services Department shall be consulted and permission obtained**, prior to undertaking works in order to confirm the required paving and any street furniture.

Landscaping/Tree Matters

48. The landscaping of the site Including both ground floor areas and roof top garden must be earned out in accordance with a detailed landscape plan prepared by a suitably qualified Landscape Architect and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. The landscape plans shall include:
- (a) Two (3), appropriately selected 50crn container sized (50 Litre) trees that grow to a mature height of 5-6 metres; and
 - (b) Four (4), 40cm container sized (minimum 26 Litre), *Magnolia grandiflora* interspersed throughout the ground floor level communal space.
49. The soil profile used at ground floor and roof level must have the stated soil structure that supports water and nutrient retention that includes expanded shale, clay or similar at the bottom of the profile to absorb water however the design of the soil profile must ensure that the soil does not become water-logged.

Construction Matters

50. The proposed development shall comply with the National Construction Code and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**
51. Certification shall be obtained from a registered surveyor at the following stage(s) of construction confirming that the building has been constructed in accordance with the approved plans including any approved amendments (S.96 approvals) and plans and details required by Council as conditions of development consent:
- (a) footings excavation prior to placement of concrete;
 - (b) car park/garage level prior to placement of concrete or pavement;
 - (e) ground floor and first floor levels,
 - (d) roof ridge height
 - (e) all floors of the building roof caves and all roof ridges;
 - (f) wall setbacks from property boundaries and street alignment;
 - (g) dimensions and areas of balconies/courtyards,
 - (h) vehicular ramp gradients

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Copies of the surveyor's certificates must be submitted to and accepted by Council at the stages nominated above

52. Prior to the commencement of any construction or demolition work, the Applicant or principal contractor must, subject to obtaining permission from the respective property owners, provide dilapidation reports prepared by a suitably qualified person (such as a structural engineer), on the buildings located on any lot adjacent to the subject site inclusive of ancillary structures. A copy of the respective report must be provided to the Principal Certifying Authority and neighbouring property owners that are the subject of that report.
53. Footings shall be designed in accordance with the soil classification of H, or Highly Reactive (unless determined to the contrary by a suitably qualified person).
54. If the soil conditions require it retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and adequate provision must be made for drainage.
55. The existing ground levels shall not be altered except in accordance with the levels shown on the approved plans as part of this consent. Finished ground surface levels shall match the existing levels at the property boundary. Any survey plan shall also show the extension of these levels in relation to adjoining properties.
56. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
57. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.
58. If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (a) Must preserve and protect the building from damage; and
 - (b) If necessary, must underpin and support the building in an approved manner, and
 - (c) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
59. There are built structures which may be in the zone of influence of the proposed works and excavations on the site. A qualified practicing geotechnical engineer must prepare a Construction Methodology Report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure.

The report must be submitted with the application for a Construction Certificate and must

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include an investigation to determine the design parameters appropriate to the specific development and site this would typically include;

- (a) The location and level of nearby foundations and footings (site and neighbouring);
- (b) proposed method of excavation;
- (c) Permanent and temporary support measures for excavation,
- (d) Potential settlements affecting footings and foundations;
- (e) Ground water levels (If any).
- (f) Batter slopes.
- (g) Potential vibration cause by menthol of excavation; and
- (h) De-watering including seepage and offsite disposal rate (if any).

Excavation, retention, underpinning and construction must be undertaken onsite by an excavation contractor with specialist excavation experience. A suitably qualified geotechnical engineer specialising. In excavation must supervise the excavation procedure.

60. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
61. The common access pathways, letterboxes and entry doorways to the building shall be provided with suitable low level artificial lighting systems to ensure safe and convenient access at night. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
62. To maintain pedestrian safety in common areas suitable lighting is to be provided on the development site adjoining each street frontage and near pedestrian main entrances to the site. Details shall be submitted and approved by the Principal Certifying Authority **prior to the installation** thereof.
63. Certification shall be obtained from a registered surveyor at the following stage(s) of construction confirming that the building has been constructed in accordance with the approved plans including any approved amendments (5.96 approvals) and plans and details required by Council as conditions of development consent:
- (a) footings excavation prior to placement of concrete;
 - (b) car park/garage level prior to placement of concrete or pavement;
 - (c) ground floor and first floor levels.
 - (d) roof ridge height.
 - (e) all floors of the building, roof eaves and all roof ridges,
 - (f) wall setbacks from property boundaries and street alignment;
 - (g) dimensions and areas of balconies/courtyards;
 - (h) vehicular ramp gradients
- Copies of the surveyor's certificates must be submitted to and accepted by Council at the stages nominated above.

Building Matters

64. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street.

At some future point. If it is proposed to strata subdivide the building, the lot numbers and unit numbers shall be the same as those nominated on the approved plans and be in accordance with Council's requirements. For strata subdivision, parking spaces shall

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have the same lot number as the residential portion and shall not be numbered separately.

Shoring and Adequacy of Adjoining Property

65. Pursuant to Clause 98E and Clause 136H of the Environmental Planning and Assessment Regulation 2000, where a development involves an excavation that extends below the level of the base of the footings of a building on adjoining land. The person having the benefit of the development consent must, at the person's own expense:
- a. protect and support the adjoining premises from possible damage from the excavation; and
 - b. where necessary, underpin the adjoining premises to prevent any such damage.

Sustainability

66. Water collected in a rainwater tank must be roof water only and not surface water. Water from the rainwater tank must only be used for following purposes and not for human consumption
- (a) Toilet flushing;
 - (b) Clothes washing;
 - (c) Garden Irrigation;
 - (d) Car washing and similar outdoor uses;
 - (e) Filling swimming pools, spa pools and ornamental ponds; and
 - (f) Fire fighting.
67. Water heating systems to multi-unit residential developments 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.**

Demolition

68. Demolition shall be carried out in accordance with Australian Standard 2601 - 'The demolition of structures' or any subsequent standard and the relevant legislation.
69. The demolition of the building shall be carried out by a licensed demolition contractor. A copy of the licence shall be submitted to Council and the Principal Certifying Authority **prior to any work commencing on site.**
70. Details demonstrating that excavated and demolished materials including asbestos-based materials will be disposed of at an approved site shall be submitted to the Principal Certifying Authority prior to any work commencing on site.
71. The cleared ground surface of the site shall be suitably stabilised to prevent the generation of dust and the erosion of soil on the site.

Fire Safety Measures

72. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the

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building and specified in the fire safety schedule. The final fire safety certificate shall be provided prior to the issue of an Occupation Certificate.

73. As soon as practicable after a final safety certificate is issued, the owner of the building to which it relates:
- (a) shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to the Commissioner of NSW Fire Brigades,
 - (b) shall submit a copy of the fire safety certificate (together with a copy of any current fire safety schedule) to Council for registration, and
 - (c) shall ensure the fire safety schedule is prominently displayed in the building.

Disabled Access

74. Access to the building for persons with disabilities shall be in accordance with the requirements of the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
75. Sanitary facilities for persons with disabilities shall be provided in the building in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
76. Carparking spaces for persons with disabilities shall be provided in accordance with the Building Code of Australia and the relevant standards. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Waste Management

77. Full compliance must be given to the endorsed Waste Management Plan submitted for the proposed development. Copies of any weighbridge receipts from all approved waste disposal facilities shall be retained for presentation to the Principal Certifying Authority upon request.
78. The waste storage room shall be designed to comply with the relevant standards and details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Land Contamination

79. If during any site works, significant odours and/or evidence of gross contamination not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area and Council, the Principal Certifying Authority and a suitably qualified Environmental Consultant shall be immediately notified.
80. Any fill imported on the site shall be validated by an appropriately qualified person/body to ensure the imported fill is suitable, from a contamination perspective, for the proposed

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land use. Fill Imported onto the site shall also be compatible with the existing soil characteristics for site drainage purposes.

Hoardings

81. No advertisements of any kind shall be affixed to hoardings except for a board not exceeding 24m x 1.8m on which may be shown the architect's/builder's/demolisher's names or any particulars regarding the subject building and notices regarding the existing or future occupancies of the building.
82. Hoardings/overhead protective structures at ground level shall have mesh wire or other such material fixed to the surface to a height at least 2 metres in order to preclude the fixing of posters.
83. A sign with the words "Billposters Will Be Prosecuted" shall be attached or printed on the hoarding/overhead protective structures at regular intervals so it is visible from the street or any adjoining public place.
84. Any hoarding fence or awning is to be removed when the work has been completed.

Noise & Air Quality

85. The LAeq Levels as contained within the "Acoustic Consulting Engineers" report prepared by Acoustic Consulting Engineers Pty lid, Doc No. 30431-01 L-DD Rev01, dated 1 November 2013 shall not be exceeded as follows:
 - (i) 35dB(A) for road traffic noise as measured from within any bedroom at any time between 10.00pm and 1.00am;
 - (ii) 40dB(A) LAeq, for road traffic noise as measured from anywhere else in the building (other than a garage, kitchen, bathroom or hallway).

In order to achieve the acoustic measures, the following shall be carried out:

- (a) External glazed windows/doors fronting the Hume Highway (facing south) shall consist of 6.38mm laminated glass/100mm air gap/5mm float glass and achieve a weighted sound reduction index of not less than Rw42;
- (b) External glazed Windows/doors fronting the internal courtyard/communal open space shall consist of a minimum of 6.38mm laminated glass and achieve a weighted sound reduction index of not less than Rw32; and
- (c) External glazed Windows/doors at the rear façade (facing north) shall consist of a minimum of 6mm float glass and achieve a weighted sound reduction index of not less than Rw30,
- (d) Acoustic rated Windows and door systems shall be fitted with approved Q-Ion acoustic rated seals,
- (e) Window/door acoustic rated seals shall be set to full closure and under slight compression with even pressure all round when windows/doors are closed;
- (f) All gaps around/between the door/window frames and façade openings shall be sealed air-tight with silicon or similar non-hardening mastic prior to fitting any weather strips.

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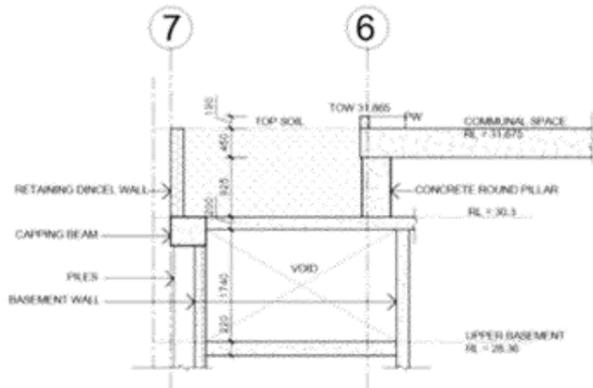
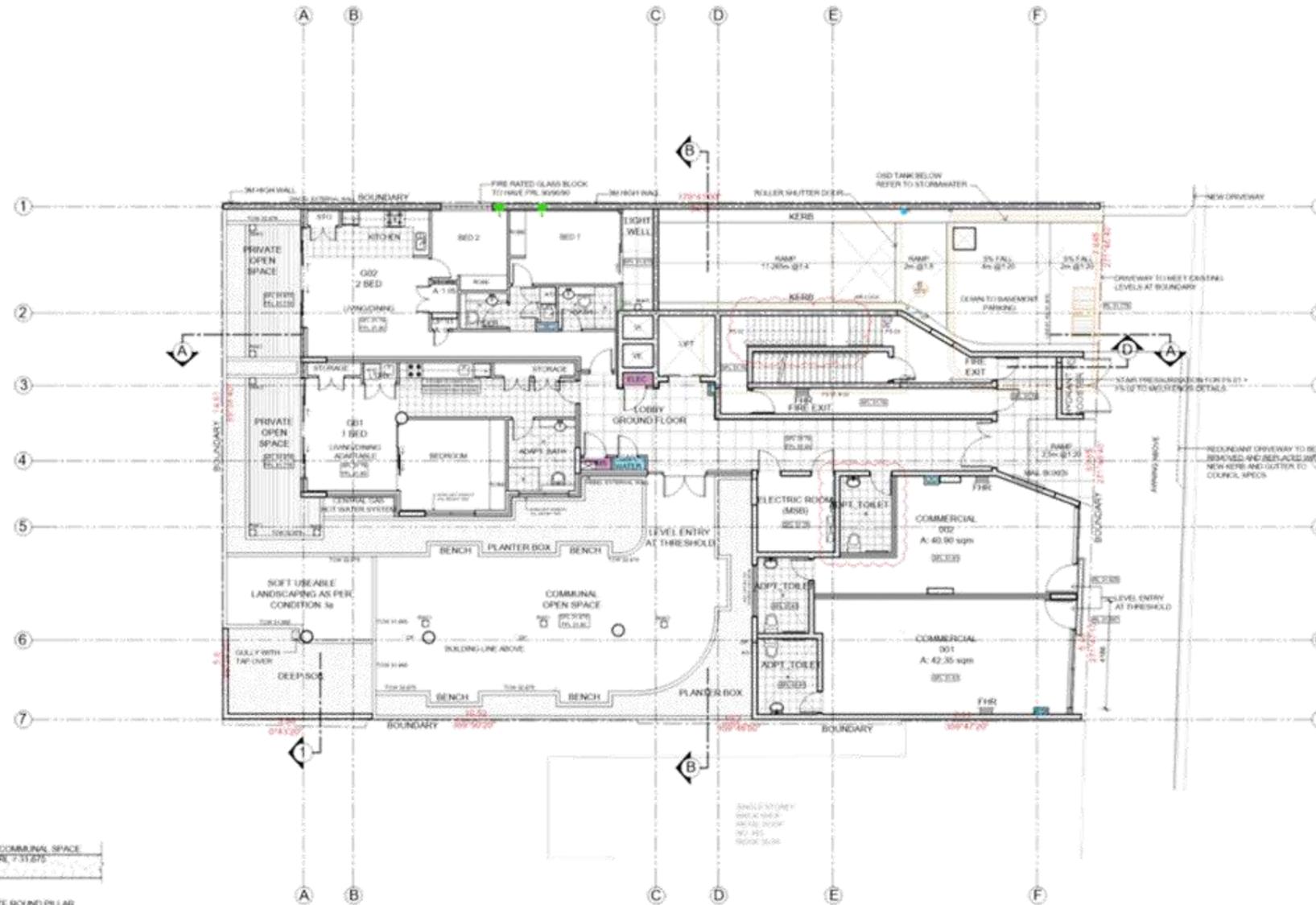
(g) All open extrusions forming perimeter frames to aluminium windows/doors shall be detailed to ensure that the frames do not de-rate the acoustic performance of the windows/doors.

Details of the acoustic treatment of the building shall be submitted to the Principal Certifying Authority for approval **prior to the issue of the Construction Certificate.**

86. Prior to the issue of an Occupation Certificate, a suitably qualified Acoustic Engineer shall certify that the building has been constructed in accordance with the conditions contained in this consent notice and as also contained in the "Acoustic Consulting Engineers" report prepared by Acoustic Consulting Engineers Pty Ltd.
87. Any air conditioning plant and commercial ventilation details shall be submitted to a suitable Acoustic Consultant to ensure their compliance with the relevant standards. A supplementary acoustic report shall be prepared and submitted to the Principal Certifying Authority for review and any recommendations shall be incorporated into the design of the building **prior to the issue of a Construction Certificate.**

ATTACHMENTS

1. [↓](#) Architectural Plans
2. [↓](#) Design Review Panel Report



SCALE: 1:50

STRATHFIELD COUNCIL
RECEIVED
AMENDED PLANS
DA2013/206/6
24 October 2019

<p>5/04, 55 Miller Street Pyrmont, NSW 2009 ph: +61 2 8098 7886 fx: +61 2 8098 7886 e: admin@zta.net.au ABN 56 164 632 517</p> <p>zta group architecture urban design interior design</p>	CONSULTANTS	NOTE	ISSUE	DATE	PURPOSE OF ISSUE	PROJECT 459-463 LIVERPOOL ROAD, STRATHFIELD NSW 2135	STATUS SEC 4.55	DRAWING NO. A203	ISSUE C	JOB NO. 18258
						RESIDENTIAL FLAT DEVELOPMENT	STAGE FOR APPROVAL	DRAWN BY ES: BY: MAF	CHECKED BY PS	SCALE 1:100/A1
						CLIENT		DRAWING TITLE GENERAL ARRANGEMENT - GROUND FLOOR PLAN AND DETAIL AT 1		

① NORTH ELEVATION



② SOUTH ELEVATION



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CONSULTANTS

NOTE

ISSUE	DATE	PURPOSE OF ISSUE

PROJECT
459-463 LIVERPOOL ROAD, STRATHFIELD
NSW 2135

RESIDENTIAL FLAT DEVELOPMENT

CLIENT

STATUS
SEC 4.55

STAGE
FOR APPROVAL



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A300

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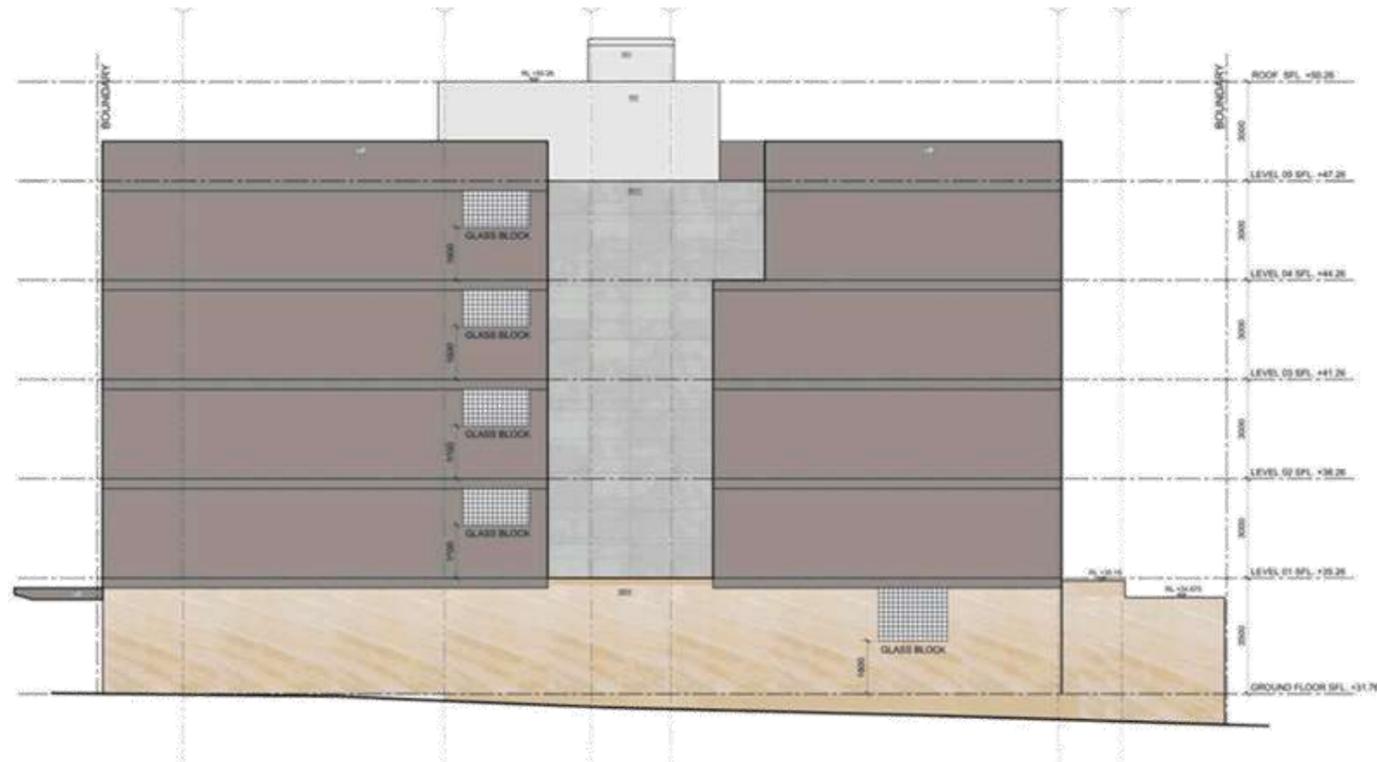
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ELEVATION 01

JOB NO.
18258

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PRINT DATE
15 NOV 2019





3 EAST ELEVATION



4 WEST ELEVATION

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ISSUE DATE PURPOSE OF ISSUE

PROJECT
459-463 LIVERPOOL ROAD, STRATHFIELD
NSW 2135

RESIDENTIAL FLAT DEVELOPMENT

CLIENT

STATUS
SEC 4.55

STAGE
FOR APPROVAL



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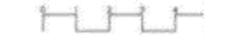
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ELEVATION 02

ISSUE
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CHECKED BY
PS

SCALE
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PRINT DATE
15 NOV 2019



JOB NO.
18258



1 SOUTH ELEVATION

2 NORTH ELEVATION



R1 - RENDER AND PAINT - DULUX PN2F7 BYGONE OR SIMILAR



R2 - RENDER AND PAINT - DULUX PN1E1 NATURAL WHITE OR SIMILAR



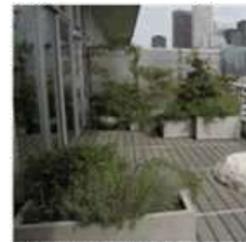
FC1 - CONCRETE LOOK FIBER CEMENT WALL SHEETING



SD1 - SANDSTONE CLADDING



ANO - ANODIZED ALUMINUM FRAME WINDOW/DOORS WITH GLAZING TO BASIX'S SPECIFICATIONS



PL - PLANTER BOX COVERED WITH REINFORCING MESH AND COATED WITH DURABLE FLEXCRETE OR SIMILAR



FR - FIRE RATED GLASS BLOCK OR SIMILAR



AL - ALUMINUM ROLLER SHUTTER OR SIMILAR



CO - COLORBOND TILT GARAGE DOOR OR SIMILAR

3 FINISHES SCHEDULE
COLURS AND IMAGES ARE INDICATIVE ONLY

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NOTE

ISSUE DATE PURPOSE OF ISSUE

PROJECT
459-463 LIVERPOOL ROAD, STRATHFIELD
NSW 2135
RESIDENTIAL FLAT DEVELOPMENT
CLIENT

STATUS
SEC 4.55
STAGE
FOR APPROVAL



DRAWING NO. **A800** ISSUE **C** JOB NO. **18258**
DRAWN BY **ES: BY: MAF** CHECKED BY **PS** SCALE **1:100@A1** PRINT DATE **15 NOV 2011**
DRAWING TITLE **RELEVATIONS WITH FINISHES SCH/SH/01/19**

DESIGN REVIEW
PANEL MEETING

Meeting Report and Recommendations

Meeting Date: 18 September 2019

Location: Halliday Room, City of Canada Bay Council

Panel members	Tony Caro (Chair) Peter Hill Conrad Johnston
Council Staff	Stuart Ardlie – City Of Canada Bay Council George Andonoski – Strathfield Council Louise Gibson – Strathfield Council
Apologies	Nil
Declaration of interest	Nil

Item and Meeting Minutes	
Item number	1
DA number	DA 2013/206/06
Property address	459-463 Liverpool Road, Strathfield
Proposal	Section 4.56 modification application to previous Land and Environment Court approval for demolition of existing structures and construction of a five (5) storey mixed use development comprising (16) x 2 bedroom units, five (5) x 1 bedroom units, two (2) x commercial tenancies and three (3) levels of basement parking, landscaping and drainage works
Background	The site was inspected by the Panel on 19 September 2019

Preface

The Panel notes that this is an approved development and has been asked to only comment on the amendments that have been clouded on the supplied plans.

The Panel briefly reviewed the plans and considers that the apartments in the approved development do not comply with the ADG requirements in key areas, for example; solar access, ventilation, cross ventilation, light to common lobbies and access to balconies.

1. Deletion of Ground Floor Bathroom

1.1 The Panel does not support the deletion of this bathroom as it is required to service the communal open space area at the ground floor.

2. Glass Blocks

2.1 The light and amenity available to the living areas of units 103 and 105, repeated on floors above, is already significantly compromised in the approved development.

2.2 The Panel does not support the removal of the glass blocks on the east and west elevation as this further reduces light to the already compromised living areas and impacts on the amenity of the future occupants.

2.3 The Panel advises that the glass blocks should be retained as approved.

3. Façade Presentation



3.1 Floor plans of each level have not been provided to the Panel so any implication in the layout cannot be assessed. The applicant clarified at the meeting that the approved floor plan was not being modified.

3.2 The design response and material selections for the facades do not reflect the needs of users behind eg. an operable obscured glass window servicing a bathroom and a glass balustrade on a busy road. The Panel noted that the existing DA does not appear to address the acoustic issues associated with apartments on busy roads with regard to both the ADG and the infrastructure SEPP. Any changes that will further reduce the mediation of traffic noise are not supported.

3.3 The Panel does not support the facade change and believes that the original approved development had more design integrity. The change in the material lowers the quality of the materiality and durability.

3.4 The Panel recommends that to improve constructability the previous design could be improved by deletion of the chamfered spandrels to create clean rectilinear openings and highlight windows servicing the bathrooms.

TO: Strathfield Local Planning Panel Meeting - 5 December 2019
REPORT: SLPP – Report No. 2
SUBJECT: DA2019/110 - 7 ALBYN ROAD, STRATHFIELD
LOT 1 DP 167594
DA NO. DA2019/110

SUMMARY

Proposal: Demolition of existing buildings on site and the construction of a two (2) storey dwelling house with basement level, landscaping, front boundary fence and tree removal

Applicant: Nu-Rock Construction Pty Ltd

Owner: Guo Fang Chen

Date of lodgement: 15 July 2019

Notification period: 19 July to 2 August 2019

Submissions received: One submission

Assessment officer: MR

Estimated cost of works: \$2,602,160

Zoning: R2 – Low Density Residential – SLEP 2012

Heritage: Not a heritage item.
Woodward Avenue Heritage Conservation Area (C17)

Flood affected: No

Is a Clause 4.6 variation proposed? No

Extent of the variation supported? N/A

Peer review of Clause 4.6 variation: N/A

Reason for referral to Strathfield Local Planning Panel: Demolition of existing buildings and construction of a new dwelling within a heritage conservation area.

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

The proposal involves the demolition of existing buildings and the construction of a two (2) storey dwelling house with basement level, landscaping, front boundary fence and tree removal.

The application was publicly notified on 9 July 2019, in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005), with the last date for public submissions being 2 August 2019. One (1) submission was received as a result. The key issues raised in this submission included:

- Heritage; and
- Inconsistency with zone objectives.

**DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)**

The proposed development is considered acceptable and supportable, generally complying with the relevant development standards and controls under the Strathfield Local Environmental Plan 2012 (SLEP 2012) and SCDCP 2005. The final design of the proposed development appropriately responds to the low density residential character and suburban context of the locality as well the unique heritage setting of the Woodward Avenue Heritage Conservation Area (C17).

The application is recommended for **APPROVAL**.

BACKGROUND

- 22 January 2019 A Pre-Development Application Meeting was held regarding this development. As a result, Council formally responded on 22 January 2019. The main points being as follows: heritage, streetscape, floor space ratio, building height, basement, landscaping, tree removal, privacy impacts and front fence.
- 15 July 2019 The subject application was lodged.
- 19 July 2019 The application was placed on exhibition, with the last date for submissions being 2 August 2019. One (1) submission was received during the notification period.
- 15 August 2019 A deferral letter was issued to the applicant, raising a number of issues and concerns including insufficient details on plans, floor space ratio (FSR), building height, setbacks, basement level, driveway, front boundary fence, heritage matters, trees and landscaping and privacy impacts.
- 18, 27 and 28 August 2019 The applicant lodged additional information to Council.
- 8 September and 7 October 2019 The applicant provided further additional information to Council.
- 5 December 2019 The application was referred to the SLPP for determination.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 1 DP 167594 and is known as No.7 Albyn Road, Strathfield. The site is within the R2 – Low Density Residential zone, pursuant to the provisions of SLEP 2012. It is within a typical low density, suburban area characterised by tree-lined streets and single detached dwellings of mixed scale and design. Common architectural features and traits in the immediate area include pitched roofing and roof eaves, rendered finishes, light and neutral colours and front boundary fencing.

The site is a rectangular shaped allotment that is located on the northern side of Albyn Road and has an area of 1060m², a maximum length of more 50m and a 21.33m wide frontage (refer to **Figure 1**). It is mostly flat with a slight fall of 1.98m to the rear (northern) boundary. The subject site is predominantly modified and currently contains a single storey dwelling with some ancillary structures such as an outbuilding, detached garage and carport. It is noted that the site is generally devoid of any significant native vegetation; with the only vegetation comprising of grassed turf areas, scattered ornamental trees and informal garden beds with hedging. Two (2) Alexander Palms (*Archontophoenix alexandrae*) are situated along the eastern side of the front setback; whilst three (3) more palms occur adjacent to the rear (northern) boundary. A single Crepe Myrtle (*Lagerstroemia archeriana*) is located in the middle of the rear yard.

The site is surrounded by the following properties:

DA2019/110 - 7 Albyn Road, Strathfield
 Lot 1 DP 167594 (Cont'd)

- A large, multi-level, palatial dwelling with tennis court at No.3-5 Albyn Road, adjoining the eastern boundary;
- A single storey, detached dwelling at No. 9 Albyn Road, adjoining the western boundary;
- Dwellings at No. 8 and 10 Woodward Avenue, adjoining the rear (northern) boundary; and
- A large, multi-level, palatial dwelling at No. 8-10 Albyn Road, south of the site and across the road.

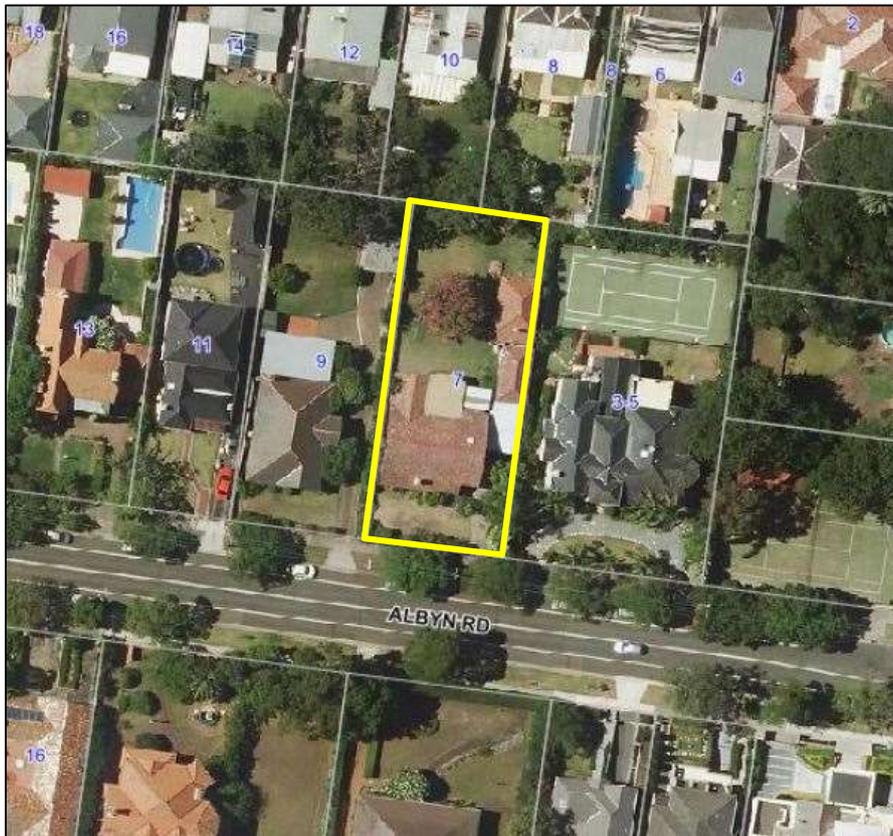


Figure 1: The subject site (as highlighted in yellow) and the surrounding context

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

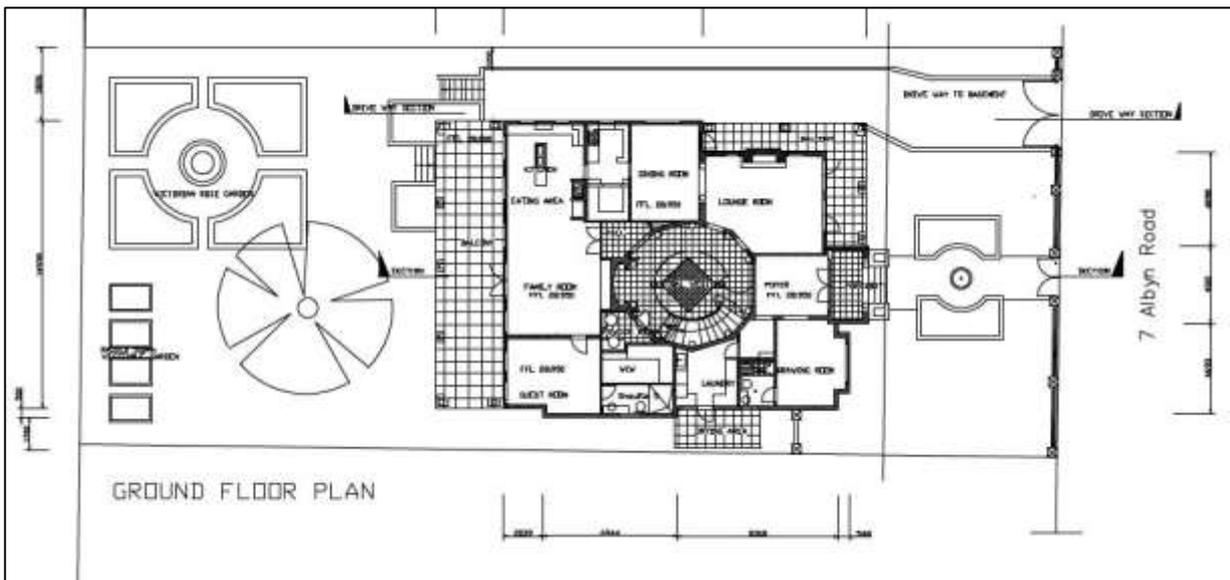
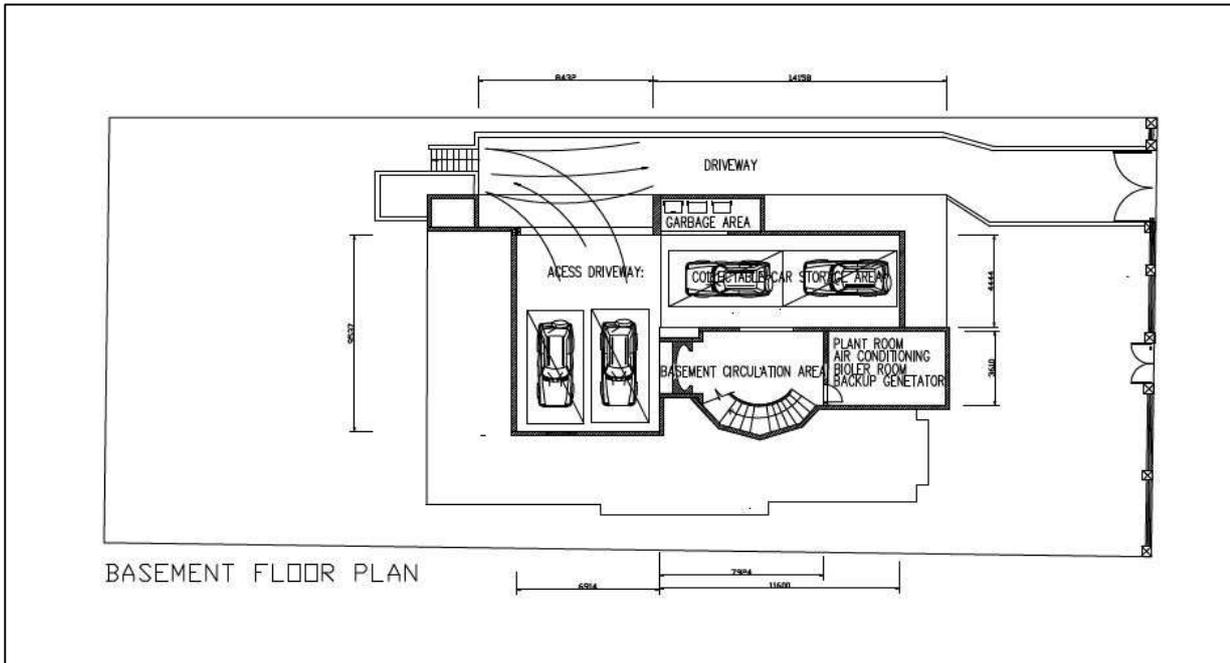
The application seeks Council approval for the demolition of existing buildings and the construction of a two storey dwelling house with basement level, landscaping, front boundary fence and tree removal.

The proposed development involves a new dwelling with the following elements:

- Basement level comprising vehicular spaces, a storage area, waste storage area, plant and services room and access stairs leading to the upper levels;
- Ground floor comprising entry porch with portico, foyer, drawing room, laundry, living and dining areas, kitchen with walk-in-pantry and guest bedroom and side and rear balconies; and
- First floor comprising a master bedroom with walk-in-robe and ensuite; three (3) bedrooms, sitting room, vestibule and front facing balcony.

Several floor plans and elevations of the proposed dwelling are shown in **Figures 2 to 7** below.

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)



Figures 2 and 3: Basement and Ground Floor Plans of New Dwelling

DA2019/110 - 7 Albyn Road, Strathfield
 Lot 1 DP 167594 (Cont'd)

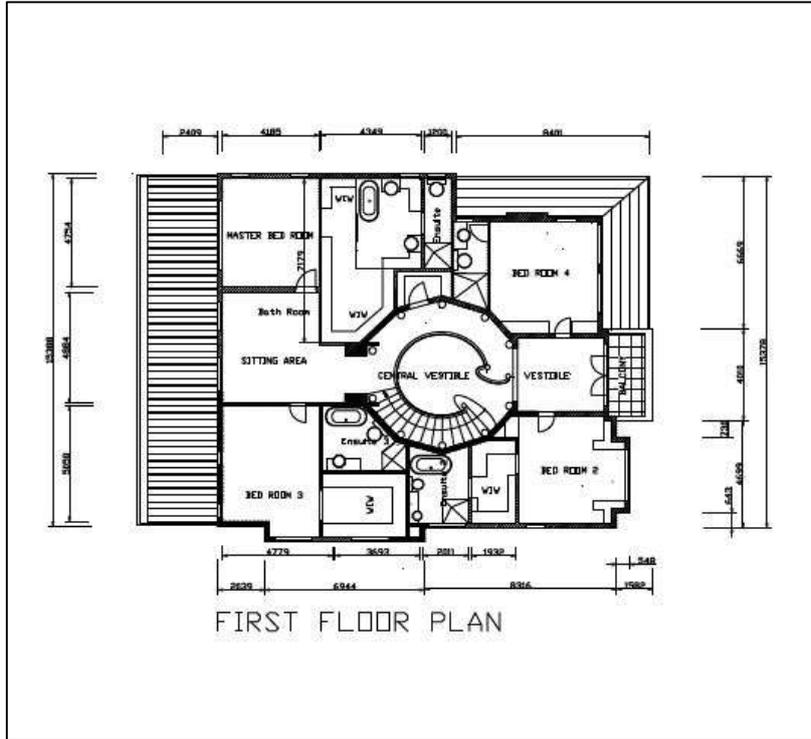


Figure 4: First Floor Plan of New Dwelling



Figure 5: South Elevation of New Dwelling

DA2019/110 - 7 Albyn Road, Strathfield
 Lot 1 DP 167594 (Cont'd)



Figure 6: East Elevation of New Dwelling



Figure 7: North Elevation of New Dwelling

The proposed development will also involve extensive landscaping works (particularly within the rear yard), the construction of front fencing and the removal of four (4) trees – three (3) Alexander Palms (*Archontophoenix alexandrae*) and one (1) Crepe Myrtle (*Lagerstroemia archeriana*). The proposed front fence will have a height of 1.5m (maximum) and will be predominantly open form, constructed of limestone block piers and powder coated metal spears that are 100mm apart.

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

REFERRALS

INTERNAL REFERRALS

Heritage Advisor Comments

The subject site is within a heritage conservation area, and forms part of the **Woodward Avenue Heritage Conservation Area (C17)** as listed under Schedule 5 of the SLEP 2012. Council's Heritage Advisor provided the following advice on each element of the proposal with respect to potential impacts on the heritage significance and character of the Woodward Avenue Heritage Conservation Area:

Demolition of existing dwelling

The site is in the vicinity of several heritage items to the rear of the site, the existing dwelling is not considered to contribute to the significance of these items.

The existing dwelling on the site is not a contributory element in the Woodward Avenue Heritage Conservation Area and it is not a representative of the key characteristics of this area. Therefore, the existing dwelling does not warrant retention on heritage grounds and its demolition is supported.

Construction of new dwelling and fencing

The new dwelling and associated front fencing are of an acceptable design and scale, including most of the proposed materials and finishes. To ensure that the overall scheme is appropriately designed and further complements the styling and characteristics featured within the Woodward Avenue Heritage Conservation Area, the following recommendations will be conditioned:

- The colour of the external rendered brick must be a monotone, recessive and neutral colour; and
- Any window frames within the front façade must be modified to be of timber construction and comprise of a neutral, recessive colour.

Council's Heritage Advisor confirmed that the proposal will have minimal impacts on the heritage value and significance of the Woodward Avenue Heritage Conservation Area and advised that there were no objections to the proposal, subject to the imposition of recommended conditions of consent.

Stormwater Engineer Comments

The application was referred to Council's Stormwater Engineer who undertook an assessment of the proposal in regards to stormwater management and advised that there are no objections to the proposed stormwater system, subject to suitable conditions of consent.

Traffic Engineer Comments

The application was referred to Council's Traffic Engineer who undertook an assessment of the proposal with regards to vehicular access and parking, and advised that there were no objections to the proposed access, and parking and maneuvering within the basement level, subject to suitable conditions of consent.

Tree Coordinator Comments

The application was referred Council's Tree Coordinator who confirmed that the landscaping works are appropriate and acceptable and the proposed removal of the site trees is supported, subject to conditions of consent requiring replacement tree planting. Conditions are recommended to ensure the existing street trees are unaffected by the proposed works. This includes conditions that:

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

- Requires root mapping and assessment of the trees that are affected and a qualified arborist to oversee any works for the driveway crossing and internal driveway that are within 3m of the trees;
- Any stormwater infrastructure including pits and pipes are to be relocated at least 3m away from the trees.
- Ensures that any excavation works within 3m of the trees involve hand digging and are undertaken in a manner that minimises potential damage to the root systems of these trees.

EXTERNAL REFERRALS

The application did not require referrals to any external specialists and authorities.

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 development 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

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration. SEPP 55 requires Council to consider whether the land subject to the development proposal is contaminated; and if the site is contaminated, Council must be satisfied that the site is suitable or can be made suitable (i.e. following remediation) for the proposed land use.

A site inspection identified that the site is currently occupied by a dwelling house. A review of Council's GIS and historical aerial photos has shown that this dwelling has been established since the 1920's.

A search of Council's contaminated land register specifies that the site is not potentially contaminated. The site is suitable for the proposed development in accordance with requirements of SEPP 55 and the proposed single dwelling use is supported subject to conditions. As such, the objectives outlined within SEPP 55 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 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.

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

As mentioned above, the site is devoid of any remnant native vegetation that is worthy of retaining. The proposed removal of the ornamental trees was supported by Council's Tree Coordinator, subject to consent conditions, as these are not significant canopy trees and are well within the footprint of the proposal. Conditions will also be included in the consent to ensure that the extensive landscaping works are able to provide larger, more appropriate tree plantings that will improve the overall visual setting and landscape of the site.

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>	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>	Yes
(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

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

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

“Dwelling house means a building containing only one dwelling.”

The proposed development for the purpose of a dwelling and ancillary structures is consistent with the definition above and is therefore permissible with consent.

Zone Objectives

An assessment of the proposal against the objectives of the R2 – Low Density Residential zone is included below:

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

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

Comments: The proposal involves the demolition of an existing dwelling and construction of a new 2 storey dwelling with a contemporary design, layout and finish. The new dwelling will have an appropriate scale and massing facilitated by the generous lot size and dimensions of the subject land.

The proposal retains a low density residential land use and continues to ensure that the housing needs of the community are met and preserved within the immediate locality.

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	8.25m	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	0.5:1 (530m ²)	0.465:1 (493.1m ²)	Yes
Objectives				Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area			Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas			Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties			Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items			Yes
(e)	In relation to Strathfield Town Centre: i. to encourage consolidation and a sustainable integrated land use and transport development around key public transport infrastructure, and ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development			N/A
(f)	In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor			N/A

Comments: As mentioned above, the proposal involves the demolition of an existing dwelling and construction of a 2 storey dwelling, which retains the existing low density residential land use of the site. The new dwelling features a larger, modern design with ample internal and external facilities and amenities for future occupants. The proposal ensures that the housing needs of the community are met and the low density, residential character of the locality is preserved.

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

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

The objectives of Clause 5.10 of the SLEP 2012 are:

- to conserve the environmental heritage of Strathfield,
- to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- to conserve archaeological sites, and
- to conserve Aboriginal objects and Aboriginal places of heritage significance.

Subclause 2 of Clause 5.10 states that development consent is required for *the demolishing or moving of a building, work, relic or tree within a heritage conservation area*. The subject site is within a heritage conservation area, and forms part of the **Woodward Avenue Heritage Conservation Area (C17)** as listed under Schedule 5 of the SLEP 2012. This conservation area is a Victorian era precinct that is of local significance for its retention of form, scale and architectural detail from the late 19th century. Features of the Woodward Avenue Heritage Conservation Area include predominantly single storey, asymmetrical facades, projecting bays, slate roofs, rendered brick construction and front verandahs.

As mentioned previously, Council's Heritage Advisor confirmed that the proposed demolition of the existing dwelling and the design of the proposed development are both acceptable and supportable as these will have minimal impacts on the heritage value and significance of the Woodward Avenue Heritage Conservation Area. Council's Heritage Advisor advised that there were no objections to the proposal, subject to the imposition of recommended conditions of consent. Therefore, the proposed development is considered satisfactory in addressing the relevant provisions under Clause 5.10 of SLEP 2012.

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 within Acid Sulfate Soils (ASS) – Class 5 land and the provisions of Clause 6.1 are applicable. The objectives of this clause are to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. Within Class 5, the trigger under SLEP 2012 is works within 500m of adjacent Class 1,2,3 or 4 land that is below 5m AHD and is likely to lower the water table below 1m AHD on adjacent Class 1,2,3 or 4 ASS land. Given the subject land is not located within 500m of Class 1, 2, 3, and 4 land, the proposed development is not required to be accompanied by an Acid Sulfate Soils Management Plan, and therefore, satisfies the requirements of Clause 6.1.

6.2 Earthworks

The proposed basement level will involve more than 1m of excavation. A condition of consent is recommended to ensure an appropriate management of soils is undertaken during earthworks.

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

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

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.

4.151)(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.

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

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

2: Architectural Design & Streetscape Presentation

2.1	Objectives	Satisfactory
A.	<i>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.</i>	Yes
B.	<i>To achieve quality architecture in new development through the appropriate composition and articulation of building elements.</i>	Yes
C.	<i>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.</i>	Yes
D.	<i>To ensure that new dwellings have facades, which define, address and enhance the public domain.</i>	Yes
E.	<i>To encourage contemporary architecture that is innovative, uses high quality detailing, and incorporates elements characteristic of Strathfield.</i>	Yes
F.	<i>To promote the continuance of pyramidal roof forms within Strathfield where they are already prevalent.</i>	Yes
G.	<i>To retain a feeling of openness and space between built elements by maintaining landscaped setbacks and preserve the appearance of dwellings set in the tree-lined streets and park-like environment.</i>	Yes
H.	<i>To reduce the use of highly reflective colours and materials that create visual prominence.</i>	Yes
I.	<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.</i>	Yes
J.	<i>To protect and retain the amenity of adjoining properties.</i>	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

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	4	Integrated security grilles/screens, ventilation louvres and garage doors	Yes
<i>Scale, Massing & Rhythm of Street</i>			
.2.	1	Scale, massing, bulk and layout complement the existing streetscape and the dominant building rhythm	Yes
	2	Building height and mass maintains amenity to adjacent properties open space or the public domain	Yes
.3.	<i>Building Forms</i>		
	1	Building form articulated.	Yes
.4.	<i>Roof Forms</i>		
	1	Roof form complements predominant form in the locality	Yes
	2	Roof form minimises bulk and scale of building and remains an important architectural element in the street.	Yes
	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)	
	<i>Colours</i>		
	8	New development incorporates traditional colour schemes	Yes
9	The external colours integrate harmoniously with the external design of the building	Yes	

Comments: The proposed development meets the architectural feature and design requirements under SCDPCP 2005. The new dwelling and front fencing feature an acceptable design, scale, density, materials, and finishes that are consistent and compatible with the surrounding area and in context of being within a heritage conservation area.

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

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G.	<i>To provide a transitional area between public and private space.</i>	Yes
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4.2 Development Controls

Complies

<i>Floor Space Ratio</i>		
.1.	1	Floor Space Ratio permissible pursuant to SLEP 2012 Maximum FSR of 0.5:1 (530m ²)
		Yes 0.465:1 (493.1m²)
	2	Development compatible with the lot size
		Yes

Building Height

.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

Street Setbacks

.3.1.	1	Setbacks consistent with minimum requirements of Table A.1 Primary street setback: minimum 9m	Yes 9.8m street setback
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Side and Rear Setbacks

.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). Combined side setback of 4.266m (20% of 21.33m). Min 1.2m on each side.	Yes Combined: 6.3m (29.5%) East: 4m West: 2.3m
	2	A rear setback of 6m (min)	Yes 18.3m
	3	Subject 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 development complies with the relevant requirements under the SLEP 2012 and SCDCP 2005 in terms of maximum building height, FSR, building articulation, and setback from property boundaries.

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

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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
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	Yes – conditioned to comply 45.8% (485.8m²)
	2	At least 50% of the minimum landscaped area located behind the building line to the rear boundary	Yes >50%
	3	At least 50% of the front yard maintained as deep soil soft landscaping	Yes >76%
	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

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	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
	11	25% (min) of canopy trees and other vegetation shall be locally sourced indigenous species	Yes
<i>Private Open Space</i>			
	1	Provided in a single parcel rather than a fragmented space, directly accessible from internal living areas	Yes
	2	Includes a deep soil area compliant with the minimum landscaped area.	Yes
.3.	3	Terraces and decks (at least 10m ²) with one length or width 3m (min) and directly accessible from an internal living area. Decks cannot be located more than 500mm above NGL	Yes
	4	Unless 3m (min) width, areas within setbacks are not to be included as private open space	Yes
	5	Private open space located at the rear of the property.	Yes
<i>Fencing</i>			
	1	Fencing designed to be compatible and sympathetic to the style of the dwelling, adjoining properties and the streetscape	Yes
	2	Landscaping used when the streetscape is characterised by the absence of front fences	Yes
.4.	3	Fencing forward of FBL shall not exceed 1.5m. Solid components shall not exceed 0.7m above NGL with the exception of brick piers	Yes Maximum height of 1.5m Limestone block piers and evenly spaced aluminum spears are an acceptable design
	7	Front fences visually permeable	Yes Predominantly open form fencing
	9	Listed undesirable materials and finishes not used forward FBL	Yes

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Comments: The proposed development is slightly deficient in deep soil landscaped area. Conditions are recommended to delete the proposed “decorative gravel mulch” as annotated on the Landscape Plan into grassed turf areas. This ensures that the proposal complies with the minimum landscaped area requirement.

Given the setback of the development and width of the site, there is opportunity to provide at least three (3) canopy trees within the front setback. Conditions are recommended to relocate the proposed Blueberry Ash (*Elaeocarpus reticulatus*) further north and at least 4m away from the new dwelling and the provision of two (2) native canopy trees, capable of reaching a mature height of at least 15m, within the south-western and south-eastern corners of the front setback area.

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 proposed development complies with the relevant requirements under the SDCDP 2005 with regard to providing sufficient solar access to both future occupants and neighbouring properties.

7: Privacy

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

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	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>			
	1	Windows do not directly face the windows, balconies and courtyards of adjoining dwelling	Yes
.2.	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.	1	Elevated decks, verandahs and upper storey balconies not permitted on side boundaries (exceptions apply)	Yes The maximum height of the rear balcony off the ground floor is 0.6m.
	2	Elevated decks, verandahs and balconies incorporate privacy screens	No – acceptable
	4	Balconies extending the full width of the front façade are not permitted	Yes

Comments: The proposed development generally complies with the relevant requirements under the SCDP 2005 with regard to providing building separation, and privacy to both future occupants and neighbouring properties. Whilst slightly elevated from natural ground level, the rear balcony (off the ground floor) is centralised and setback away from the side boundaries with screen planting proposed along the side garden beds. Privacy screens are not required to address potential overlooking from these spaces.

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

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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>Garages, Carports and Car Spaces</i>
.2.	1 Two (2) car parking spaces required behind the FBL of all new dwellings (exceptions apply)	Yes
	2 Garages recessed behind the main front facade and/or non-dominant	Yes
	3 Garages not more than 150mm above NGL at entry unless the slope of the site exceeds 1:8 (12.5%)	Yes
	4 Dimensions of parking spaces and garages comply with the Australian Standards	Yes
	5 Garages are not to be converted or used for any purpose other than that for which they are approved	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 Conditioned to comply
	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

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11	Basements are not to be used for habitable purposes	Yes
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Comments: The proposed development meets the relevant requirements under the SCDCP 2005 with regard to vehicular access, parking and maneuvering.

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: Apart from the excavation required for creating the basement level, the proposed development involves minimal changes to the existing ground level of the site. Therefore, the proposal meets the relevant requirements under the SCDCP 2005 with regard to cut and fill.

10: Water and Soil Management

10.1	Objectives	Satisfactory
A.	To encourage the incorporation of Water Sensitive Urban Design (WSUD) and Botany Improvement Plan principles in the development.	Yes
B.	To ensure compliance with Council's Stormwater Management Code	Yes
C.	To ensure compliance with the NSW State Government's Flood Prone Lands Policy.	Yes
D.	To ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction.	Yes
E.	To ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality.	Yes
F.	To ensure that new development in areas that may be affected by acid sulphate soils do not adversely impact the underlying ground conditions, soil acidity and water quality.	Yes
G.	To appropriately manage stormwater and overland flow to minimise damage to occupants and property	Yes

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10.2	Development Controls	Complies	
.1.	<i>Stormwater Management and Flood Prone areas</i>		
	1	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

Comments: Council's Stormwater Engineer confirmed that the proposal complies with the relevant stormwater and water and soil management controls under the SDCDP 2005 and Council's Stormwater Management Code.

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>		
	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 new dwelling has clearly defined pedestrian and vehicular entries and a front entrance that will be visible from the street. The overall scheme including front setback has been adequately designed to formalise access and ensure that the above access, safety and security controls are met.

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13: Ecologically Sustainable Development

13.1	Objectives	Satisfactory
A.	To encourage passive and active strategies in the design of dwellings and ancillary structures that promotes the achievement of ecologically sustainable practices and BASIX requirements.	Yes
B.	To ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating.	Yes
C.	To minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies.	Yes
D.	To encourage the use of new technology that reduces energy consumption, minimises greenhouse emissions and results in cost savings	Yes
E.	To encourage the re-use of building materials, thereby reducing waste to landfill, transportation costs, conserving raw materials and reducing energy expenditure. (Refer to Part H Waste Minimisation and Management of SCDCP 2005).	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
	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
	2 Windows positioned to capture breezes and allow for cross-ventilation	Yes
<i>Water Tanks</i>		
.3.	1 Located behind the dwelling or behind the front building line and screened from view from the public domain	Yes
	2 Associated support structures and plumbing are a colour that complements the dwelling.	Yes
	3 Above ground water tanks located 450mm (min) from any property boundary	Yes
	4 Above ground water tanks do not exceed 3m in height above NGL	Yes
	5 Overflow piped directly to the approved stormwater drainage system except in cases where stormwater is required to be directed to on-site stormwater detention (OSD) storage	Yes
	6 No part of the water tank or support stand may rest on a wall footing	Yes
	7 Installation does not involve the filling of more than 1m above existing ground level	Yes
	8 The tank not located over or adjacent to a water main or sewer main or installed over any associated structure or fittings	Yes
	9 Support structure installed to the requirements of a qualified practicing structural engineer or to the maker's specifications.	Yes
<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

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3	Placed within a short distance of the most frequent point of use	Yes
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Comments: The proposed development complies with the relevant requirements under the SCDCP 2005 with regard to ecologically sustainable development and the design and siting of rainwater tanks and hot water heater units.

PART H - WASTE MANAGEMENT (SCDCP 2005)

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

PART P – HERITAGE (SCDCP 2005)

4: Development in Conservation areas: Woodward Avenue Conservation Area (C9)

4.1: Setting

	<i>Objectives</i>	<i>Satisfactory</i>
A.	<i>To provide an appropriate visual setting for Heritage Conservation Areas, including landscaping, fencing and car parking.</i>	Yes
B.	<i>To maintain and enhance the existing character of the streetscape of a Heritage Conservation Area.</i>	Yes
C.	<i>To ensure that new development respects the established patterns in the streetscape of a Heritage Conservation Area, including setbacks, siting, landscaped settings, car parking and fencing.</i>	Yes
D.	<i>To protect street trees within Heritage Conservation Areas</i>	Yes

	<i>Controls</i>	<i>Satisfactory</i>
i.	<i>The side and front setbacks of new development in a Conservation Area should be typical of the spacing of existing buildings in the vicinity of the proposed development in that Conservation Area, such that the rhythm of buildings in the streetscape is retained.</i>	Yes
ii.	<i>No new structures should be built forward of the established street building line.</i>	Yes
iii.	<i>The established landscape character of the locality including the height of canopy and density of boundary landscape plantings should be retained in any new development.</i>	Yes
iv.	<i>Driveways must be placed having regard to street trees that contribute to the character of Heritage Conservation Area. An arborist report may be required for any development in the vicinity of significant street trees.</i>	Yes

Comments: The proposed development has been appropriately designed and located with regard to achieving the above requirements and in relation to its unique setting within the Woodward Avenue Heritage Conservation Area.

4.2: Scale

	<i>Objectives</i>	<i>Satisfactory</i>
A.	<i>To ensure that new development adjacent to or within a Heritage Conservation Area is of scale consistent with existing development that contributes to the character of the Heritage Conservation Area.</i>	Yes

	<i>Controls</i>	<i>Satisfactory</i>
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<i>i.</i>	<i>The scale of new development adjacent to or within a Conservation Area should relate to the scale of the adjacent or nearest contributory elements of the Conservation Area.</i>	Yes
<i>ii.</i>	<i>Development of a larger scale is allowable only if it can be demonstrated that the new development will not adversely impact the identifiable character of the Conservation Area.</i>	Yes

Comments: As mentioned above, the proposed development meets the maximum building height and FSR development standards under the SLEP 2012 and has appropriate scale and massing that are consistent with the surrounding area and the heritage conservation area.

4.3: Form

	Objectives	Satisfactory
A.	<i>To ensure that new development in a Conservation Area relates positively to the dominant forms of existing contributory buildings in the Conservation Area.</i>	Yes
B.	<i>To ensure that buildings that contribute to the character of a Conservation Area retain their importance in the streetscape and/or townscape.</i>	Yes
	Controls	Satisfactory
<i>i.</i>	<i>Important elements of the form of a contributory building in a Conservation Area such as main roof forms, chimneys, parapet walls, verandahs etc. should not be demolished or obscured by alterations and additions.</i>	Yes
<i>ii.</i>	<i>New development in a Conservation Area is to complement existing nearby buildings that contribute to the Conservation Area.</i>	Yes
<i>vi.</i>	<i>The treatment of the street façade of new development in a Conservation Area should relate to existing nearby buildings that contribute to the Conservation Area.</i>	Yes

Comments: The proposed development has positive contribution to character of the heritage conservation area as it features architectural features and elements that commonly occur within the vicinity. The proposed development has adequate visual presentation to the street and is appropriately balanced by provision of numerous landscaping treatments.

4.4: Siting

	Objectives	Satisfactory
A.	<i>To integrate new development in Conservation Areas with the identifiable character of the area.</i>	Yes
	Controls	Satisfactory
<i>i.</i>	<i>The front setback of new development (including alterations and additions) in Conservation Areas should match that of adjacent contributory development. Where adjacent developments have different setbacks, new development should align with the greater setback.</i>	Yes
<i>iii.</i>	<i>Side setbacks of new development (including alterations and additions) in Conservation Areas should match the pattern of adjacent and/or nearby contributory development. This will often include a greater setback on one side of the development to provide vehicular access at the side of a property.</i>	Yes
<i>iv.</i>	<i>The orientation of new development should follow the established pattern of development in the Conservation Area.</i>	Yes
<i>v.</i>	<i>Where trees are important to a Conservation Area, new buildings should be sited away from the drip line of the trees.</i>	Yes

Comments: The proposed development complies with the above controls as it involves setbacks that are consistent with the pattern and rhythm of residential development featured in the streetscape and in the heritage conservation area.

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4.5 Materials and colours

Objectives		Satisfactory
A.	<i>To encourage the use of external materials on new development that is consistent with the existing contributory buildings in a Conservation Area.</i>	Yes
Controls		Satisfactory
i.	<i>Original materials of contributory buildings in Conservation Areas should not be replaced with different materials or with materials of different colours.</i>	Yes
iii.	<i>Painting, rendering or bagging of face brickwork and sandstone is not permitted.</i>	No – acceptable (see below)
iv.	<i>The texture of original rendered finishes should not be changed.</i>	Yes
v.	<i>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</i>	Yes
vi.	<i>The use of fluorescent paint on buildings in Conservation Areas is not permitted.</i>	Yes

Comments: The proposed development generally satisfies the above requirements. It is noted that the rendered finishes are generally not common in heritage conservation areas; however, the design treatment of the new dwelling featuring a neutral colour palette and finishes combined with the generous setback from the street and the deep soil landscaping within the front setback ensures that the proposed rendering is acceptable and appropriate. It is further noted that rendered finishes commonly occur along Albyn Road and is therefore, consistent with the existing streetscape character of the surrounding area.

4.6 Doors and windows

Objectives		Satisfactory
A.	<i>To retain original door and window details of contributory buildings in Conservation Areas.</i>	Yes
B.	<i>To ensure that new development in a Conservation Area has fenestration patterns and proportions consistent with contributory buildings in the Conservation Area.</i>	Yes
Controls		Satisfactory
i.	<i>Extensive areas of glazing are not permitted for doors and windows visible from the Public Domain on buildings within a Conservation Area.</i>	Yes
iii.	<i>New door and window openings to contributory buildings in a Conservation Area that are visible from the Public Domain should be of proportions and details that relate to existing door and window openings.</i>	Yes – conditioned to comply

Comments: The proposed development generally complies with the above requirements; however, it is recommended that a condition is imposed to ensure the frames of all windows facing Albyn Road (on the southern elevation) are constructed of timber to ensure the design is consistent with the heritage conservation area.

4.7 Car parking

Objectives		Satisfactory
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A.	To ensure that, where possible, garages and carports are designed to minimise the visual impact on the streetscape of Conservation Areas.	Yes
Controls		Satisfactory
i.	Garages and carports must be located as far behind the front building line as possible.	Yes
vi.	Placement of basement entries toward the rear of the property and parallel to the side boundary is encouraged.	Yes
vii.	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 development features basement level parking, with the garaging and parking spaces behind the building line and mostly hidden from the street. It therefore meets the above requirements.

4.8 Fencing

Objectives		Satisfactory
B.	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
C.	To ensure that the quality of the streetscape or townscape in a Conservation Area is not diminished by inappropriate fencing.	Yes
Controls		Satisfactory
i.	Fencing and gates that are constructed at the same time as the contributory building should not be demolished.	Yes
ii.	New fencing and gates to contributory housing in a Conservation Area should be designed to complement the style of the house.	Yes
iii.	New fencing and gates to infill development in a Conservation Area should be in keeping with the dominant character of the Conservation Area.	Yes
iv.	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
v.	Original face brick or sandstone fencing in a Conservation Area should not be painted.	Yes
vi.	Refer to the Controls for Fencing in the Residential section of this Development Control Plan for general provisions regarding fencing (Note: this section prevails in the event of any inconsistency).	Yes

Comments: The proposed development meets the above requirements in terms of front fence design within a heritage conservation area.

4.9 Landscape elements including paving and driveways

Objectives		Satisfactory
A.	To retain important landscape elements that contribute to the significance of Conservation Areas.	Yes
B.	To reinforce the qualities of the Conservation Area through appropriate landscaping.	Yes
Controls		Satisfactory

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<i>i.</i>	<i>Street trees in Conservation Areas should not be removed to allow for new development. New and relocated driveways should be located to accommodate existing street tree. An arborist report may be required for works in the vicinity of street trees.</i>	Yes
<i>ii.</i>	<i>Existing driveways and footpath crossings that relate to original development in a Conservation Area should not be relocated.</i>	Yes
<i>iii.</i>	<i>Double driveways and footpath crossings will not be permitted in Conservation Areas.</i>	Yes

Comments: The extensive and varied landscaping treatments proposed within the front setback, rear yard and surrounds of the new dwelling ensure that the proposal meets the above requirements and provides a positive and balanced design outcome within the heritage conservation area. The proposed development also involves no impacts to the existing street trees and it is recommended that several conditions be imposed to ensure any street trees are retained and protected.

4.11 Modern technologies

	Objectives	Satisfactory
A.	<i>To ensure that modern technologies do not impact on the streetscape and/or townscape in Conservation Areas</i>	Yes
B.	<i>To ensure that the quality of the streetscape or townscape in a Conservation Area is not diminished by inappropriate fencing.</i>	Yes

	Controls	Satisfactory
<i>i.</i>	<i>Modern technologies such as solar electricity collectors, television aerials and satellite dishes are to be located on roof slopes facing the rear of a property in Conservation Areas.</i>	Yes
<i>ii.</i>	<i>Modern technologies should not be higher than the main ridge line of a building and shall be located so that they are not visible from the Public Domain in a Conservation Area.</i>	Yes

Comments: The proposed development meets the above requirements.

4.12 Demolition

	Objectives	Satisfactory
A.	<i>To retain the contributory buildings in a Conservation Area.</i>	Yes

	Controls	Satisfactory
<i>i.</i>	<i>Contributory buildings within a Conservation Area must not be demolished.</i>	Yes
<i>ii.</i>	<i>Partial demolition of contributory items within a Conservation Area may only be allowed when it can be established in a Statement of Heritage Impact that the partial demolition will not have an impact on the significance of the contribution of the item to the Conservation Area.</i>	Yes
<i>iii.</i>	<i>Demolition of rear outbuildings in Conservation Areas may be acceptable. For places listed as heritage items, additional restrictions might apply.</i>	Yes

Comments: The proposed development is considered to have minimal impacts on the heritage value and significance of the Woodward Avenue Heritage Conservation Area. As confirmed by Council's Heritage Advisor, the existing dwelling is not a contributory item in this heritage conservation area and the proposed dwelling and associated front fencing are generally of an acceptable design and scale. It was recommended that the window frames in the front façade and the colour finishes of the external walls are designed and constructed in a manner that ensures these are compatible with the characteristics featured within the Woodward Avenue Heritage Conservation Area. Therefore, subject to the imposition of conditions, the

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proposed development is considered satisfactory in achieving the above aims and meeting the above applicable controls.

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 involves 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.

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

As mentioned above, Council's Heritage Advisor confirmed that the demolition of the existing buildings (including the existing dwelling) is acceptable given that none of these buildings are considered contributory elements of the Woodward Avenue Heritage Conservation Area. Therefore, the removal of these have minimal impact on the heritage significance of this heritage conservation area.

Council's Heritage Advisor also advised that the overall design and siting of the proposed development has carefully considered the site's setting and context within a heritage conservation area. The presentation of the built form is acceptable; however, to ensure that the colour and material finishes of the window frames and rendered brick walls are appropriate; conditions will be included as part of the consent.

Landscaped Area

The proposed landscaping treatments within the site include extensive planting of the front setback and rear yards with grassed turf areas and garden beds adjacent to property boundaries with a mixture of shrubs and ground covers. Some raised vegetable gardens and a Victorian rose garden are also proposed in the rear yard, providing a unique variation of landscaping treatments that provide interest and balance the proposed built forms and hardscaped areas. It is noted however, that the proposal does not demonstrate full compliance with the minimum landscaped area requirement under the SCDPC 2005 as it provides 42.7% (452.6m²) with deep soil landscaped area. To ensure that the proposal complies with this requirement, conditions will be included to provide defined garden beds and to convert the decorative gravel mulch to grassed turf areas. Given that the decorative gravel mulch areas function as transitional zones that allow access to the primary open areas of the rear yard, converting these to grassed turf areas ensures they are able to function as such.

Given the sheer scale of the site and the design of the proposed development, there is opportunity to provide additional canopy trees in the front setback that will further complement the tree-lined,

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conservative, low density residential, heritage setting and character of the surrounding locality. Accordingly, conditions as such are recommended.

Privacy, Amenity and Overshadowing Impacts

The proposed development will not generate significant privacy and amenity impacts given that most of first floor windows of the new dwelling are from low utility rooms such as bedrooms, bathrooms and a walk-in-robos. It is noted that the sitting room comprises rear facing windows; however, this space is centralised and well-away from neighbouring properties. The front facing balcony is relatively small and provides street surveillance for future occupants. As such, potential privacy impacts are considered minimal with regard to the first floor.

The finished floor levels of the ground floor are predominantly on or close to the existing natural ground level. The maximum elevation of the internal spaces on the ground floor from natural ground is 0.45m whilst the open balcony areas are raised approximately 0.58m (maximum) above natural ground. The generous setback of the entire dwelling from property boundaries ensures that any overlooking from the ground floor will be minimal.

The proposed development involves no changes to the natural ground levels within the rear yard. By retaining these levels and by providing planting within the garden beds along the property boundaries, the proposal is able to achieve appropriate privacy for the private open space whilst maintaining privacy and amenity for the neighbouring residences.

The proposed development will have minimal overshadowing impacts. The location and maximum height of the proposed dwelling combined with the south-north orientation of the site and neighbouring properties ensure that the private open space and living room windows of adjoining properties will receive at least 3 hours of solar access during mid-winter. Thus, the proposed development meets the relevant solar access requirements under the SCDCP 2005.

Considering the above aspects, it is evident that the proposed development has been designed to minimise potential privacy, amenity and overshadowing impacts on adjoining properties and is therefore acceptable in this regard.

Streetscape

The appearance and prominence of the proposed development will be apparent when viewed from Albyn Road or adjoining properties. However, the overall scheme has been sufficiently balanced through the provision of notable articulation and a mixture of materials, textures and finishes, and the implementation of glazing and other architectural features (open balconies and porticos), generous setbacks provided along all property boundaries, and deep soil landscaping treatments integrated in both the front setback and the rear yard. Additionally, the proposed development complies with all of the development standards and controls under the SLEP 2012 and SCDCP 2005 that relate to design, scale and mass. As the proposal maintains the existing land use as a single detached dwelling house it does not result in a dramatic change to the land use and built forms that typically occur within the R2 – Low Density Residential zone and along Albyn Road and Woodward Avenue. Considering the above, the palatial design and scale of the new dwelling is appropriate and anticipated within a vast site featuring a large frontage and site depth.

Driveway access for the basement level will require some excavation and the construction of retaining walls that will be visible from the street. Given the large width of the site, the proposal is able to counter these hardscape elements by providing ample soft landscaping treatments in the form of grassed turf areas, garden beds and canopy trees within the remainder of the front setback. The use of the existing driveway on the easternmost section of the front ensures that the driveway leading to the basement is tucked away to one side and will be partially hidden when viewed from the street. The use of the sandstone and metal front fencing also complement the design of the proposed dwelling and further obscure views of the driveway and basement level.

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In light of the above considerations, the proposed development, with the implementation of some minor design change conditions, is compatible with the existing and future desired streetscape character of the immediate locality and has been sensitively designed with consideration of the site's context within a low density residential area and within the Woodward Avenue Heritage Conservation Area. Therefore, the proposed development is considered acceptable and supportable.

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

The proposed development is considered to be suitable to the site in that it preserves the low density residential use of the site and the character of immediate locality. The subject site does not yield any significant environmental constraints that would prevent development of a single dwelling. Therefore, the subject site is suitable for the proposed development.

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

The application was notified in accordance with Part L of the SCDCP 2005 from 19 July to 2 August 2019, with one submission received from an unknown address, raising the following concerns:

1. *Objector mentioned that the existing dwelling is a contributory item to the heritage conservation area and should not be demolished*

Assessing officer's comments: Council's Heritage Advisor confirmed that the dwelling is not from the Victoria era and does not meet the specific criteria for contributory items within the Woodward Avenue Heritage Conservation Area. Therefore, the existing dwelling is not a contributory item. Accordingly, Council's Heritage Advisor supported the demolition of the existing dwelling.

The proposed development meets the relevant objectives and controls under Clause 5.10 of the SLEP 2012 and Part P of the SCDCP 2005. Heritage matters have been appropriately addressed as detailed above.

2. *Objector mentioned that the proposal is not consistent with zone objectives*

Assessing officer's comments: The proposal demonstrates consistency with the objectives under the R2 – Low Density Residential zone. This has been detailed above.

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

A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

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STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

The proposed development has a value of greater as \$100,000. In order to provide additional public facilities and infrastructure to meet the demand created by development, the proposed development will attract Section 94A Indirect Contributions in accordance with the Strathfield Indirect Contributions Plan 2010. This contribution is based on the proposed cost of works for the development and has been calculated at 1% of \$2,602,160 (the estimated cost of development identified in the development application). Therefore, the Section 94 Indirect Contributions for the proposed development is \$26,021.60.

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.

PEER REVIEW

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

RECOMMENDATION

That Development Application No. DA2019/110 for demolition of existing buildings on site and the construction of a two (2) storey dwelling house with basement level, landscaping, front boundary fence and tree removal at 7 Albyn Road, Strathfield be **APPROVED**, subject to the following conditions:

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. DA2019/110:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
DA 1445 1a	Site Plan	ARQUITECTOS Architects Nu-Rock Technology	No. A 19.08.19	27.08.19
DA 1445 2a	Ground Floor Plan	ARQUITECTOS Architects Nu-Rock Technology	No. A 19.08.19	27.08.19
DA 1445 3a	First Floor & Roof Plan	ARQUITECTOS Architects Nu-Rock	No. A 19.08.19	27.08.19

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		Technology		
DA 1445 4b	Basement Plan	ARQUITECTOS Architects Nu-Rock Technology	No. B 05.10.19	07.10.19
DA 1445 5d	East & West Elevation, Section	ARQUITECTOS Architects Nu-Rock Technology	No. D 04.10.19	07.10.19
DA 1445 1b	North & Street Elevations	ARQUITECTOS Architects Nu-Rock Technology	No. B 07.10.19	07.10.19
DA 1445 7a	Demolition Building Plan	ARQUITECTOS Architects Nu-Rock Technology	No. A 19.08.19	27.08.19
DA 1445 8a	Erosion & Sediment Control Plan	ARQUITECTOS Architects Nu-Rock Technology	No. A 19.08.19	27.08.19
DA 1445 11a	Landscape Plan	ARQUITECTOS Architects Nu-Rock Technology	No. A 19.08.19	27.08.19
17035-C01	Site Stormwater Drainage Layout Plan	A & G Consulting Engineers Pty Ltd	Rev 1 18.06.19	15.07.19

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2019/110:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Nu-Rock Construction Pty Ltd	August 2019	28.09.19
Waste Management Plan	Unknown author	No date	15.07.19
Tree Report	Stuart Pittendrigh	December 2018	15.07.19
Statement of Heritage Impact	Statement of Heritage Impact	28.06.19	15.07.19
BASIX Certificate	Certified Energy	28.06.19	15.07.19
DA 1445 13 Schedule of Finishes Street Elevation	ARQUITECTOS Architects Nu-Rock Technology	03.07.19	07.10.19
Schedule of Finishes	Nu-Rock Construction Pty Ltd	August 2019	08.09.19

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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.)
Management.

2. **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.)

3. **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.)

4. **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.)

5. **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.

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(Reasons: Statutory requirement and health and safety.)

6. FENCING - FRONT FENCE HEIGHT (GC)

Solid fencing forward of the building line (including the building line to a secondary street frontage on a corner site) shall not exceed a height of 0.7m above natural ground level. The fence may be topped by an additional maximum 0.8m high open timber picket, wrought iron, palisade or similar element.

Brick piers over 1m in height are permitted to support the decorative elements, provided they are equally spaced along the street, and do not exceed a height of 1.5m.

(Reason: To ensure a positive contribution to the streetscape in accordance with the Strathfield Consolidated DCP 2005.)

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

The proposed Blueberry Ash (*Elaeocarpus reticulatus*) in the front setback must be relocated to be further north and at least 4m away from the new dwelling.

An additional 2 native canopy trees must be established within the south-western and south-eastern corners of the front setback area. These trees must be capable of reaching a mature height of at least 15m and are to be selected from Council's Recommended Tree List (Available from Council's website or from the Customer Service Centre).

A total of 3 trees must be provided within the front setback. 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.)

8. LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)

The following listed trees, as indicated on the approved plans, are permitted to be removed to accommodate the proposed development:

- 3 x Alexander Palms (*Archontophoenix alexandrae*) located in the rear yard and adjacent to the rear (northern) boundary.
- 1 x Crepe Myrtle (*Lagerstroemia archeriana*) located in the middle of the rear yard.

All trees shown to be removed as submitted on the approved plans are permitted to be removed to accommodate the proposed development.

All trees permitted to be removed by this consent shall be replaced (2 trees for each tree removed) by species selected from Council's Recommended Tree List and must have a minimum mature height of at least 10m.

All other trees must be retained and protected during construction works.

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

All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to

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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 existing trees are retained and protected and appropriate planting back onto the site.)

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

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

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

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

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

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- 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.

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

10. **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.)

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

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

The schedule must demonstrate that the colours and finishes selected have a hue and tonal relationship to the Victorian era and surrounding residential development.

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

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

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

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

- i) the Principal Certifying Authority (PCA) by showing the name, address and telephone number of the PCA;

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

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

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

(Reason: Statutory requirement.)

13. SITE MANAGEMENT (DURING DEMOLITION AND CONSTRUCTION WORKS)

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

- i) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- 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.

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- 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.)

14. **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 be in accordance with the provisions of the Protection of the Environment and Operations Act 1997.

(Reason: To ensure compliance with legislation.)

15. **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.)

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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 an Accredited Civil/Hydraulic Engineer and submitted to the Principal Certifying Authority and Council, prior to the issue of a Construction Certificate. The SWMP is to be based on the approved development as modified by any conditions of consent.

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

17. SYDNEY WATER - TAP IN™ (GC)

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

(Reason: Compliance with Sydney Water requirements.)

18. UTILITIES AND SERVICES - PROTECTION OF (GC)

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

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

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

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

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

(Reason: To ensure protection of Council assets.)

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

19. **DESIGN CHANGE – WINDOW FRAMES ON FRONT FAÇADE (CC)**

The window frames of all windows located on the front (southern) façade, which faces Albyn Road, must be changed to be of timber construction and comprise of a neutral, recessive colour. Details of this design change must be included in the revised schedule of finishes to be submitted to Council and in the documentation submitted with the application for a Construction Certificate.

(Reason: To ensure compatibility with the heritage conservation area.)

20. **DESIGN CHANGE – RENDERED BRICK FINISHES (CC)**

The rendered brick finishes must feature a neutral colour that has a hue and tonal relationship to the Victoria era and surrounding residential development. Details of this design change must be included in the revised schedule of finishes to be submitted to Council and in the documentation submitted with the application for a Construction Certificate.

(Reason: To ensure compatibility with the heritage conservation area.)

21. **DESIGN CHANGE – LANDSCAPING WORKS (CC)**

The landscaping works must be designed in accordance with the approved Landscape Plan except where modified by the following:

- **Decorative gravel mulch areas:** all decorative gravel mulch areas in the rear yard and western side area of the dwelling must be modified to comprise of grassed turf areas.
- **Centralised garden beds in front setback, adjacent to pedestrian path:** the centralised garden beds in the front setback, adjacent to the pedestrian path must comprise of well-defined garden beds containing a mixture of shrubs and groundcovers.
- **Trees in front setback:** A total of 3 trees must be provided within the front setback. The proposed Blueberry Ash (*Elaeocarpus reticulatus*) in the front setback must be relocated to be further north and at least 4m away from the new dwelling.

An additional 2 native canopy trees must be established within the south-western and south-eastern corners of the front setback area. These trees must be capable of reaching a mature height of at least 15m and are to be selected from Council's Recommended Tree List (Available from Council's website or from the Customer Service Centre).

The applicant must engage a suitably qualified Landscape Designer or Landscape Architect to oversee any design changes to the approved Landscape Plan and amendments required above. Details of these design changes must be included in the documentation submitted with the application for a Construction Certificate.

Note: A Landscape Designer is a person eligible for membership of the Australian Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape

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Architect.

22. **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.)

23. **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.)

24. **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) The internal clearance of the basement is 2.2m in accordance with BCA requirements. The maximum floor to ceiling height within the entire basement level must be 2.2m to ensure that the basement level is not utilised for habitable purposes.
- 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.)

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25. 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.)

26. 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.)

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

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

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

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

28. 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

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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.)

29. **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;
 - 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

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- 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 works are completed.

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

30. **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.

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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).

(Reason: Council requirement.)

31. **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.)

32. 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.)

33. LANDSCAPING - MAINTENANCE STRATEGY (CC)

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

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(Reason: Ensure landscape survival.)

34. **LANDSCAPING - TREE REPLACEMENT SPECIES (CC)**

The landscape plan submitted with the Construction Certificate application shall incorporate the following replacement tree/s to ensure the preservation of the landscape character of the area. All replacement tree species must be at selected from Strathfield Council's Recommended Tree List and each replacement tree must have a minimum container/pot size of 50L.

Note: Strathfield Council's Recommended Tree List is available on Council's website.

(Reason: Preservation of the landscape character of the area.)

35. **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.)

36. **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 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.)

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37. **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.)

38. **SECTION 7.12 CONTRIBUTION PAYMENT - INDIRECT CONTRIBUTIONS PLAN) (CC)**

In accordance with the provisions of Section 7.13 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	\$26,021.60.
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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 received 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 7.12 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.)

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

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- natural flow of ground and surface water to the detriment of any other party.
- v) Any stormwater infrastructure (including pits, drains and pipes) must be relocated or situated at least 3m from any trees, including street trees.

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

41. **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, 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.)

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

42. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY CONNECTION (CC)

Provision must be made for connection to future underground distributions mains. This must be achieved by installing:

- i) an underground service line to a suitable existing street pole; or
- ii) sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Note: A limit of one (1) pole per site will apply.

Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

Details are to be submitted to the Principal Certifying Authority with the Construction Certificate Application.

(Reason: Environmental amenity.)

43. UTILITIES AND TELECOMMUNICATIONS - TELECOMMUNICATIONS ASSETS (CC)

Provision must be made for relocation of telecommunications network assets including underground placement of any existing aerial cables and infrastructure. Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

Details are to be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: To ensure suitable relocation of telecommunications infrastructure if required.)

44. 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.)

45. 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.)

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

46. **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.

Pruning of the branches and roots of Council trees is prohibited unless approved by Council in writing.

If any works (including excavation) for the existing driveway crossing and internal driveway, and other areas within the road reserve, are undertaken within 4m of any existing street trees, a root map and assessment of any affected tree/s will be undertaken by a qualified arborist. A qualified arborist must oversee any works within 4m of any existing street trees. Any excavation works must avoid root systems of the street tree/s and must involve hand digging only if within the TPZ of the street tree/s.

All Council trees are to be protected in accordance with Australian Standard AS4970 - 2009, Protection of Trees on Development Sites.

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 No.7 Albyn Road, Strathfield 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.)

47. **DUST CONTROL (CC)**

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as directed by the Council should it fail to adequately control any dust nuisance.

Major Works

The following measures must be implemented (in part or in total) as directed by Council to control the emission of dust:

- (a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- (b) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

- contaminated or allowed to enter the stormwater system
- (c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
 - (d) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
 - (e) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.
 - (f) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours or as directed by Council.

(Reason: Environmental amenity.)

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

48. 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.

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.)

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

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 (DBW)

50. **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.)

51. **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.)

52. **WORKS ADJACENT TO STREET TREES**

If any works (including excavation) for the existing driveway crossing and internal driveway, and other areas within the road reserve, are undertaken within 4m of any existing street trees, a root map and assessment of any affected tree/s must be undertaken by a qualified arborist.

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

A qualified arborist must oversee any works within 4m of any existing street trees. Any excavation works must avoid root systems of the street tree/s and must involve hand digging only if within the TPZ of the street tree/s.

(Reason: To ensure street trees within the road reserve are protected and retained.)

53. 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.)

54. 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.)

55. 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 formwork, 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 (POC)

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 an Accredited Civil/Hydraulic Engineer demonstrating that:

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

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

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. 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.)

58. 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.)

59. 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

DA2019/110 - 7 Albyn Road, Strathfield
Lot 1 DP 167594 (Cont'd)

- iii) Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR); and
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.)

60. **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.)

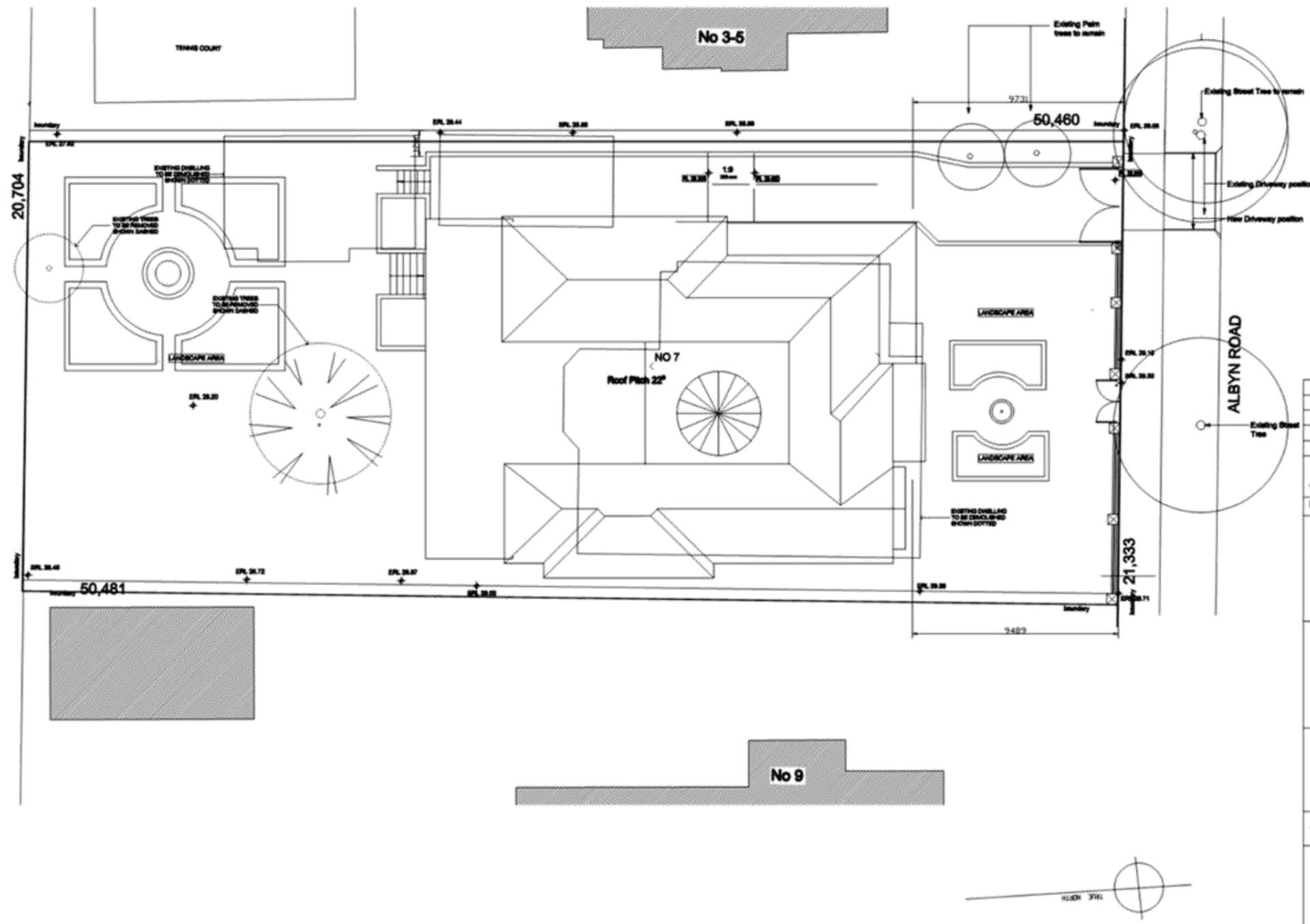
ATTACHMENTS

1. [↓](#) Architectural Plans and Landscape Plan

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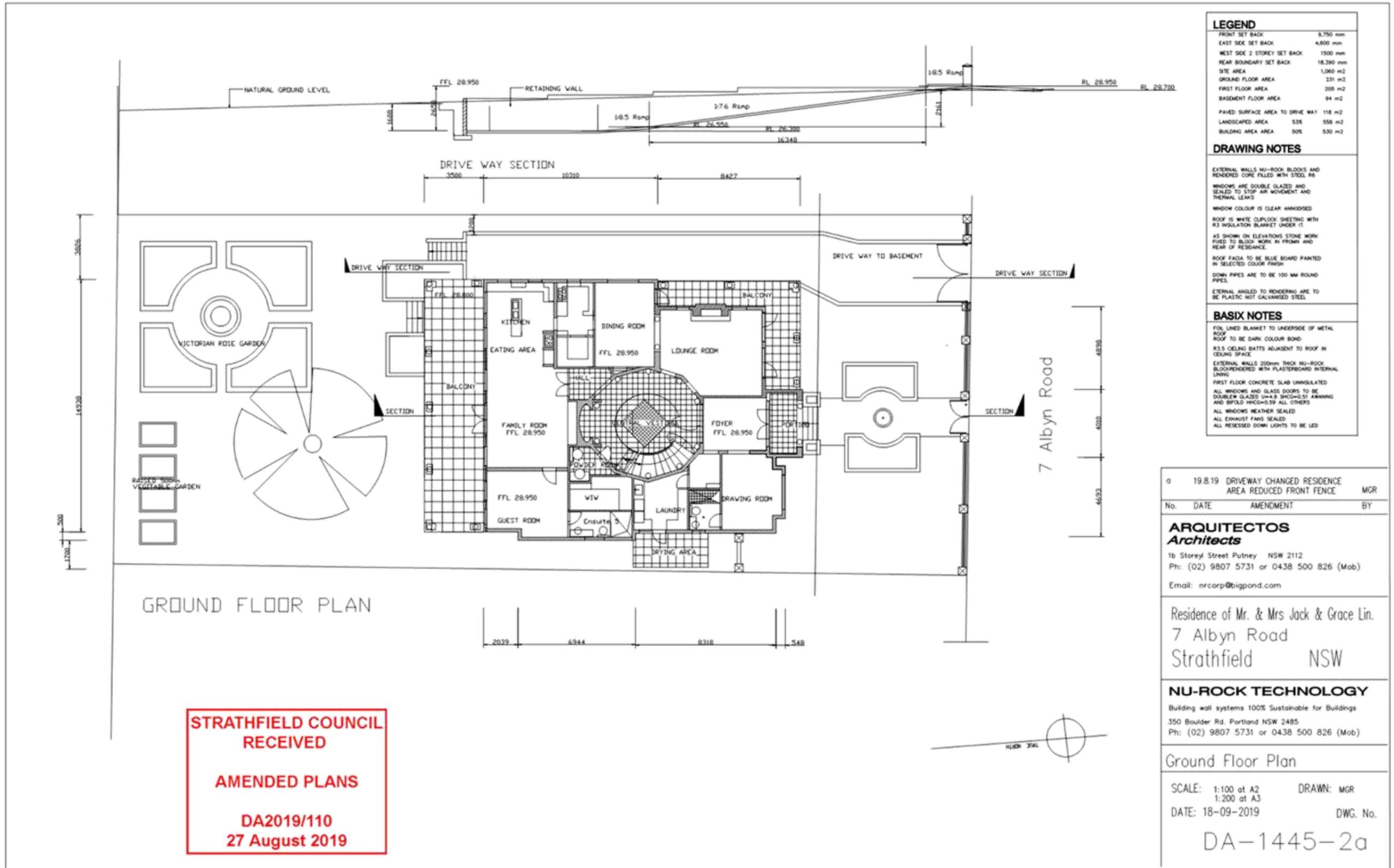
AMENDED PLANS

**DA2019/110
27 August 2019**



	a 19.8.19 Driveway adjusted and plan reduced MGR								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">No.</th> <th style="width: 30%;">DATE</th> <th style="width: 30%;">AMENDMENT</th> <th style="width: 30%;">BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	DATE	AMENDMENT	BY				
No.	DATE	AMENDMENT	BY						
	ARQUITECTOS Architects 61 Myall Street Concord West NSW 2138 Ph: (02) 9281 8565 or 0438 500 826 (Mob) Email: nrcorp@bigpond.com								
	Residence of Mr. & Mrs Jack & Grace Lin. 7 Albyn Road Strathfield NSW								
	NU-ROCK TECHNOLOGY Building wall systems 100% Sustainable for Buildings 350 Boulder Rd. Portland NSW 2485 Ph: (02) 9807 5731 or 0438 500 826 (Mob)								
	Site Plan SCALE: 1:100 at A2 DRAWN: MGR 1:200 at A3 DATE: 23-04-2019 DWG. No. <div style="text-align: center; font-size: 1.2em; font-weight: bold;">DA-1445-1a</div>								

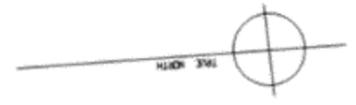
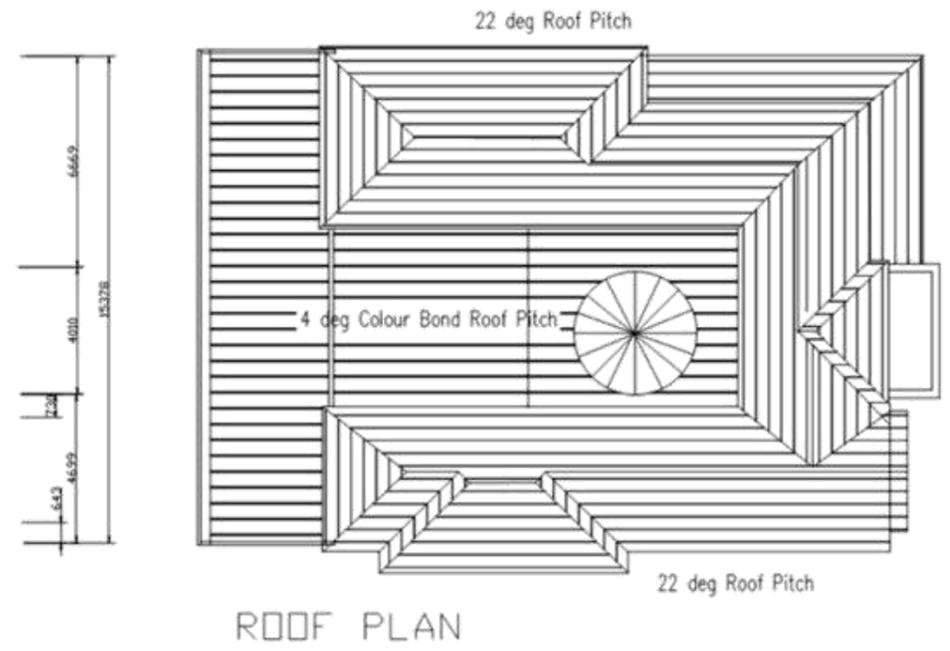
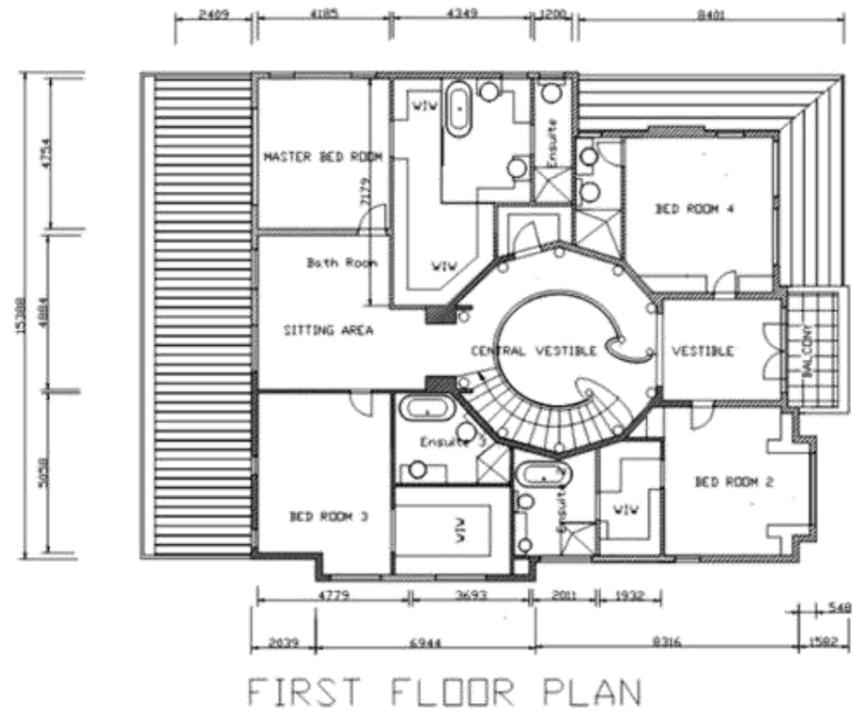




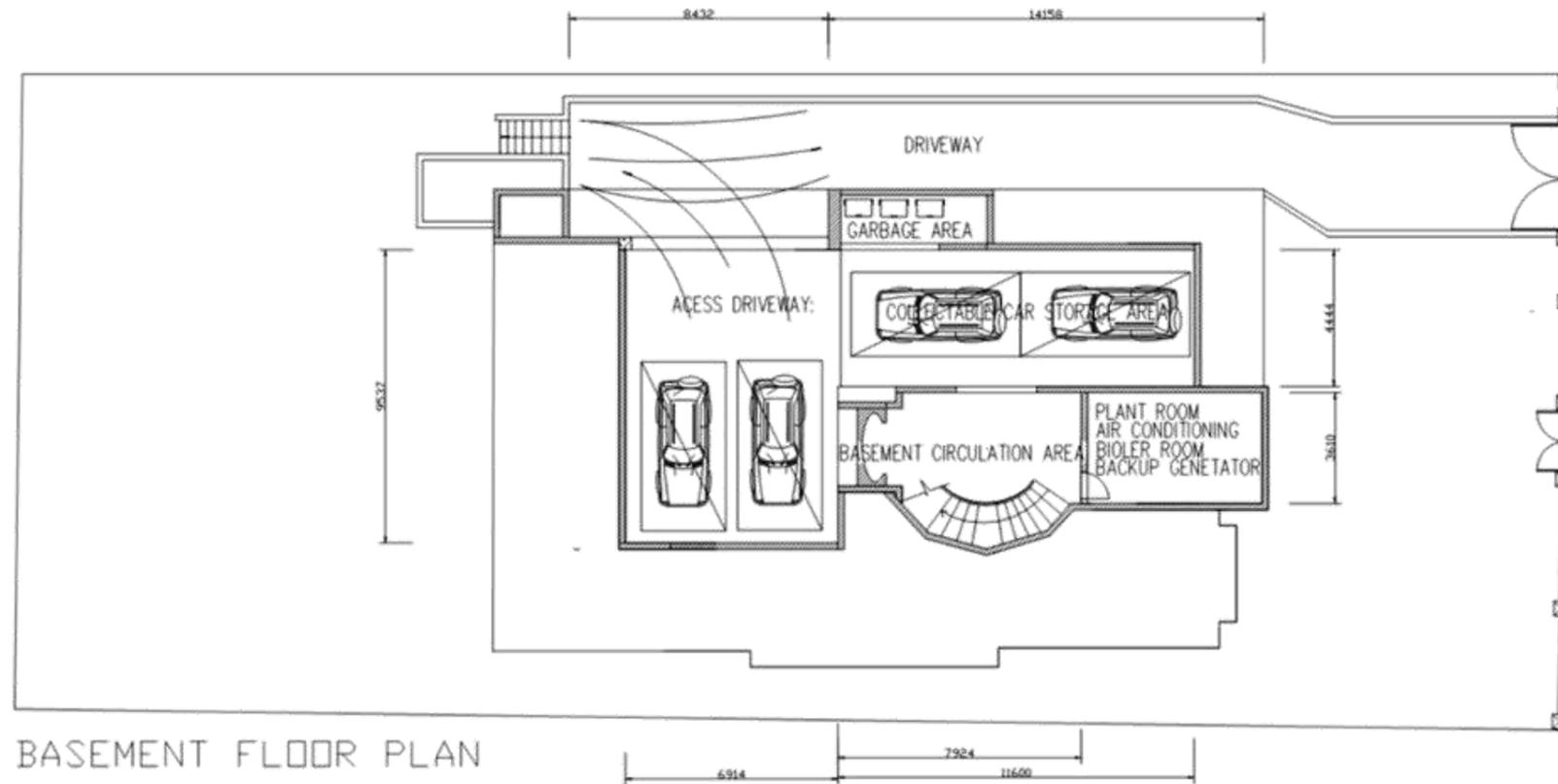
**STRATHFIELD COUNCIL
RECEIVED**

AMENDED PLANS

**DA2019/110
27 August 2019**



19.8.19 REDUCED AREA OF ROOF			
a	REDUCED AREA OF FIRST FLOOR		MGR
No.	DATE	AMENDMENT	BY
ARQUITECTOS Architects			
1b Storey Street Putney NSW 2112 Ph: (02) 9281 8565 or 0438 500 826 (Mob) Email: nrcorp@bigpond.com			
Residence of Mr. & Mrs Jack & Grace Lin. 7 Albyn Road Strathfield NSW			
NU-ROCK TECHNOLOGY			
Building wall systems 100% Sustainable for Buildings 350 Boulder Rd. Portland NSW 2485 Ph: (02) 9807 5731 or 0438 500 826 (Mob)			
First Floor & Roof Plan			
SCALE: 1:100 at A2 1:200 at A3		DRAWN: MGR	
DATE: 3-07-2019 DWG. No.			
DA-1445-3a			



BASEMENT FLOOR PLAN



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**DA2019/110
7 October 2019**

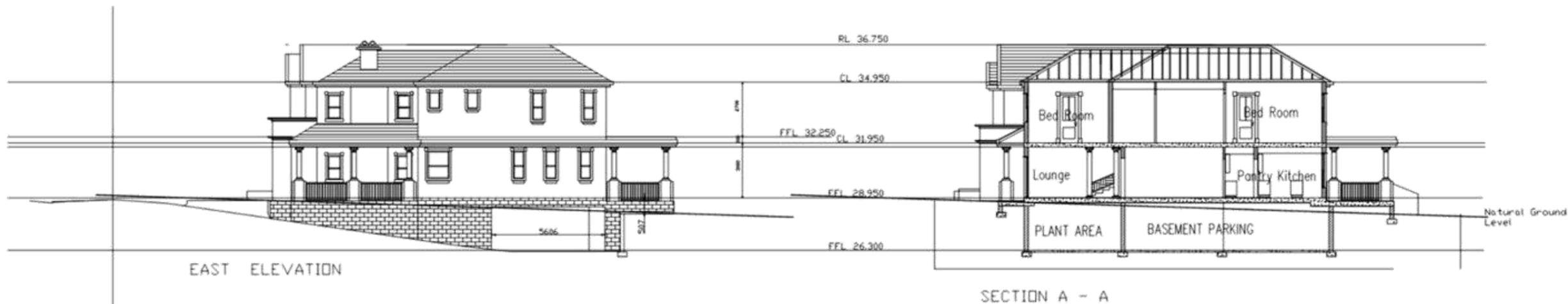
b	5.10.19	BASEMENT CORRECTED	MGR
a	19.8.19	BASEMENT AREA REDUCED	MGR
No.	DATE	AMENDMENT	BY

**ARQUITECTOS
Architects**
 1b Storey Street Putney NSW 2112
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)
 Email: nrcorp@bigpond.com

Residence of Mr. & Mrs Jack & Grace Lin.
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 Strathfield NSW

NU-ROCK TECHNOLOGY
 Building wall systems 100% Sustainable for Buildings
 350 Boulder Rd. Portland NSW 2485
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)

Basement Plan
 SCALE: 1:100 at A2 DRAWN: MGR
 1:200 at A3
 DATE: 3-07-2019 DWG. No.
DA-1445-4b



d	4.10.29	ELEVATIONS CORRECTED	MGR
c	24.8.29	BASEMENT REDUCED & FINISHES INDICATED	
b		WEST ELEVATION WINDOWS ALTERED	
a	19.8.29	EAST & WEST ELEVATION ALTERED MGR	
No.	DATE	AMENDMENT	BY

ARQUITECTOS Architects
 1b Storey Street Putney NSW 2112
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)
 Email: nrcorp@bigpond.com

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 7 Albyn Road
 Strathfield NSW

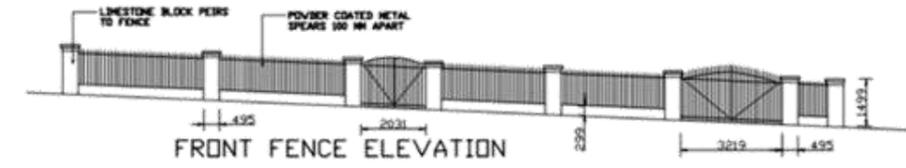
NU-ROCK TECHNOLOGY
 Building wall systems 100% Sustainable for Buildings
 350 Boulder Rd. Portland NSW 2485
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)

EAST & WEST ELEV, SECTION

SCALE: 1:100 at A2 DRAWN: MGR
 1:200 at A3
 DATE: 5-07-2019 DWG. No.

DA-1445-5d

**STRATHFIELD COUNCIL
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 DA2019/110
 7 October 2019



No.	DATE	AMENDMENT	BY
b	7.10.19	REAR ELEVATION CORRECTED	MGR
o	12.6.19	CHANGED FFL	MGR

ARQUITECTOS Architects
 1b Storey Street Putney NSW 2112
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)
 Email: nrcorp@bigpond.com

Residence of Mr. & Mrs Jack & Grace Lin.
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 Strathfield NSW

NU-ROCK TECHNOLOGY
 Building wall systems 100% Sustainable for Buildings
 350 Boulder Rd. Portland NSW 2485
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)

NORTH & STREET ELEVATIONS

SCALE: 1:100 at A2 DRAWN: MGR
 1:100 at A2
 DATE: 5-07-2019 DWG. No.

DA-1445-6b

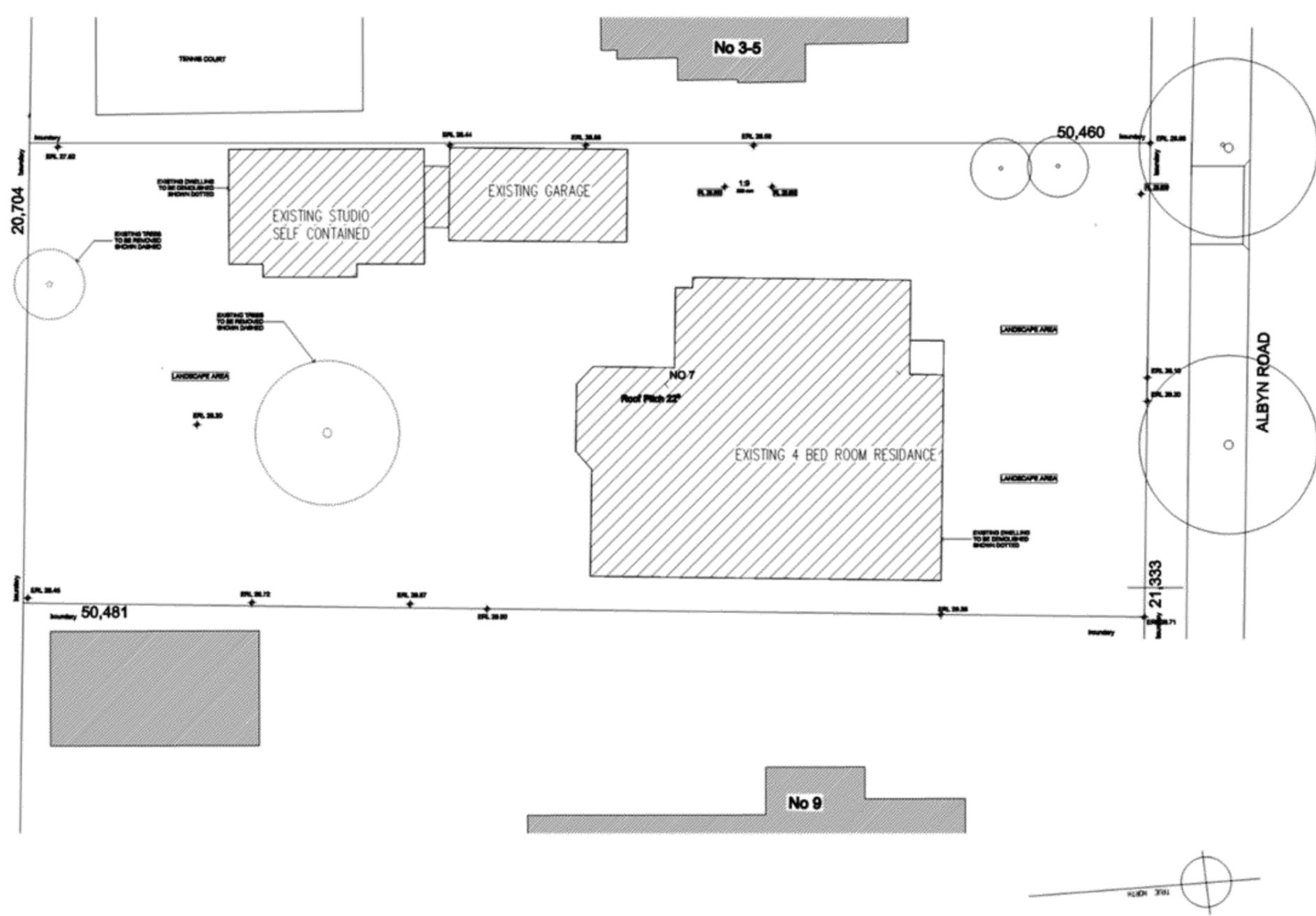
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DA2019/110
7 October 2019

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AMENDED PLANS

**DA2019/110
27 August 2019**



No.	DATE	AMENDMENT	BY
a	19.8.19	2 PALM TREES ADDED TO DRAWING	MGR

**ARQUITECTOS
Architects**
 1b Storey Street Putney NSW 2112
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)
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NU-ROCK TECHNOLOGY
 Building wall systems 100% Sustainable for Buildings
 350 Boulder Rd. Portland NSW 2485
 Ph: (02) 9807 5731 or 0438 500 826 (Mob)

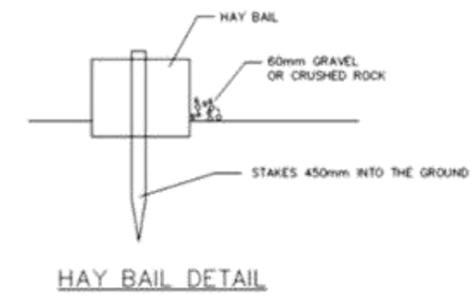
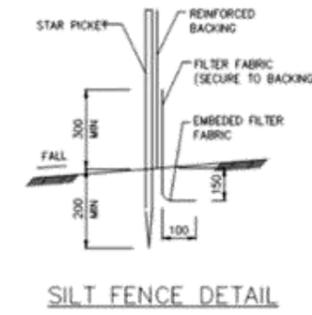
Demolition Building Plan

SCALE: 1:100 at A2 DRAWN: MGR
 1:200 at A3
 DATE: 3-07-2019 DWG. No.
 DA-1445-7a

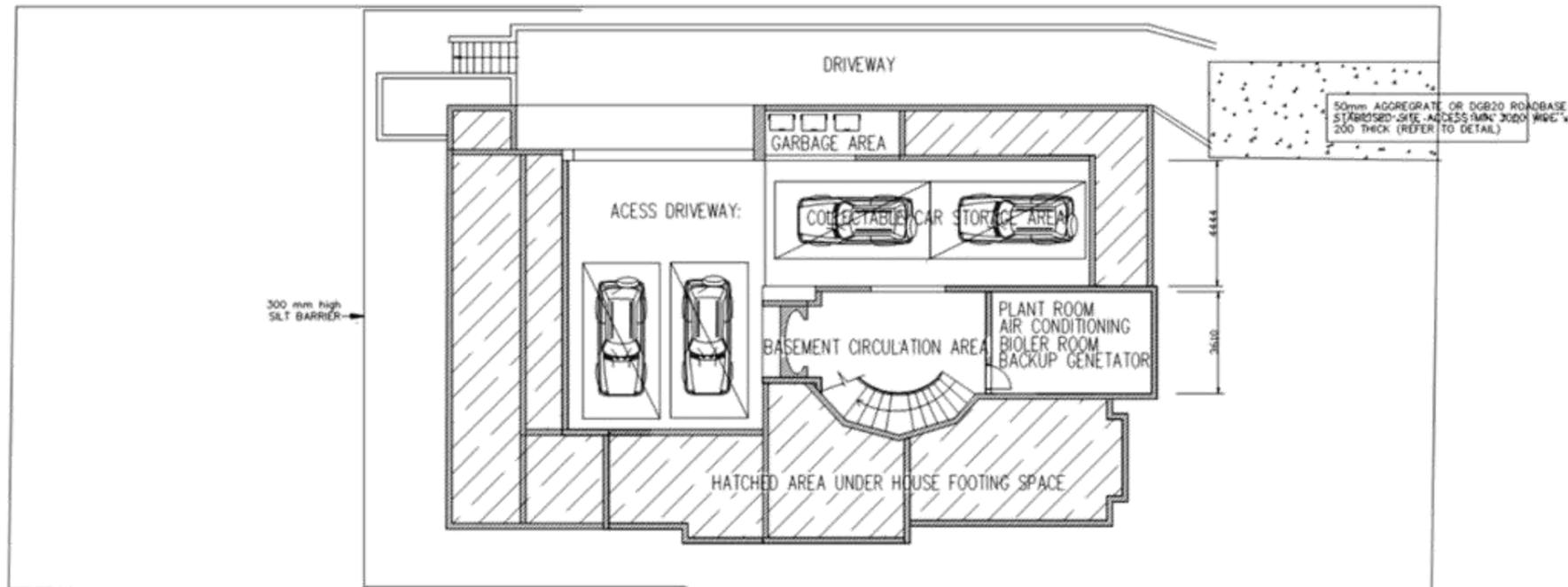
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AMENDED PLANS

**DA2019/110
27 August 2019**



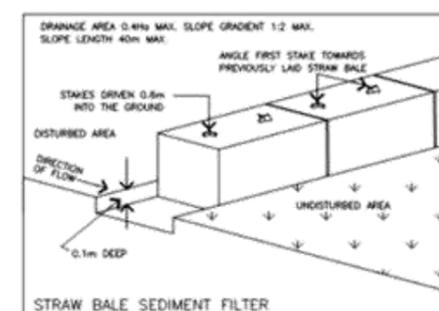
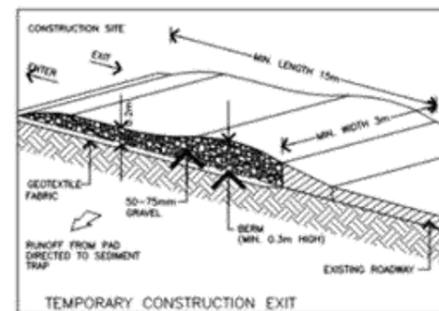
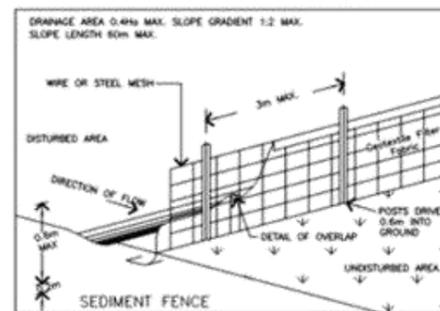
TO BE USED AS REQUIRED



BASEMENT FLOOR PLAN

NORTHRIDGE AVENUE
EROSION & SEDIMENT CONTROL PLAN

SCALE 1:100



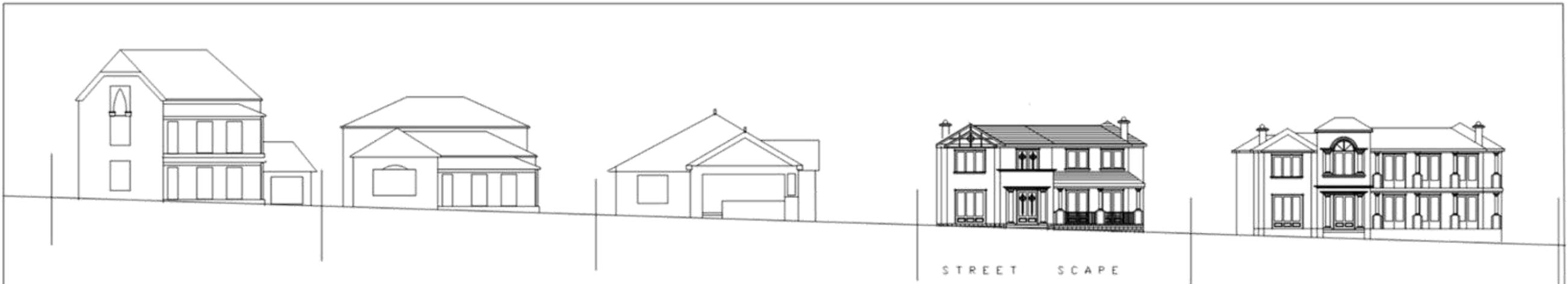
No.	DATE	AMENDMENT	BY
19.8.19		BASEMENT REDUCED CONSIDERABLY MGR	

**ARQUITECTOS
Architects**
1b Storey Street Putney NSW 2112
Ph: (02) 9807 5731 or 0438 500 826 (Mob)
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Strathfield NSW

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Building wall systems 100% Sustainable for Buildings
350 Boulder Rd. Portland NSW 2485
Ph: (02) 9807 5731 or 0438 500 826 (Mob)

Sediment Control Plan
SCALE: 1:100 at A2
1:200 at A3
DRAWN: MGR
DATE: 3-07-2019 DWG. No.
DA-1445-8a



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AMENDED PLANS

**DA2019/110
27 August 2019**



No.	DATE	AMENDMENT	BY
19.8.19		STREET FACADE ALTERED	WJR

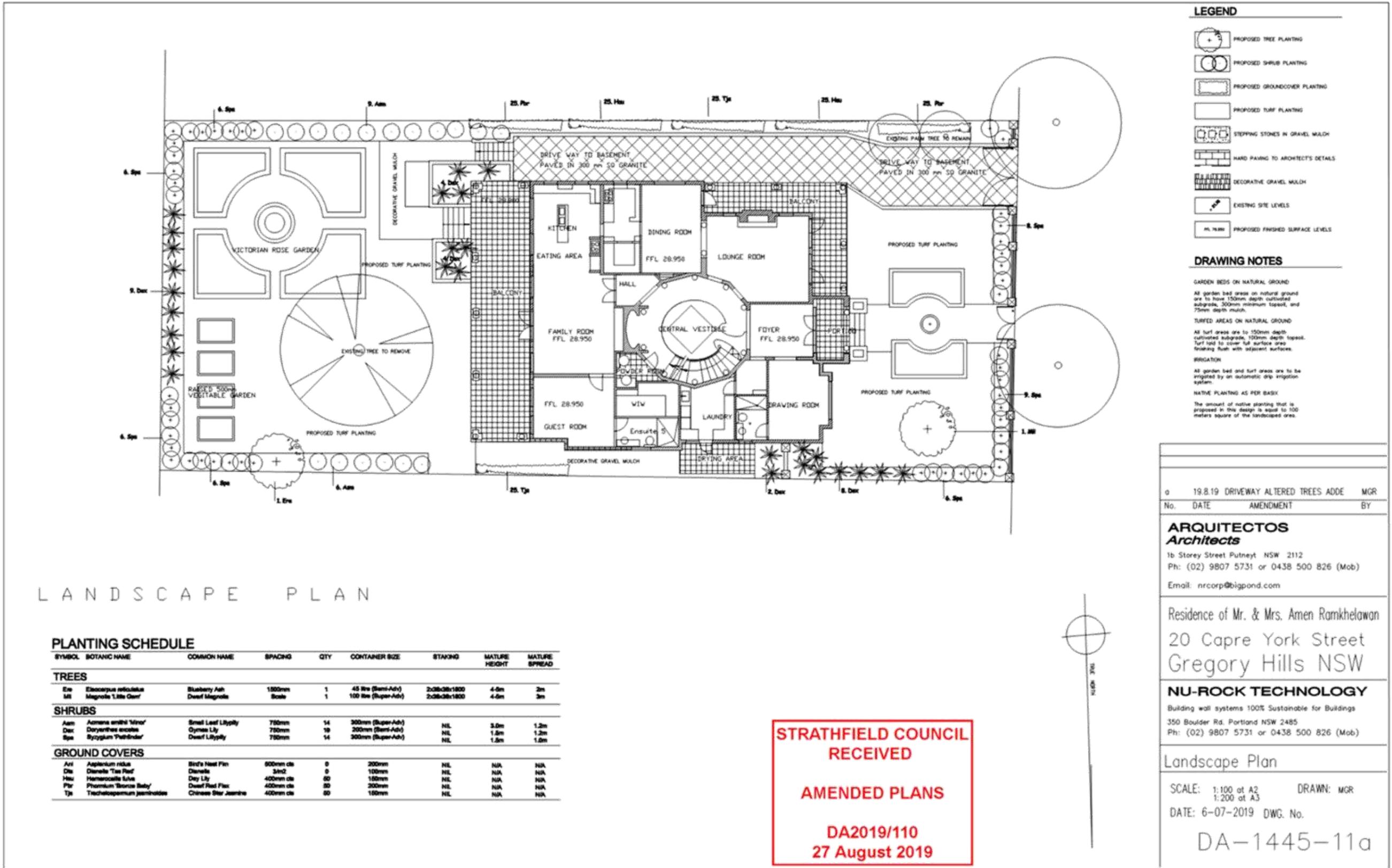
**ARQUITECTOS
Architects**
19 Storey Street Putney NSW 2112
Ph: (02) 9807 5731 or 0438 500 826 (Mob)
Email: arcorp@bigpond.com

Residence of Mr. & Mrs Jack & Grace Lin.
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Strathfield NSW

NU-ROCK TECHNOLOGY
Building wall systems 100% Sustainable for Buildings
350 Boulder Rd. Portland NSW 2480
Ph: (02) 9807 5731 or 0438 500 826 (Mob)

Street Scape Drawing

SCALE: 1:200 at A2 DRAWN: WJR
DATE: 2-07-2019 DWG. No.
DA-1445-9a



o 19.8.19 DRIVEWAY ALTERED TREES ADDE MGR
No. DATE AMENDMENT BY

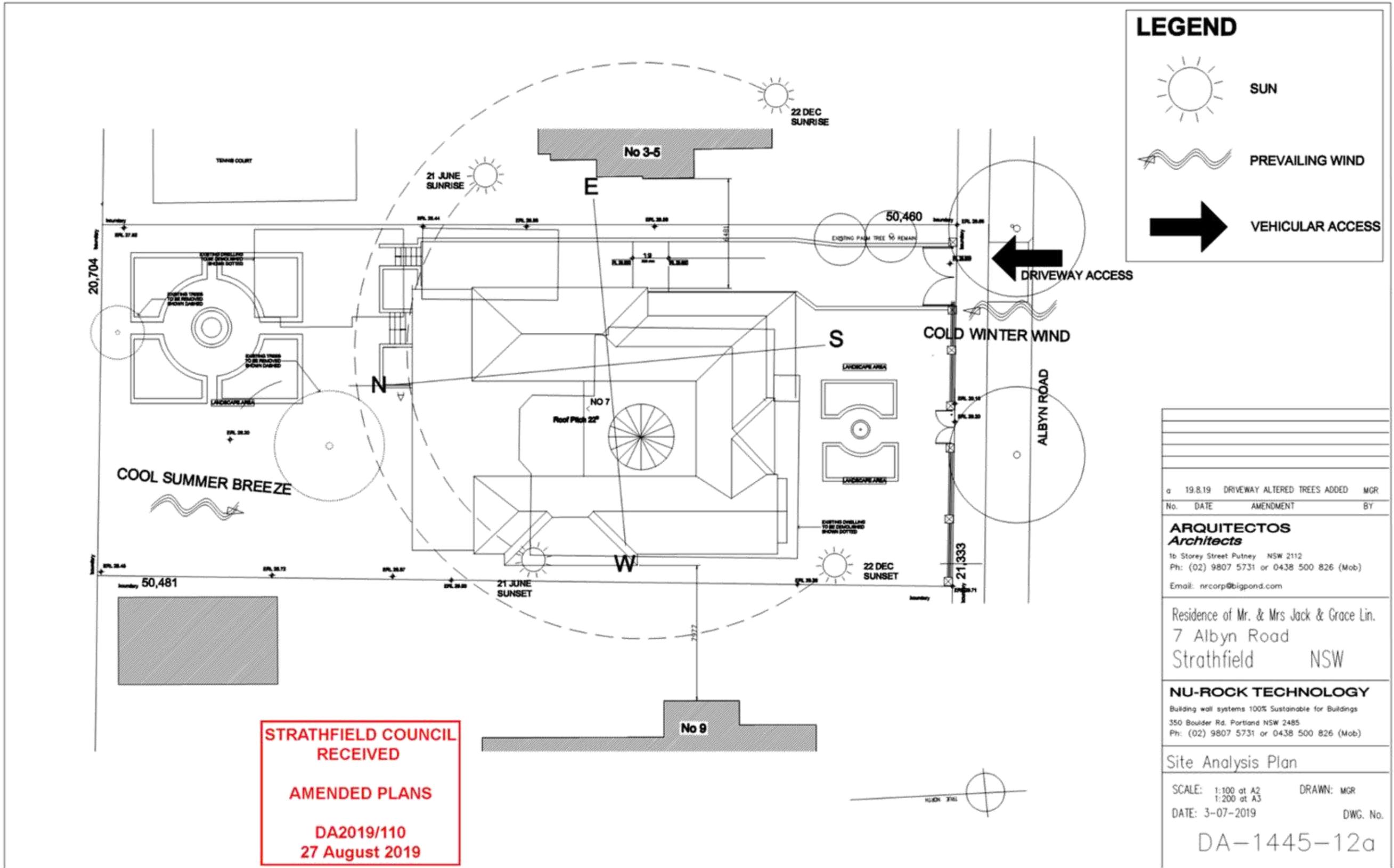
ARQUITECTOS Architects
1b Storey Street Putney NSW 2112
Ph: (02) 9807 5731 or 0438 500 826 (Mob)
Email: nrcorp@bigpond.com

Residence of Mr. & Mrs. Amen Ramkhelawan
20 Capre York Street
Gregory Hills NSW

NU-ROCK TECHNOLOGY
Building wall systems 100% Sustainable for Buildings
350 Boulder Rd. Portland NSW 2485
Ph: (02) 9807 5731 or 0438 500 826 (Mob)

Landscape Plan

SCALE: 1:100 at A2 DRAWN: MGR
1:200 at A3
DATE: 6-07-2019 DWG. No.
DA-1445-11a



TO: Strathfield Local Planning Panel Meeting - 5 December 2019
REPORT: SLPP – Report No. 3
SUBJECT: DA2019/148 - 98 REDMYRE ROAD, STRATHFIELD - LOT A DP 311262
DA NO. DA2019/148

SUMMARY

Proposal: Demolition of existing structures on site and the construction of a two (2) storey dwelling with basement level, two (2) outbuildings, swimming pool, relocation of tennis court and front boundary fencing

Applicant: Sam Yassen

Owner: Robyn Rizk Tartak

Date of lodgement: 13 September 2019

Notification period: 20 September to 4 October 2019

Submissions received: None

Assessment officer: MR

Estimated cost of works: \$2,770,350

Zoning: R2 – Low Density Residential – SLEP 2012

Heritage: Not a heritage item.
Redmyre Road Heritage Conservation Area (C14)

Flood affected: No

Is a Clause 4.6 variation proposed? No

Extent of the variation supported? N/A

Peer review of Clause 4.6 variation: N/A

Reason for referral to Strathfield Local Planning Panel: Demolition of existing structures and construction of a new dwelling within a heritage conservation area.

RECOMMENDATION OF OFFICER: **APPROVAL**

EXECUTIVE SUMMARY

The proposal involves the demolition of existing structures on site and the construction of a two (2) storey dwelling with basement level, two (2) outbuildings, swimming pool, relocation of tennis court and front boundary fencing.

The application was publicly notified on 20 September 2019, in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005 (SCDCP 2005), with the last date for public submissions being 4 October 2019. No submissions were received as a result.

The proposed development is considered acceptable and generally supportable, complying with most of the relevant development standards and controls under the Strathfield Local Environmental Plan 2012 (SLEP 2012) and SCDCP 2005. The final design of the proposed development appropriately responds to the low density residential character and suburban context of the locality as well the unique heritage setting of the Redmyre Road Heritage Conservation Area (C14).

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

The application is recommended for **APPROVAL**.

BACKGROUND

13 September 2019	The subject application was lodged.
20 September 2019	The application was placed on public exhibition, with the last date for submissions being 4 October 2019. No submissions were received during the notification period.
14 October 2019	A deferral letter was issued to the applicant, raising a number of issues and concerns including floor space ratio (FSR), bulk and scale within heritage conservation area, landscaped area, privacy, basement level, cut and fill in rear yard, details in elevations and sections, and external materials and finishes.
22 October 2019	A meeting was held between Council officers and the applicant with regard to the matters raised in the deferral letter.
29 October 2019	The applicant submitted additional information to Council.
13, 17 and 26 November 2019	The applicant provided further additional information to Council.
5 December 2019	The application was referred to the SLPP for determination.

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot A DP 311262 and is known as No.98 Redmyre Road, Strathfield. The site is within the R2 – Low Density Residential zone, pursuant to the provisions of SLEP 2012. It is within a typical low density, suburban area characterised by tree-lined streets, large and wide allotments, and dwelling houses of mansion-type and palatial scale and design. The housing styles vary along Redmyre Road and include older designs such as Victorian Italianate, Late Victorian, Early Federation and Federation/Bungalow with scattered residences with more contemporary designs created in the 1980s-1990s. Common architectural features and traits in the immediate area include pitched roofing and roof eaves, a mixture of rendered finishes and exposed brick façades, and front boundary fencing.

The site is a large, rectangular shaped allotment that is located on the southern side of Redmyre Road and has an area of 2417m², a maximum length of more 92.26m and a 25.91m wide frontage (refer to **Figure 1**). It is primarily flat with a slight fall of 2.28m to the rear (southern) boundary. The subject site is mostly modified and currently contains a large two storey dwelling with several ancillary structures such as front boundary masonry fence with gates, a synthetic grass tennis court, in-ground swimming pool, outbuilding and a detached patio/BBQ area (refer to **Figures 2 to 5**). It is noted that the site is generally devoid of any significant native vegetation; with the only vegetation comprising of grassed turf areas, informal garden beds and a number of ornamental trees. Trees within the front setback comprise of palm species such as two (2) Queen Palms (*Syagrus romanzoffiana*), two (2) Cuban Royal Palms (*Roystonea regia*) and one (1) large Canary Island Date Palm (*Phoenix canariensis*). The rear yard comprises numerous trees of various species scattered between the tennis court and the dwelling or along the rear (southern) boundary and behind the tennis court. These trees include species such as Orange Jessamine (*Murraya paniculata*), Canary Island Date Palm (*Phoenix canariensis*) and Turpentine (*Syncarpia glomulifera*) and four (4) Camphor Laurel (*Cinnamomum camphora*).

The site is surrounded by the following properties:

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

- Adjoining the eastern boundary: dwelling with pool at No.96 Redmyre Road and dwellings at No. 5 and No. 7 Florence Street;
- Adjoining the western boundary: dwelling at No. 100 Redmyre Road and the access handle for this property (refer to **Figure 6**);
- Adjoining the rear (southern) boundary: dwelling with pool at No. 5 Elwin Street and dwelling at No. 9 Florence Street; and
- A heritage listed, multi-level Victorian Italianate style dwelling at No. 91 Redmyre Road, Road, north of the site and across the road.

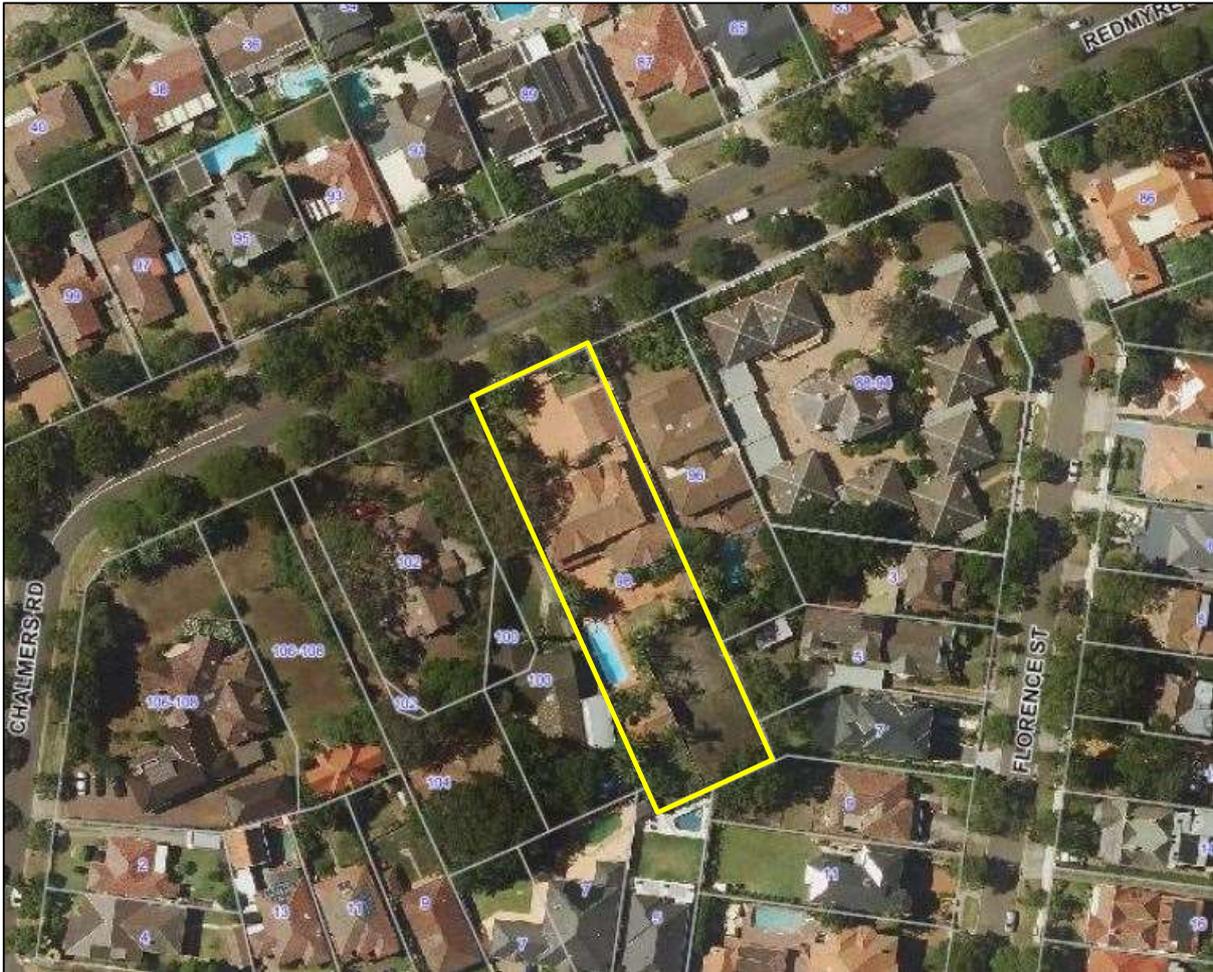


Figure 1: The subject site (as highlighted in yellow) and the surrounding context

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)



Figure 2: Front of existing dwelling



Figure 3: Front boundary fencing of the existing dwelling

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)



Figure 4: Western portion of rear yard with swimming pool



Figure 5: South-eastern portion of rear yard with synthetic grass tennis court

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Figure 6: Access handle for the residence at 100 Redmyre Road

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 existing structures on site and the construction of a two (2) storey dwelling with basement level and a number of ancillary structures such as outbuildings and swimming pool, and the relocation of a tennis court and front boundary fencing (refer to **Figure 7**).



Figure 7: Site Plan of Proposed Development

The proposed development involves a new dwelling with the following elements:

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

- Basement level comprising 3 vehicular spaces and a turning bay, gym, storage areas, plant room, cinema, powder room, lift and access stairs leading to the upper levels;
- Ground floor comprising circular front entry, foyer, centralised courtyard, formal living areas, living and dining areas, guest bedroom with walk-in-robe and ensuite, kids room, water closet, laundry, kitchen with butler's pantry and cool room and a roofed alfresco area connecting to the rear yard; and
- First floor comprising a master bedroom with walk-in-ropes and ensuite, study, rumpus room, terraces on the eastern and southern sides and 4 bedrooms with separate ensuite and walk-in-ropes.

The new dwelling will also feature roof top landscaped planter beds within the roof area of the ground floor.

Several floor plans and elevations of the proposed dwelling are shown in **Figures 8 to 12** below.



Figure 8: Basement Level of New Dwelling

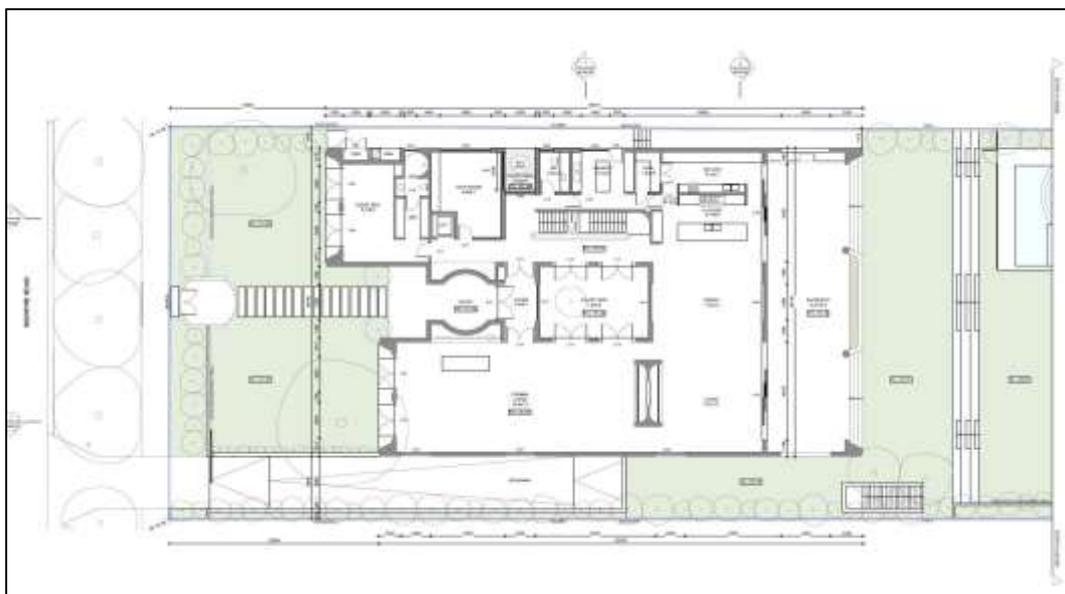


Figure 9: Ground Floor of New Dwelling

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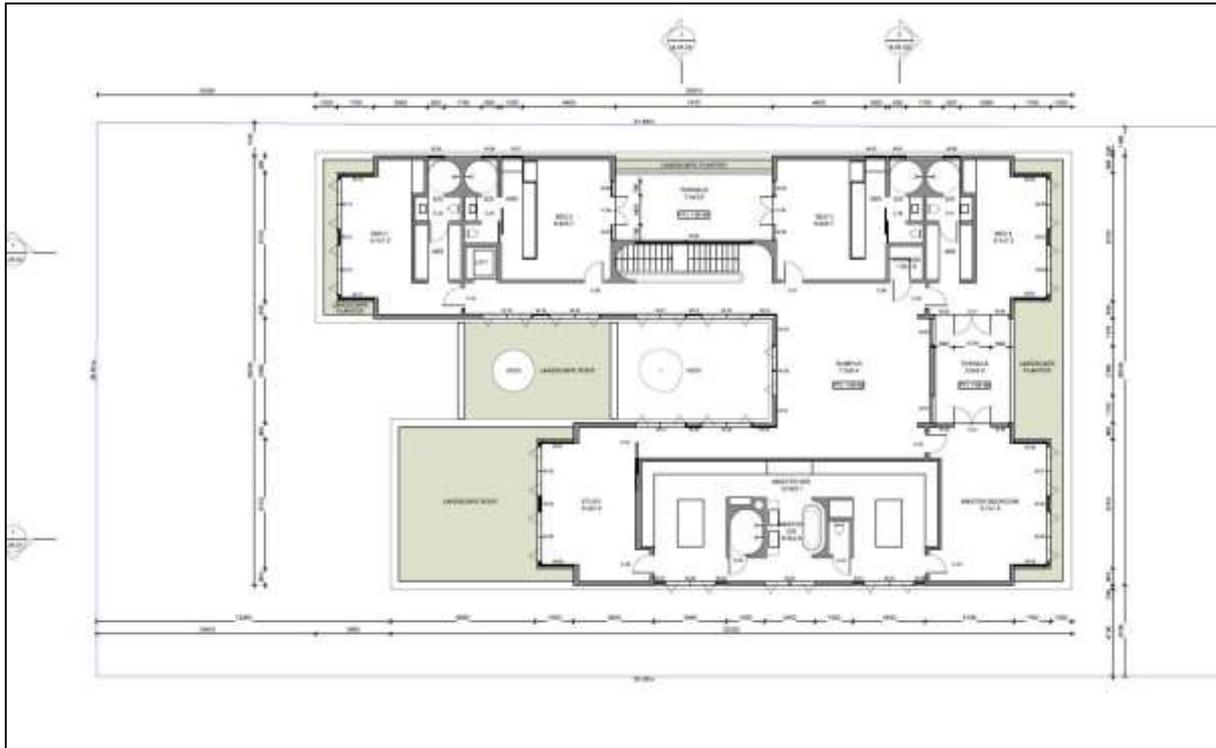


Figure 10: First Floor of New Dwelling

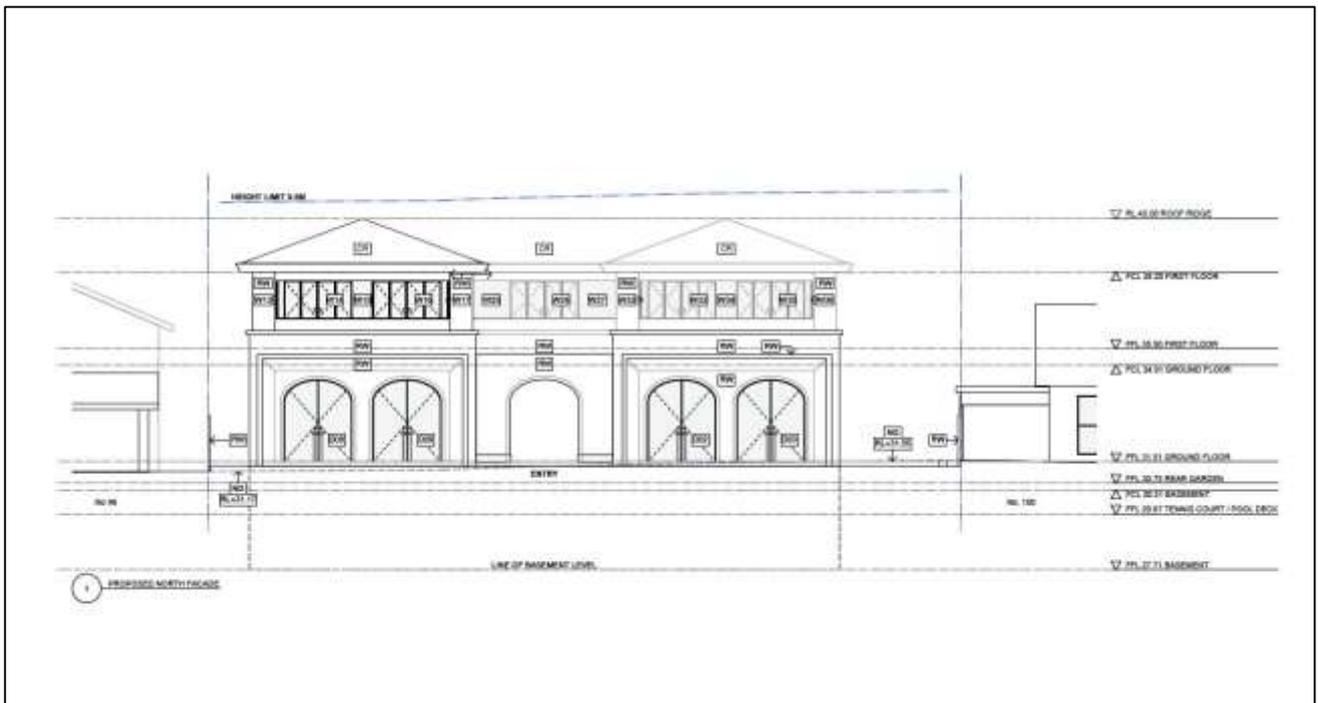


Figure 11: Northern Elevation of New Dwelling

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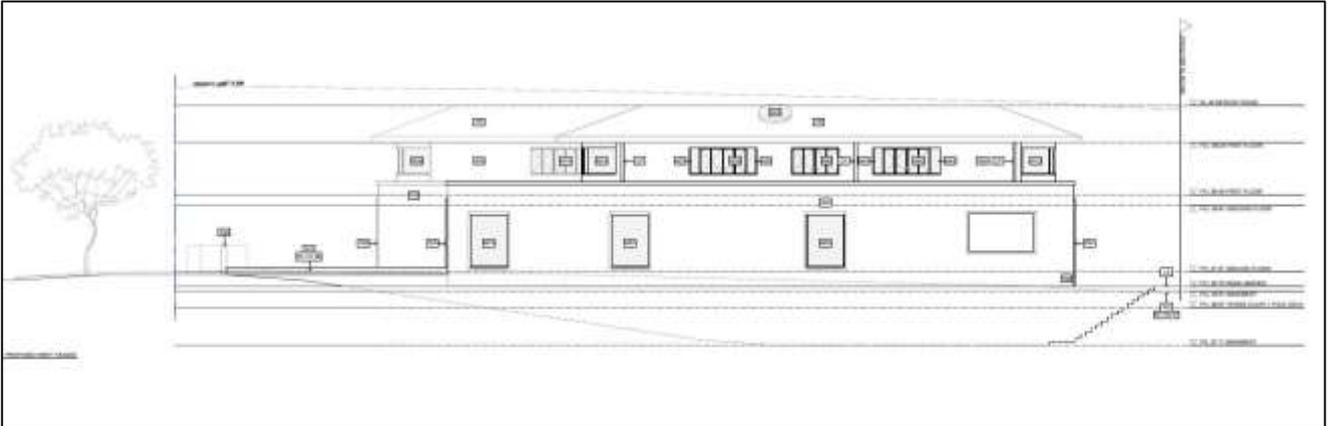


Figure 12: Western Elevation of New Dwelling

The proposed development will also involve the following additional elements and ancillary structures (refer to **Figure 13**):

- Demolition of the existing structures in the rear yard;
- Relocation of the tennis court from the south-eastern portion to the south-eastern portion of the rear yard. This tennis court will be converted from a synthetic grass court to a true grassed court and will contain four (4) light poles located on the eastern and western sides of the court;
- Construction of:
 - An in-ground swimming pool with spa, wading area and lap pool;
 - Enclosed retreat adjacent to the swimming pool containing a sauna, water closet, outdoor shower and storage;
 - A separate outbuilding comprising a plant room, adjacent to the southern (rear) boundary;
 - Daybeds with roof structures located directly next to the tennis court;
- Relocation of and modifications to the front boundary fence to comprise of rendered masonry walls and metal gates; and
- Extensive landscaping works throughout the site including garden beds established along most of the site perimeters, grassed turf areas and garden beds in front of the front fence.

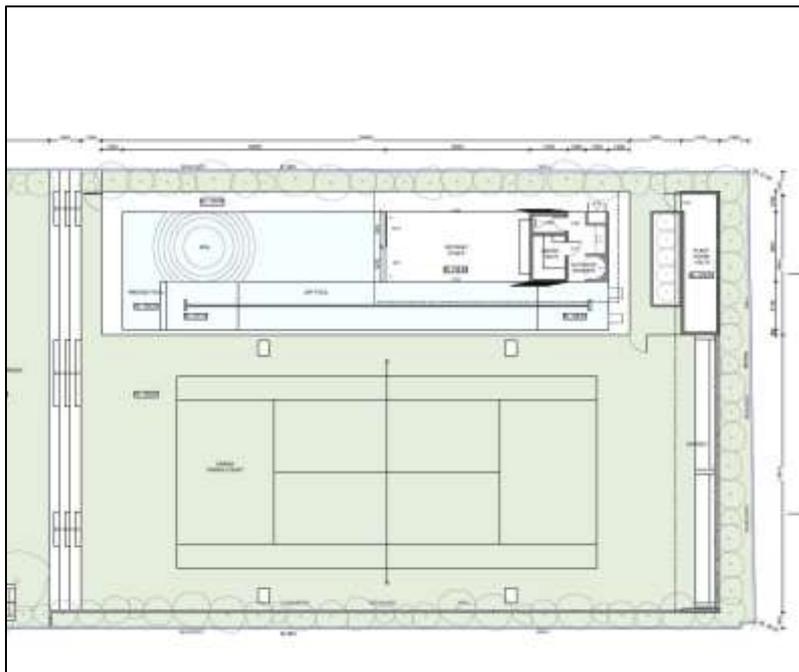


Figure 13: Floor Plan of New Ancillary Structures in the Rear Yard

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REFERRALS

INTERNAL REFERRALS

Heritage Advisor Comments

The subject site is within a heritage conservation area, and forms part of the **Redmyre Road Heritage Conservation Area (C14)** as listed under Schedule 5 of the SLEP 2012. Council's Heritage Advisor provided the following advice on each element of the proposal with respect to potential impacts on the heritage significance and character of the Redmyre Road Heritage Conservation Area:

Demolition of existing dwelling and ancillary structures

The site is within a heritage conservation area as well as in the vicinity of several heritage items which occur along the street including No. 91 and 95 Redmyre Road. Council's Heritage Advisor confirmed that the existing dwelling and ancillary structures do not meet the criteria for inclusion as a local heritage item nor are considered contributory elements within the Redmyre Road Heritage Conservation Area (C14). Therefore, the existing dwelling and ancillary structures do not warrant retention on heritage grounds and their demolition is supported.

Construction of new dwelling and ancillary structures

Council's Heritage Advisor advised that the design, quality materials and finishes of the new dwelling is consistent with the residential development featured within the suburb of Strathfield and the Redmyre Road Heritage Conservation Area. It is noted that new dwelling comprises a design, architectural features and colouration that are more in-line with the heritage character of Redmyre Road than the existing dwelling. The new dwelling will appear as a 2 storey building comprising a neutral colour palette that will not dominate the heritage items in the vicinity. The substantial setback, height, articulated building form (with twin hip wings and pitched roofing) and the landscaping treatments within the front setback create an effective visual break-up of the development and are consistent with the residential development along Redmyre Road and Florence Street. The treatment of the rendered façade and roof line provide a positive contribution to the heritage conservation area.

Council's Heritage Advisor noted that a condition must be included to ensure that the final colour of the copper roof is the same as the provided plans as the roof will be dominant feature of the dwelling that will be visible from Redmyre Road. The re-use of the existing masonry fence is considered a minor element that will not adversely impact the heritage significance of the heritage conservation area. The proposed ancillary structures are situated deep in the rear yard and behind the new dwelling, and are therefore hidden from Redmyre Road. In light of the above, the proposed development will have minimal impacts on the heritage value and significance of the Redmyre Road Heritage Conservation Area. The proposal meets the objectives under Clause 5.10 of the SLEP 2012 and is supported subject to consent conditions.

Council's Heritage Advisor confirmed that the proposal will have minimal impacts on the heritage value and significance of the Redmyre Road Heritage Conservation Area and advised that there were no objections to the proposal, subject to suitable conditions of consent.

Stormwater Engineer Comments

The application was referred to Council's Stormwater Engineer who undertook an assessment of the proposal in regards to stormwater management and advised that there are no objections to the proposed stormwater system, subject to suitable conditions of consent.

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

Traffic Engineer Comments

The application was referred to Council's Traffic Engineer who undertook an assessment of the proposal with regards to vehicular access and parking, and advised that there are no objections to the proposed access and parking for the dwelling, subject to suitable conditions of consent.

Tree Coordinator Comments

The application was referred Council's Tree Coordinator who confirmed that the landscaping works are appropriate and acceptable. The proposed removal of the site trees is generally supported, subject to conditions of consent requiring replacement tree planting.

EXTERNAL REFERRALS

The application did not require referrals to any external specialists and authorities.

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 development 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

SEPP 55 applies to the land and pursuant to Section 4.15 is a relevant consideration. SEPP 55 requires Council to consider whether the land subject to the development proposal is contaminated; and if the site is contaminated, Council must be satisfied that the site is suitable or can be made suitable (i.e. following remediation) for the proposed land use.

A site inspection identified that the site is currently occupied by a dwelling house. A review of Council's GIS and historical aerial photos has shown that this dwelling has been established since the 1990's. This dwelling replaced a previous residential dwelling, which was constructed in the 1930's.

A search of Council's contaminated land register specifies that the site is not potentially contaminated. The site is suitable for the proposed development in accordance with requirements of SEPP 55 and the proposed single dwelling use is supported subject to conditions. As such, the objectives outlined within SEPP 55 are considered to be satisfied.

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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.

As mentioned above, the site is devoid of any remnant native vegetation that is worthy of retaining. The proposed removal of the ornamental trees was supported by Council's Tree Coordinator, subject to consent conditions, as these are not significant canopy trees and are well within the footprint of the proposal. Conditions will also be included in the consent to ensure that the extensive landscaping works are able to provide larger, more appropriate tree plantings that will improve the overall visual setting and landscape of the site.

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>	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>	Yes
(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

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

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

“Dwelling house means a building containing only one dwelling.”

The proposed development for the purpose of a dwelling and ancillary structures is consistent with the definition above and is therefore permissible with consent.

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Zone Objectives

An assessment of the proposal against the objectives of the R2 – Low Density Residential zone is included below:

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

Comments: The proposal involves the demolition of an existing dwelling and ancillary structures and construction of a new 2 storey dwelling and ancillary structures with a modern design that is sympathetic to the streetscape and heritage character of Redmyre Road and features a functional, open plan layout. The proposed development will have an appropriate scale and massing facilitated by the generous lot size and dimensions of the subject land.

The proposal ensures that the low density residential character of the locality is preserved and the housing needs of the community are met.

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	9.2m	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	0.5:1 (1208.5m ²)	0.5:1 (1208.5m ²)	Yes

	Objectives	Complies
(a)	To ensure that dwellings are in keeping with the built form character of the local area	Yes
(b)	To provide consistency in the bulk and scale of new dwellings in residential areas	Yes
(c)	To minimise the impact of new development on the amenity of adjoining properties	Yes
(d)	To minimise the impact of development on heritage conservation areas and heritage items	Yes
(e)	In relation to Strathfield Town Centre: <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 	N/A

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ii. to provide space for the strategic implementation of economic, social and cultural goals that create an active, lively and people-oriented development

(f) In relation to Parramatta Road Corridor – to encourage a sustainable consolidation pattern that optimises floor space capacity in the Corridor **N/A**

Comments: As mentioned above, the proposal involves the demolition of an existing dwelling and associated ancillary structures and the construction of a new dwelling with ancillary structures. The new dwelling features a palatial contemporary design with sufficient internal and external facilities and amenities for future occupants. The proposal ensures that the housing needs of the community are met and the low density, residential character of the locality is preserved.

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

The objectives of Clause 5.10 of the SLEP 2012 are:

- to conserve the environmental heritage of Strathfield,
- to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- to conserve archaeological sites, and
- to conserve Aboriginal objects and Aboriginal places of heritage significance.

Subclause 2 of Clause 5.10 states that development consent is required for *the demolishing or moving of a building, work, relic or tree within a heritage conservation area*. The subject site is within a heritage conservation area, and forms part of the **Redmyre Road Heritage Conservation Area (C14)** as listed under Schedule 5 of the SLEP 2012. This conservation area displays a full range of housing that is dominated by early twentieth century architecture. It features a unified streetscape with predominantly single storey, well-maintained houses. The housing types include Victorian Italianate, Late Victorian/Early Federation and Federation/bungalow. Also featured is the Council Chambers and former Town Clerk's house. The central planting of Jacarandas in a grassed median strip and side planting of Brush Box form an important landscape feature to the street.

As mentioned previously, Council's Heritage Advisor confirmed that the proposed demolition of the existing dwelling and the design of the proposed development are both acceptable and supportable as these will have minimal impacts on the heritage value and significance of the Redmyre Road Heritage Conservation Area. Council's Heritage Advisor advised that there were no objections to the proposal, subject to the imposition of recommended conditions of consent. Therefore, the proposed development is considered satisfactory in addressing the relevant provisions under Clause 5.10 of SLEP 2012.

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 within Acid Sulfate Soils (ASS) – Class 5 land and the provisions of Clause 6.1 are applicable. The objectives of this clause are to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. Within Class 5, the trigger under SLEP 2012 is works within 500m of adjacent Class 1,2,3 or 4 land that is below 5m AHD and is likely to lower the water table below 1m AHD on adjacent Class 1,2,3 or 4 ASS land. Given the subject land is not located within 500m of Class 1, 2, 3, and 4 land, the proposed development is not required to be accompanied by an Acid Sulfate Soils Management Plan, and therefore, satisfies the requirements of Clause 6.1.

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6.2 Earthworks

The proposed basement level will involve more than 1m of excavation. A condition of consent is recommended to ensure an appropriate management of soils is undertaken during earthworks.

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.

4.151(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.

PART A – DWELLING HOUSES AND ANCILLARY STRUCTURES

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

2: Architectural Design & Streetscape Presentation

2.1	Objectives	Satisfactory
A.	To ensure that development respects the predominant height, scale, character, type, form, colour, materials and architectural qualities of the existing dwelling house (in the case of alterations and additions) and surrounding neighbourhood especially any adjoining or nearby heritage item or heritage conservation area.	Yes
B.	To achieve quality architecture in new development through the appropriate composition and articulation of building elements.	Yes
C.	To ensure that the dominant building rhythm of the streetscape is reflected in the building design in terms of the spacing and proportion of the built elements.	Yes
D.	To ensure that new dwellings have facades, which define, address and enhance the public domain.	Yes
E.	To encourage contemporary architecture that is innovative, uses high quality detailing, and incorporates elements characteristic of Strathfield.	Yes
F.	To promote the continuance of pyramidal roof forms within Strathfield where they are already prevalent.	Yes
G.	To retain a feeling of openness and space between built elements by maintaining landscaped setbacks and preserve the appearance of dwellings set in the tree-lined 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

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<i>J.</i>	<i>To protect and retain the amenity of adjoining properties.</i>	Yes
2.2	Development Controls	Complies
	<i>Streetscape Presentation</i>	
.1.	1 New dwellings address street frontage with clear entry.	Yes
	2 Consistently occurring building features integrated within dwelling design.	Yes
	3 Consideration of streetscape elements	Yes
	4 Integrated security grilles/screens, ventilation louvres and garage doors	Yes
	<i>Scale, Massing & Rhythm of Street</i>	
.2.	1 Scale, massing, bulk and layout complement the existing streetscape and the dominant building rhythm	Yes
	2 Building height and mass maintains amenity to adjacent properties open space or the public domain	Yes
.3.	<i>Building Forms</i>	
	1 Building form articulated.	Yes
	<i>Roof Forms</i>	
.4.	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
	4 Roof structures are not visible from the public domain	Yes
	<i>Materials</i>	
.4.	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)	
	<i>Colours</i>	
.4.	8 New development incorporates traditional colour schemes	Yes
	9 The external colours integrate harmoniously with the external design of the building	Yes

Comments: The proposed development meets the above objectives and requirements and is consistent with the design, architectural features, streetscape presentation, materials and finishes that are featured in surrounding residential development along Redmyre Road and within the heritage conservation area.

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
B.	<i>To minimise impact on the amenity of adjoining properties.</i>	Yes

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

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 Maximum FSR of 0.5:1 (1208.5m ²)
	2	Development compatible with the lot size

Yes
0.5:1
(1208.5m²)

Yes

Building Height

.2.	1	Height of building permissible pursuant to SLEP 2012
	3	Dwelling houses and any ancillary structures 2-storeys (max)
	4	Building height responds to the gradient of the site to minimise cut and fill

Yes

Yes

Yes

Street Setbacks

.3.1.	1	Setbacks consistent with minimum requirements of Table A.1 Primary street setback: minimum 9m
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Yes
10.385m street setback

Side and Rear Setbacks

.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). Combined side setback of 5.182m (20% of 25.91m). Min 1.2m on each side.
	2	A rear setback of 6m (min)
	3	Subject 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.
	4	Garages and carports setbacks consistent with Table A.2

Yes
Combined:
5.45m (21%)
East: 4.15m
West: 1.3m

Yes

>35m

Yes

Yes

Comments: The proposed development complies with the applicable requirements relating to building height, FSR and setbacks. The proposed development has an appropriate scale and mass

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and comprises sufficient setbacks and façade articulation, demonstrating a suitable re-development of the large allotment.

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
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	Landscaped area in accordance with Table A.3 Minimum requirement is 45% (1087.65m ²)	Yes 45% (1093.12m²)
2	At least 50% of the minimum landscaped area located behind the building line to the rear boundary	Yes >77%
.1.	3 At least 50% of the front yard maintained as deep soil soft landscaping	Yes >80%
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

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	8	Plant species must be retained, selected and planted to improve amenity	Yes
<i>Tree Protection</i>			
	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
.2.	6	Opportunities for planting new canopy trees within the front setback	Yes
	7	At least one (1) canopy tree provided in the rear yard.	Yes
	8	Trunk of a proposed canopy tree planted 4m (min) from built structures, or 3m (min) from pier beam footings	Yes
	9	Planting on side boundaries a 0.6m (min) deep root deflection barrier provided 1.5m (min) either side of the tree center	Yes
	10	Driveway construction does not result in the removal, lopping or root damage to any street tree	Yes
	11	25% (min) of canopy trees and other vegetation shall be locally sourced indigenous species	Yes
<i>Private Open Space</i>			
	1	Provided in a single parcel rather than a fragmented space, directly accessible from internal living areas	Yes
	2	Includes a deep soil area compliant with the minimum landscaped area.	Yes
.3.	3	Terraces and decks (at least 10m ²) with one length or width 3m (min) and directly accessible from an internal living area. Decks cannot be located more than 500mm above NGL	Yes
	4	Unless 3m (min) width, areas within setbacks are not to be included as private open space	Yes
	5	Private open space located at the rear of the property.	Yes
<i>Fencing</i>			
	1	Fencing designed to be compatible and sympathetic to the style of the dwelling, adjoining properties and the streetscape	Yes
	2	Landscaping used when the streetscape is characterised by the absence of front fences	Yes
.4.	3	Fencing forward of FBL shall not exceed 1.5m. Solid components shall not exceed 0.7m above NGL with the exception of brick piers	No – acceptable
	7	Front fences visually permeable	No – acceptable
	9	Listed undesirable materials and finishes not used forward FBL	Yes

Comments: The proposed development complies with the relevant requirements in terms of landscaped area. It is noted that the existing residence does not comply with the minimum landscaped area requirement; however, the proposed conversion of the tennis court into a grassed lawn court comprising real grass will result in a significant increase in deep soil landscaped area and compliance with the above requirement.

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The proposed front fence is an existing masonry fence that will be re-used. This fence is more than 1.5m high and is a solid masonry form; however, its design and appearance are appropriate in terms of streetscape presentation and is consistent with other front fencing along Redmyre Road. Whilst the proposed fence is not visually permeable, the landscaping treatments (in the form of garden beds with hedges and ground cover plants) in front of this fence will greatly assist in softening its appearance and will provide an improved aesthetic that complements that overall design of the new dwelling and the front setback area.

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.	1 New dwellings - 3 hours solar access between 9.00am and 3.00pm on June 21 to the windows of habitable rooms and 50% of private open space	Yes
	2 Alterations or Additions – maintain 3 hours solar access between 9.00am and 3.00pm on June 21 to the windows of habitable rooms and to the majority of private open space	Yes
	3 50% of the principal private open space of any adjoining premises receives 3 hours solar access between 9.00am and 3.00pm on June 21	Yes
	4 The proposed development does not further reduce the amount of solar access	Yes

Comments: The proposed development complies with the relevant requirements in terms of providing solar access to both future occupants and neighbouring properties.

7: Privacy

7.1 Objectives		Satisfactory
A.	<i>Development that is designed to provide reasonable privacy to adjacent properties</i>	Yes
B.	<i>To maintain reasonable sharing of views from public places and living areas</i>	Yes
C.	<i>To ensure that public views and vistas are protected, maintained and where possible, enhanced</i>	Yes
D.	<i>To ensure that canopy trees take priority over views</i>	Yes
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

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<i>Windows</i>			
1	Windows do not directly face the windows, balconies and courtyards of adjoining dwelling	Yes	
.2.	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.	1	Elevated decks, verandahs and upper storey balconies not permitted on side boundaries (exceptions apply)	No – acceptable
	2	Elevated decks, verandahs and balconies incorporate privacy screens	No – acceptable
	4	Balconies extending the full width of the front façade are not permitted	Yes

Comments: The proposed development generally complies with the relevant requirements in terms of providing appropriate building separation and privacy to both future occupants and neighbouring properties.

The first floor of the new dwelling features elevated terraces on the eastern and southern sides, which may have some privacy impacts. Potential overlooking from these spaces is minimised given that:

- The south-facing terrace is centrally located and well away from neighbouring properties, comprises a solid balustrade and is recessed and screened by vegetation to be established within the landscaped planter beds situated on the roof top of the ground floor; and
- The east-facing terrace comprises a solid balustrade and is recessed and screened by vegetation to be established within the landscaped planter beds situated on the roof top of the ground floor.

In light of the above, the elevated terraces are considered acceptable and privacy screens will not be required to address potential overlooking from these spaces. These terraces will have minimal privacy impacts.

8: Vehicle Access and Parking

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

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H.	<i>To ensure that any proposed basement minimises disturbance to natural drainage systems and that flooding, drainage or ventilation impacts would not be created for the site, or for adjoining or nearby properties.</i>		Yes
8.2	Development Controls		Complies
	<i>Driveway and Grades</i>		
	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
.1.	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>Garages, Carports and Car Spaces</i>		
	1	Two (2) car parking spaces required behind the FBL of all new dwellings (exceptions apply)	Yes
.2.	2	Garages recessed behind the main front facade and/or non-dominant	Yes
	3	Garages not more than 150mm above NGL at entry unless the slope of the site exceeds 1:8 (12.5%)	Yes
	4	Dimensions of parking spaces and garages comply with the Australian Standards	Yes
	5	Garages are not to be converted or used for any purpose other than that for which they are approved	Yes
	<i>Basements</i>		
	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.	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 Conditioned to comply
	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

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8	Basements permit vehicles to enter and exit the basement in a forward direction	Yes
11	Basements are not to be used for habitable purposes	Yes

Comments: The proposed development meets the relevant requirements under the SCDCP 2005 with regard to vehicular access, parking and maneuvering.

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: Other than the excavation required for providing the basement level, the proposed development involves minimal ground disturbance or changes to the existing ground level of the site. Therefore, the proposed development meets the relevant cut and fill requirements under the SCDCP 2005.

10: Water and Soil Management

10.1	Objectives	Satisfactory
A.	To encourage the incorporation of Water Sensitive Urban Design (WSUD) and Botany Improvement Plan principles in the development.	Yes
B.	To ensure compliance with Council's Stormwater Management Code	Yes
C.	To ensure compliance with the NSW State Government's Flood Prone Lands Policy.	Yes
D.	To ensure that appropriate soil erosion and sediment control measures are implemented on all sites that involve soil disturbances during construction.	Yes
E.	To ensure new building work does not detrimentally affect the existing drainage system of any area of the Municipality.	Yes
F.	To ensure that new development in areas that may be affected by acid sulphate soils do not adversely impact the underlying ground conditions, soil acidity and water quality.	Yes

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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	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

Comments: Council's Stormwater Engineering advised that the proposal complies with the relevant stormwater and water and soil management controls under the SCDCP 2005 and Council's Stormwater Management Code.

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

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13: Ecologically Sustainable Development

13.1 Objectives		Satisfactory
A.	To encourage passive and active strategies in the design of dwellings and ancillary structures that promotes the achievement of ecologically sustainable practices and BASIX requirements.	Yes
B.	To ensure dwellings are designed to allow sufficient natural ventilation and lighting whilst minimising heat gain during summer and maximising solar access during winter, thereby reducing the need for artificial cooling and heating.	Yes
C.	To minimise the over use of Sydney's limited high quality domestic water supply by ensuring new dwellings incorporate water storage tanks for use in toilet flushing, landscape irrigation and to encourage new dwellings, additions and alterations to incorporate water saving devices and water conservation strategies.	Yes
D.	To encourage the use of new technology that reduces energy consumption, minimises greenhouse emissions and results in cost savings	Yes
E.	To encourage the re-use of building materials, thereby reducing waste to landfill, transportation costs, conserving raw materials and reducing energy expenditure. (Refer to Part H Waste Minimisation and Management of SCDCP 2005).	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
	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
	2 Windows positioned to capture breezes and allow for cross-ventilation	Yes
<i>Water Tanks</i>		
.3.	1 Located behind the dwelling or behind the front building line and screened from view from the public domain	Yes
	2 Associated support structures and plumbing are a colour that complements the dwelling.	Yes
	3 Above ground water tanks located 450mm (min) from any property boundary	Yes
	4 Above ground water tanks do not exceed 3m in height above NGL	Yes
	5 Overflow piped directly to the approved stormwater drainage system except in cases where stormwater is required to be directed to on-site stormwater detention (OSD) storage	Yes
	6 No part of the water tank or support stand may rest on a wall footing	Yes
	7 Installation does not involve the filling of more than 1m above existing ground level	Yes
	8 The tank not located over or adjacent to a water main or sewer main or installed over any associated structure or fittings	Yes
	9 Support structure installed to the requirements of a qualified practicing structural engineer or to the maker's specifications.	Yes
<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

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

PART H - WASTE MANAGEMENT (SCDCP 2005)

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

PART P – HERITAGE (SCDCP 2005)**4: Development in Conservation areas: Woodward Avenue Conservation Area (C9)****4.1: Setting**

Objectives		Satisfactory
A.	<i>To provide an appropriate visual setting for Heritage Conservation Areas, including landscaping, fencing and car parking.</i>	Yes
B.	<i>To maintain and enhance the existing character of the streetscape of a Heritage Conservation Area.</i>	Yes
C.	<i>To ensure that new development respects the established patterns in the streetscape of a Heritage Conservation Area, including setbacks, siting, landscaped settings, car parking and fencing.</i>	Yes
D.	<i>To protect street trees within Heritage Conservation Areas</i>	Yes
Controls		Satisfactory
i.	<i>The side and front setbacks of new development in a Conservation Area should be typical of the spacing of existing buildings in the vicinity of the proposed development in that Conservation Area, such that the rhythm of buildings in the streetscape is retained.</i>	Yes
ii.	<i>No new structures should be built forward of the established street building line.</i>	Yes
iii.	<i>The established landscape character of the locality including the height of canopy and density of boundary landscape plantings should be retained in any new development.</i>	Yes
iv.	<i>Driveways must be placed having regard to street trees that contribute to the character of Heritage Conservation Area. An arborist report may be required for any development in the vicinity of significant street trees.</i>	Yes

Comments: The proposed development has been sensitively designed with respect to the site's context and setting within the Redmyre Road Heritage Conservation Area. The proposal is appropriately designed and sited and meets the above requirements.

4.2: Scale

Objectives		Satisfactory
A.	<i>To ensure that new development adjacent to or within a Heritage Conservation Area is of scale consistent with existing development that contributes to the character of the Heritage Conservation Area.</i>	Yes
Controls		Satisfactory
i.	<i>The scale of new development adjacent to or within a Conservation Area should relate to the scale of the adjacent or nearest contributory elements of the Conservation Area.</i>	Yes

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<i>ii.</i>	<i>Development of a larger scale is allowable only if it can be demonstrated that the new development will not adversely impact the identifiable character of the Conservation Area.</i>	Yes
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Comments: As mentioned above, the proposed development meets the maximum building height and FSR development standards under the SLEP 2012 and has appropriate scale and massing that are consistent with the surrounding area and the heritage conservation area.

4.3: Form

	Objectives	Satisfactory
A.	<i>To ensure that new development in a Conservation Area relates positively to the dominant forms of existing contributory buildings in the Conservation Area.</i>	Yes
B.	<i>To ensure that buildings that contribute to the character of a Conservation Area retain their importance in the streetscape and/or townscape.</i>	Yes

	Controls	Satisfactory
<i>i.</i>	<i>Important elements of the form of a contributory building in a Conservation Area such as main roof forms, chimneys, parapet walls, verandahs etc. should not be demolished or obscured by alterations and additions.</i>	Yes
<i>ii.</i>	<i>New development in a Conservation Area is to complement existing nearby buildings that contribute to the Conservation Area.</i>	Yes
<i>vi.</i>	<i>The treatment of the street façade of new development in a Conservation Area should relate to existing nearby buildings that contribute to the Conservation Area.</i>	Yes

Comments: Compared to the existing dwelling, the proposed development will have a positive contribution to the character of the heritage conservation area by featuring a number of architectural features and design elements that are consistent with the heritage conservation area and that commonly occur within the vicinity. By providing ample landscaping treatments to assist in screening and softening the built form the proposal achieves a balanced residential design that will have an acceptable visual presentation to Redmyre Road.

4.4: Siting

	Objectives	Satisfactory
A.	<i>To integrate new development in Conservation Areas with the identifiable character of the area.</i>	Yes

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

Comments: As mentioned above, the proposed development meets the setback requirements under the SCDP 2005. The proposed setbacks (particularly from Redmyre Road) are generous and provide sufficient building separation and articulation of the built form as well as adequate areas for establishing deep soil landscaping. Notably, the setbacks are consistent with the pattern

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and rhythm of residential development featured in the streetscape and the heritage conservation area.

4.5 Materials and colours

Objectives		Satisfactory
A.	<i>To encourage the use of external materials on new development that is consistent with the existing contributory buildings in a Conservation Area.</i>	Yes
Controls		Satisfactory
i.	<i>Original materials of contributory buildings in Conservation Areas should not be replaced with different materials or with materials of different colours.</i>	Yes
iii.	<i>Painting, rendering or bagging of face brickwork and sandstone is not permitted.</i>	No – acceptable
iv.	<i>The texture of original rendered finishes should not be changed.</i>	Yes
v.	<i>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</i>	Yes
vi.	<i>The use of fluorescent paint on buildings in Conservation Areas is not permitted.</i>	Yes

Comments: The proposed development generally satisfies the above requirements. It is noted that the rendered finishes are generally not common in heritage conservation areas; however, the design treatment of the new dwelling featuring landscaped roofing, a neutral colour palette and finishes, ample setbacks from property boundaries and deep soil landscaping in the front setback (including in front of the front fence) ensures that the proposed rendering is an acceptable design treatment of the external walls. It is further noted that rendered finishes commonly occur along Redmyre Road and is therefore, consistent with the existing streetscape character of the surrounding area.

Council's Heritage Advisor advised that a condition should be included to ensure that the final colour of the copper roof is the same as the provided plans as the roof will be dominant feature of the dwelling that will be visible from Redmyre Road. A condition of consent is recommended, accordingly.

4.6 Doors and windows

Objectives		Satisfactory
A.	<i>To retain original door and window details of contributory buildings in Conservation Areas.</i>	Yes
B.	<i>To ensure that new development in a Conservation Area has fenestration patterns and proportions consistent with contributory buildings in the Conservation Area.</i>	Yes
Controls		Satisfactory
i.	<i>Extensive areas of glazing are not permitted for doors and windows visible from the Public Domain on buildings within a Conservation Area.</i>	Yes
iii.	<i>New door and window openings to contributory buildings in a Conservation Area that are visible from the Public Domain should be of proportions and details that relate to existing door and window openings.</i>	Yes

Comments: The proposed development generally complies with the above requirements.

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4.7 Car parking

Objectives		Satisfactory
A.	<i>To ensure that, where possible, garages and carports are designed to minimise the visual impact on the streetscape of Conservation Areas.</i>	Yes
Controls		Satisfactory
i.	<i>Garages and carports must be located as far behind the front building line as possible.</i>	Yes
vi.	<i>Placement of basement entries toward the rear of the property and parallel to the side boundary is encouraged.</i>	Yes
vii.	<i>Refer to the Controls for Garages and Carports in the Residential section of this Development Control Plan for general provisions regarding garages and carports.</i>	Yes

Comments: The proposed development features basement level parking, with the garaging and parking spaces behind the building line and mostly hidden from the street. It therefore meets the above requirements.

4.8 Fencing

Objectives		Satisfactory
B.	<i>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.</i>	Yes
C.	<i>To ensure that the quality of the streetscape or townscape in a Conservation Area is not diminished by inappropriate fencing.</i>	Yes
Controls		Satisfactory
i.	<i>Fencing and gates that are constructed at the same time as the contributory building should not be demolished.</i>	Yes
ii.	<i>New fencing and gates to contributory housing in a Conservation Area should be designed to complement the style of the house.</i>	Yes
iii.	<i>New fencing and gates to infill development in a Conservation Area should be in keeping with the dominant character of the Conservation Area.</i>	Yes
iv.	<i>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.</i>	Yes
v.	<i>Original face brick or sandstone fencing in a Conservation Area should not be painted.</i>	Yes
vi.	<i>Refer to the Controls for Fencing in the Residential section of this Development Control Plan for general provisions regarding fencing (Note: this section prevails in the event of any inconsistency).</i>	Yes

Comments: The proposed development meets the above requirements in terms of front fence design within a heritage conservation area.

4.9 Landscape elements including paving and driveways

Objectives		Satisfactory
A.	<i>To retain important landscape elements that contribute to the significance of Conservation Areas.</i>	Yes
B.	<i>To reinforce the qualities of the Conservation Area through appropriate landscaping.</i>	Yes

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	Controls	Satisfactory
<i>i.</i>	<i>Street trees in Conservation Areas should not be removed to allow for new development. New and relocated driveways should be located to accommodate existing street tree. An arborist report may be required for works in the vicinity of street trees.</i>	Yes
<i>ii.</i>	<i>Existing driveways and footpath crossings that relate to original development in a Conservation Area should not be relocated.</i>	Yes
<i>iii.</i>	<i>Double driveways and footpath crossings will not be permitted in Conservation Areas.</i>	Yes

Comments: The extensive and varied landscaping treatments proposed within the front setback, rear yard and surrounds of the new dwelling ensure that the proposal meets the above requirements and provides a positive and balanced design outcome within the heritage conservation area. The proposed development also involves no impacts to the existing street trees and it is recommended that several conditions be imposed to ensure any street trees are retained and protected.

4.11 Modern technologies

	Objectives	Satisfactory
A.	<i>To ensure that modern technologies do not impact on the streetscape and/or townscape in Conservation Areas</i>	Yes
B.	<i>To ensure that the quality of the streetscape or townscape in a Conservation Area is not diminished by inappropriate fencing.</i>	Yes

	Controls	Satisfactory
<i>i.</i>	<i>Modern technologies such as solar electricity collectors, television aerials and satellite dishes are to be located on roof slopes facing the rear of a property in Conservation Areas.</i>	Yes
<i>ii.</i>	<i>Modern technologies should not be higher than the main ridge line of a building and shall be located so that they are not visible from the Public Domain in a Conservation Area.</i>	Yes

Comments: The proposed development meets the above requirements.

4.12 Demolition

	Objectives	Satisfactory
A.	<i>To retain the contributory buildings in a Conservation Area.</i>	Yes

	Controls	Satisfactory
<i>i.</i>	<i>Contributory buildings within a Conservation Area must not be demolished.</i>	Yes
<i>ii.</i>	<i>Partial demolition of contributory items within a Conservation Area may only be allowed when it can be established in a Statement of Heritage Impact that the partial demolition will not have an impact on the significance of the contribution of the item to the Conservation Area.</i>	Yes
<i>iii.</i>	<i>Demolition of rear outbuildings in Conservation Areas may be acceptable. For places listed as heritage items, additional restrictions might apply.</i>	Yes

Comments: As mentioned above, the proposed development will have minimal impacts on the heritage value and significance of the Redmyre Road Heritage Conservation Area. As confirmed by Council's Heritage Advisor, the existing dwelling and ancillary structures proposed to be demolished are not contributory items in this heritage conservation area and the new dwelling and

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associated ancillary structures are generally of an acceptable design and scale. Therefore, subject to the imposition of conditions, the proposed development is considered satisfactory in achieving the above aims and meeting the above applicable controls.

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 involves 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.

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 localityHeritage

Council's Heritage Advisor confirmed that the demolition of the existing dwelling and ancillary structures is acceptable given that none of these buildings are considered contributory items to the Redmyre Road Heritage Conservation Area. Therefore, the removal of these have minimal impact on the heritage significance of this heritage conservation area.

Council's Heritage Advisor also advised that the proposed development has been sensitively designed and located with consideration of the site's constraints, and its setting and context within a heritage conservation area. The presentation of the built form is considered compatible with the surrounding area and is therefore, acceptable. To ensure that the copper roof of the new dwelling has an appropriate colour, a condition will be included as part of the consent.

Privacy, Amenity and Overshadowing Impacts

The proposed development will not generate significant privacy and amenity impacts. The first floor windows of the new dwelling are mostly from bedrooms, bathrooms, walk-in-ropes and a study, which are considered low utility spaces. The rumpus room on the first floor is centrally located and away from neighbouring properties as it is separated by the south-facing terrace and the adjacent landscaped planter bed. As mentioned above, the first floor terraces have a large setback from property boundaries, are recessed and feature solid balustrades and landscaped planter beds. In summary, the design and configuration of the first floor elements minimise potential overlooking from this level.

The finished floor level of the ground floor is generally at natural ground in the northern (front) portion of the dwelling. The finished floor levels of this floor become elevated as the land slopes to the southern (rear) boundary; with the maximum height of the finished floor levels reaching approximately 0.76m above natural ground. The elevated areas comprise of the living and dining areas, the kitchen and the outdoor alfresco area. Despite these elevated levels, these spaces have significant setbacks from property boundaries (1.3m from the eastern boundary, 4.15m from the western boundary, >35m from the rear boundary) and have been designed with minimal glazing and openings along the sides to reduce potential overlooking. It is noted that surrounding the

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dwelling are landscaping treatments in the form of shrubs and groundcovers in garden beds, which will also assist in minimising privacy impacts. Additionally, the western side of the site is adjacent to the access handle of the adjoining residence and will therefore, have negligible privacy impacts for this residence.

The proposed development involves minimal changes to the natural ground levels within the rear yard, which comprise of numerous ancillary structures and facilities including a swimming pool, outbuilding/cabana, tennis court, daybeds and plant room. By retaining these levels and by providing planting within the garden beds along the property boundaries, the proposal is able to achieve appropriate privacy for this extensive private open space whilst maintaining privacy and amenity for the neighbouring residences. Suitable conditions of consent are recommended for minimising potential noise and amenity impacts associated with the swimming pool and use of the tennis court.

The proposed development will have minimal overshadowing impacts. The location and maximum height of the new dwelling combined with the north-south orientation of the site and neighbouring properties ensure that the private open space and living room windows of adjoining properties will receive at least 3 hours of solar access during mid-winter. Thus, the proposed development meets the relevant solar access requirements under the SCDCP 2005.

Considering the above aspects, the proposed development has been designed to minimise potential privacy, amenity and overshadowing impacts on adjoining properties and is therefore acceptable in this regard.

Streetscape

The proposed development, being a palatial dwelling that has been proportioned and designed in relation to large allotment with a wide frontage, will have a visual prominence and presentation to Redmyre Road and will be visible from adjoining properties. However, the entire scheme, including the ancillary structures in the rear yard, has been adequately balanced by significant articulation (particularly of the front façade), variations in the external colours, materials, textures and finishes, and the inclusion of roof top landscaped planter beds, glazing and other architectural features (openings and terraces). The proposed dwelling has a generous front setback of at least 10.385m, which significantly minimises its appearance from Redmyre Road and neighbouring properties. Numerous deep soil landscaping treatments are proposed in the front setback, sides and the rear yard of the dwelling. These include garden beds in front of the proposed front fence and canopy trees on the western and eastern sides of the front setback, which appropriately frame the dwelling. It is further noted that the proposed development complies with all of the development standards and controls under the SLEP 2012 and SCDCP 2005 that relate to design, scale and mass. As the proposal maintains the existing land use as a single detached dwelling house it does not result in a dramatic change to the land use and built forms that typically occur within the R2 – Low Density Residential zone and along Redmyre Road and Florence Street. Considering the above, the palatial design and scale of the new dwelling is appropriate and anticipated within an immense property featuring a large frontage and site depth.

Driveway access for the basement level will require some excavation and the construction of retaining walls that will be visible from Redmyre Road. Given the generous frontage, the proposal is able to counter these hardscape elements by providing numerous deep soil landscaping treatments in the form of grassed turf areas, garden beds and canopy trees within the remainder of the front setback. Screen planting (in the form of hedges) will also be established along the western side of the driveway to screen the western elevation of the dwelling and the retaining walls. The location of the driveway on the westernmost section of the front ensures that no street trees are impacted and the driveway leading to the basement is tucked away to one side and will be partially hidden when viewed from the street. Lastly, the re-used front masonry fence will also obscure some views of the driveway and basement level.

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Given the above aspects, the proposed development is compatible with the existing and future desired streetscape character of the immediate locality and has been sensitively designed with consideration of the site's context within a low density residential area and within the Redmyre Road Heritage Conservation Area. Therefore, the proposed development is considered acceptable and supportable.

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

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

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

The application was notified in accordance with Part L of the SCDCP 2005 from 20 September to 4 October 2019, with no submissions received.

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

A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

STRATHFIELD INDIRECT SECTION 7.12 CONTRIBUTIONS PLAN

The proposed development has a value of greater as \$100,000. In order to provide additional public facilities and infrastructure to meet the demand created by development, the proposed development will attract Section 94A Indirect Contributions in accordance with the Strathfield Indirect Contributions Plan 2010. This contribution is based on the proposed cost of works for the development and has been calculated at 1% of \$2,770,350 (the estimated cost of development identified in the development application). Therefore, the Section 94 Indirect Contributions for the proposed development is \$27,703.50.

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

PEER REVIEW

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

RECOMMENDATION

That Development Application No. DA2019/148 for demolition of existing structures on site and the construction of a two (2) storey dwelling with basement level, two (2) outbuildings, swimming pool, relocation of tennis court and front boundary fencing at 98 Redmyre Road, Strathfield be **APPROVED**, subject to the following conditions:

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. DA2019/148:

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Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
A.00.01	Demolition Plan	A C M E	Revision C 5 Sept 2019	17 Nov 2019
A.01.01	Site/Roof Plan	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.02.01	Ground Floor Plan: Front	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.02.02	Ground Floor Plan: Rear	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.02.03	First Floor Plan	A C M E	Revision E 28 Oct 2019	17 Nov 2019
A.02.04	Basement Plan	A C M E	Revision F 15 Nov 2019	17 Nov 2019
A.03.01	Streetscape – Redmyre Road	A C M E	Revision E 28 Oct 2019	17 Nov 2019
A.03.02	Elevations: North + South	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.03.03	Elevations: East	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.03.04	Elevations: West	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.04.01	Section A	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.04.02	Section B	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.04.03	Section C + D	A C M E	Revision F 13 Nov 2019	17 Nov 2019
A.04.04	Section: Driveway Details	A C M E	Revision D 5 Sept 2019	17 Nov 2019
A.05.01	External Material Finishes	A C M E	Revision F 13 Nov 2019	17 Nov 2019
LA-DA-01	Landscape Schedules & Notes	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-02	Landscape Statement & Diagrams	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-03	Site Plans	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-04	Tree Protection & Removal Plan	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-05	Landscape Plan 1 – Ground Floor Front Garden	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-06	Landscape Plan 2 – Ground Floor Rear Garden	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-07	Landscape Plan 3 – Level 01	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-08	Landscape Section	360 degrees	Revision F	26 Nov 2019

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	1 – Rear Garden	Landscape Architect	26 Nov 2019	
LA-DA-09	Landscape Section 2 – Rear Garden	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-10	Planting Palette – Ground Floor	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
LA-DA-11	Planting Palette – Level 01	360 degrees Landscape Architect	Revision F 26 Nov 2019	26 Nov 2019
A9045 – COVER	General Notes	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW01	Sediment and Erosion Control Plan	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW02	Basement Drainage Plan	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW03	Ground Floor Drainage Plan – Sheet 1	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW04	First Floor Drainage Plan – Sheet 2	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW05	First Floor Drainage Plan	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW06	Roof Drainage Plan	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW07	Stormwater Sections and Details	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW08	Stormwater Sections and Details	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019
A9045 – SW09	WSUD Design & MUSIC Model	Alpha Engineering & Development	Revision G 11 Sept 2019	13 Sept 2019

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. DA2019/148:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Aaron Sutherland	Sept 2019	13 Sept 2019
Heritage Impact Statement	POC+P Architects	Issue D 9 Sept 2019	13 Sept 2019
Arboricultural Impact Assessment Report	Jackson Nature Works	4 Sept 2019	13 Sept 2019
Waste Management Plan	Princeton Piper Pty Ltd	Issue 01 Sept 2019	13 Sept 2019

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BASIX Certificate 1036106S_02	GEC Consulting Pty Ltd	10 Sept 2019	13 Sept 2019
Assessor Certificate	GEC Consulting Pty Ltd	13 Aug 2019	13 Sept 2019

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

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

2. 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.)

3. 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.)

4. 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.)

5. LANDSCAPING - IRRIGATION OF COMMON AND PRIVATE LANDSCAPE AREAS (GC)

All common and private landscape areas including all planters of new multi-unit, commercial, mixed-use and industrial development are to have full coverage by a fully automatic irrigation system. The design, materials and installation are to be in accordance

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with Sydney Water Codes and satisfy all relevant Australian Standards. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior occupation of the premises.

(Reason: To ensure appropriate landscape maintenance.)

6. LANDSCAPING - TREES PERMITTED TO BE REMOVED (GC)

All trees shown to be removed as submitted on the approved Tree Protection & Removal Plan by 360 degrees Landscape Architect, LA-DA-04, Revision F and dated 26/11/19 are permitted to be removed to accommodate the proposed development.

All trees permitted to be removed by this consent shall be replaced (2 trees for each tree removed) by species selected from Council's Recommended Tree List and must have a minimum mature height of 10 metres.

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

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

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

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

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

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

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

7. 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

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- 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.
 - 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.)

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

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

All external materials, colours and finishes including windows and doors and roofing materials must be of high quality and compatible with those of the surrounding streetscape and locality.

The final colour of the copper roof of the new dwelling must be the same as the colour indicated on the approved External Material Finishes, Project No. 19:63, Drawing No. A.05.01, Revision D, prepared by A C M E, and dated 5 September 2019.

All external materials and colours shall be of low glare and reflectivity.

Details demonstrating compliance with this condition shall be provided to the Principal

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Certifying Authority, prior to the issue of any Construction Certificate.

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

9. 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.)

10. 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.)

11. 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.

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- 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.)

12. 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.)

13. 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

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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.)

14. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

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

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

15. SYDNEY WATER - TAP IN™ (GC)

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

(Reason: Compliance with Sydney Water requirements.)

16. UTILITIES AND SERVICES - PROTECTION OF (GC)

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

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

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

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by a qualified practicing Structural/Civil Engineer.

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

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

(Reason: To ensure protection of Council assets.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (PCC)**17. BASIX COMMITMENTS (CC)**

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

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

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

(Reason: Statutory compliance.)

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

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

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

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

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

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

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

- i) The internal clearance of the basement is 2.2m in accordance with BCA requirements. The maximum floor to ceiling height within the entire basement must be 2.2m to ensure that the basement level is not utilised for habitable purposes.
- ii) Driveways shall comply with Australian/New Zealand Standard AS/NZS 2890.1:2004

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- 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.
- iii) Longitudinal section along the gutter line showing how it is intended to transition the vehicular crossing into the existing kerb and gutter. Boundary levels shall generally run parallel with the kerb levels.
- iv) Location of verge trees, street furniture and service installations.
- v) Superimposition of vehicle turning circles for access into parking spaces.
- vi) Certification that the design complies with AS/NZS 2890.1:2004 by a Qualified Engineer.

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

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

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

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

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

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

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

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

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

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23. 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.)

24. 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;
 - 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.

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- 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 works are completed.

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

25. 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

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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).

(Reason: Council requirement.)

26. EROSION AND SEDIMENTATION CONTROL PLAN (CC)

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

- i) Compliance with the approved Soil and Water Management Plan.
- ii) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval).
- iii) All uncontaminated run-off is diverted around cleared or disturbed areas.

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- 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 circumstances are any works to commence, prior to these details being approved by the Principal Certifying Authority and the controls being in place on the site.

(Reason: Environmental protection.)

27. LANDSCAPING - MAINTENANCE STRATEGY (CC)

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Principal Certifying Authority with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival.)

28. LANDSCAPING ON SLAB (CC)

To ensure the site landscaping thrives, the on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees; and 300mm for grass and ground covers. Adequate drainage provision and a permanent, automatic irrigation system conforming to Sydney Water requirements shall be included. Details demonstrating compliance shall be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: Ensure landscape survival.)

29. LANDSCAPING - TREE REPLACEMENT SPECIES (CC)

The landscape plan submitted with the Construction Certificate application shall incorporate the following replacement tree/s to ensure the preservation of the landscape character of the area. The tree species must be selected from Strathfield Council's Recommended Tree List and each replacement tree must have a minimum container/pot size of 100L.

Note: Strathfield Council's Recommended Tree List is available on Council's website.

(Reason: Preservation of the landscape character of the area.)

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30. **LANDSCAPING - TREE TRANSPLANTATION METHOD STATEMENT (CC)**

A Tree Transplantation Method Statement (TTMS) shall be submitted with the Construction Certificate application to the satisfaction of the Principal Certifying Authority. The TTMS is to relate to the following approved tree/s to be transplanted:

- The Canary Island Date Palm (*Phoenix canariensis*) located in the front setback as indicated in the approved Landscape Plan.

The method statement shall be prepared by a qualified arborist or horticulturist and shall detail the following:

- i) pre-transplantation schedule of works;
- ii) preparation of transplant site;
- iii) transplantation method; and
- iv) post-transplantation after-care and duration.

The above details shall be reflected in the final Landscape Plan submitted with the Construction Certificate application.

Tree transplantation shall take place in accordance with the Transplant method Statement approved with the Construction Certificate and under the supervision of a AQF Level 5 project Arborist.

(Reason: Tree preservation.)

31. **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.)

32. **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 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

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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.)

33. 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.)

34. ROOF TOP PLANTER BEDS (CC)

The roof top planter beds shall remain non-trafficable except during necessary maintenance of these areas including the landscaped beds. No permanent structures or furniture shall be erected on the roof top planter beds. Plans shall be notated accordingly and details demonstrating compliance demonstrated to the Principal Certifying Authority, prior to the issue of any Construction Certificate.

(Reason: To preserve the amenity of adjoining residences and the public domain.)

35. SECTION 7.12 CONTRIBUTION PAYMENT - INDIRECT CONTRIBUTIONS PLAN) (CC)

In accordance with the provisions of Section 7.13 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	\$27,703.50
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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 7.12 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.)

36. 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

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Authority, prior to the issue of a Construction Certificate.

(Reason: Compliance and amenity.)

37. 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.)

38. 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.)

39. 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.)

40. 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

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- 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.)

41. TREE BONDS (CC)

A tree bond of \$<insert total amount> (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.

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

42. UTILITIES AND TELECOMMUNICATIONS - ELECTRICITY CONNECTION (CC)

Provision must be made for connection to future underground distributions mains. This must be achieved by installing:

- i) an underground service line to a suitable existing street pole; or
- ii) sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Note: A limit of one (1) pole per site will apply.

Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

Details are to be submitted to the Principal Certifying Authority with the Construction Certificate Application.

(Reason: Environmental amenity.)

43. UTILITIES AND TELECOMMUNICATIONS - TELECOMMUNICATIONS ASSETS (CC)

Provision must be made for relocation of telecommunications network assets including underground placement of any existing aerial cables and infrastructure. Any costs associated with the relocation of the above are at the requestor's expense. Any disturbance to public land as a result of the undergrounding of services shall be restored at no cost to Council.

Details are to be submitted to the Principal Certifying Authority with the Construction Certificate application.

(Reason: To ensure suitable relocation of telecommunications infrastructure if required.)

44. 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.)

45. 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.)

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

46. **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.

Pruning of the branches and roots of Council trees is prohibited unless approved by Council in writing.

All Council trees are to be protected in accordance with Australian Standard AS4970 - 2009 , Protection of Trees on Development Sites.

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 No. 98 Redmyre Road, Strathfield 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.)

47. **DUST CONTROL (CC)**

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as directed by the Council should it fail to adequately control any dust nuisance.

Major Works

The following measures must be implemented (in part or in total) as directed by Council to control the emission of dust:

- (a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- (b) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system
- (c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- (d) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- (e) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.
- (f) All stockpiles of contaminated soil shall be stored in a secure area and be

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

covered if remaining more than 24 hours or as directed by Council.

(Reason: Environmental amenity.)

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

48. 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.

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.)

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.

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

(Reason: Statutory requirement.)

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

50. 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.)

51. 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.)

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.)

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

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 (POC)

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

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

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

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

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

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

(Reason: Asset management.)

56. **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;

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

- 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.)

57. 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.)

58. 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.)

59. 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.)

60. 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

DA2019/148 - 98 Redmyre Road, Strathfield - Lot A DP 311262 (Cont'd)

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.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)**61. TENNIS COURTS - ONGOING USE OF (OU)**

The approved tennis court(s) shall be in accordance with the following:

- i) The tennis court shall not be used for any commercial or business purpose.
- ii) The tennis court shall be enclosed to a maximum height of 3.6m with plastic coated chain wire on suitable galvanised iron pipe frame. The colour of the chain wire shall be black or dark green.
- iii) The tennis court shall not be illuminated without the prior consent of Council.
- iv) The approved tennis court lighting systems must be extinguished no later than 10pm on any evening.

(Reason: To maintain amenity to adjoining residences.)

ATTACHMENTS

1. [↓](#) Architectural Plans

**DEVELOPMENT APPLICATION
NOVEMBER 2019**

**STRATHFIELD RESIDENCE
98 REDMYRE ROAD, STRATHFIELD**

- A.00.01 DEMOLITION PLAN
- A.00.02 SITE ANALYSIS
- A.00.03 SITE DATA
- A.01.01 SITE / ROOF PLAN
- A.02.01 GROUND FLOOR PLAN: FRONT
- A.02.02 GROUND FLOOR PLAN: REAR
- A.02.03 FIRST FLOOR PLAN
- A.02.04 BASEMENT PLAN
- A.02.05 SHADOW DIAGRAM: 09:00AM JUNE 22
- A.02.06 SHADOW DIAGRAM: 12:00PM JUNE 22
- A.02.07 SHADOW DIAGRAM: 03:00PM JUNE 22
- A.02.08 NOTIFICATION PLAN
- A.03.01 STREETScape - REDMYRE ROAD
- A.03.02 ELEVATIONS: NORTH + SOUTH
- A.03.03 ELEVATIONS: EAST
- A.03.04 ELEVATIONS: WEST
- A.04.01 SECTION A
- A.04.02 SECTION B
- A.04.03 SECTION C + D
- A.04.04 SECTION: DRIVEWAY DETAILS
- A.05.01 EXTERNAL MATERIAL FINISHES
- A.05.02 EXTERNAL VIEWS
- A.05.03 EXTERNAL VIEWS

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CONSULTANTS

PLANNER
SUTHERLAND & ASSOCIATES

HERITAGE
POC+P ARCHITECTS

LANDSCAPE
360

STRUCTURAL
ALPHA ENGINEERING & DEVELOPMENT

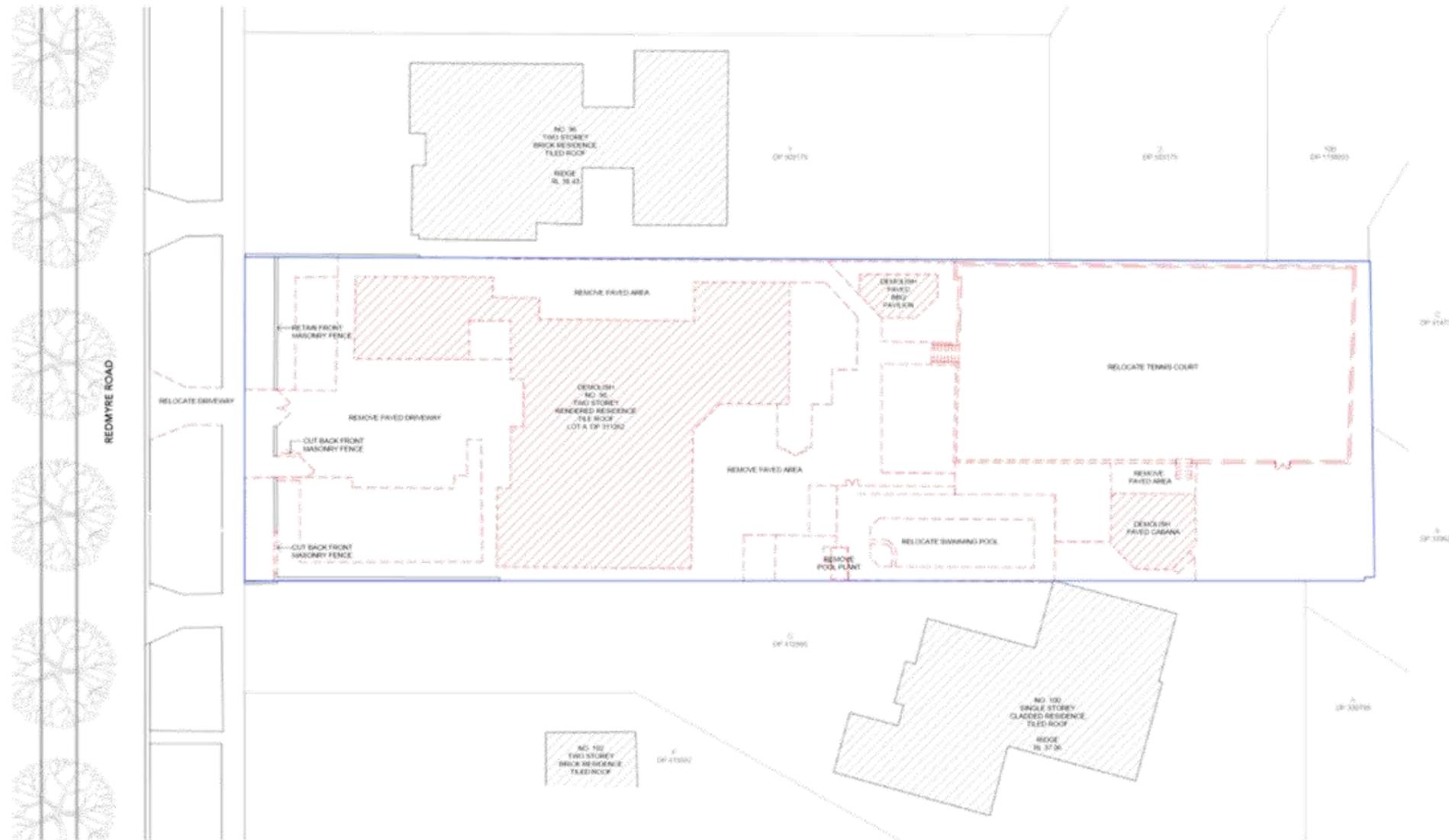
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LEGEND
 — LINE OF PROPERTY BOUNDARY
 - - - - - PROPOSED DEMOLITION WORKS



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**ISSUE
 FOR DEVELOPMENT APPLICATION**

**PROJECT
 STRATHFIELD RESIDENCE
 96 REDMYRE ROAD, STRATHFIELD**

**DRAWING
 DEMOLITION PLAN**

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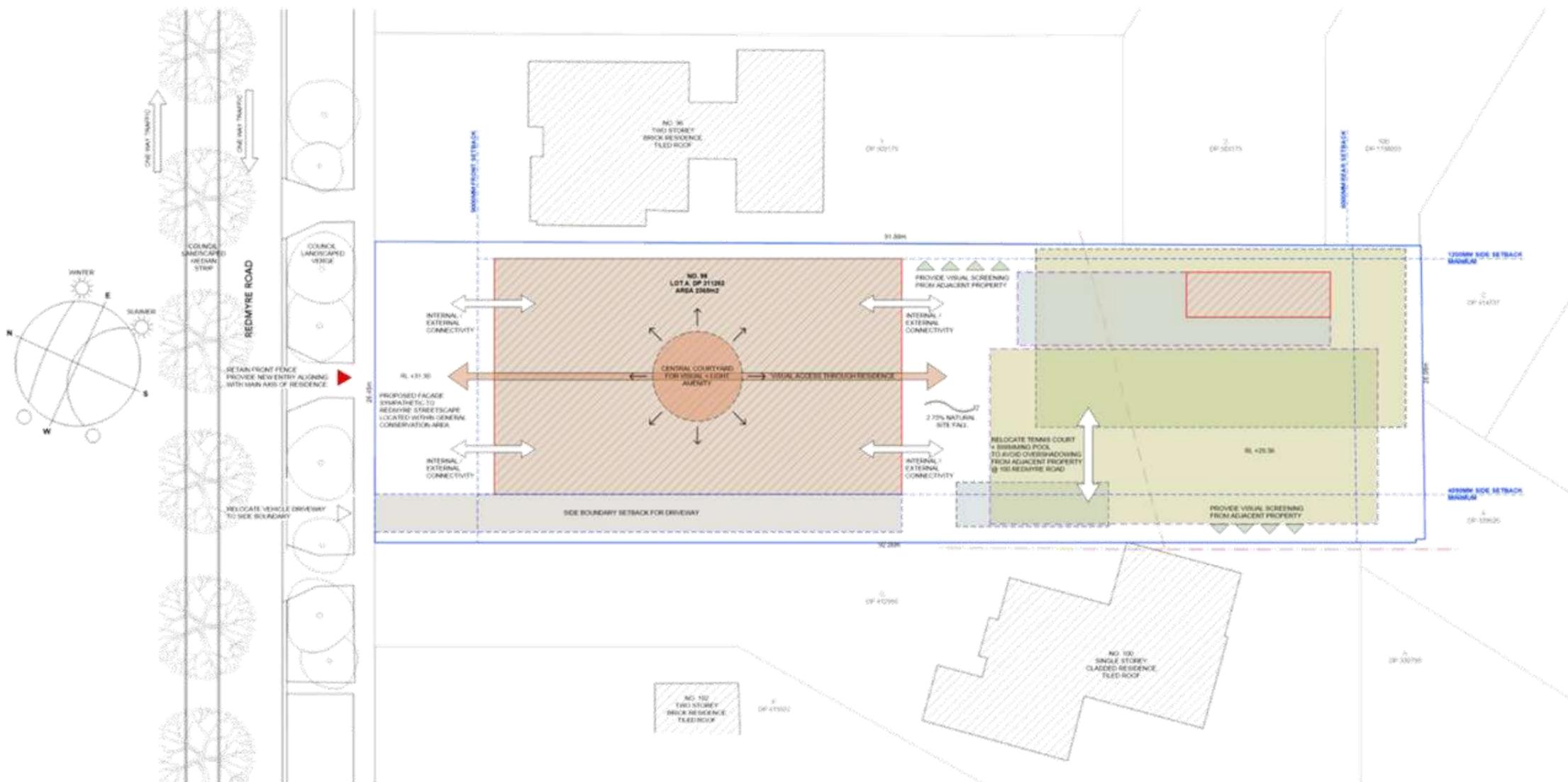


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- LEGEND**
- LINE OF PROPERTY BOUNDARY
 - - - LINE OF SITE SETBACKS
 - - - LINE OF SEWER EASEMENT
 - ▨ PROPOSED BUILT FORMS
 - ▤ EXISTING SWIMMING POOL
 - ▥ EXISTING TENNIS COURT + FENCING
 - ▦ PROPOSED SWIMMING POOL
 - ▧ PROPOSED TENNIS COURT + FENCING



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PROJECT
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98 REDMYRE ROAD, STRATHFIELD

DRAWING SITE ANALYSIS

PROJECT NO.	DATE	SCALE
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SITE DATA

SITE AREA - SURVEY 2417 sqm

MUNICIPALITY OF STRATHFIELD COUNCIL

ALLOWABLE FSR FOR SITE ≥ 1000sqm 0.5 : 1 = 1208.50 sqm

LANDSCAPE AREA: FOR SITE ≥ 1300sqm 45% = 1087.65 sqm

BEHIND BUILDING 50% = 543.83 sqm

FRONT OF BUILDING = 238.05 sqm

FRONT DEEP SOIL 50% = 119.03 sqm

MAXIMUM HEIGHT: SITE 9.5m

OUTBUILDING 3.5m

FRONT FENCE 1.5m

SIDE+REAR FENCE 1.8m

FRONT BOUNDARY LENGTH - SURVEY 26.45m FRONT

26.08m REAR

SIDE BOUNDARY LENGTH - SURVEY 91.88m EAST

92.26m WEST

MAIN BUILDING SETBACKS: FRONT 9m

REAR 6m

SIDE (20% FRONT BDY) = 5.29m

SIDE - LEFT 1.20m (minimum)

SIDE - RIGHT 4.09m (minimum)

OUTBUILDING SETBACKS: SIDE+REAR 0.5m

OUTBUILDING MAXIMUM FLOOR AREA 40 sqm

98 REDMYRE ROAD

PROPOSED FSR FOR SITE ≥ 1000sqm 0.475 : 1 = 1148.19 sqm

BASEMENT 280.33 sqm

GROUND 421.85 sqm

FIRST 406.01 sqm

OUTBUILDING 40.00 sqm

LANDSCAPE AREA: FOR SITE ≥ 1300sqm 45.2% = 1093.09 sqm

BEHIND BUILDING 77% = 849.46 sqm [2468.55 sqm TC]

FRONT OF BUILDING = 348.53 sqm

FRONT DEEP SOIL 70% = 243.63 sqm

LANDSCAPE OVER DRIVEWAY = 62.66 sqm

(NOT INCLUDED IN LANDSCAPE CALCULATION ABOVE)

MAIN BUILDING SETBACKS: FRONT 10.38m

REAR 45.62m

SIDE (20% FRONT BDY) = 5.29m

SIDE - LEFT 1.45m

SIDE - RIGHT 4.25m

OUTBUILDING SETBACKS: SIDE 2.36m

REAR 7.95m

OUTBUILDING FLOOR AREA 40.00 sqm



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LEGEND

— LINE OF PROPERTY BOUNDARY

- - - - - LINE OF SITE SETBACKS

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E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
D	26.09.19	ISSUE FOR DEVELOPMENT APPLICATION
C	04.09.19	ISSUE FOR DEVELOPMENT APPLICATION
B	16.08.19	ISSUE FOR DEVELOPMENT APPLICATION
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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT

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- LEGEND**
- LINE OF PROPERTY BOUNDARY
 - CONCRETE DRIVEWAY
 - CORNER DOWN PIPE
 - COPPER ROOF
 - DOORS WITH POWERGLAZ FINISH
 - EXISTING MASONRY FENCE MODIFIED
 - GLASS BALUSTRADE
 - LANDSCAPE
 - METAL GATE
 - NATURAL GROUND LEVEL
 - PHOTOVOLTAIC PANELS
 - RENDERED MASONRY WALL
 - GLASS SKYLIGHT
 - TENNIS COURT LIGHT
 - WINDOWS WITH POWERGLAZ FINISH

- SCHEDULE OF BASIC COMMITMENTS**
- WATER COMMITMENTS**
ALTERNATIVE WATER
- THE APPLICANT MUST INSTALL A RAINWATER TANK OF AT LEAST 1700 LITRES ON THE SITE. THIS RAINWATER TANK MUST SILENT 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 90 CUBIC METRES.
- THE SWIMMING POOL MUST BE OUTDOORS.
- THE SPA MUST NOT HAVE A VOLUME GREATER THAN 90 CUBIC METRES.
- THERMAL COMFORT COMMITMENTS**
SIMULATION METHOD
- THE APPLICANT MUST SHOW ON THE PLANS ACCOMPANYING THE DEVELOPMENT APPLICATION FOR THE PROPOSED DEVELOPMENT ALL MATTERS WHICH THE ASSISOR CERTIFICATE REQUIRES TO BE SHOWN ON THOSE PLANS. THOSE PLANS MUST BEAR A STAMP OF ENDORSEMENT FROM THE ACCREDITED ASSISOR TO CERTIFY THAT THIS IS THE CASE. THE APPLICANT MUST SHOW ON THE PLANS ACCOMPANYING THE APPLICATION FOR A CONSTRUCTION CERTIFICATE OR COMPLYING DEVELOPMENT CERTIFICATE, IF APPLICABLE, ALL THERMAL PERFORMANCE SPECIFICATIONS SET OUT IN THE ASSISOR 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.
- | FLOOR AND WALL CONSTRUCTION | U-VALUE |
|---------------------------------|----------------------------|
| FLOOR - SUSPENDED CONCRETE SLAB | 0.10 OR PART OF FLOOR SLAB |
- ENERGY COMMITMENTS**
HOT WATER
- THE APPLICANT MUST INSTALL THE FOLLOWING HOT WATER SYSTEM IN THE DEVELOPMENT OR A SYSTEM WITH A HIGHER ENERGY RATING (AS INSTANTANEOUS WITH A PERFORMANCE OF 3 STARS).
NATURAL LIGHTING
- THE APPLICANT MUST INSTALL A WINDOW AND/OR SKYLIGHT IN THE INTERIOR OF THE DWELLING FOR NATURAL LIGHTING.
- THE APPLICANT MUST INSTALL A WINDOW AND/OR SKYLIGHT IN 2 BATHROOMS/TUBS IN THE DEVELOPMENT FOR NATURAL LIGHTING ALTERNATIVE ENERGY
- THE APPLICANT MUST INSTALL PHOTOVOLTAIC SYSTEM WITH THE CAPACITY TO GENERATE AT LEAST 4 KWAC AS PART OF THE DEVELOPMENT AS PART OF THE DEVELOPMENT. THE APPLICANT MUST CONNECT THIS SYSTEM TO THE DEVELOPMENT'S ELECTRICAL SYSTEM.

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C	16.08.19	ISSUE FOR DEVELOPMENT APPLICATION
B	07.08.19	ISSUE FOR COORDINATION
A	02.08.19	ISSUE FOR COORDINATION

ISSUE FOR DEVELOPMENT APPLICATION

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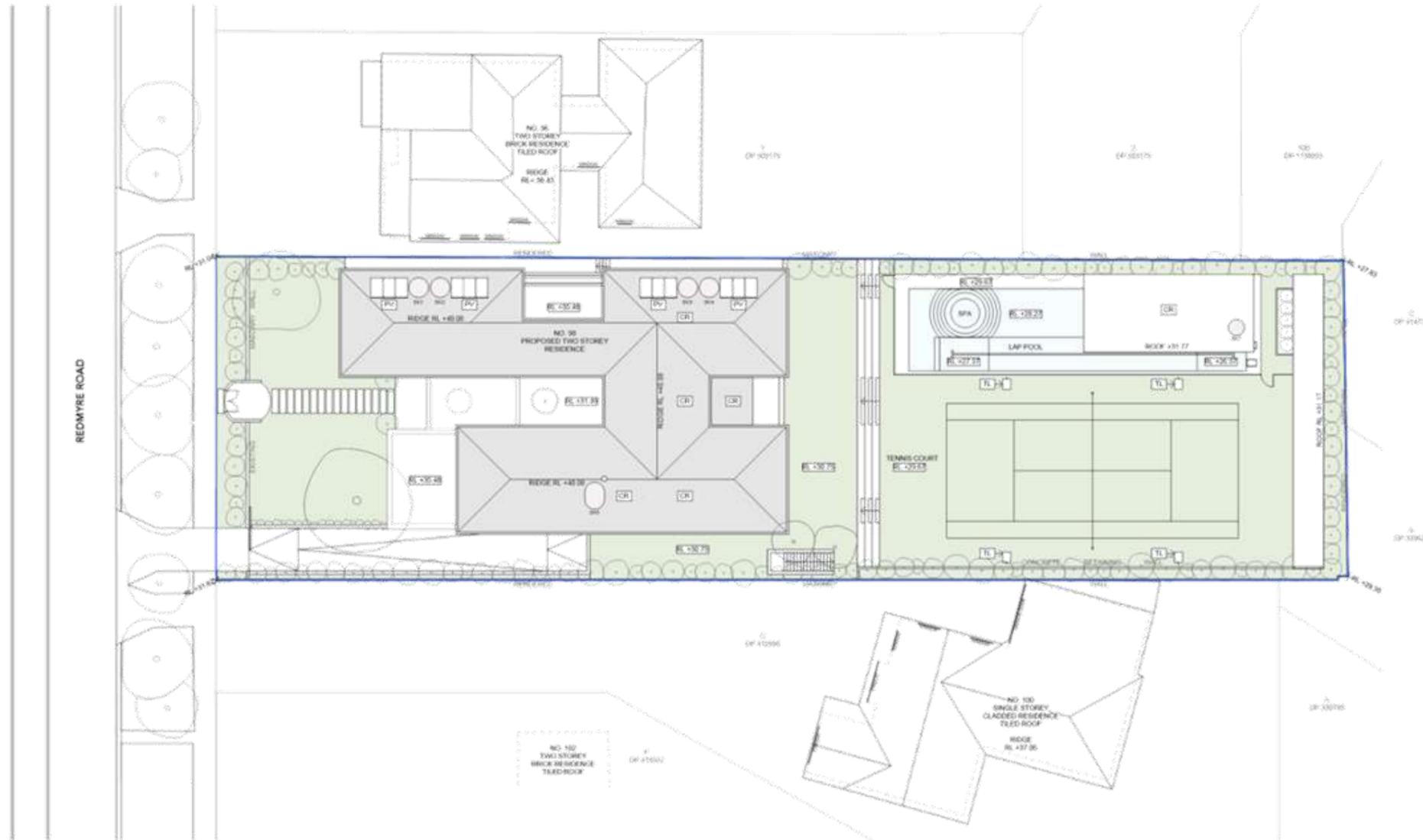
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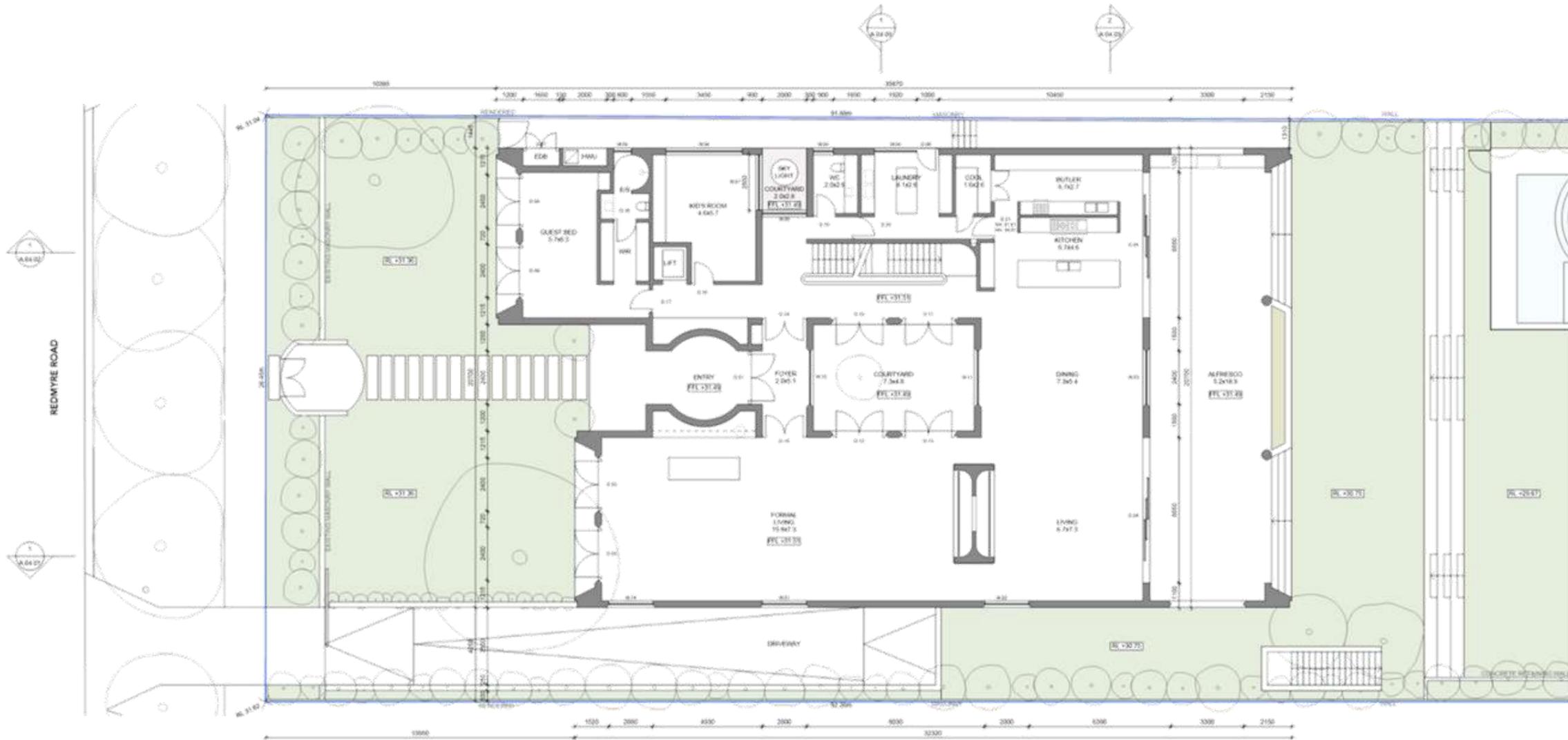



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LEGEND
— LINE OF PROPERTY BOUNDARY



REV	DATE	DESCRIPTION
F	13.11.19	ISSUE FOR DEVELOPMENT APPLICATION
E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
D	05.09.19	ISSUE FOR DEVELOPMENT APPLICATION
C	16.08.19	ISSUE FOR DEVELOPMENT APPLICATION
B	07.08.19	ISSUE FOR COORDINATION
A	02.08.19	ISSUE FOR COORDINATION

ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
GROUND FLOOR PLAN: FRONT

PROJECT NO: 19-63 DATE: 02.08.2019 SCALE: 1:100 @ A1

DRAWING NUMBER: A.02.01 REVISION: F

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ACME
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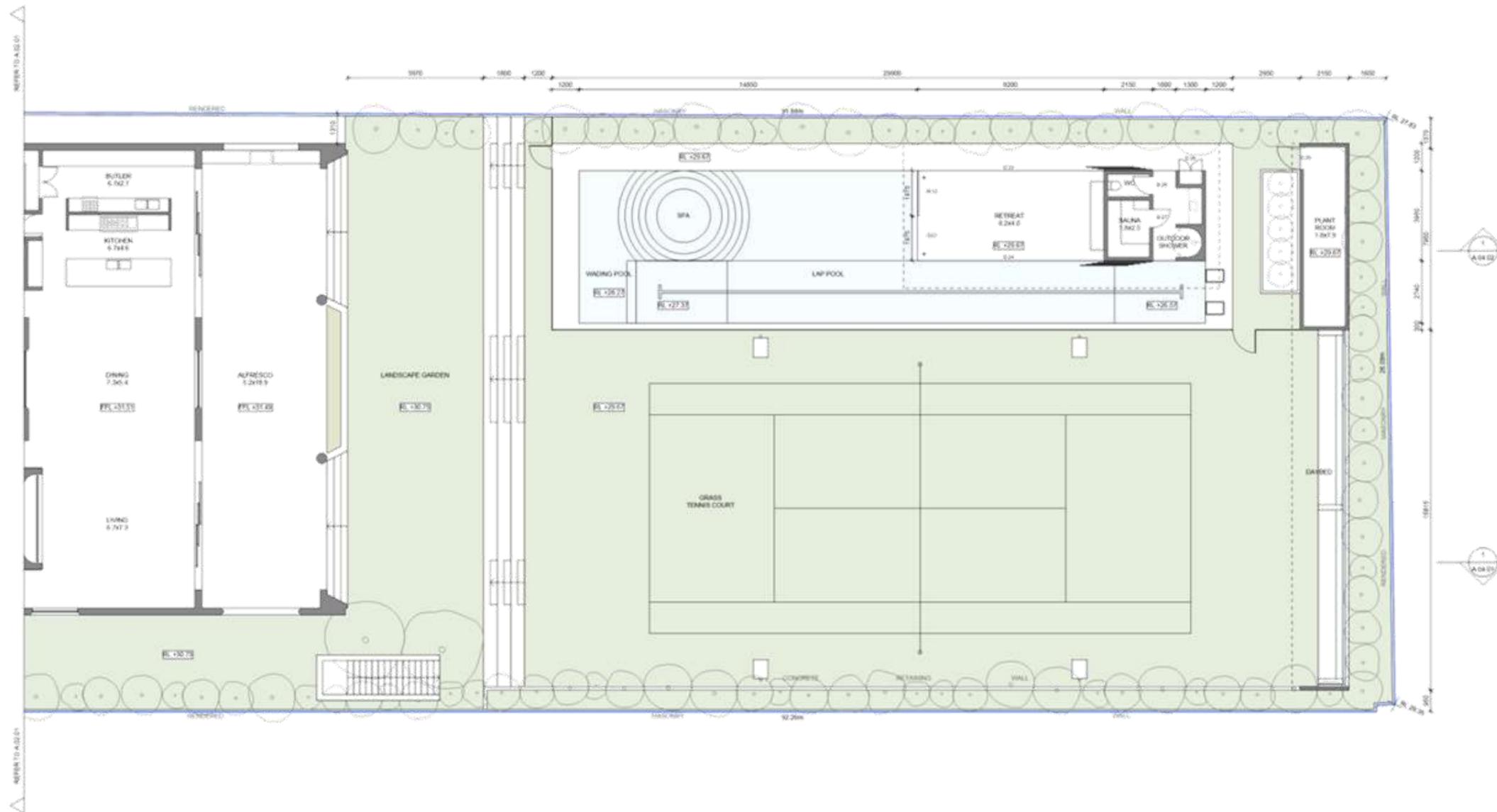


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17 November 2019**

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LEGEND
— LINE OF PROPERTY BOUNDARY



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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
GROUND FLOOR PLAN: REAR

PROJECT NO.	DATE	SCALE
19:63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.02.02	F

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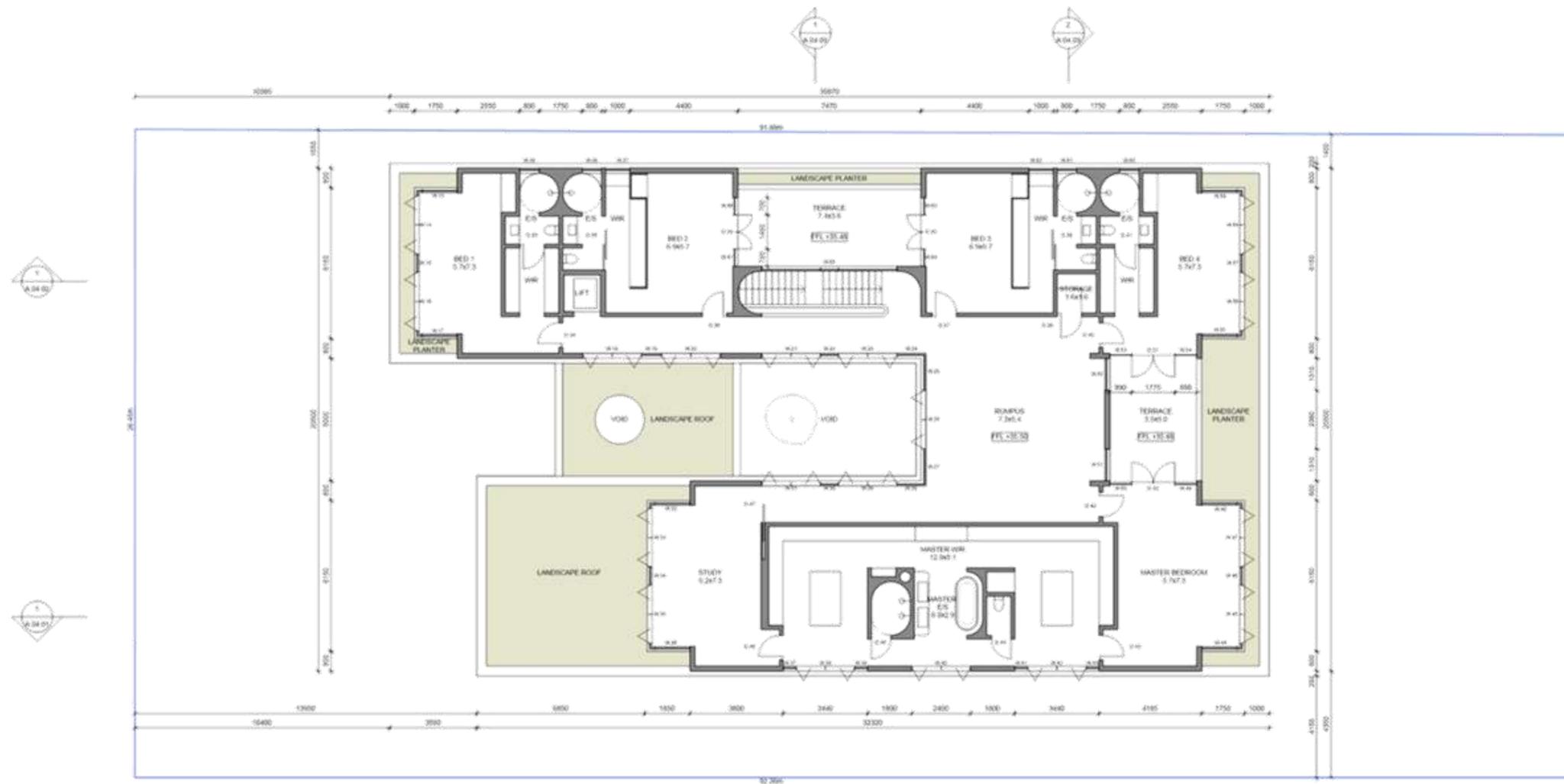


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LEGEND
— LINE OF PROPERTY BOUNDARY



REV	DATE	DESCRIPTION
E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
D	05.09.19	ISSUE FOR DEVELOPMENT APPLICATION
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A	02.08.19	ISSUE FOR COORDINATION

ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
FIRST FLOOR PLAN

PROJECT NO.	DATE	SCALE
19:63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.02.03	E

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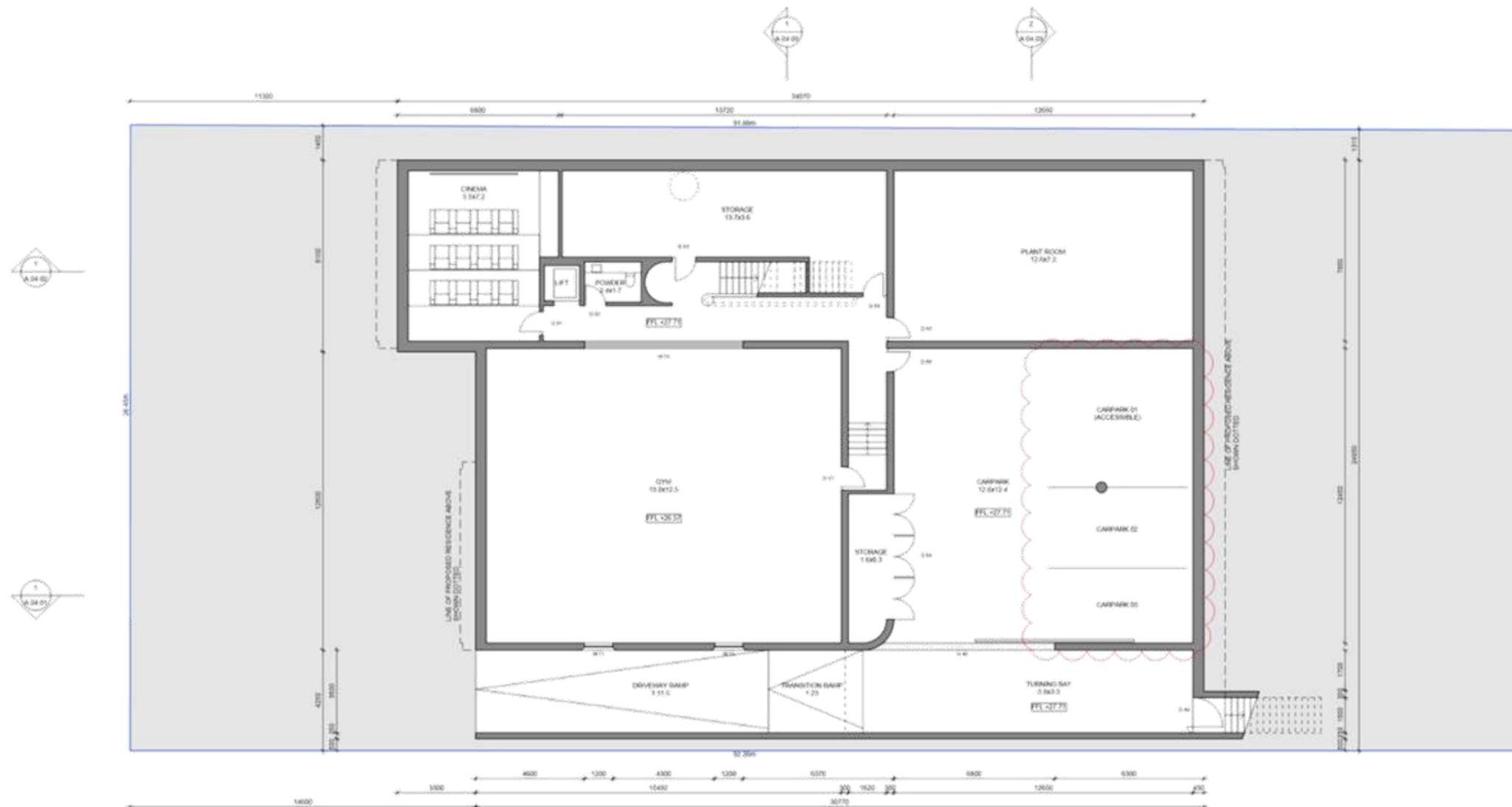


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LEGEND
— LINE OF PROPERTY BOUNDARY



REV	DATE	DESCRIPTION
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E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
D	06.09.19	ISSUE FOR DEVELOPMENT APPLICATION
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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
BASEMENT PLAN

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.02.04	F

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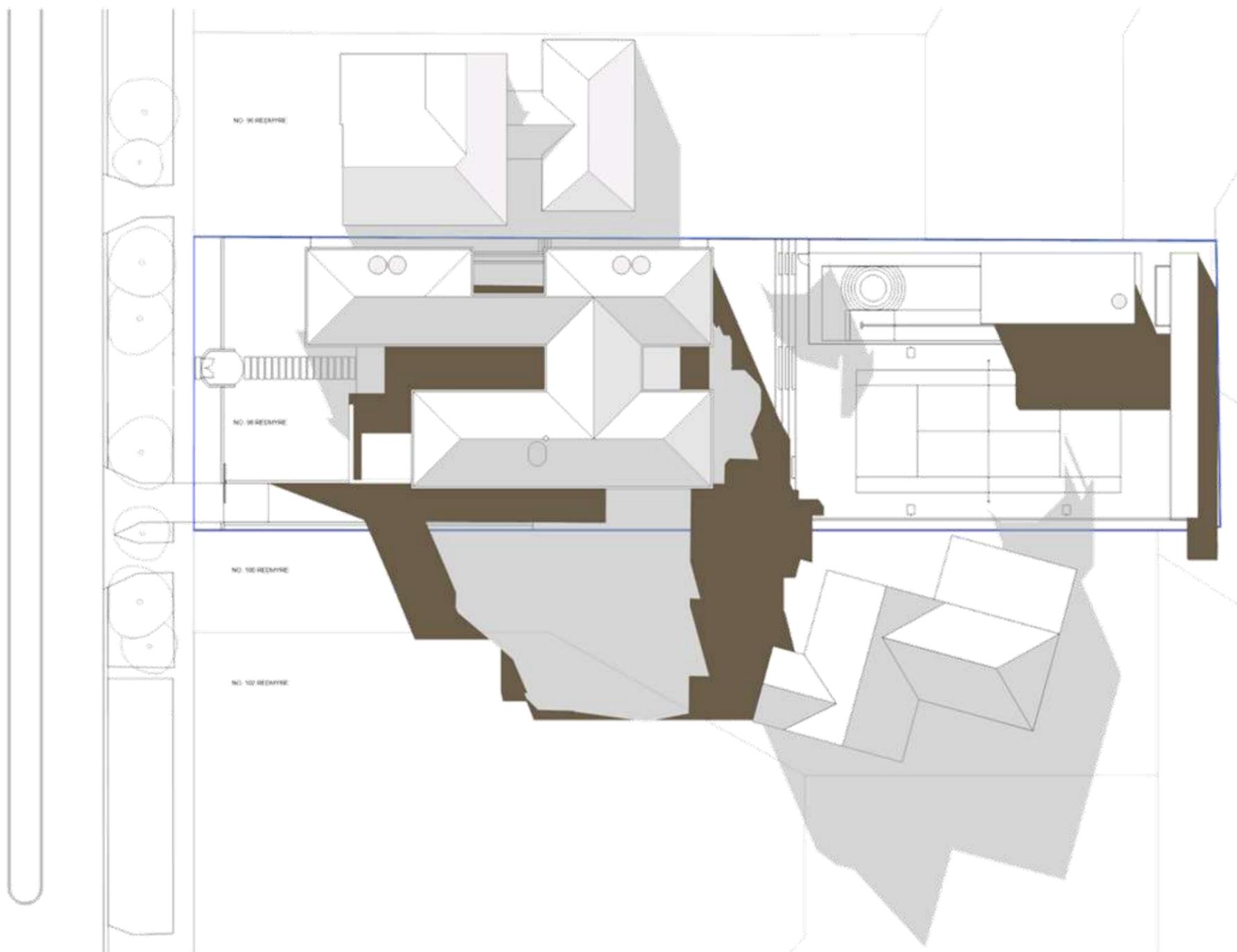
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LEGEND
— LINE OF PROPERTY BOUNDARY
■ SHADOW OF EXISTING BUILDINGS
■ SHADOW OF PROPOSED BUILDINGS



REV	DATE	DESCRIPTION
D	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
C	05.08.19	ISSUE FOR DEVELOPMENT APPLICATION
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A	02.08.19	ISSUE FOR COORDINATION

ISSUE
FOR DEVELOPMENT APPLICATION

PROJECT
**STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD**

DRAWING
SHADOW DIAGRAM: 09:00AM JUNE 22

PROJECT NO.	DATE	SCALE
19:63	02.08.2019	1:200 @ A1

DRAWING NUMBER	REVISION
A.02.05	D

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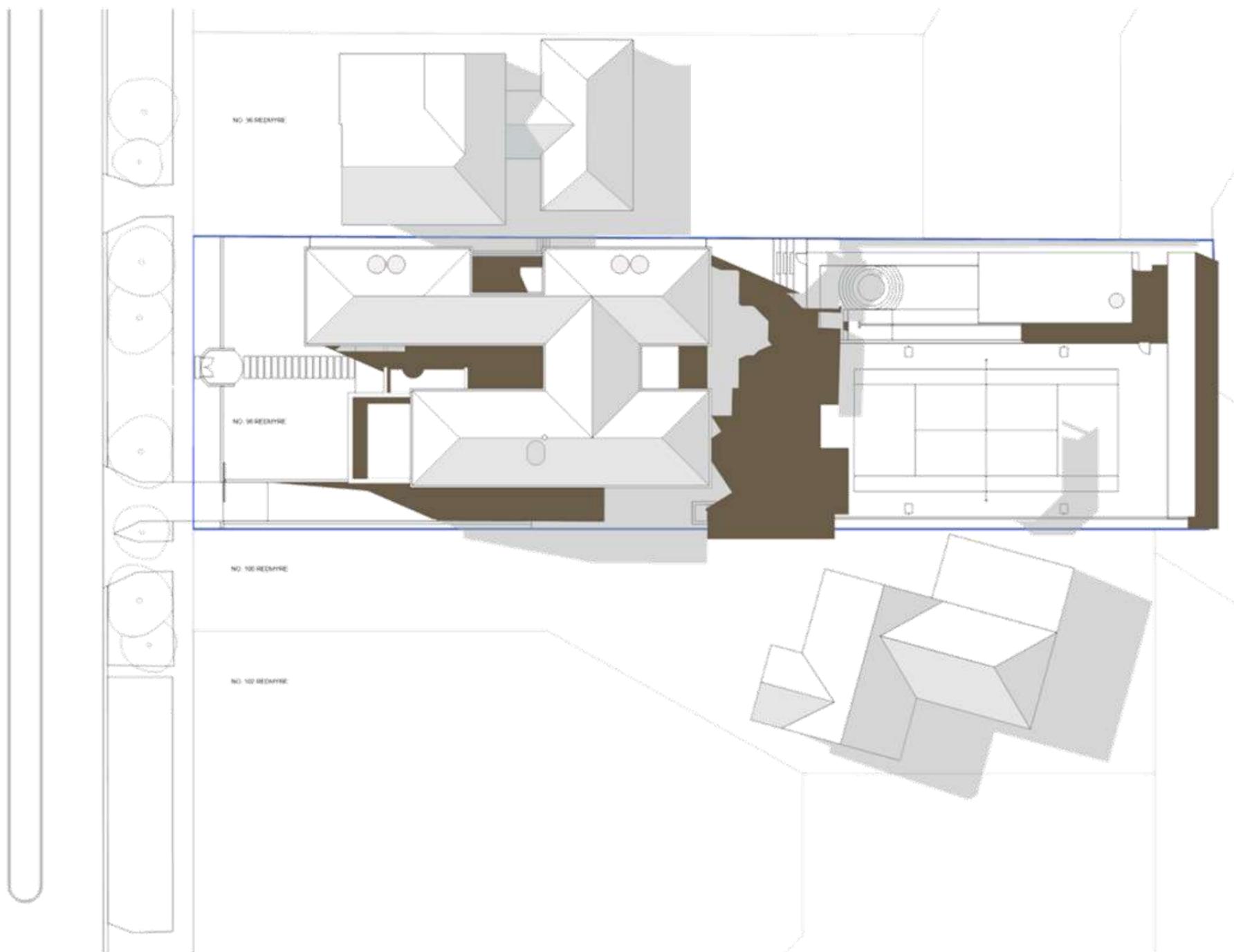
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LEGEND

- LINE OF PROPERTY BOUNDARY
- SHADOW OF EXISTING BUILDINGS
- SHADOW OF PROPOSED BUILDINGS



REV	DATE	DESCRIPTION
D	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
C	05.08.19	ISSUE FOR DEVELOPMENT APPLICATION
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**ISSUE
FOR DEVELOPMENT APPLICATION**

**PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD**

**DRAWING
SHADOW DIAGRAM: 12:00PM JUNE 22**

PROJECT NO.	DATE	SCALE
19:63	02.08.2019	1:200 @ A1

DRAWING NUMBER	REVISION
A.02.06	D

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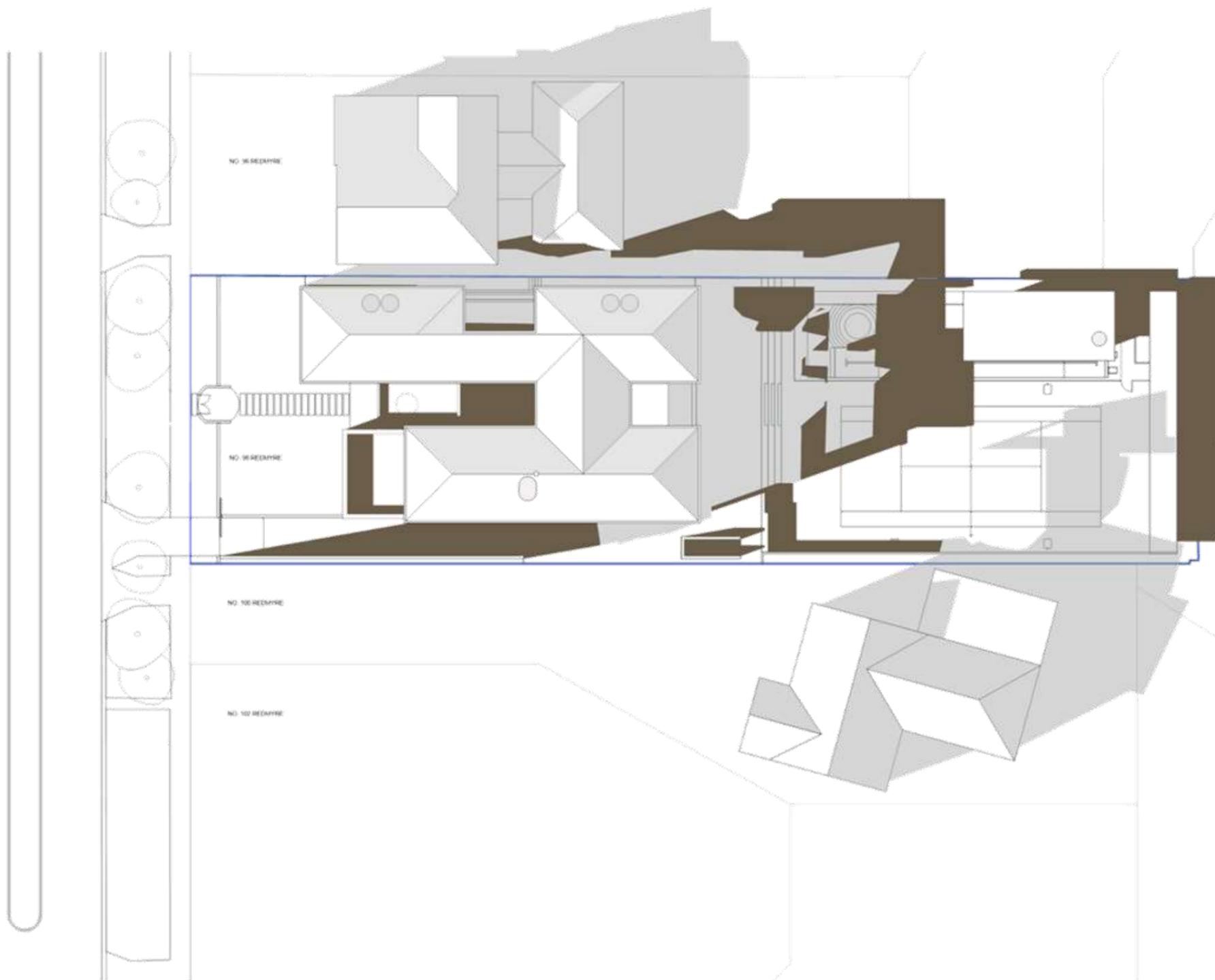
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LEGEND

- LINE OF PROPERTY BOUNDARY
- SHADOW OF EXISTING BUILDINGS
- SHADOW OF PROPOSED BUILDINGS



REV	DATE	DESCRIPTION
D	26.10.19	ISSUE FOR DEVELOPMENT APPLICATION
C	05.08.19	ISSUE FOR DEVELOPMENT APPLICATION
B	16.08.19	ISSUE FOR DEVELOPMENT APPLICATION
A	02.08.19	ISSUE FOR COORDINATION

**ISSUE
FOR DEVELOPMENT APPLICATION**

**PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD**

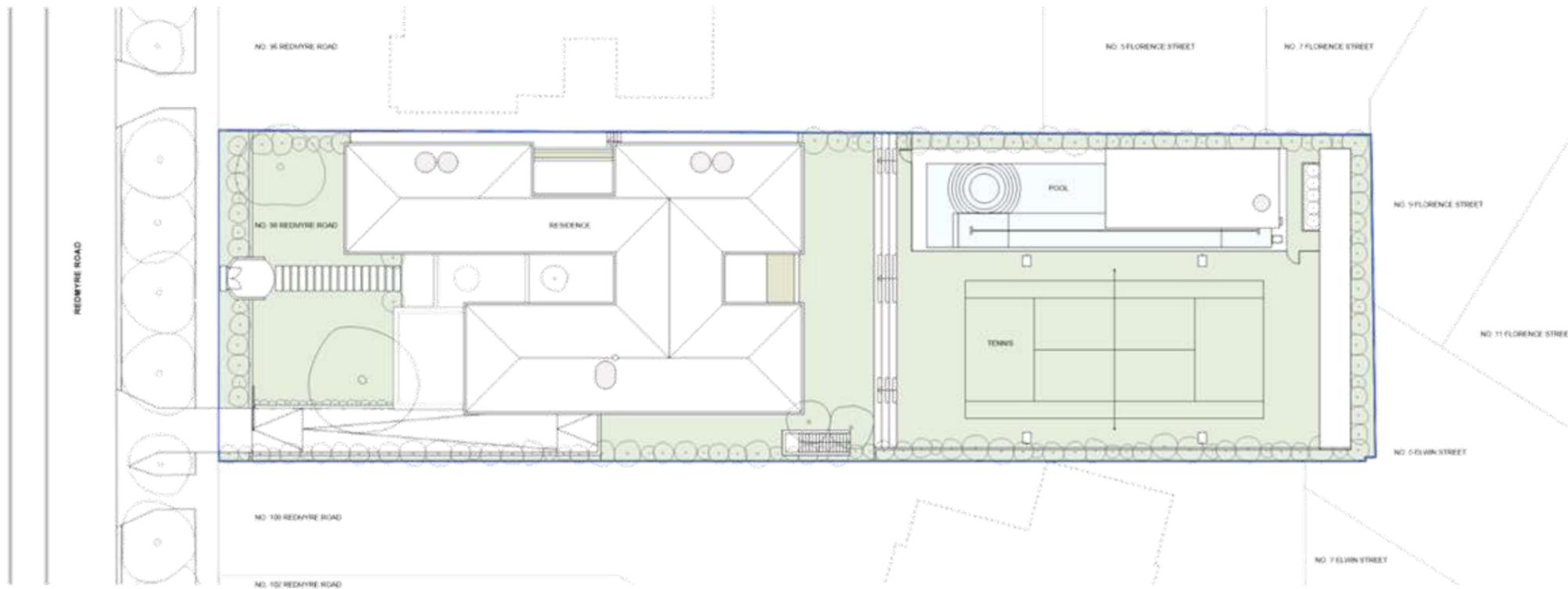
**DRAWING
SHADOW DIAGRAM: 03:00PM JUNE 22**

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:200 @ A1

DRAWING NUMBER	REVISION
A.02.07	D

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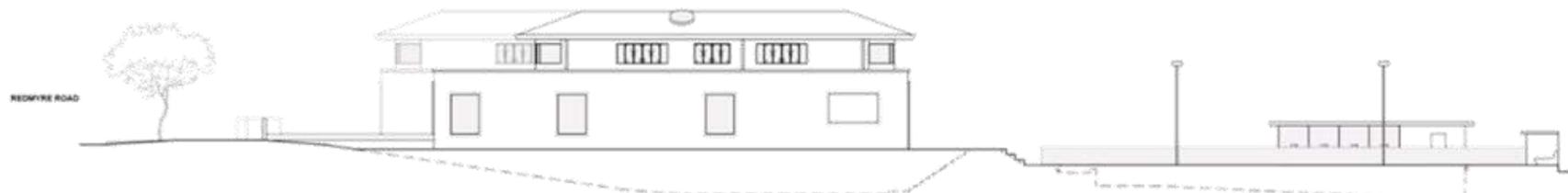




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LEGEND

1 PROPOSED SITE PLAN



2 PROPOSED WEST ELEVATION



3 PROPOSED EAST ELEVATION



4 PROPOSED NORTH ELEVATION REDMYRE ROAD



5 PROPOSED SOUTH ELEVATION

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**DA2019/148
 17 November 2019**

REV	DATE	DESCRIPTION
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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
 STRATHFIELD RESIDENCE
 96 REDMYRE ROAD, STRATHFIELD

DRAWING
 NOTIFICATION PLAN

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:200 @ A1

DRAWING NUMBER	REVISION
A.02.08	E

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- LEGEND**
-  CONCRETE DRIVEWAY
 -  COPPER DOWNPIPE
 -  COPPER ROOF
 -  DOORS WITH POWDERCOAT FINISH
 -  EXISTING MASONRY FENCE MODIFIED
 -  GLASS BALUSTRADE
 -  LANDSCAPE
 -  METAL GATE
 -  NATURAL GROUND LEVEL
 -  PHOTOVOLTAIC PANELS
 -  RENDERED MASONRY WALL
 -  GLASS SKYLIGHT
 -  TENNIS COURT LIGHT
 -  WINDOWS WITH POWDERCOAT FINISH



REV	DATE	DESCRIPTION
E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
D	05.09.19	ISSUE FOR DEVELOPMENT APPLICATION
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A	02.06.19	ISSUE FOR COORDINATION

FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
ELEVATIONS: STREETScape: REDMYRE ROAD

PROJECT NO.	DATE	SCALE
19:63	02.08.2019	1:100 @ A1

DRAWING NUMBER **A.03.01** **REVISION** **E**

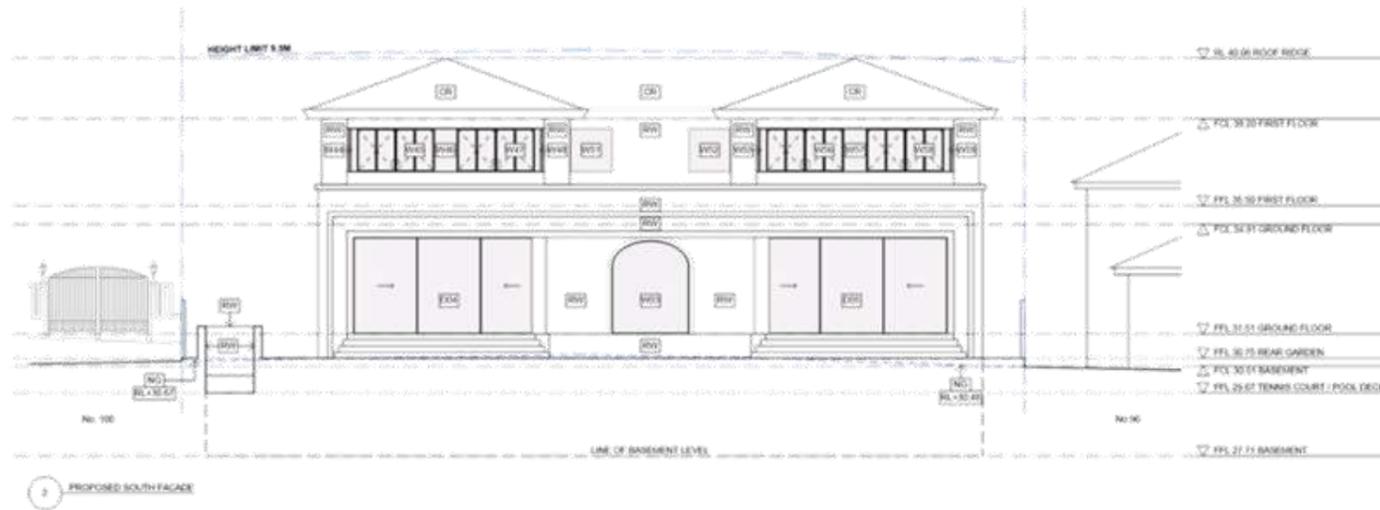
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- LEGEND**
- CONCRETE DRIVEWAY
 - COPPER DOWN PIPE
 - COPPER ROOF
 - DOORS WITH POWDERCOAT FINISH
 - EXISTING MASONRY FENCE MODIFIED
 - GLASS BALUSTRADE
 - LANDSCAPE
 - METAL GATE
 - NATURAL GROUND LEVEL
 - PHOTOVOLTAIC PANELS
 - RENDERED MASONRY WALL
 - GLASS SKYLIGHT
 - TENNIS COURT LIGHT
 - WINDOWS WITH POWDERCOAT FINISH



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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
ELEVATIONS: NORTH + SOUTH

PROJECT NO.	DATE	SCALE
19:63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.03.02	F

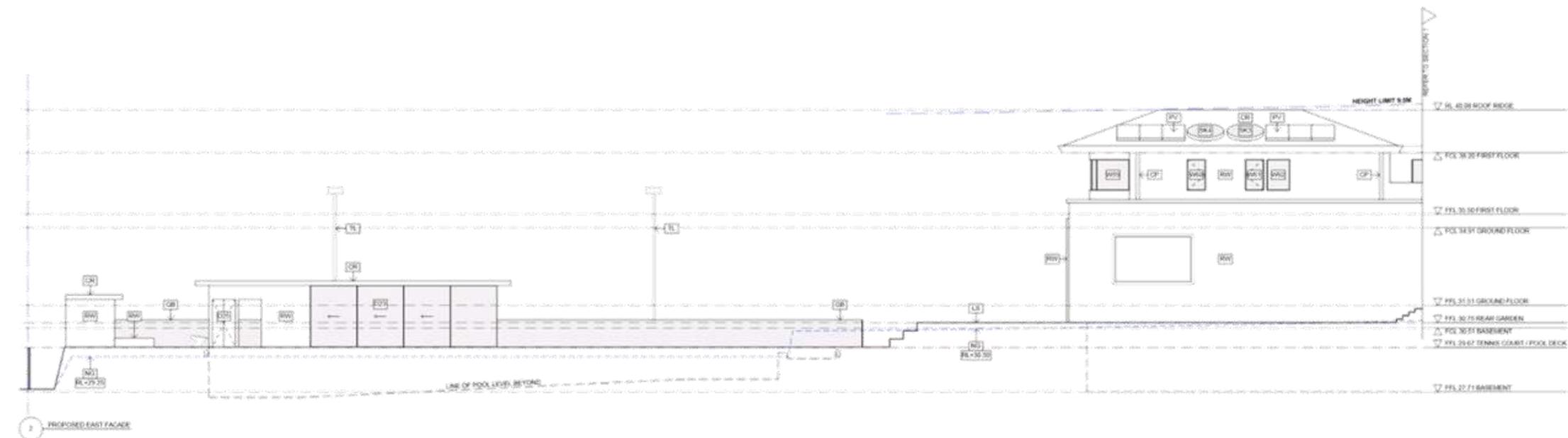
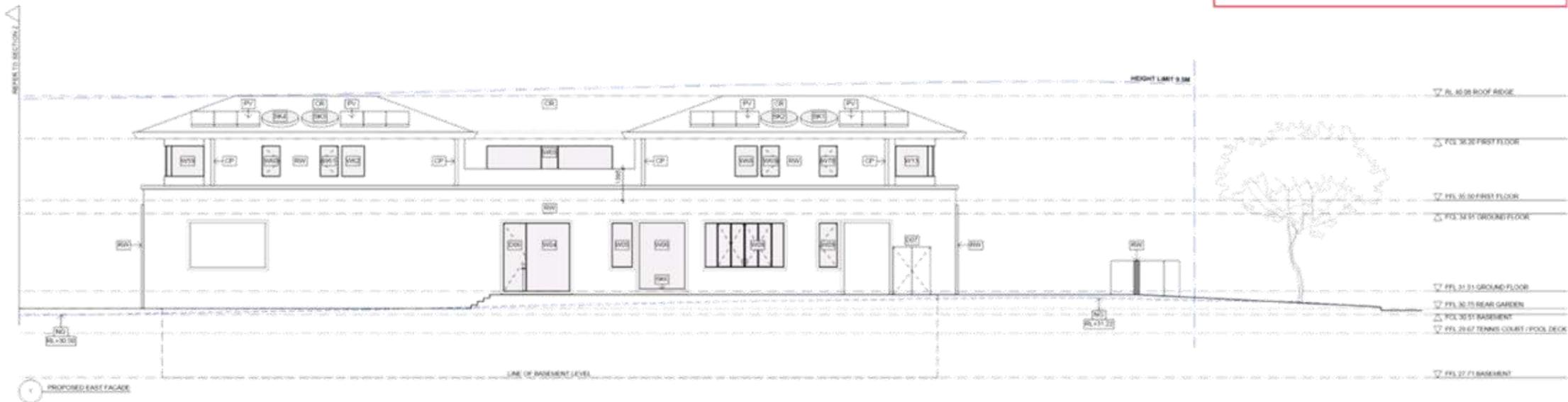
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- LEGEND**
- CONCRETE DRIVEWAY
 - COPPER DOWN PIPE
 - CORNER ROOF
 - DOORS WITH POWDERCOAT FINISH
 - EXISTING MASONRY FENCE MODIFIED
 - GLASS BALUSTRADE
 - LANDSCAPE
 - METAL GATE
 - NATURAL GROUND LEVEL
 - PHOTOVOLTAIC PANELS
 - RENDERED MASONRY WALL
 - GLASS SKYLIGHT
 - TENNIS COURT LIGHT
 - WINDOWS WITH POWDERCOAT FINISH



REV	DATE	DESCRIPTION
F	13.11.19	ISSUE FOR DEVELOPMENT APPLICATION
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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
ELEVATIONS: EAST

PROJECT NO.	DATE	SCALE
19:63	08.02.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.03.03	F

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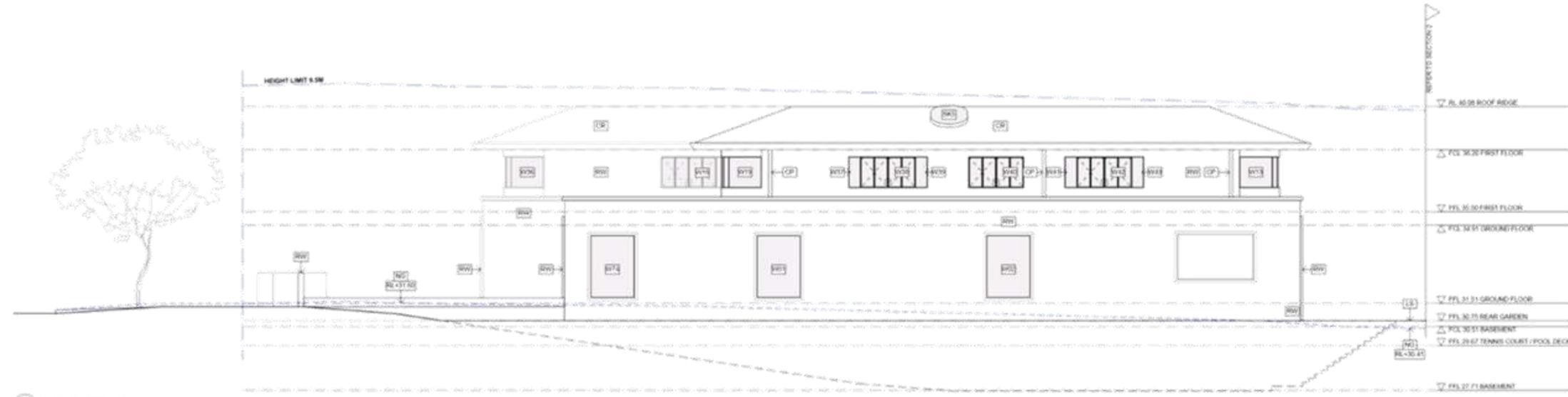


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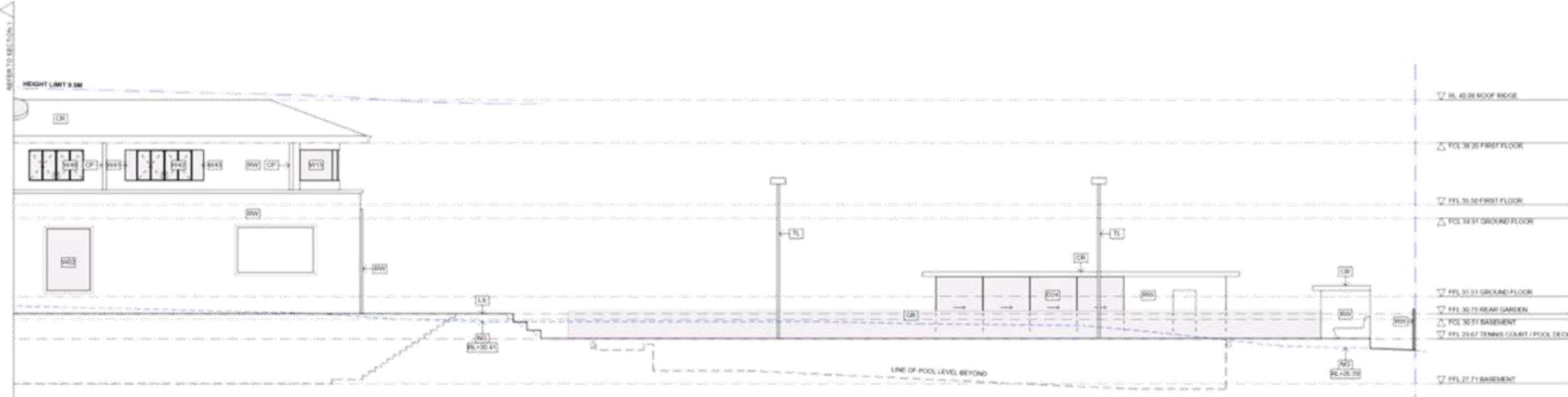
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- LEGEND**
- CONCRETE DRIVEWAY
 - COPPER DOWN PIPE
 - COPPER ROOF
 - DOORS WITH POWDERCOAT FINISH
 - EXISTING MASONRY FENCE MODIFIED
 - GLASS BALUSTRADE
 - LANDSCAPE
 - METAL GATE
 - NATURAL GROUND LEVEL
 - PHOTOVOLTAIC PANELS
 - RENDERED MASONRY WALL
 - GLASS SKYLIGHT
 - TENNIS COURT LIGHT
 - WINDOWS WITH POWDERCOAT FINISH



1 PROPOSED WEST FACADE



2 PROPOSED WEST FACADE

REV	DATE	DESCRIPTION
F	13.11.19	ISSUE FOR DEVELOPMENT APPLICATION
E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
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PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
ELEVATIONS: WEST

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.03.04	F

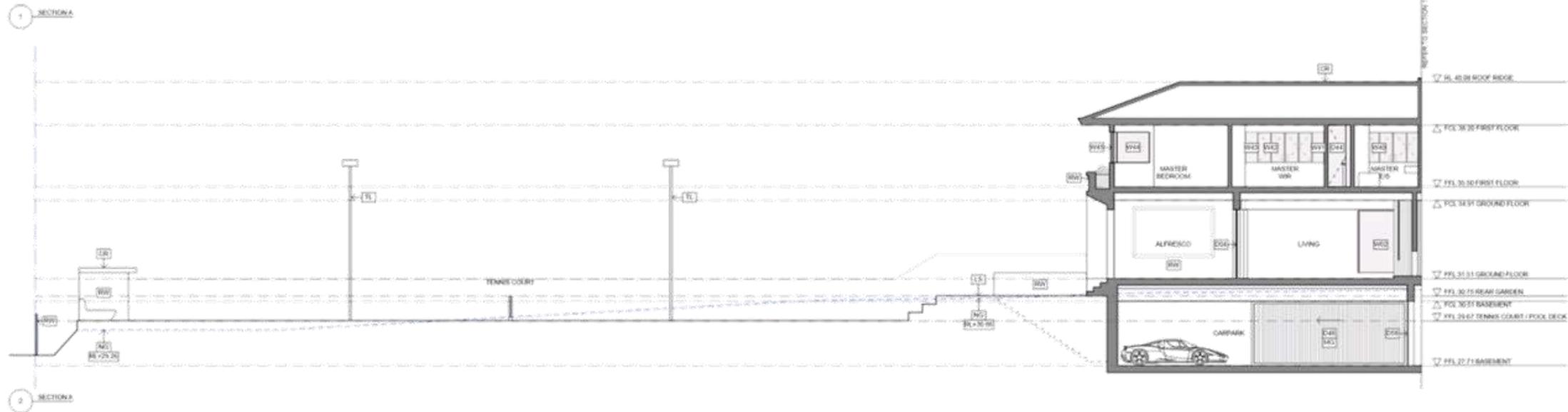
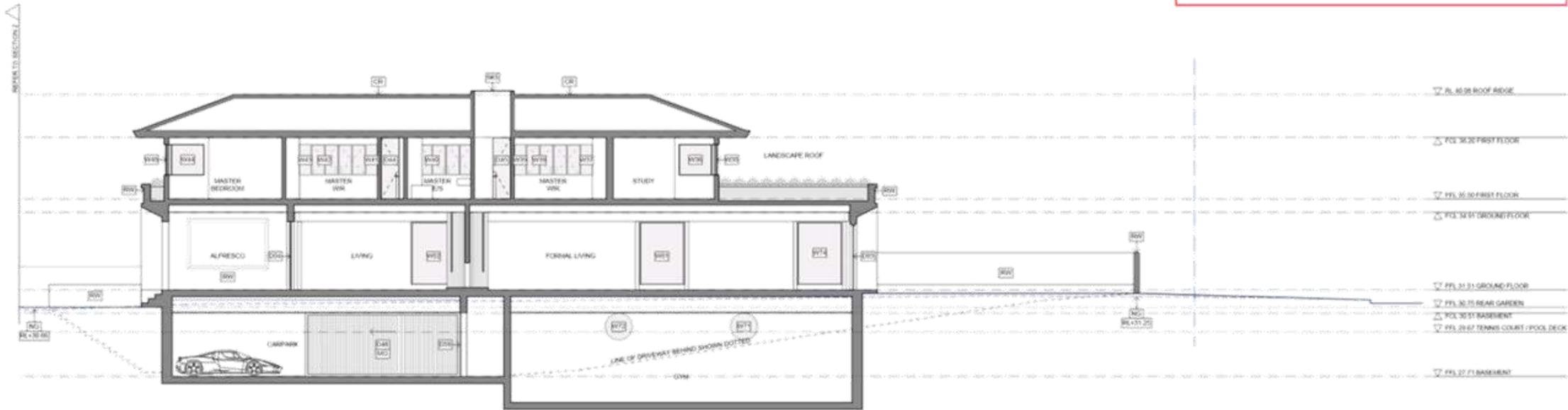
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- LEGEND**
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 - CORNER ROOF
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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
SECTION A

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.04.01	F

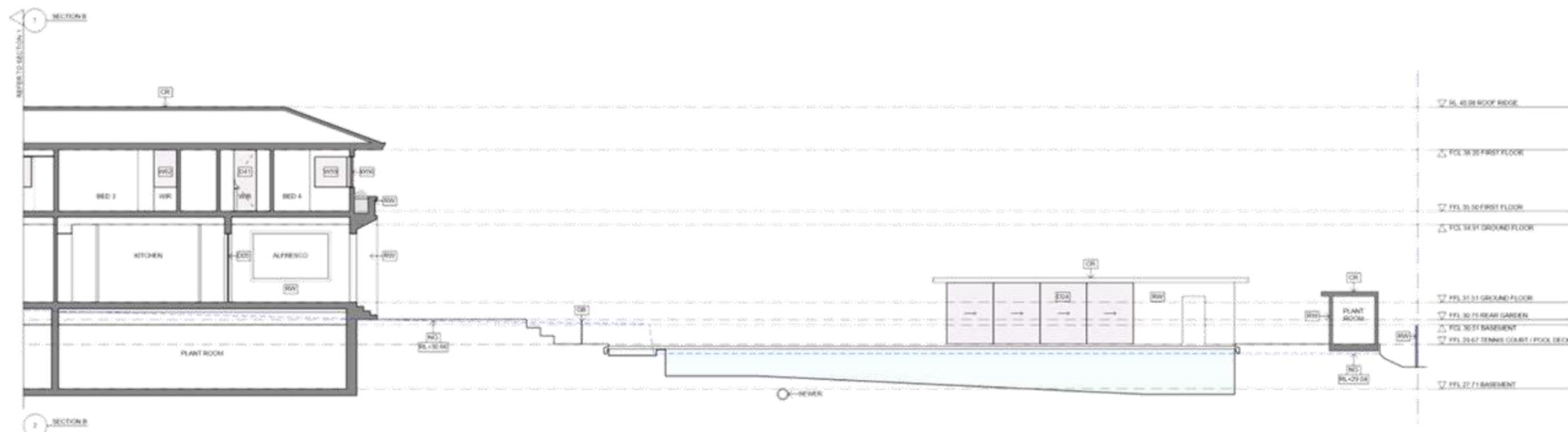
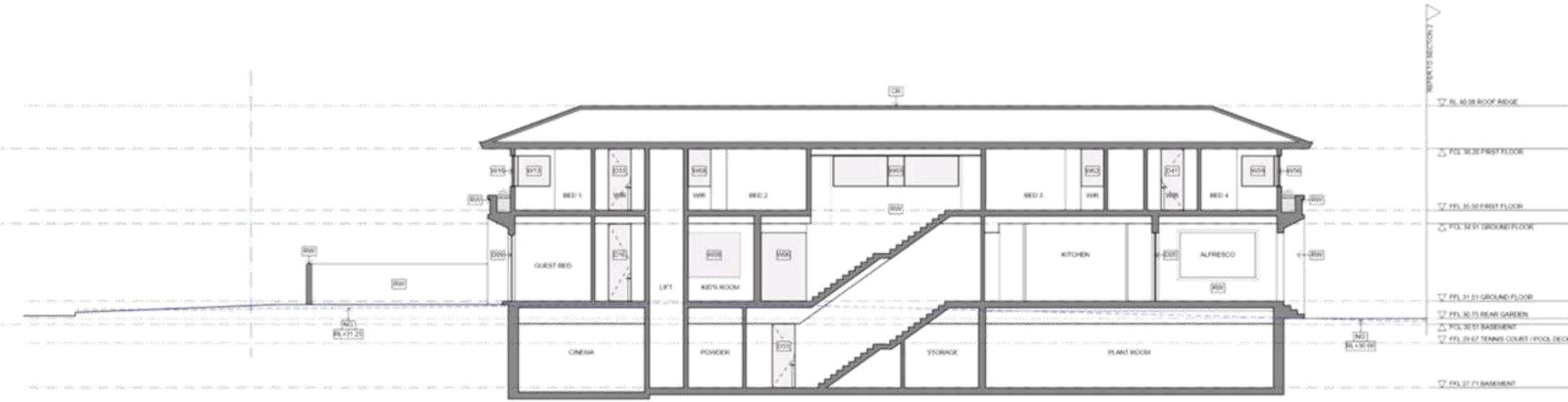
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- LEGEND**
- CONCRETE DRIVEWAY
 - COPPER DOWN PIPE
 - COPPER ROOF
 - DOORS WITH POWDERCOAT FINISH
 - EXISTING MASONRY FENCE MODIFIED
 - GLASS BALUSTRADE
 - LANDSCAPE
 - METAL GATE
 - NATURAL GROUND LEVEL
 - PHOTOVOLTAIC PANELS
 - RENDERED MASONRY WALL
 - GLASS SKYLIGHT
 - TENNIS COURT LIGHT
 - WINDOWS WITH POWDERCOAT FINISH



REV	DATE	DESCRIPTION
F	13.11.19	ISSUE FOR DEVELOPMENT APPLICATION
E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
D	06.09.19	ISSUE FOR DEVELOPMENT APPLICATION
C	16.08.19	ISSUE FOR DEVELOPMENT APPLICATION
B	07.08.19	ISSUE FOR COORDINATION
A	02.08.19	ISSUE FOR COORDINATION

ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
SECTION B

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.04.02	F

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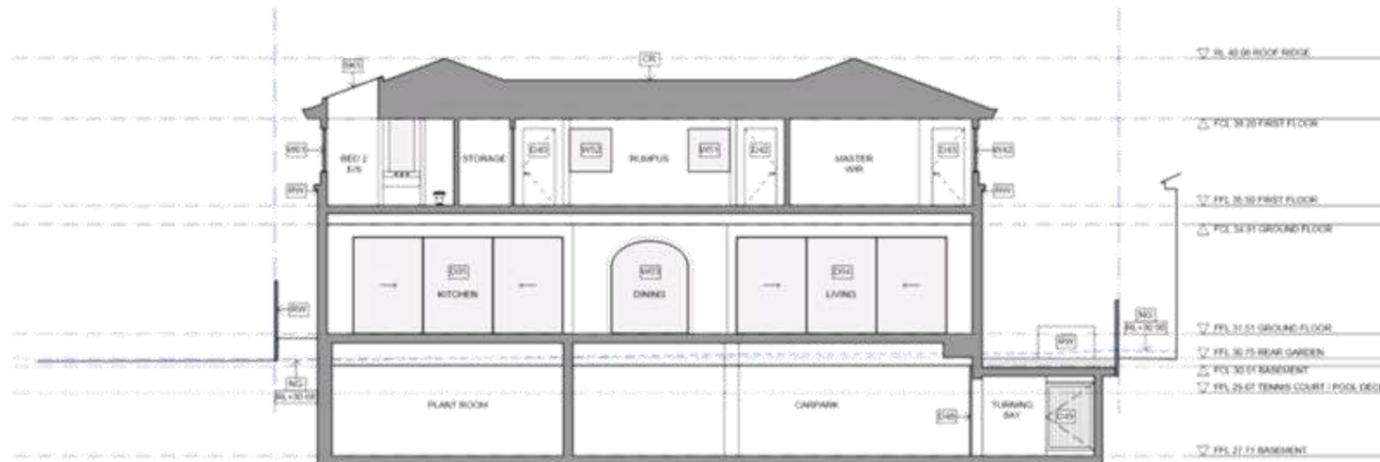
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- LEGEND**
- CONCRETE DRIVEWAY
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1 SECTION C



2 SECTION D

REV	DATE	DESCRIPTION
F	13.11.19	ISSUE FOR DEVELOPMENT APPLICATION
E	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION
D	05.09.19	ISSUE FOR DEVELOPMENT APPLICATION
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B	07.06.19	ISSUE FOR COORDINATION
A	02.08.19	ISSUE FOR COORDINATION

ISSUE FOR DEVELOPMENT APPLICATION

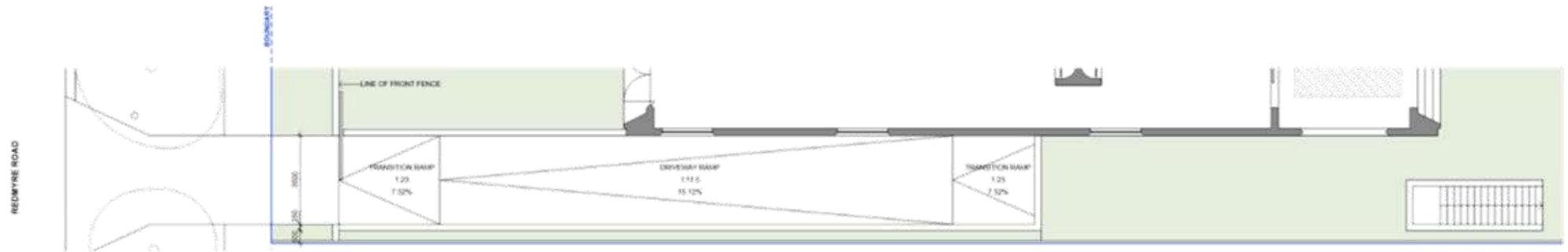
PROJECT
STRATHFIELD RESIDENCE
96 REDMYRE ROAD, STRATHFIELD

DRAWING
SECTION C + D

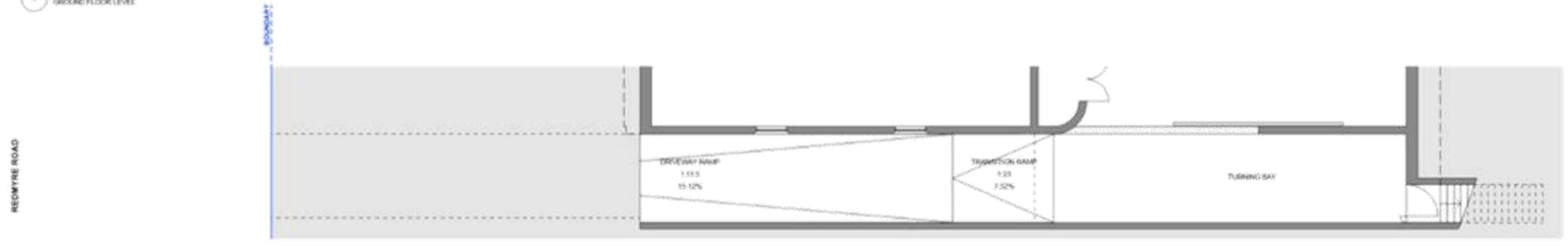
PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:100 @ A1

DRAWING NUMBER	REVISION
A.04.03	F

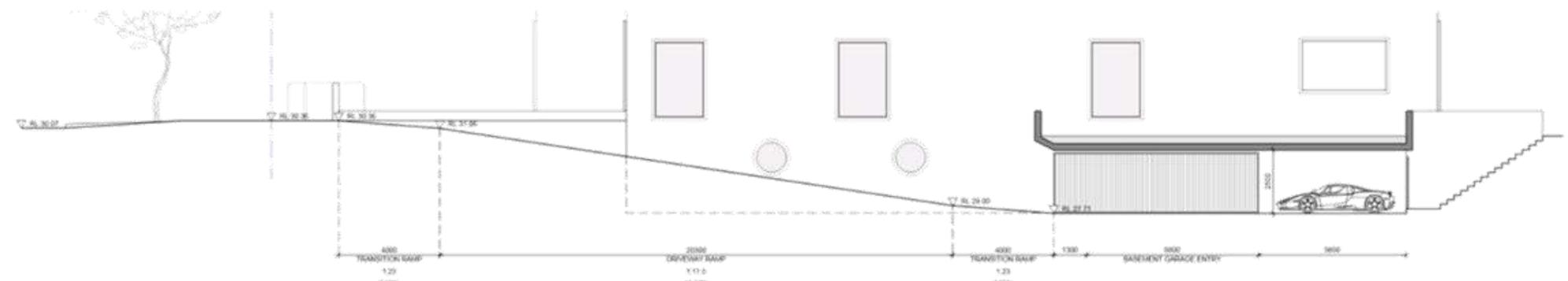
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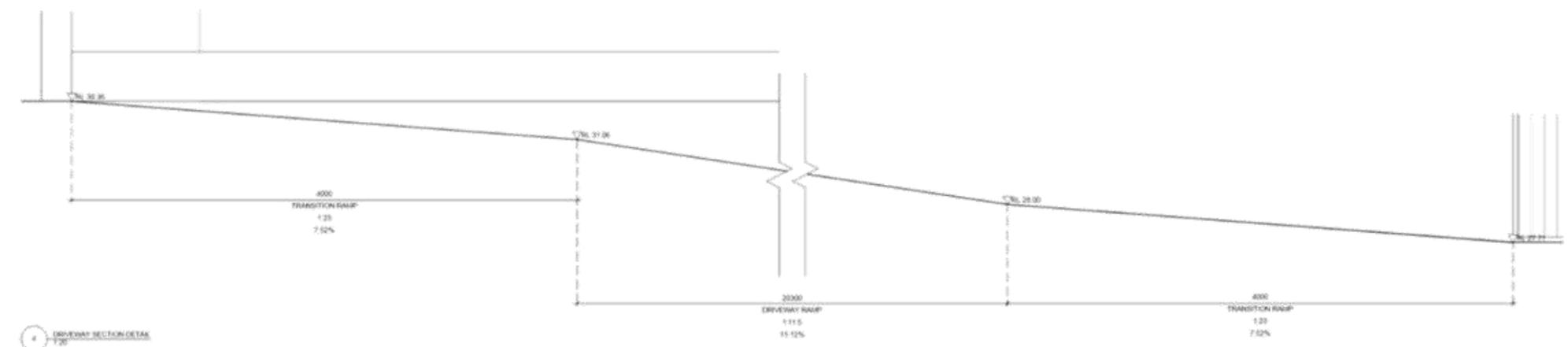
1 DRIVEWAY PLAN (GROUND FLOOR LEVEL)



2 DRIVEWAY PLAN (BASEMENT LEVEL)



3 DRIVEWAY SECTION



4 DRIVEWAY SECTION DETAIL

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LEGEND

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**DA2019/148
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ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
 STRATHFIELD RESIDENCE
 96 REDMYRE ROAD, STRATHFIELD

DRAWING
 SECTION: DRIVEWAY DETAILS

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	1:100 @ A1

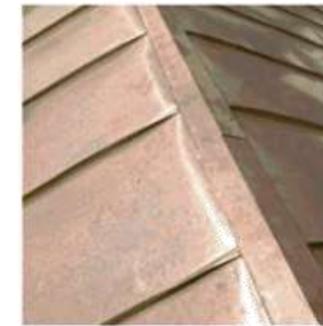
DRAWING NUMBER	REVISION
A.04.04	D

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LEGEND



COPPER ROOF
 STANDING SEAM DETAIL
 PRE-PATINATED BRUSSETT COLOUR OR SIMILAR



RENDERED MASONRY WALL
 BRICK-LIKE FINISH
 WITH OFF-WHITE / CREAM POINT OR SIMILAR



DOORS / WINDOWS / METAL GATES
 POWDERCOAT FINISH
 DUAL BLACK HANMER OR SIMILAR

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REV	DATE	DESCRIPTION
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**ISSUE
 FOR DEVELOPMENT APPLICATION**

PROJECT
 STRATHFIELD RESIDENCE
 96 REDMYRE ROAD, STRATHFIELD

DRAWING
 EXTERNAL MATERIAL FINISHES

PROJECT NO.	DATE	SCALE
19-63	02.08.2019	- @ A1

DRAWING NUMBER	REVISION
A.05.01	D

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LEGEND



1 REDMYRE ELEVATION
EXISTING DA SUBMISSION 28/10/2019



2 REDMYRE ELEVATION
PROPOSED DA SUBMISSION 28/10/2019

REV	DATE	DESCRIPTION
A	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION

ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
98 REDMYRE ROAD, STRATHFIELD

DRAWING
EXTERNAL VIEWS

PROJECT NO.	DATE	SCALE
19/63	28.10.2019	- @ A1

DRAWING NUMBER	REVISION
A.05.02	A

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LEGEND



1 WESTERN ELEVATION
EXISTING DA SUBMISSION 28/10/2019



2 WESTERN ELEVATION
PROPOSED DA SUBMISSION 28/10/2019

REV	DATE	DESCRIPTION
A	28.10.19	ISSUE FOR DEVELOPMENT APPLICATION

ISSUE FOR DEVELOPMENT APPLICATION

PROJECT
STRATHFIELD RESIDENCE
98 REDMYRE ROAD, STRATHFIELD

EXTERNAL VIEWS

PROJECT NO.	DATE	SCALE
19/63	28.10.2019	- @ A1

DRAWING NUMBER	REVISION
A.05.03	A

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ACME
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46A MACLEAY STREET
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REGISTRATION: 001-COM-AU
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TO: Strathfield Local Planning Panel Meeting - 5 December 2019
REPORT: SLPP – Report No. 4
SUBJECT: DA2019/094- 421 LIVERPOOL ROAD STRATHFIELD
LOT 1 DP 119223
DA NO. DA2019/094

SUMMARY

Proposal: Demolition of existing structures and construction of a three (3) storey new generation boarding house over two (2) basement levels containing thirteen (13) double rooms, six (6) single rooms and manager's accommodation, and landscaping works.

Applicant: Ghazi Al Ali Architect Pty Ltd

Owner: Yehya Adbul Rahman

Date of lodgement: 13 June 2019

Notification period: 25 June to 23 July 2019

Submissions received: Ten (10) including a petition of forty-seven signatories

Assessment officer: PF

Estimated cost of works: \$3,239,133

Zoning: R3 Medium Density Residential - SLEP 2012

- Subject property is not a heritage item or located within a heritage conservation area.
- Located in the vicinity (opposite) of listed items at 416-420 Liverpool Road comprised of 'Former Leigh College including E Vickery Memorial Hall – school' (Item I228) and "Brundah" – Victorian Italianate villa' (Item I229).

Heritage:

Flood affected: No

Is a Clause 4.6 variation proposed? No

RECOMMENDATION OF OFFICER: **CONDITIONAL APPROVAL**

EXECUTIVE SUMMARY

- 1.0 The proposal involves demolition of existing structures and construction of a three (3) storey new generation boarding house over two (2) basement levels containing thirteen (13) double rooms, six (6) single rooms and manager's accommodation, and landscaping works.
- 2.0 New generation boarding houses replace the traditional form of boarding house, being those with shared facilities, with self-contained rooms containing bathroom and kitchen facilities.
- 3.0 The application was notified from 13 June to 23 June 2019 in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005. Ten (10) submissions were received including a petition of forty-seven (47) signatories.

DA2019/094- 421 Liverpool Road Strathfield
LOT 1 DP 119223 (Cont'd)

- 4.0 The main issues raised pertain to safety and security issues resulting from the transient nature of lodgers; amenity impacts to adjoining and surrounding land in terms of privacy (aural and visual), solar access, traffic and parking, and visual intrusion; loss of property value; inconsistency with the character of the local area; increased traffic congestion; and bulk and scale.
- 5.0 On 16 August 2019, an '*Unsatisfactory DA*' letter was issued by the original Assessment Officer, raising a number of issues including concerns raised by the Design Review Panel, bulky appearance of the building, excessive paving within the front setback, inadequate delineation of public and private land by the front fence, lack of articulation along the southern side elevation, non-characteristic roof form, proposed on-street collection of waste, inadequate on-site waste storage provision, inadequate on-site accessible parking provision, internal amenity issues to occupants in terms of air quality and noise, and privacy impacts to neighbouring properties.
- 6.0 Additional information was requested including the submission of amended plans and supporting documents to address the issues raised, submission of a photomontage to show the streetscape context, submission of a Heritage Impact Statement to address the impact of the proposal on listed heritage items opposite the site, revised survey to show the full extent and building envelope of the adjoining properties, revised Acoustic Report, details of ventilation of proposed stove and kitchen facilities, and details of laundry facilities.
- 7.0 Amended plans and revised documents were submitted to Council which satisfactorily address the concerns raised.
- 8.0 The proposed development meets the objectives and requirements for boarding houses under *State Environmental Planning Policy (Affordable Rental Housing) 2009*.
- 9.0 The contemporary boarding house design would not detract from the significance of two (2) heritage listed items located on the opposite side of a six-lane arterial road at 416-420 Liverpool Road.
- 10.0 Concurrence has been obtained from RMS, subject to conditions. General Terms of Approval have been obtained from WaterNSW.
- 11.0 The application was referred internally to Council's Traffic Engineer, Heritage Advisor, Engineer, Trees and Landscaping Officer, and Environmental Health Officer. No objections are raised, subject to recommended conditions of consent.
- 12.0 The proposal complies with the maximum prescribed height under SLEP 2012 and does not exceed the maximum FSR permitted under the ARHSEPP 2009.
- 13.0 The proposed development is suitable to the site and is contextually appropriate in terms of height, bulk and scale, and form. The upper floor has been setback and incorporates a lightweight material of recessive colour and horizontal proportions to ensure a compatible scale with adjoining development.
- 14.0 The replacement of an existing dilapidated dwelling house with a contemporary boarding house would provide diverse and additional affordable housing supply in a manner that is compatible with the character of the local area. The proposal has been skillfully designed to minimise impacts to the adjoining properties in terms of privacy, solar access, and visual intrusion. The revised scheme reduces the actual and perceived bulk of the development through the modified roof profile, reduced driveway width, increased deep soil landscaped area within the front setback, and improved articulation and pavilion style presentation to the side elevations.

DA2019/094- 421 Liverpool Road Strathfield
 LOT 1 DP 119223 (Cont'd)

15.0 The application is recommended for approval, subject to conditions.

BACKGROUND

Application history

16 August 2019 – Unsatisfactory DA letter

(a) Design Review Panel

- *The proposed development is not compatible with the prevailing pattern and character of the area in regards to side setbacks and orientation of outlook/ ensuing relationships with adjoining buildings (as required by Clause 30A of the SEPP (Affordable Rental Housing) 2009*
- *The proposal is an overdevelopment of the site and a significant reduction in lodging room yield and commensurate car parking requirement would be required in order to create acceptable fit with context and amenity for residents*
- *The minimal building setback to the north-eastern side boundary results in an unacceptable relationship with the existing multi-dwelling housing development to the north. This inadequate side setback and resulting poor amenity is proposed to be addressed by extensive privacy screens along the north-eastern elevation to single aspect self-contained rooms which would have poor cross ventilation, minimal solar access and effectively non-existent outlook.*
- *The access gallery along the south-western edge of the building is setback 1.2 from the side boundary and its use will result in visual and acoustic privacy impacts on the adjoining property*
- *BCA fire separation requirements have not been considered and the required fire protection measures would further impact on amenity in terms of light and ventilation for these rooms*
- *The submitted Acoustic Report confirms that south facing external opening will need significant noise attenuation treatment to address traffic noise, including acoustic sealed window resulting in no natural ventilation for these rooms.*
- *The wide vehicular crossover is visually dominating and eliminates any possibility for an effective landscape buffer to neighbours and Liverpool Road.*
- *The proposed landscape screening along the northern boundary and parts of the eastern and western side setbacks will further limit solar access into the boarding rooms and communal open space areas*
- *The internal and external common spaces are not adequate for 23 boarding rooms (max. 39 persons). Internal common space is insufficient in width to connect with the outdoor communal area.*
- *The BCA report notes a number of areas that need to be addressed to comply with the NCC. Many of these have architectural implications, requiring changes to the built form, such as protection of openings, exit travel distances and provision of exits. These matters should be addressed in the DA proposal, rather than left for CC stage*

(b) Bulk & external appearance

- Concerns are raised regarding the bulky appearance of the building resulting from the minimal side setbacks, combination of depth and height of the building, and lack of articulation along the southern elevation.
- The roof form is not in character with the surrounding area.
- The front fence is to be redesigned to incorporate a solid component at the bottom.
- The driveway width is to be a minimum 5.5m for a depth of 6 metres in order to allow for vehicles to pass and enter/exit the site safely. As the width of the driveway is greater than 5.5m, the width should be reduced to meet the minimum dimension requirements (to provide safe ingress/ egress) and to reduce the dominance of hard paving within the front setback.
- Submission of a photomontage is recommended.

(c) Heritage

- Submission of a HIS is required which considers the impact of the proposed development on the listed items in the vicinity.

(d) Absorption trench

- Pump out OSD tank emergency overflow shall be backed up by an absorption trench in accordance with Council's SWM Code.

(e) Waste

DA2019/094- 421 Liverpool Road Strathfield
 LOT 1 DP 119223 (Cont'd)

- The application proposes on-street waste collection by Council. Council does not service boarding houses.
- Evidence of contract submitted with private waste collector and details demonstrating compliance with access requirements for private waste contractor.

(f) Assessible parking spaces

- Plans to be amended to provide two (2) accessible parking spaces for two (2) accessible boarding rooms.

(g) Quality of accommodation

- Air and noisy quality issues to Unit G.01 with single outlook to Liverpool Road.
- Sunlight to rooms G04, 05, 104, 105, 107 and 108 as their primary window/ glazed door is to a balcony which is substantially enclosed and at a depth which will restrict the level of daylight and sunlight achieved to these rooms.
- Potential overlooking between 206 and 204, and 205 and 203.
- Lift is to service all habitable levels of the building as well as basement levels.

(h) Survey plan

- Revised survey plan required to show the full extent and footprints of the adjoining buildings.

(i) Privacy

- Revised plans to address the following:
 - the northern side balconies directly overlook balconies of the neighbouring property at 417-419 Liverpool Road;
 - the location and extent of open circulation spaces (which are required to be open so as not to exceed the floor space ratio development standard) on the southern side of the building results in direct overlooking opportunities to the side facing windows and private open space of the properties in 423-425 Liverpool Road;
 - the first floor is to be setback further from the rear boundary so as to not result in adverse overlooking opportunities to the primary part of the private open space of 2 Gees Avenue. Alternatively, the proposal should incorporate design solutions, such as orientating the windows away from these private open spaces; and
 - the section plans appear to show balustrading around the parts of the roof of the first floor, thereby providing balconies for the second-floor lodger rooms. This needs to be clarified and consistent on all the drawings, and it also needs to be demonstrated that it will not result in adverse overlooking opportunities.

(j) Noise and air quality

- Revised acoustic report required to address impact of noise influencing weather on measurements.

(k) Stove and kitchen facilities

- Details of ventilation to stove and kitchen facilities to be provided.

(l) Laundry facilities

- Details of drying facilities to be provided.

Assessing Officer's Comments:

Revised plans and supporting documents have been submitted with satisfactorily address the matters raised above. A summary of key changes is outlined below:

- Roof form and bulk amended to ensure a compatible form with adjoining development.
- External colour scheme amended to improve streetscape contribution.
- Details from private waste collector provided confirming feasibility of basement clearance to accommodate waste collection vehicle.
- Details of clothes drying facilities provided (at rear). Communal laundry provided.
- Provision of additional accessible car parking space.
- Actual and perceived bulk of development reduced. GFA reduced from 670.21m² to 644m.12m². Number of boarding rooms reduced from 22 to 19.
- Pavilion style presentation introduced to side elevations to reduce bulk and increase articulation.
- Driveway width reduced to increase deep soil landscaping within the front setback.
- Revised Acoustic Report provided. Generally accepted by Council's Environmental Health Officer (subject to **Condition 4**).
- Basement layout reconfigured. Bulky storage room provided.
- Consideration of privacy issues and fenestration changes. Privacy amelioration measures included.

**DA2019/094- 421 Liverpool Road Strathfield
LOT 1 DP 119223 (Cont'd)**

<ul style="list-style-type: none"> • Provision of temporary waste storage area at basement level. • Ramp into Basement 01 increased in width to 4.1m as per traffic referral comments. • Details of acoustic air ventilation specifications provided. • Front fence amended to include low lying masonry wall, as requested. • G01 converted to office. • Revised concept stormwater management plans submitted. • Increased front setback.
Compliance history
Nil.
LEC Appeals
None.

DESCRIPTION OF THE SITE AND LOCALITY

Physical description
<ul style="list-style-type: none"> • The site is legally described as Lot 1 in DP 119223 and is commonly known as 421 Liverpool Road, Strathfield (Figures 1 & 2). • The site is located on the south-eastern side of Liverpool Road. • The site is irregular in shape with frontage of 13.6m to Liverpool Road narrowing to a rear boundary length of 10.895m, north-eastern side boundary length of 48.35m and south-western side boundary length of 47.82m. • The site has a south-east orientation.
Existing structures
<ul style="list-style-type: none"> • Modest Federation style masonry dwelling c.1910 with timber framed double hung windows and tiled hipped roof with front gable. The building is in poor condition (Figures 3, 4 & 5). • There is no existing vehicular crossing or on-site parking provision.
Surrounding development
To the north-east: Two (2) x two (2) storey detached pavilion style residential flat buildings at 417-419 Liverpool Road with concrete driveway running along the full length of the shared boundary with 421 Liverpool Road and car parking access in the centre of the site (Figures 7, 8 & 9).
To the north and north-west: Rear of an existing single storey dwelling house on land at 2 Gees Avenue zoned R2 low-density residential (Figure 10).
To the south-west: Single storey dwelling houses fronting Liverpool Road and two storey townhouse development to its rear on land at 423-425 Liverpool Road zoned R3 medium density residential (Figure 6). 427-429 Liverpool Road is developed with a four (4) storey residential flat building. To the south, a four storey contemporary residential flat building is located on the corner of Edward Street and the Pacific Highway (Figure 11).
To the south-east: 6-lane Liverpool Road carriageway and 2 x heritage listed items on the south-eastern side of Liverpool Road opposite the site (Figure 12).

DA2019/094- 421 Liverpool Road Strathfield
LOT 1 DP 119223 (Cont'd)

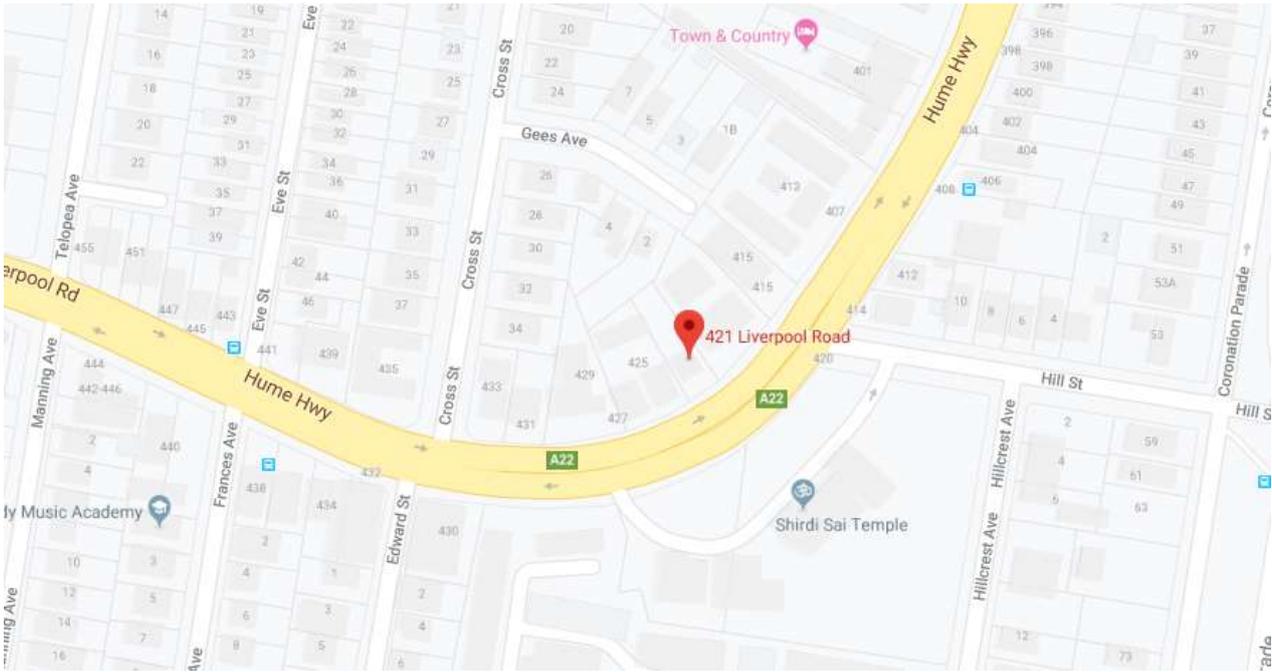


Figure 1. Locality plan (Source: Google Maps).



Figure 2. Aerial locality plan (Source: Google Maps).

DA2019/094- 421 Liverpool Road Strathfield
LOT 1 DP 119223 (Cont'd)



Figure 3. Existing dwelling house on the subject site (photographed 14/11/2019).



Figure 4. Curved frontage to Liverpool Road and adjoining detached dwelling houses on land at 423-425 Liverpool Road.

DA2019/094- 421 Liverpool Road Strathfield
 LOT 1 DP 119223 (Cont'd)



Figure 5. Rear boundary of the subject site and four (4) storey residential flat building on R3 zoned land at 427-429 Liverpool Road.



Figure 6. Existing streetscape. The adjoining land to the south-west at 423-425 Liverpool Road (1,167m²) is developed with two (2) detached single storey dwelling fronting Liverpool Road and two (2) storey townhouse development at the rear. 427-429 Liverpool Road is developed with a four (4) storey residential flat building.

DA2019/094- 421 Liverpool Road Strathfield
LOT 1 DP 119223 (Cont'd)



Figure 7. *Adjoining residential flat building to the north-east at 417-419 Liverpool Road.*



Figure 8. *Driveway at 417-419 Liverpool Road which adjoins the north-east side boundary of the subject site.*

DA2019/094- 421 Liverpool Road Strathfield
LOT 1 DP 119223 (Cont'd)



Figure 9. *Parking facilities at 417-419 Liverpool Road located in the centre of the site.*

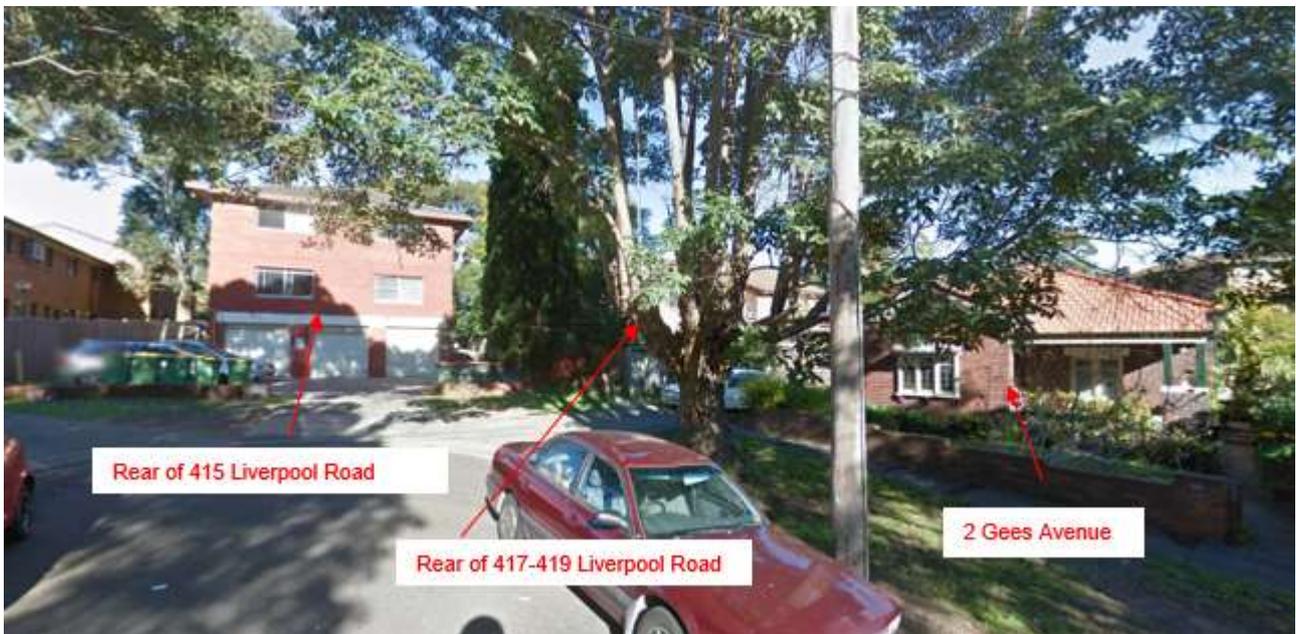


Figure 10. *Existing development to the north of the subject site as viewed from Gees Avenue.*

DA2019/094- 421 Liverpool Road Strathfield
 LOT 1 DP 119223 (Cont'd)



Figure 11. Existing part three (3) and four (4) storey residential flat building above two (2) levels of basement parking at 432-434 Liverpool Road (corner Edward Street) at the closest cross section to the south-west of the site 127m away (DA 2014/042 was approved by Council at the Planning Committee Meeting on 18/11/2014).

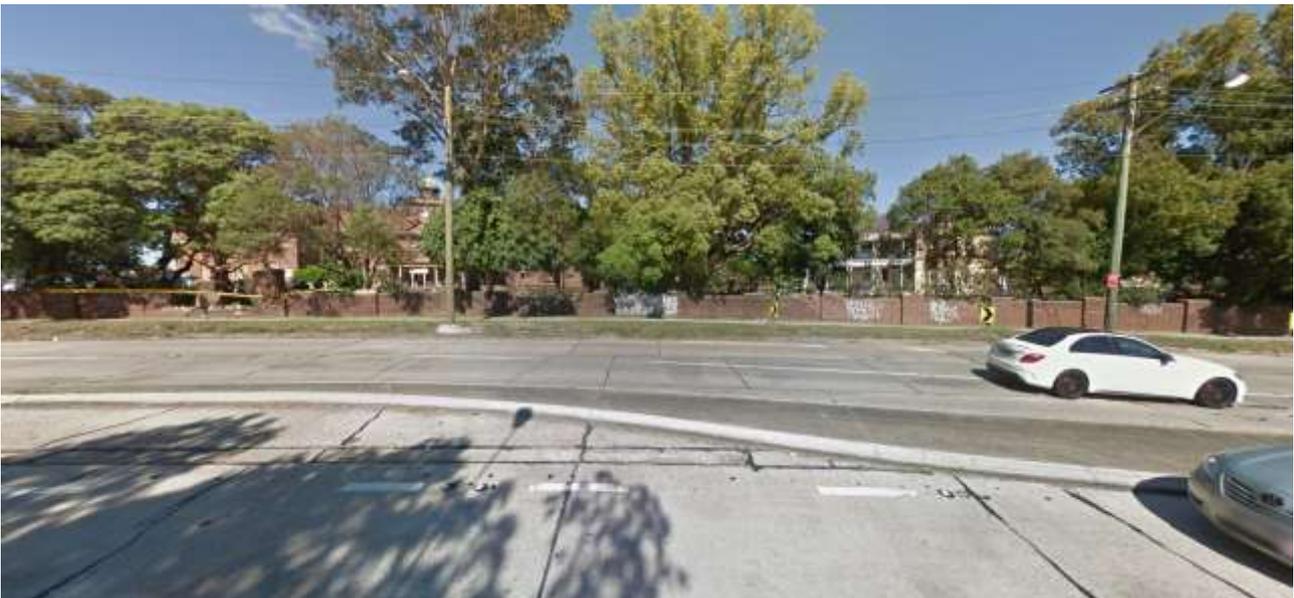


Figure 12. Existing heritage listed buildings opposite the site at 416-420 Liverpool Road.

PROPERTY BURDENS AND CONSTRAINTS

There are no burdens or constraints that would preclude the proposed development.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposal (as amended) involves demolition of the existing structures and construction of a three (3) storey new generation boarding house (self-contained rooms) over two (2) basement levels containing thirteen (13) double rooms, six (6) single rooms and manager's accommodation, and landscaping works.

DA2019/094- 421 Liverpool Road Strathfield
 LOT 1 DP 119223 (Cont'd)

The specific elements of the proposal are:

Level	Provisions
Basement Level 01	<ul style="list-style-type: none"> • Temporary bin store • Car parking for 5 cars including 2 x accessible spaces • Fire stairs • Lift access
Basement Level 02	<ul style="list-style-type: none"> • 4 x motorcycle spaces • Bins room • Bulky storage room • Fire stair • Lift access • Pump room • 4 x bicycle storage • Car parking for 5 cars
Ground Level	<ul style="list-style-type: none"> • Office and reception • Communal laundry • Fire stair and lift • 3 x double rooms (G02, G03 and G04). Note: G02 and G04 are accessible. • 1 x Manager's Room and private open space
Level 01	<ul style="list-style-type: none"> • 3 x single rooms (101, 102 & 103) • 6 x double rooms (104, 105, 106, 107, 108 & 109)
Level 02	<ul style="list-style-type: none"> • 3 x single rooms (201, 202 & 205) • 4 x double rooms (203, 204, 206 & 207)
Other	
Landscaping works	<ul style="list-style-type: none"> • 7 x replacement trees • New plantings in front setback, along side boundaries, and at rear.

Note: Each boarding room is provided with private bathroom and kitchen facilities.

A comparison of the streetscape presentation and side elevations of the original scheme and revised scheme is depicted below at **Figure 13 to Figure 18**.



Figure 13. Streetscape presentation of the original scheme.

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Figure 17. South-western side elevation of the original scheme.



Figure 18. South-western side elevation of the revised scheme.

REFERRALS

INTERNAL REFERRALS

Referral	Comments
Engineering	<ul style="list-style-type: none"> No objections, subject to recommended conditions of consent. <p>Key comments:</p> <ul style="list-style-type: none"> The subject site discharges to an RMS Road (Liverpool Road). Concept Plans are required to be submitted to RMS for approval as a condition of concurrence.
Traffic	<ul style="list-style-type: none"> No objections, subject to recommended conditions of consent. <p>Key comments:</p> <ul style="list-style-type: none"> Traffic signals require certification from Traffic Engineer prior to OC to ensure operation and compliance with AS (Conditioned). Suitable conditions are recommended to ensure compliance with AS/NZS 2890.1:2004 re: basement car parking; and vehicular circulation, aisle and ramp widths.
Environmental Health	<ul style="list-style-type: none"> No objections are raised, subject to recommended conditions of consent. <p>Key comments:</p> <ul style="list-style-type: none"> Condition 4 is recommended to require the submission of a revised Acoustic Report to Council for approval which addresses the impact of noise influencing weather on measurements in accordance with the Noise Policy for Industry 2017.
Trees and Landscaping	<ul style="list-style-type: none"> No objections are raised. No conditions are recommended. <p>Key comments:</p> <ul style="list-style-type: none"> A tree removal permit, dated 09/01/2019 has been obtained for the removal of three existing trees on the site in decay. The proposed landscape design provides for seven (7) replacement trees and is supported.
Heritage	<p>Comments to original scheme:</p> <ul style="list-style-type: none"> A HIS is requested, which considered the impact of the proposal on the nearby heritage items having regard to the provisions of Clause 5.10 of

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	<p>the SLEP 2012 and Part P of the SCDCP 2005.</p> <ul style="list-style-type: none"> It is recommended that the form and finish respond to its context, including the nearby heritage item and that the proportions of the proposal be reconsidered. <p>Assessing Officer's Comments:</p> <ul style="list-style-type: none"> A Heritage Impact Assessment has been undertaken by Wolfpeak Environment Heritage for the revised scheme (dated 23/09/2019). The statement includes the Statement of Significance for the two (2) heritage listed items opposite the site at 416-420 Liverpool Road. The heritage statement concludes that <i>"the replacement of the existing dilapidated dwelling with a contemporary boarding house will provide much needed additional accommodation within the area. The considered, compact design provides for three floor levels of accommodation, with the top floor set back. This setback, building articulation and the use of a mixture of materials, ensures the scale and bulk of the building is reduced and is appropriate for the area. The design, along with the visual and physical separation, ensures the heritage items remain dominant within their landscape and when viewed from Liverpool Road."</i> Amended plans have been submitted including revised roof profile, amended external finishes, and reduced driveway width and planting within the front setback. The revised scheme is considered to satisfactorily address the concerns of Council's Heritage Advisor.
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EXTERNAL

Referral	Comments
Office of water	<ul style="list-style-type: none"> No objections are raised. General Terms of Approval have been obtained (Condition 12).
RMS	<ul style="list-style-type: none"> Concurrence has been obtained from RMS, subject to conditions (Condition 11).

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 development application:

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

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 101: Development with frontage to classified road

The proposal meets the objectives of clause 101 as follows:

- The proposed development, subject to conditions, would not compromise the effective and ongoing operation and function of Liverpool Road (objective a).
- The provision of on-site car, bicycle and motorcycle parking meets the minimum requirements under ARHSEPP 2009 (objective b).

Clause 101(2) sets out the matters for consideration for which the consent authority must be satisfied, before granting consent. The consent authority may be satisfied of these matters as follows:

- Vehicular access is only permitted from the classified road.
- The safety, efficient and ongoing operation of the classified road will not be adversely

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affected by the development. Concurrence has been obtained from RMS, subject to conditions. Council's Traffic Engineer has raised no objections to the proposal, subject to conditions.

- The residential use of the site remains unchanged and is suitable to the site. The proposal has been appropriately designed and includes measures to ameliorate impacts from traffic noise and vehicle emissions.

Conclusion

The proposal is acceptable with regard to SEPP (Infrastructure) 2007.

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

DIVISION 3: BOARDING HOUSES

Clause 29: Standards that cannot be used to refuse consent

29(1) Standards that cannot be used to refuse consent			
		Proposed	Complies
(1) FSR Maximum 1.15:1 permitted ARHSEPP 0.65:1 permitted under SLEP 2012 + bonus 0.5:1 under cl. 29(1)(c)(i) of ARHSEPP 2009. Maximum 1.15:1 under SEPP ARH		8:1	✓
(2) Standards that cannot be used to refuse consent			
Standards	Minimum Requirement	Proposed	Complies
(a) Building height	9.5m	Complies with 9.5m height limit.	✓
(b) Landscaped area	Landscaped treatment of front setback is compatible with streetscape	Landscape treatment of front setback has been redesigned and improved.	✓
(c) Solar access	3 hours direct sunlight 9am – 3pm in mid- winter to communal living room	The communal living room will receive 3 hours direct sunlight as required.	✓
(d) Private open space		Communal open space - 26.79sqm Manager's private open space - 9.25sqm	✓
(e) Parking	0.5 spaces for each boarding room and not more than 1 parking space for each person employed in connection with the development who resides there.	10 spaces including 2 accessible spaces for 19 boarding rooms and 1 x manager's room.	✓
(f) Accommodation size	Minimum 12m ² for single rooms and 16m ² in any other case. Note: Areas to exclude private kitchen or bathroom facilities.	The minimum unit sizes are met.	✓
(3) Private kitchen or bathroom facilities A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.		Private kitchen and bathroom facilities are provided to each boarding room.	✓
(4) Grounds that cannot be used to refuse consent A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in		The proposal complies with the standards set out in subclauses (1) and (2).	✓

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subclause (1) or (2).		
Clause 30: Standards for boarding houses		
(1) A consent authority must not grant consent unless it is satisfied of each of the following:		
(a) 1 communal living room when 5+ boarding rooms	1 common room has been provided as required. Refer to architectural plans, A1202, Ground Floor Plan.	✓
(b) Max GFA 25m ² (excluding kitchen or bathroom facilities) / boarding room	All boarding rooms are less than 25m ² .	✓
(c) Max 2 adult lodgers per room	No boarding room will accommodate more than 2 lodgers.	✓
(d) Adequate bathroom and kitchen facilities available	All boarding rooms are provided with kitchenette and bathroom facilities	✓
(e) 1 manager when 20+ lodgers	1 Manager's room is provided.	✓
(f) (Repealed)	n/a	n/a
(g) If commercial zoning, no residential on ground floor	The site is zoned R3 medium density residential	n/a
(h) 1 bicycle parking space / 5 boarding rooms 1 motorcycle parking space / 5 boarding rooms	4 bicycle parking spaces and 4 motorcycle spaces are provided at Basement 02	✓

Clause 30A: Character of Local Area

Clause 30A states that the consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

The design of the proposed development (as amended) is considered to be compatible with the character of the local area for the following reasons:

- The proposal complies with the maximum height prescribed under SLEP 2012 of 9.5m.
- The amended proposal has been skilfully designed to reduce the actual and perceived bulk of the development. The side elevations when viewed from the adjoining properties are highly articulated with the building presenting as two (2) linked pavilions. In addition, the top floor has been setback and incorporates lightweight materials in dark recessive tones and horizontal proportions to reduce bulk.
- The height of the development is contextually appropriate and is consistent with the height of the adjoining development to the north-east (RL46.80). The proposal maintains an appropriate scale to an existing single detached dwelling house to the south-west.
- Land fronting Liverpool Road to the north-east, south-west, and south-east zoned R3 medium density residential is undergoing a transition and is characterised by a mixture of residential flat buildings and older detached dwelling houses of varying architectural styles.
- The proposed development would not detract from the heritage significance of two listed items in the vicinity of the site and low-density residential development to the rear of the site on Gees Avenue and Cross Street.
- The proposal has been skilfully designed to minimise adverse amenity impacts to adjoining land in terms of solar access, privacy (visual and aural) and visual intrusion.

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Therefore, the proposal is acceptable with regard to Clause 30A of ARHSEPP 2007.

Conclusion

The proposal is acceptable with regard to the ARHSEPP 2007.

STATE ENVIRONMENTAL PLANNING POLICY (BASIX) 2004

SEPP (Building Sustainability Index: BASIX) 2004 applies to the proposed development. It relates to commitments within the proposed development in relation to thermal comfort, water conservation and energy efficient sustainability measures.

A revised BASIX Certificate for the proposed development (as amended) has been submitted demonstrating compliance with the SEPP.

Suitable conditions are recommended to ensure compliance with BASIX commitments.

Conclusion

The proposal is acceptable with regard to SEPP (BASIX) 2004.

State Environmental Planning Policy No 55 – Remediation of Land

The aims of SEPP 55 are to *promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:*

- a) *By specifying when consent is required, and when it is not required, for a remediation work*
- b) *By specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular*
- c) *By requiring that a remediation work meet certain standards and notification requirements*

Under Clause 7(1)(a) of SEPP 55 consideration has been given as to whether the subject site on which the development is occurring is contaminated.

As the site has a long history of residential use, it is considered that the land does not require further consideration under Clause 7(1)(b) and (c) of SEPP 55.

Conclusion

The proposal is acceptable with regard to SEPP 55: Remediation of Land.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

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

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Separate approval has been obtained from Council to remove three (3) existing trees on the site which were assessed to be in a state of decay. The proposal includes the planting of seven (7) replacement trees and new plantings.

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The submitted Landscape Plans are endorsed by Council’s Trees and Landscaping Officer, subject to recommended conditions.

Conclusion

The proposal is acceptable with regard to SEPP (Vegetation in Non-Rural Areas) 2017.

STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

The proposal, subject to recommended conditions is acceptable against the aims of SLEP 2012, as follows:

Cl. 1.2(2)	Aims	Complies
a)	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	✓
b)	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	✓
c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	✓
d)	To provide opportunities for economic growth that will enhance the local community	✓
e)	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	✓
f)	To identify and protect environmental and cultural heritage	✓
g)	To promote opportunities for social, cultural and community activities	✓
h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	n/a

Permissibility and Zone Objectives

Zoning	R3 Medium Density Residential
Permissibility	<i>Boarding houses</i> are permitted with consent.
Zone objectives	The proposal is consistent with the relevant objectives of the R3 zone, as follows: <ul style="list-style-type: none"> • The proposal provides for the housing needs of the community within a medium density residential environment. • The proposal provides a variety of housing types within a medium density residential environment.

Part 4: Principal development standards

Clause 4.3 - Height of building

The proposal complies with the maximum building height prescribed under Clause 4.3 and is consistent with the objectives of the standard, as follows:

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	9.5m	9.1m maximum	✓
Objectives				Complies

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

Clause 4.4 - Floor space ratio

The proposal complies with the maximum floor space ratio prescribed under Clause 4.4 and is consistent with the objectives of the standard, as follows:

Site Area: 594.3m²

Cl.	Standard	Controls	Proposed	Complies
4.4	Floor space ratio	0.65:1 (386.295m ²)	n/a	n/a
		1.15:1 prevails (683.45m²)	1.08:1 (644.12m ²)	✓
		Note: Bonus FSR of 0.5:1 under ARHSEPP prevails		

	Objectives	Complies
a)	To ensure that dwellings are in keeping with the built form character of the local area	✓
b)	To provide consistency in the bulk and scale of new dwellings in residential areas	✓
c)	To minimise the impact of new development on the amenity of adjoining properties	✓

Part 5: Miscellaneous Provisions

5.10 Heritage Conservation

The subject property is not a heritage item and is not located within a heritage conservation area.

The site is located opposite two (2) listed items at 416-420 Liverpool Road comprised of 'Former Leigh College including E Vickery Memorial Hall – school' (Item I228) and "Brundah" – Victorian Italianate villa' (Item I229).

A Heritage Impact Statement Letter has been submitted with the proposal. This concludes that the design of the proposal (as amended) along with the visual and physical separation would ensure that the heritage items remain dominant within their landscape when viewed from Liverpool Road. As such, the proposed development would not detract from the significance of the listed items in the vicinity.

Conclusion:

The proposal is acceptable with regard to Clause 5.10 of the SLEP 2012.

Part 6: Local Provisions

6.1 Acid sulfate soils

Clause 6.1 requires Council to consider any potential acid sulfate soil affectation so that it does not disturb, expose or drain acid sulfate soils and cause environmental damage.

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

The site is not located within 500m of any adjacent Class 1, 2, 3 or 4 land. As such, there are no further matters for consideration.

6.2 Earthworks

The proposed development involves excavation to a depth of between 7.0m and 8.0m (29.8 and 31.4 AHD) to accommodate two (2) levels of basement car parking. Excavation for the basement will extend up to the side (north-eastern and south-western) boundaries and is setback approximately 1.5m from the rear boundary and 9m from the front boundary.

A Geotechnical Investigation Report has been submitted with the application. This concludes that the development is feasible and that the existing rock formation is capable of withstanding the proposed loads to be imposed, and standard shoring works (provided they are designed by a structural engineer), will ensure the stability of the excavation and provide protection and support of the adjoining properties (**Condition 47**).

Further investigation (post demolition) is recommended to more accurately define the strength of the bedrock which will minimise the uncertainty for earthworks contractors and structural design engineers when planning and designing the proposed excavation and foundations (**Condition 10**). This additional work is also expected to satisfy the requirements of RMS. A condition of concurrence from RMS is that all design drawings relating to excavation of the site and support structures are submitted to RMS for assessment (**Condition 11**).

Condition 10 requires that the recommendations of the Geotechnical Investigation Report are fully complied with. The report includes recommendations for shoring to ensure that excavation works do not de-stabilise adjacent infrastructure. This is pertinent as excavation is proposed to the side boundaries and will encroach on the zone of influence of foundations for the adjoining structures to the north-east.

Council's Engineer has assessed the proposal against the matters of consideration under Clause 6.2 of SLEP 2012. The proposed earthworks are determined to be satisfactory for approval, subject to conditions.

Conclusion

The proposal is acceptable with regard to Clause 6.2 of SLEP 2012.

6.4 Essential services

The site is serviced by essential services.

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

There are no applicable draft planning instruments to consider as part of this assessment.

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

STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005

PART P – HERITAGE

Pursuant to Clause 1.3, the provisions of Part P of SCDCP 2005 apply to development in the vicinity of heritage items.

The proposal is acceptable against the provisions for development in the vicinity of heritage items contained in section 3.

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A Heritage Impact Statement Letter has been provided to Council, which considers the impact of the revised scheme on the significance of the listed items at 416-420 Liverpool Road.

The letter concludes that the design of the proposed development along with the physical and visual separation would ensure that the heritage items remain dominant within their landscape and when viewed from Liverpool Road.

PART Q – URBAN DESIGN CONTROLS

2.1: 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 Assessing Officer's Comments: <ul style="list-style-type: none"> The proposal includes suitable planting within the front setback to ensure the landscape amenity of the site and streetscape contribution is enhanced. Entry to the boarding house is clearly defined and legible. The amended proposal and provision of a reception with glazing and windows to Liverpool Road would encourage passive surveillance of the adjoining public domain. 	✓
B.	To enhance the quality of the Public Domain Assessing Officer's Comments: <ul style="list-style-type: none"> The massing of the development has been reduced under the amended scheme by reducing the roof profile. The bulk and scale of the upper level when read from the public domain is reduced by the increased setback, lightweight materials, and recessive colour palette. 	✓
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	✓

2.2: 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.	✓

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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 regard to this Plan's height controls;	✓
2.	Buildings and fences must be designed to complement and/or visually improve existing streetscapes Assessing Officer's Comments: <ul style="list-style-type: none"> • The front fence has been amended to include a low-lying masonry section. • The proposal includes two (2) canopy trees and plantings within the front setback to ensure a positive streetscape contribution. 	✓
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.	✓
4.	Building design and landscaping must be in harmony with the form, mass and proportions of the streetscape.	✓
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).	n/a
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	✓
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. Assessing Officer's Comments: <ul style="list-style-type: none"> • Side setbacks are sufficient to accommodate deep soil planting and screen planting. • Side setbacks are consistent with the local character and would not give rise to any unacceptable overshadowing impacts to adjoining development. • The setback of the upper level is increased to minimise bulk and scale and amenity impacts. 	✓

2.3: Siting

2.3.1	Development Controls	Complies
1.	Development must respond to the scale of surrounding buildings and definition of the street networks and public spaces.	✓
2.	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.	✓
3.	Building forms (including heights and massing) are to be arranged to reinforce the future desired structure and character of the area Assessing Officer's Comments: <ul style="list-style-type: none"> • The massing and height of the development is contextually appropriate 	✓

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	having regard to the site zoning, existing and future streetscape character, and transitional character of the emerging precinct which contains examples of contemporary three and four storey residential accommodation.	
4.	Buildings must address the street, laneway, new through-site link or open space.	✓
5.	Street edges must be defined with low rise buildings or appropriately scaled podiums to create a pedestrian scale and active frontages at street level.	✓
6.	Appropriate building separation must be provided to protect privacy and solar access to private property and the Public Domain.	✓
7.	Building corners on key streets must be emphasised to signify key intersections and enhance Public Domain legibility.	✓
8.	Possible future development on adjoining sites must be considered as part of any design	✓

2.4: Building Envelope

2.4.1	Objectives	Satisfactory
A.	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.	✓
2.4.2	Development Controls	Complies
1.	The bulk and scale of any development must reflect the existing and future character of the existing street and surrounding locality	✓
2.	The bulk and scale of any development must be compatible with the amenity of the immediately and surrounding locality.	✓
3.	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.	✓

2.5: Building Massing and Scale

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

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2.6: Transition Zones

2.6.1	Development Controls	Complies
1.	<p>Development proposing to be higher than adjoining development must incorporate gradual stepping up of the built form at its interface with existing low-rise development. Where there is a common boundary between areas where a different height limit is specified, one solution may be that the top storey of the development on the land with the higher height limit be stepped back to fit within a plane projected at a 45 degree angle from the floor below the topmost floor (refer Figure 7)</p> <p>Assessing Officer's Comments:</p> <ul style="list-style-type: none"> • Notwithstanding the R3 zoning of the site, the maximum prescribed height is the same as that for low-density residential zoned land to the north-west of the site. • The proposal complies with the 9.5m maximum prescribed height under SLEP 2012 and maximum FSR permitted under ARHSEPP 2009. • The setback of the upper level and use of lightweight materials in recessive tones reduces the apparent bulk and scale of the development. As such, the proposal maintains an appropriate scale to low-density development to the sites rear and adjoining single storey detached dwelling houses on R3 zoned land to the south-west. 	✓
2.	Development proposals are to be sensitive and complementary in scale and site location to surrounding properties of identified heritage and/or streetscape value, and which contributes positively to the desired character of the street or area concerned (refer Figure 8)	✓

2.7: Building Frontages to the Public Domain

2.7.1	Objectives	Satisfactory
A.	To ensure the appearance of buildings complement and enhance neighbourhood and streetscape character.	✓
B.	To encourage contemporary designs which integrate with the appearance of the streetscape.	✓
C.	To provide attractive building facades which establish identity and contribute to the streetscape.	✓
2.7.2	Development Controls	Complies
1.	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	✓
2.	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.	✓
3.	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	✓
4.	Alterations and additions must be compatible with design elements of the existing building.	✓
5.	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	✓
6.	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.	✓
7.	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	✓
8.	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	✓
9.	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.	n/a
10.	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.	✓

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11.	For commercial and mixed-use development: – 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 – awnings or colonnades for weather protection and shade must be provided along active frontages.	n/a
12.	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.	✓
13.	Development must respond to the positive attributes of an area by incorporating dominant patterns, textures and compositions into the built form.	✓
14.	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.	✓
15.	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.	✓
16.	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.	✓

2.8: Roof Forms

2.8.1	Objectives	Satisfactory
A.	To treat roof spaces and forms as an important element of the overall building appearance.	✓
B.	To encourage roof forms that provide continuity and consistent character in the streetscape.	✓
C.	To encourage roof designs that integrate with the building composition and form.	✓
2.8.2	Development Controls	Complies
1.	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. Assessing Officer's Comments: <ul style="list-style-type: none"> Condition 5 restricts the location of plant equipment to the basement levels. 	✓
2.	The roof is to be designed to provide for rainwater and solar energy collection.	✓
3.	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	✓
4.	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. Assessing Officer's Comments: <ul style="list-style-type: none"> The roof profile has been amended to reduce visual bulk. The contemporary roof form maintains a compatible relationship with adjoining development. 	✓
5.	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.	✓
6.	Attics are to be designed to fit within the building envelope with the exception of dormer windows.	n/a

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3.1: Accessibility and Connectivity

3.1	Objectives	Satisfactory
A.	To improve pedestrian access and connectivity between housing, open space networks, community facilities, public transport, local activity centres and schools.	✓
B.	To encourage pedestrian through-site links that are designed to promote safety and amenity.	n/a
3.1.2	Development Controls	Complies
1.	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.	n/a
2.	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.	n/a
3.	Public, communal and private areas must be clearly delineated within the site	✓
4.	Pedestrian and cycle links must be provided on sites adjacent to waterways to improve accessibility to these natural systems.	n/a
5.	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.	n/a

3.2: Building Entries

3.2.1	Objectives	Satisfactory
A.	To create street entrances with a strong identity that provide a transition from the street to residential interiors.	✓
B.	To ensure car park entries do not detract from the street	✓
3.2.2	Development Controls	Complies
1.	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.	✓
2.	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.	✓
3.	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.	n/a
4.	Pedestrian access must be incorporated with car park entrances to reduce the visual impact of the car park entrance. Car park entrances must be carefully designed to avoid unattractive or extensive gaps in street frontages.	✓
5.	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.	n/a
6.	Where a dwelling house does not face the street, it must have a recognisable entry and a sense of address.	✓

3.3: Visual and Acoustic Privacy

3.3.1	Objectives	Satisfactory
A.	To ensure that development does not cause unreasonable overlooking of habitable rooms and principal private open spaces of dwellings. Assessing Officer's Comments: <ul style="list-style-type: none"> The proposal has been revised to maintain acceptable privacy amenity (visual and aural) to the adjoining properties. Privacy measures including external screening have been integrated into the design of the development. 	✓

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B.	To ensure that visual privacy is provided both within a development and between a development and its neighbours.	✓
C.	To ensure that the siting and design of development minimises the impacts of noise transmission between properties.	✓
3.3.2	Development Controls	Complies
1.	New development must ensure adequate visual and acoustic privacy levels for neighbours and residents	✓
2.	Development must be located, oriented and designed to maximise visual and acoustic privacy between buildings.	✓
3.	The internal layout of buildings must be designed to minimise overlooking of living areas, private open spaces and adjoining school yards.	✓
4.	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	✓
5.	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.	✓
6.	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).	✓
7.	The internal layout of buildings including windows must be designed so as to reduce the effects of noise transmission. For example, dwellings with common party walls should locate noise generating rooms such as living rooms adjacent the noise generating rooms of other dwellings	✓
8.	Appropriate building materials shall be used to provide acoustic privacy.	✓

3.4: Acoustic Amenity and Air Quality

3.4.1	Objectives	Satisfactory
A.	To ensure that the siting and design of buildings minimises noise impacts from abutting roads, rail corridors and other noise-generating land uses.	✓
B.	To ensure that new commercial or industrial development does not unreasonably diminish the amenity of nearby residential uses by noise intrusion.	n/a
C.	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.	✓
3.4.2	Development Controls	Complies
1.	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.	✓
2.	Where dwellings are proposed within proximity to noise-generating land uses, appropriate materials with acoustic properties shall be incorporated into the development	✓
3.	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.	n/a
4.	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	✓
5.	The provisions of State Environmental Planning Policy (Infrastructure) 2007 and Development near Rail Corridors and Busy Roads Interim Guideline 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	✓
6.	For residential development: <ul style="list-style-type: none"> • 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; • - The internal layout of buildings/dwellings shall be designed so as to minimize the 	✓

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impacts of poor air quality on inhabitants.

3.5: Solar Access and Cross Ventilation

3.5.1 Objectives		Satisfactory
A.	To provide thermal comfort for occupants.	✓
B.	To ensure that development does not unreasonably diminish sunlight to neighbouring properties and within the development site.	✓
C.	To ensure that sunlight access is provided to private open space and habitable rooms to improve amenity and energy efficiency.	✓
D.	To ensure sufficient volumes of fresh air circulate through buildings to create a comfortable indoor environment and to optimize cross ventilation.	✓
E.	To ensure that sunlight access is provided to the Public Domain.	✓
3.5.2 Development Controls		Complies
1.	Development must be designed and sited to minimise the extent of shadows that it casts on: - private and communal open space within the development; - private and communal open space of adjoining dwellings; - significant areas of the Public Domain, such as main streets, open space and plaza areas, main pedestrian links etc; - solar collectors of adjoining development; and - habitable rooms within the development and in adjoining developments. Note: Building setbacks may need to be increased to maximise solar access and to minimise overshadowing from adjoining buildings. Building heights may also need to be stepped to maximise solar access.	✓
2.	Generally, dwellings within the development site and adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9am and 3pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced. In order to demonstrate that this can be achieved, shadow diagrams may be required with the development application.	✓
Assessing Officer's Comments:		
<ul style="list-style-type: none"> • The shadow cast by the proposed development generally falls on the road reserve and area between the rear of the existing dwelling houses and townhouse development on land at 423-425 Liverpool Road. • The proposed development would maintain a minimum 3 hours solar access between 9am and 3pm on 21 June to the north-eastern elevation of 423 Liverpool Road, and to greater than 50% of the private open space of the adjoining properties at 423-425 Liverpool Road. 		
3.	Living areas of dwellings such as kitchens and family rooms shall be located on the northern side of dwellings and service areas such as laundries and bathrooms to the south or west.	✓
4.	In habitable rooms, head and sill heights of windows must be sufficient to allow sun penetration into rooms.	✓
5.	Landscaping must provide shade in summer without reducing solar access in winter.	✓
6.	Buildings must have narrow cross sections, providing dual aspect for dwellings to allow for cross ventilation.	✓
7.	Buildings must be orientated to benefit from prevailing breezes.	✓
8.	All rooms must contain an external window to provide direct light and ventilation. Exceptions may be considered for non-habitable rooms where this cannot be achieved practicably and mechanical ventilation can be provided.	✓
9.	Natural cross ventilation shall be achieved by locating window openings in opposing walls and in line with each other.	✓
10.	Building elements such as operable louvres and screens, pergolas, blinds etc. shall be used to modify environmental conditions where required, such as maximizing solar access in winter and sun shading in summer. Note: The extent of shadows is to take into account the range of factors that impact on solar access, including the slope of the land, aspect, existing and proposed vegetation and the height and position of existing buildings and structures, including fences	✓

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3.6: Safety and Security

3.6.1	Objectives	Satisfactory
A.	To ensure a safe physical environment by promoting crime prevention through design.	✓
B.	To encourage increased use of shopping centres, particularly at night.	✓
C.	To create a balance of uses that are safe and easily accessible	✓
D.	To ensure there is adequate lighting and signage.	✓
E.	To reduce crime risk and minimise opportunities for crime.	✓
F.	To increase and contribute to the safety and perception of safety in public and semipublic spaces.	✓
G.	To encourage the consideration and application of crime prevention principles when designing and siting buildings and spaces.	✓
H.	To encourage dwelling layouts that facilitate safety and encourage interaction and recognition between residents.	✓
3.6.2	Development Controls	Complies
1.	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 (Refer Figure 11).	✓
2.	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.	✓
3.	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.	✓
4.	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.	✓
5.	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.	✓
6.	The installation of solid security shutters as a means of defining the boundaries between public and private spaces will not be supported.	✓
7.	The incorporation of crime prevention measures in the design of new buildings and spaces shall not 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.	✓
8.	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	n/a
9.	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	n/a
10.	Lighting of laneway space is required	n/a

3.9: Landscaping

3.9.1	Objectives	Satisfactory
A.	To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings	✓
B.	To ensure developments make an equitable contribution to the landscape setting of the locality	✓
C.	To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade	✓

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3.9.2	Development Controls	Complies
1.	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.	✓
2.	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.	✓
3.	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.	✓
4.	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.	✓
5.	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.	✓
6.	Where the landscape pattern in the prevailing streetscape and surrounding locality is desirable, this must be retained.	✓
7.	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	n/a
8.	In relation to conservation and energy efficiency, plant species must be retained, selected and planted to achieve: <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 • windbreaks where desirable. 	✓
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.	✓
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.	✓

3.10: Private and Communal Open Space

3.10.1	Objectives	Satisfactory
A.	To ensure that private open space is designed to provide residents with quality usable private outdoor living areas for recreational and outdoor activities.	✓
B.	To ensure that private open space is designed for privacy, solar access, and is well integrated with living areas.	✓
C.	To provide low maintenance communal open space areas for residents that facilitate opportunities for recreational and social activities, passive amenity, landscaping and deep soil planting	✓

3.10.2	Development Controls	Complies
1.	Private open space must be: <ul style="list-style-type: none"> • Provided for all dwellings (with the exception of secondary dwellings, which are able to share the private open space of the principal dwelling). Open space within the front setback does not constitute private open space. • Directly accessible from the living area of the dwelling and capable of serving as an extension of the dwelling for relaxation, entertainment and recreation. Designed to ensure visual and acoustic privacy of the occupants of adjacent buildings and within the proposed development • Located so as to maximise solar access. • Designed to focus on the quality of the space in terms of its outlook, orientation, relationship to the dwelling, size and shape and its enclosure and landscape treatment. 	✓

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2.	Communal open space must be: <ul style="list-style-type: none"> • Located where it is highly visible and directly accessible to the maximum number of dwellings. • Designed with an integral role in the site and include uses such as circulation, BBQ or play areas, and areas of passive amenity, but excludes swimming pools. • Integrated with the deep soil zone to provide a landscaped setting with opportunities for large and medium size tree planting • - Located adjacent to surrounding public open spaces such as reserves and public through site links where appropriate. 	✓
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3.11: 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.	✓
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.	✓
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	n/a

4.1: 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 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.	✓
4.1.2	Development Controls	Complies
1.	Vehicle access points and parking areas must: <ul style="list-style-type: none"> • be easily accessible and recognisable to motorists; • not disrupt pedestrian flow and safety; • be located to minimise traffic hazards and the potential for vehicles to queue on public roads; and • - minimise the loss of on street car parking, and to minimise the number of access points. 	✓
2.	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.	✓
3.	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.	n/a
4.	For industrial development: <ul style="list-style-type: none"> • 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; • 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; • materials for kerbs, gutters, footpaths, walkways and driveways must be selected to 	n/a

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- resist damage by large vehicles or frequent use; and
 - a traffic management plan must be prepared detailing all transport options for the development, including type of transport used, size of trucks and frequency.

5.	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.	✓
6.	Where properties have access to a rear lane or secondary street frontage, parking and servicing access shall be provided from the secondary street/lane.	✓
7.	Driveways must be designed to avoid a long and straight appearance by using landscaping and variations in alignment.	✓
8.	Car parking areas and vehicle access ways shall be landscaped to integrate sympathetically with the development and the landscape character of the locality.	✓
9.	The area between property boundaries and driveways, access ways and parking spaces must be of sufficient width to enable landscaping and screen planting.	✓
10.	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.	✓
11.	The width and number of footpath crossings shall be minimised	✓

4.2: Front Fences

4.2.1	Objectives	Satisfactory
A.	To avoid creating inactive frontages as a result of fencing private open spaces	✓
B.	To ensure fences complement and conserve the visual character of the street and neighbourhood.	✓
C.	To contribute positively to the Public Domain.	✓
4.2.2	Development Controls	Complies
1.	Front fences shall generally be low, open or partially transparent.	✓
2.	Front fences are to be consistent with the existing character or contribute to establishing a new neighbourhood character.	✓
3.	Front fences and landscaping shall allow residents to view street activity, thereby encouraging passive surveillance of the Public Domain.	✓
4.	Colours and materials of new fences are to be consistent with the associated building and adjoining fences.	✓
5.	Fences must respond to the architectural character of the street and/or area and the buildings that they front, with streetscape character maintained on all street frontages.	✓
6.	Front fences must not be erected where the streetscape is characterised by an absence of front fences. In these instances, landscaping shall be used to create identifiable street address and privacy	✓
7.	Use of continuous lengths of blank walls at street level must be avoided	✓

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.

Adequate waste-storage provision is provided at basement levels and can be serviced by a private waste contractor.

PART O - TREE MANAGEMENT (SCDCP 2005)

The proposal is acceptable with regard to Part O of SCDCP 2005. The proposal includes adequate tree replacement (7 trees) and new plantings to offset removal of three existing trees in decay

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(approved by Council under separate tree removal application), and to enhance the landscape amenity and streetscape contribution of the site.

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

The requirements of Australian Standard *AS 2601–1991: The Demolition of Structures* is relevant to the determination of a development application for the demolition of a building.

The proposal involves demolition of all existing structures on the site.

Condition 23 requires that all demolition is carried out in accordance with AS 2601-1991.

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

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

The proposed development, subject to the recommended conditions of consent is considered to be suitable to the site.

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 **25 June to 23 July 2019**. Ten (10) submissions were received including a petition of forty-seven (47) signatories, as follows:

1. Australian International Academy, 420 Liverpool Road, Strathfield.
2. Dr Wang and Mr Zhang, adjoining property owner.
3. Huan Yang, 2 Gees Avenue, Strathfield.
4. Mr and Mrs Lyakurwa, 423 Liverpool Road, Strathfield.
5. Mr and Mrs Huana, Unit 3/417-419 Liverpool Road, Strathfield.
6. Olga Knezevic and Sven Svendsen, Unit 4/417-419 Liverpool Road, Strathfield.
7. Sisil Koswattage, Unit 1/427 Liverpool Road, Strathfield.
8. Amila and Dragan Elcic, Unit 5/423-425 Liverpool Road (aka Unit 3/423 Liverpool Road), Strathfield.
9. Andrew Lillcrap, 37 Cross Street, Strathfield.
10. Petition of forty-seven (47) signatories (mainly from Cross Street and Gees Street, principal signatory Amila Elcic.

Note:

- (i) The submission from Olga Knezevic is not counted as separate to that submitted by Ms. Knezevic on behalf of Mr. Svendsen as they are identical and are from the same property.
- (ii) A submission from Mr. Matthew Prior has been withdrawn.

The submissions raise the following issues:

Issue	Comments
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Safety and security	<ul style="list-style-type: none"> The site of the proposed development will be passed by students of the school on a daily basis. Concerns are raised regarding the unknown type of offenders that might be occupying the boarding house. Safety impacts to adjoining properties resulting from use. As there are no leases, the coming and going of residents gives rise to concerns of safety and security. Concerns raised over proximity of the proposed boarding house to existing schools. The proposed development would create a direct line between the site and the Crossways Hotel, with patrons causing offensive noise and behaviour impacting 37 Cross Street.
Fire risk	<ul style="list-style-type: none"> The proposed development will intensify risk of fire.
Noise	<ul style="list-style-type: none"> Intensification of use will increase noise impacts to the adjoining properties in addition to traffic noise from Liverpool Road.
Waste	<ul style="list-style-type: none"> Intensification of use will increase noise impacts to the adjoining properties. Visual impact from illegal garbage dumping such as furniture on road reserve.
Privacy	<ul style="list-style-type: none"> Intensification of use will increase overlooking and privacy impacts to neighbouring properties. Loss of privacy to rear yard of 2 Gees Avenue. Loss of privacy to 423 Liverpool Road. Loss of privacy to children playing on driveway at 417-419 Liverpool Road.
Poor management	<ul style="list-style-type: none"> Safety and security issues resulting from poor management of the boarding house. Concerns regarding on-going management of the boarding house.
Social impact	<ul style="list-style-type: none"> The proposed boarding house would not be in harmony and integrity with the surrounding area due to the complicated tenant mix and resultant safety and security issues.
Parking and Traffic	<ul style="list-style-type: none"> The large number of occupiers would give rise to difficult on-street parking conditions. The addition of more parking is recommended due to existing on-street parking shortfall in surrounding area and existing parking problem of parking in common area at 427 Liverpool Road. The proposed development would increase traffic congestion at the Liverpool Road and Hill Street junction. Potential obstruction of driveway access to rear townhouse on land at 423-425 Liverpool Road. Potential impact to children using footpath resulting from vehicular ingress/egress from basement.
Easement	<ul style="list-style-type: none"> Permission is not granted to use 2 Gees Avenue for the stormwater easement.
Excavation impacts	<ul style="list-style-type: none"> Potential damage to 2 Gees Avenue, 423 Liverpool Road, and Unit 5/423-425 Liverpool Road (aka Unit 3/423 Liverpool Road) resulting from excavation and earthworks.
Overshadowing	<ul style="list-style-type: none"> Loss of sunlight to 423 Liverpool Road.
Local character	<ul style="list-style-type: none"> The proposal would establish an undesirable precedent and cause existing family residents to leave the area.
Property value	<ul style="list-style-type: none"> Decline in property value of adjoining buildings.
Size of development	<ul style="list-style-type: none"> The land to property ratio seems unreasonable.
Design	<ul style="list-style-type: none"> The proposed development looks out of place and looks like a 'big rock'.
Footpath access during construction	<ul style="list-style-type: none"> Maintenance of access during construction along footpath, especially for school children, is required for safety.
Views	<ul style="list-style-type: none"> Loss of view from Unit 3/423 Liverpool Road.
Impacts to residents of Cross	<ul style="list-style-type: none"> Petition of forty-seven (47) signatories mainly from Gees Street and

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Street and Gees Street	Cross Street objecting to the proposed development. No specific concerns or issues are raised.
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The following comments are offered in response to the concerns raised:

Issue	Comments
Safety and security	<ul style="list-style-type: none"> A Plan of Management has been submitted with the application. Suitable conditions are recommended to ensure compliance with the Plan of Management for the ongoing use of the property.
Fire risk	<ul style="list-style-type: none"> Suitable conditions are recommended to ensure fire safety standards are met in accordance with BCA requirements.
Noise	<ul style="list-style-type: none"> An Acoustic Report has been submitted with the application. Conditions 86 and 87 preclude the use of amplified music (86) and require compliance with noise requirements under the PEOA generally for the ongoing use of the premises (87).
Waste	<ul style="list-style-type: none"> Provision has been made for on-site waste collection from the basement level. No bins will be presented kerbside for collection.
Privacy	<ul style="list-style-type: none"> The proposal has been amended to maintain acceptable privacy amenity to the adjoining properties. External screening devices are proposed where necessary to mitigate any direct overlooking to the private open space and habitable areas of adjoining properties.
Poor management	<ul style="list-style-type: none"> A Plan of Management has been submitted with the application. Ongoing compliance with the Plan of Management is imposed as a condition of consent and a copy provided to Council to enforce.
Social impact	<ul style="list-style-type: none"> Use of the site for the purpose of a boarding house is permitted with consent. The proposal, subject to conditions, is not considered to give rise to any unacceptable social impacts in the locality. Provision is made for a manager's room in accordance with the ARHSEPP 2009.
Parking and Traffic	<ul style="list-style-type: none"> A Traffic Impact Assessment Report has been submitted with the application. The proposal meets the minimum on-site parking requirement under the ARHSEPP 2009. Concurrence has been obtained from RMS, subject to conditions. No pedestrian/vehicular access is obtained from Gees Avenue. The proposal is not considered to give rise to any acceptable traffic and parking impacts in the surrounding locality.
Easement	<ul style="list-style-type: none"> Evidence of the request made to obtain an easement over downstream properties has been provided to Council. The concept stormwater plans indicate discharge onto Liverpool Road. No objections are raised by Council's Engineer, subject to conditions. A condition of concurrence from RMS requires stormwater plans to be submitted to RMS for approval.
Excavation impacts	<ul style="list-style-type: none"> Suitable conditions are recommended to mitigate adverse impacts to adjoining land and structures resulting from the proposed excavation works.
Overshadowing	<ul style="list-style-type: none"> Shadow diagrams have been submitted for the winter solstice. The SCDCP 2005 does not contain specific requirements for solar access, beyond the urban design controls. The ARHSEPP does not contain solar access requirements for adjoining land. Consideration of the solar access impacts of the development on adjoining land is a relevant consideration under section 4.15(1)(b). The shadow cast by the proposed development generally falls on the road reserve and area between the rear of the existing dwelling houses and on the north-eastern side of the townhouse development on land at

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	423-425 Liverpool Road. The proposal would maintain a minimum 3 hours solar access between 9am and 3pm on 21 June to the north-eastern elevation of 423 Liverpool Road.
Local character	<ul style="list-style-type: none"> The design of the proposed development is compatible with the character of the local area as addressed previously in this report.
Property value	<ul style="list-style-type: none"> Use of the site for the purpose of a boarding house is permitted with consent. The development replaces a dilapidated dwelling house with a contemporary design that is compatible with the surrounding context. The proposal has been skilfully designed to minimise any adverse impacts on adjoining land in terms of privacy, solar access, and visual intrusion.
Size of development	<ul style="list-style-type: none"> The proposal complies with the FSR requirements under the ARHSEPP 2009 and the maximum height permitted under SLEP 2012.
Design	<ul style="list-style-type: none"> The revised scheme provides adequate articulation and results in a bulk and scale that is contextually appropriate. The revised external material schedule is supported. Lightweight materials of recessive tone and horizontal proportions have been selected for the upper level to reduce the apparent bulk of the development.
Footpath access during construction	<ul style="list-style-type: none"> A condition is recommended to ensure that the footpath is not obstructed at any time during construction.
Views	<ul style="list-style-type: none"> There are no significant views from any adjoining land that would be affected by the proposed development.
Impacts to residents of Cross Street and Gees Street	<ul style="list-style-type: none"> The proposed development is not considered to give rise to any unacceptable impacts to residents of Cross Street and Gees Street. There is no vehicular or pedestrian access to the site from Cross Street and Gees Street.

Note: The revised scheme was not re-notified to the surrounding and adjoining properties as they are not considered to result in any greater cumulative impact.

4.15 (1)(e) the public interest

In determining whether or not the proposal is in the public interest, both the wider public interest and sectionalized public interest (protecting residential amenity or surrounding residential properties) must be taken into consideration.

With regard to the wider public interest, the proposed development would facilitate the delivery of new diverse and affordable housing in a location that is accessible to public transport.

With regard to the sectionalized public interest, the impacts associated with the proposed development on neighbouring properties are acceptable. Suitable conditions are recommended to minimise impacts on adjoining and surround land during the construction period and post construction.

The proposal development (as amended) is considered to be compatible with the character of the local area.

As such, the proposal is considered to be in the public interest.

SECTION 7.11 CONTRIBUTIONS

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

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A consent authority may impose a condition under section 7.11 or 7.12 only if it is of a kind allowed by, and is determined in accordance with, a contributions plan (subject to any direction of the Minister under this Division).

STRATHFIELD DIRECT CONTRIBUTIONS PLAN 2010-2030

Payment of a Section 7.11 Contribution applies to the development in accordance with the *Strathfield Direct Development Contributions Plan 2010-2030*, as follows:

Roads and Traffic:	\$6403.77
Local Open Space:	\$27444.97
Major Open Space:	\$124717.03
Community:	\$27412.14
Administration:	\$2609.26
Total:	\$188,587.17

As such, a total contribution payment of \$188,587.17 applies (Condition 54).

CONCLUSION

The proposal is acceptable against the relevant considerations under Section 4.15 of the EP&A Act, 1979 for the following reasons:

1. The proposal meets the objectives and requirements for boarding houses under State Environmental Planning Policy (Affordable Rental Housing) 2009.
2. The proposal is acceptable having regard to the Strathfield LEP 2012 and the Strathfield Consolidated DCP 2005.
3. The proposal is not considered to give rise to any unacceptable environmental impacts on both the natural and built environments, and social and economic impacts in the locality.
4. The proposed development is suitable to the site. The proposal is consistent with the R3 zone objectives.
5. The proposal is considered to be in the public interest.

PEER REVIEW

The content and recommendations of this Development Assessment Report has undergone peer review and is satisfactory for consideration by the Panel.

RECOMMENDATION

That Development Application No. DA2019/094 for demolition of existing structures and construction of a three (3) storey new generation boarding house over two (2) basement levels containing thirteen (13) double rooms, six (6) single rooms and one (1) manager's accommodation, and landscaping works on land at 421 Liverpool Road, Strathfield be **APPROVED**, subject to the following conditions:

SPECIAL CONDITIONS (SC)**1. CONVEX MIRROR (SC)**

A convex mirror shall be positioned appropriately at the property boundary in the eastern corner of the site to improve visibility of oncoming traffic to vehicles exiting the site.

(Reason: To maximise visibility and ensure safety to pedestrians and vehicles).

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2. TRAFFIC SIGNAL SYSTEM (SC)

Prior to the issue of any Occupation Certificate, certification shall be obtained from a practicing and certified Traffic Engineer that the on-site traffic signals satisfy any relevant operational and Australian Standard requirements.

(Reason: Recommendation of Council's Traffic Engineer to maximise vehicular and pedestrian safety).

3. USE OF G01 AND RECEPTION AT GROUND LEVEL (SC)

G01 which is shown as an office space and the associated reception area at ground floor level is to be maintained as an office and reception space and shall not be converted into a boarding room.

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

4. ACOUSTIC ASSESSMENT OF PROPOSED DEVELOPMENT (SC)

Prior to the commencement of any works (including any demolition and excavation works), the applicant must **submit to Council's Environmental Health and Compliance Division for approval** an Acoustic Report prepared by a suitably qualified and experienced acoustic consultant. The acoustic report must:

- Contain background readings taken in accordance with NSW EPA Noise Policy for Industry 2017 "*Fact Sheet B: Measurement procedures for determining background noise*" long-term measurement. The background readings must include full details on how meteorological conditions were monitored.
- Background readings must be reported in accordance with NSW EPA Noise Policy for Industry 2017 "*Fact Sheet B: Measurement procedures for determining background noise*" for long-term measurement.
- Identify all noise producing aspects of the proposed development.
- Demonstrate the suitability of any assumptions used in the acoustic report, via the provision of references or validating data.
- Recognise and provide variation for the impact of alcohol on any crowd noise.
- Identify which areas of the development are indoor areas and outdoor areas.
- Propose effective and quantifiable noise control measures to control noise emitted from the premises to the noise levels required in **Condition 21**.

A construction certificate cannot be issued and no works are to commence (including any demolition and excavation works), until the written approval of the Council has been obtained certifying compliance with the requirements of this Condition.

Any terms or requirements issued by Council as part of its approval are to be fully complied with.

(Reason: Requirement of Council's Team Leader Environmental Health and Compliance to ensure the protection of environmental amenity).

5. ROOF PLANT (SC)

No roof plant is permitted. All plant equipment shall be located at basement level.

(Reason: To minimise visual bulk and ensure a positive streetscape contribution).

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6. BOUNDARY FENCING (SC)

Existing 1.8m timber paling fencing along the side and rear boundaries is to be replaced with new 1.8m high timber paling fencing.

Plans shall be amended accordingly, prior to the issue of any Construction Certificate.

(Reason: Existing boundary fencing is in decay).

7. AMENDED PLANS (SC)

The approved architectural plans shall be amended to show proposed plantings including new street tree planting consistent with the approved Landscape Plans.

(Reason: Landscape amenity and streetscape contribution).

8. DILAPIDATION REPORT - PRE-COMMENCEMENT (SC)

Prior to the commencement of any works (including demolition and excavation works), dilapidation surveys must be conducted and dilapidation reports prepared by a *professional engineer* (structural) of all buildings and/or structures that are located within the likely "zone of influence" of any excavation, dewatering and/or construction induced vibration as determined by the Structural Engineer.

These properties must include (but is not limited to):

- 2 Gees Avenue, Strathfield
- 423-425 Liverpool Road, Strathfield
- 417-419 Liverpool Road, Strathfield

The dilapidation reports must be completed and submitted to the *Certifying Authority* with a copy to *Council* with the *Notice of Commencement* prior to the commencement of any *development work*.

Where excavation of the site will extend below the level of any immediately adjoining building the *principal contractor or owner builder* must give the adjoining building owner(s) a copy of the dilapidation report for their building(s) and a copy of the *notice of commencement* required by s6.6(2) of the *Act* not less than two (2) days prior to the commencement of any work.

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.

In the event that access for undertaking the dilapidation survey is denied the Applicant is to demonstrate in writing to the satisfaction of the Principal Certifier that all reasonable steps were taken to obtain access to the adjoining property. The dilapidation report will need to be based on a survey of what can be observed externally.

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: provide a record of the condition of buildings prior to development being carried out and to encourage developers and its contractors to use construction techniques that will minimise the risk of damage to buildings on neighbouring land.

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9. OUTLET PIPE (SC)

The subject site discharges to Liverpool Road (RMS road). The Stormwater Concept Design Plans (Drawing Nos SW200, SW201, SW202, SW203, SW300 and SW400, all Issue D dated 27/09/2019, prepared by SGC Consulting Engineers) as amended by any condition(s) of consent, shall be submitted to Roads and Maritime Services (RMS) for approval, prior to the commencement of any works (including demolition and excavation works).

(Reason: Compliance with RMS requirement, as recommended by Council's Engineer).

10. GEOTECHNICAL INVESTIGATION REPORT (SC)

The recommendations contained within the Geotechnical Investigation Report (Ref: G19009STR-R01F) prepared by Geo-Environmental Engineering, Rev 0, dated 24/05/2019 are to be fully complied with.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the commencement of any works (including demolition and excavation).

Additional investigation is to be carried out following demolition of the existing building and prior to excavation works. Additional cored bores are to be drilled across the central and rear parts of the site to further assess the bedrock strength and quality.

A Certificate is to be obtained from a practicing Structural Engineer, prior to the issue of any Construction Certificate and commencement of any excavation works, demonstrating compliance with the recommendations of the Geotechnical Investigation Report and evidence of additional investigation. The Certificate shall also certify that appropriate measures have been taken to prevent de-stabilisation of any adjoining structures.

(Reason: Structural integrity of the site and adjoining properties).

11. RMS CONCURRENCE (SC)

- i) Roads and Maritime has previously vested a strip of land as road along the Liverpool Road frontage of the subject property, as shown by grey colour on the attached Aerial – "X".

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As such, all buildings and structures, together with any improvements integral to the future use of the site are to be wholly contained within the freehold property unlimited in height or depth, along the Liverpool Road boundary.

- ii) The design and construction of the gutter crossing on Liverpool Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained by email to DeveloperWorks.Sydney@rms.nsw.gov.au.

Detailed design plans of the proposed gutter crossing are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works. Please send all documentation to Development.sydney@rms.nsw.gov.au.

A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

- iii) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works. Please send all documentation to development.sydney@rms.nsw.gov.au.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued.

- iv) The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. Please send all documentation to development.sydney@rms.nsw.gov.au

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the

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base of the footings. The notice is to include complete details of the work.

- v) Roads and Maritime is currently undertaking a program to implement “Clearways” on State roads within Sydney. If not already in place, “Clearway” restrictions will be implemented along the full Liverpool Road frontage of the development site.
- vi) All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A Construction Zone will not be permitted on Liverpool Road.
- vii) A Road Occupancy Licence (ROL) shall be obtained from Transport Management Centre for any works that may impact on traffic flows on Liverpool Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

(Reason: Pursuant to Section 138 of the *Roads Act, 1993*, concurrence is granted from RMS for the proposed development subject to the above conditions).

12. OFFICE OF WATER GENERAL TERMS OF APPROVAL

Condition	Dewatering
GT0062-00001	Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application.
GT0063-00001	An authorisation under the relevant water legislation, such as a Water Access Licence (WAL), shall be obtained for the take of groundwater as part of the activity. For avoidance of doubt, these terms do not represent any authorisation for the take of groundwater, nor do they constitute the grant, or the indication of an intention to grant, any required WAL.
GT0064-00001	An authorisation under the relevant water legislation, such as an Approval, is also required for the works involved in extracting the groundwater. For avoidance of doubt, these terms do not represent any authorisation for the construction or installation of such works.
GT0065-00001	The relevant works must not be carried out, installed or operated until a specialist hydrogeological assessment has been completed by the Department of Planning Industry and Environment, which concludes that adequate arrangements are in force to ensure that no more than minimal harm will be done to any water source, or its dependent ecosystems, as a consequence of the construction or use of the proposed water management work.
GT0066-00001	The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
GT0067-00001	Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and: a. any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and b. any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the

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- construction of the structure; and c. where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
- GT0068-00001** Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
- GT0069-00001** The Applicant is bound by the above terms and any other terms and conditions of the subsequent authorisation(s) required for the extraction of groundwater and the associated works under the relevant water legislation.
- GT0070-00001** Measurement and monitoring arrangements to the satisfaction of WaterNSW are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.
- GT0071-00001** Following cessation of the dewatering operations and prior to the surrender of any associated authorisation, the applicant shall submit to WaterNSW the completion report which shall include:
- a. detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores;
 - b. the location and construction of groundwater extraction works that are decommissioned;
 - c. a water table map depicting the aquifers settled groundwater condition and a comparison to the baseline conditions; and
 - d. a detailed interpreted hydrogeological report identifying all actual resource and third-party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.
- SCHEDULE 1** The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with 2019/094 as provided by Council:
- Geo-environmental Engineering
 - Geotechnical Investigation Report
 - 421 Liverpool Road
 - Strathfield
 - 24 May 2019

(Reason: WaterNSW General Terms of Approval).

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GENERAL CONDITIONS (GC)

13. 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. 2019/094:

Drawing No.	Title/Description	Prepared by	Issue / Revision & Date	Date received by Council
A-1010	Site Plan	Ghazi Al Ali Architect Pty Ltd	Rev A / 24.05.2019	13.06.2019
A-1102	Demolition Plan		Rev A / 24.05.2019	13.06.2019
A-1201	Basement 01 and Basement 02		Rev B / 27.09.2019	27.09.2019
A-1202	Ground Floor and Level 01 Plan		Rev B / 27.09.2019	27.09.2019
A-1203	Level 02 and Roof Plan		Rev B / 27.09.2019	27.09.2019
A-1301	Elevations		Rev B / 27.09.2019	27.09.2019
A-1302	Elevations		Rev B / 27.09.2019	27.09.2019
A-1401	Sections		Rev B / 27.09.2019	27.09.2019
A-1402	Sections		Rev B / 27.09.2019	27.09.2019
LPDA 19 – 185 / 1	Landscape Hardscape Plan	Conzept Landscape Architects	Rev A / 26.09.2019	27.09.2019
LPDA 19 – 185 / 2	Landscape Plan		Rev C / 26.09.2019	27.09.2019
LPDA 19 – 185 / 3	Landscape Plan – Details		Rev A / 27.03.2019	27.09.2019
LPDA 19 – 185 / 4	Landscape Plan - Specification		Rev A / 27.03.2019	27.09.2019
A-2201	Material Schedule		Rev B / 23.11.2019	23.11.2019

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 2019/094:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Statement of Environmental Effects	Morphology Design Associates	May 2019	13/06/2019
Addendum to SEE	Morphology Design Associates	01/10/2019	11/10/2019
Plan of Management	Morphology Design Associates	May 2019	13/06/2019
National Construction Code Compliance Statement Ref DRC 07-2019	Design Right Consulting Pty Ltd	26/09/2019	11/10/219
Addendum Acoustic Statement Ref: 191049-02L-DD	Acoustic Consulting Engineers	05/09/2019	27/09/2019
Addendum Acoustic Statement Ref: 191049-02L-DD Rev 01	Acoustic Consulting Engineers	30/09/2019	11/10/2019
BASIX Certificate No. 1006062M_02	Sustainable Thermal Solutions	16/10/2019	16/10/2019

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National Construction Code Report	Design Right Consulting Pty Ltd	11/10/2019	11/10/2019
Heritage Impact Statement Letter	Wolfpeak Environment Heritage	23/09/2019	27/09/2019
Section J Report	Sustainable Thermal Solutions	Rev 2 / 16.10.2019	16/10/2019
Revised Traffic Impact Assessment Ref: 0128r01v03	PDC Consultants	27/09/2019	27/09/2019
Waste Contractor Servicing Letter	URM	20/09/2019	27/09/2019
Addendum Waste Information	Capital City Waste Services	10/09/2019	27/09/2019
Access Report			
Acoustic Report Ref: 191049-01L-DD	Acoustic Consulting Engineers	24/05/2019	13/06/2019
Geotechnical Report (Ref: G19009STR-R01F)	Geo-Environmental Engineering	Rev 0 / 24/05/2019	13/06/2019

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

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

14. BOARDING HOUSE - APPROVED USE (GC)

- a) The boarding house must be operated in accordance with the Boarding Houses Act 2012.
- b) The boarding house is required to be registered on a register administered by NSW Fair Trading within 28 days where a proprietor takes over an existing, or begins operating a new, registrable boarding house.
- c) Council will carry out initial (within the first 12 months) and ongoing inspections in accordance with the Boarding Houses Act 2012 subject to payment of inspection fees as detailed in Council's Fees and Charges schedule.
- d) The boarding house is to comply with the approved Plan of Management required by this consent.
- e) The use of the premises as a boarding house must comply always with the following:
 - i) A copy of the Plan of Management and House Rules must be annexed to every tenancy/occupation agreement for a room;
 - ii) A copy of the approved Plan of Management and House Rules must be clearly displayed within the common room in the building at all times;
 - iii) All tenancy/occupation agreements for rooms within the premises must be for a minimum period of three (3) months;
 - iv) The premises must be used exclusively as a boarding house containing a maximum total of one (1) person for each single room (6 in total) and two persons for each double room (13 in total);
 - v) The premises must not be adapted for use as backpacker's accommodation, serviced apartments or a residential flat building;
 - vi) All common rooms/areas and recreation rooms/areas must be maintained at all times for the use of the lodgers;
 - vii) Each self-contained room be fitted out with washing up facilities, a cooktop, microwave oven, fridge and storage space with such utilities being maintained in working order at all times;
 - viii) All rooms within the boarding house must be connected to a centralised electricity, water and gas (if installed) service and room tariffs must not include a separate charge for these services; and

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- ix) The communal room shall be provided with an oven and cooktop.
- f) The Plan of Management must be updated to reflect the requirements outlined within this condition.
- g) Any proposed amendments to the Management Plan are to be submitted to Council for consideration and approval prior to any amendments being made.
- h) If the operator of the boarding house alters from the operator nominated in the Plan of Management, a new Plan of Management is to be submitted to Council within 28 days of the change in operator unless it is confirmed in writing that the new operator will comply with the Plan of Management approved as part of this consent.

(Reason: To ensure the development is the permanent place of residence for occupants and ensure occupants abide by the rules and regulations identified in the Plan of Management.)

15. 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.)

16. 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.)

17. 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.)

18. 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

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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.)

19. 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.)

20. MATERIALS – CONSISTENT WITH SUBMITTED SCHEDULE (GC)

All external materials, finishes and colours are to be consistent with the External Materials Schedule being Drawing No. A-2201, Rev B dated 23//2019, prepared by Ghazi Al Ali Architect.

(Reason: To ensure compliance with this consent.)

21. NOISE USE – GENERAL (GC)

The use and operation of the premises and any associated machinery, equipment or the like must not emit a sound pressure level when measured at the boundary of any other residential property that exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

(Reason: Environmental protection).

22. 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.)

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23. 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:

- All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- Demolition must be carried out by a registered demolition contractor.
- 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.
- No blasting is to be carried out at any time during construction of the building.
- Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 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.
- Any demolition and excess construction materials are to be recycled wherever practicable.
- The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 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.
- All waste must be contained entirely within the site.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

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- Any work must not prohibit or divert any natural overland flow of water.
- 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.)

24. 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.)

25. 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.)

26. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT (GC)

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

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

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27. 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.)

28. UTILITIES AND SERVICES - PROTECTION OF (GC)

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

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

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

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

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

(Reason: To ensure protection of Council assets.)

29. WORKS ZONE

RMS has denied granting a Works Zone on Liverpool Road. All works shall be wholly maintained within the site.

(Reason: Council requirement.)

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

30. 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.)

31. BASIX COMMITMENTS (CC)

BASIX Certificate No. 1006062M_02 dated 16/10/2019 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.)

32. BOARDING HOUSE - CONSTRUCTION OF (CC)

The construction of the boarding house shall comply with all applicable legislation/regulation and standards, including:

- i) Boarding Houses Act 2012;
- ii) Boarding Houses Regulation 2013;
- iii) Local Government Act 1993; and
- iv) Local Government Regulation 2005.

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

(Reason: To ensure compliance with relevant legislation.)

33. 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

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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.)

34. 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.)

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

Car parking spaces 4 and 5 at Basement Level 01 shall be maintained as accessible parking spaces. These spaces shall be a minimum of 2.4m wide x 5.4m long and located near pedestrian access routes designed for disabled persons. Each space shall be clearly marked as such. A shared area 2.4 m wide x 5.4m long shared area should be provided. Bollard shall be placed in this shared area.

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.)

36. 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

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- 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.)

37. 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.)

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

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

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

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

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

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

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

(Reason: Compliance with SCDPC 2005.)

40. 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

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has been appointed and a Notice of Commencement has been issued.

(Reason: To ensure compliance with statutory provisions.)

41. 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;
 - 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

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- 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 Safely 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 50warning 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 works are completed.

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

42. 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

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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

No Works Zone is permitted on Liverpool Road in accordance with the terms of concurrence from RMS.

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).

(Reason: Council requirement.)

43. DRIVEWAY WIDTH - MULTI-UNIT DEVELOPMENT (CC)

The internal driveway must be a minimum 5.50m wide (clear width) for the first 6 metres inside the property so as to allow entering & exiting vehicles to pass within the site. Should the driveway narrow after this point it is then to be designed with a minimum 1.5m x 1.5m splay to allow the passing to work. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior the issue of any Construction Certificate.

(Reason: Safety and traffic management.)

44. 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.

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- 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 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.)

45. 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.)

46. ADJOINING BUILDINGS FOUNDED ON LOOSE FOUNDATION MATERIALS (SC)

The Principal Contractor must ensure that a professional engineer determines the possibility of any adjoining buildings founded on loose foundation materials being affected by piling, piers or excavation. The professional engineer (geotechnical consultant) must assess the requirements for underpinning of any adjoining or adjacent buildings founded on such soil on a case by case basis and the Principal Contractor must comply with any reasonable direction of the professional engineer.

(Reason: To minimise damage to the adjoining properties).

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47. 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 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.)

48. GEOTECHNICAL DESIGN, CERTIFICATION AND MONITORING

The Construction Certificate plans and specification required to be submitted to the Certifying Authority pursuant to clause 139 of the *Regulation* must be accompanied by a Geotechnical Monitoring Program together with civil and structural engineering details for foundation retaining walls, footings, basement tanking, and subsoil drainage systems, as applicable, prepared by a professional engineer, who is suitably qualified and experienced in geotechnical engineering.

These details must be certified by the professional engineer to:

- a) Provide appropriate support and retention to ensure there will be no ground settlement or movement, during excavation or after construction, sufficient to cause an adverse impact on adjoining property or public infrastructure.
- b) Provide appropriate support and retention to ensure there will be no adverse impact on surrounding property or infrastructure as a result of changes in local hydrogeology (behaviour of groundwater).
- c) Provide foundation tanking prior to excavation such that any temporary changes to the groundwater level, during construction, will be kept within the historical range of natural groundwater fluctuations. Where the historical range of natural groundwater fluctuations is unknown, the design must demonstrate that changes in the level of the natural water table, due to construction, will not exceed 0.3m at any time.
- d) Provide tanking of all below ground structures to prevent the entry of all ground water such that they are fully tanked and no on-going dewatering of the site is required.
- e) Provide a Geotechnical and Hydrogeological Monitoring Program that:
 - will detect any settlement associated with temporary and permanent works and structures,
 - will detect deflection or movement of temporary and permanent retaining structures (foundation walls, shoring bracing or the like),
 - will detect vibration in accordance with AS 2187.2-1993 Appendix J including acceptable velocity of vibration (peak particle velocity),
 - will detect groundwater changes calibrated against natural groundwater variations,
 - details the location and type of monitoring systems to be utilised,
 - details the pre-set acceptable limits for peak particle velocity and ground water fluctuations,
 - details recommended hold points to allow for the inspection and certification of geotechnical and hydrogeological measures by the professional engineer, and
 - details a contingency plan.

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(Reason: To manage risk to adjoining properties).

49. FIRE SAFETY SCHEDULE (CC)

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) which should be implemented in the building premises must be submitted with the Construction Certificate application, in accordance with Part 9 of Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

(Reason: Compliance with the Environmental Planning and Assessment Act 1979.)

50. NOISE (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.)

51. 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 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.)

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52. NOISE AND VIBRATION MANAGEMENT PLAN (CC)

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council or the Principal Certifying Authority.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be in compliance with:

- a. Construction noise management levels established using the *Interim Construction Noise Guideline (DECC, 2009)*;
- b. Vibration criteria established using the assessing vibration: *Technical guideline (DEC, 2006)* (for human exposure); and
- c. The vibration limits set out in the German Standard DIN 4150-3: *Structural Vibration-effects of vibration on structures* (for structural damage)

The report that itemises equipment to be used for excavation works. The Plan shall address, but shall not be limited to, the following matters:

- i) identification of activities carried out and associated noise sources;
- ii) identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment;
- iii) determination of appropriate noise and vibration objectives for each identified sensitive receiver;
- iv) noise and vibration monitoring, reporting and response procedures;
- v) assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles;
- vi) description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction;
- vii) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency;
- viii) procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration; and
- ix) contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

(Reason: To protect acoustic amenity of surrounding properties and the public.)

53. 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.)

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54. 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:

Roads and Traffic:	\$6403.77
Local Open Space:	\$27444.97
Major Open Space:	\$124717.03
Community:	\$27412.14
Administration:	\$2609.26
Total:	\$188,587.17

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.)

55. 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.)

56. 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

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- 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.)

57. VEHICULAR CROSSINGS (CC)

The vehicular crossing shall be design and constructed in accordance with Council's guidelines and specifications

(Reason: Council requirement).

58. VENTILATION SYSTEMS – MECHANICAL (CC)

The mechanical ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

Details demonstrating compliance with the above are to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

(Reason: To ensure the mechanical ventilation system complies with the relevant

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requirements/standards.)

59. WASTE AND RECYCLING STORAGE ROOMS (CC)

Waste 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.)

60. WASTE SERVICE ROOMS OR COMPARTMENTS (CC)

- i) Each service room/compartment must be located for convenient access by users and must be well ventilated and well lit.
- ii) Each service room/compartment must include a chute for recycling or space for bins/crates for the reception of recyclable materials within 2m of garbage chute, recycling bins or crates must be in place prior to OC.
- iii) The floors, walls and ceilings of the service rooms/compartment must be finished with smooth impervious materials that are capable of being easily cleaned
- iv) The service rooms/compartment must contain clear signage that describes the types of wastes that can be deposited into the garbage chute and the types of wastes which should be deposited into the recycling bins or crates

(Reason: To keep waste service rooms or compartments in a clean and sanitary condition to protect public health.)

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61. ONSITE WASTE COLLECTION

All on-site waste collection areas must meet the following conditions:

- i) Minimum vehicle access and standing area dimensions:
 - Width 3.6m
 - Height 3.6m
 - Length 12.5m
 - Path of travel of waste collection vehicle must be identified on plans; ensure turning circle, height and width requirements are met throughout entire path of travel.
- ii) Maximum grade of ramps and driveway 1:5 (20%) suitable for collection vehicle access.
- iii) Waste collection area must have room for all waste receptacles and the waste collection vehicle.
- iv) Applicant can select between either of the following:

Underground collection

- A waste collection point is to be provided within the first level of the basement.
- Vehicles must enter and exit the site in a forward direction.
- Collection area can be a loading dock or specialised waste collection area

(Reason: To ensure an efficient and effective collection system.)

62. 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 SCDCP 2005, and be prepared by a suitably qualified professional engineer.

(Reason: To promote Water Sensitive Urban Design.)

63. 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.)

64. DUST CONTROL (CC)

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres

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height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as directed by the Council should it fail to adequately control any dust nuisance.

Major Works

The following measures must be implemented (in part or in total) as directed by Council to control the emission of dust:

- (a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- (b) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system
- (c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- (d) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- (e) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.
- (f) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours or as directed by Council.

(Reason: Environmental amenity.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS (PCW)**65. 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.

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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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.)

66. NOTICE OF COMMENCEMENT (CW)

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

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

(Reason: Statutory requirement.)

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

67. VIBRATION MONITORING (DW)

Vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical engineering, between any potential source of vibration and any *building* identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the Principal Contractor and any sub-contractor are easily alerted to the event.

Where any such alarm triggers all excavation works must cease immediately.

Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional engineer.

Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the Principal Contractor and any sub-contractor clearly setting out required work practice.

The Principal Contractor and any sub-contractor must comply with all work directions, verbal or written, given by the professional engineer.

A copy of any written direction required by this condition must be provided to the Principal Certifier within 24 hours of any event.

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Where there is any movement in foundations such that damaged is occasioned to any adjoining *building* or such that there is any removal of support to *supported land* the professional engineer, Principal Contractor and any sub-contractor responsible for such work must immediately cease all work, inform the owner of that *supported land* and take immediate action under the direction of the professional engineer to prevent any further damage and restore support to the *supported land*.

68. 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.)

69. 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.)

70. 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.)

71. 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.

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

72. 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 (POC)

73. ENGINEERING WORKS (CERTIFICATION OF)

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

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

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

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

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

(Reason: Asset management.)

74. 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

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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.

(Reason: Fire safety and statutory requirement.)

75. 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.)

76. 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.)

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77. 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.)

78. 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.)

79. VENTILATION SYSTEMS – MECHANICAL (OC)

Any mechanical ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

In addition, odour control measures, such as activated carbon or catalytic oxidisers, must be used to treat ventilation gases prior to discharge. The method of odour control must be designed by a suitably qualified mechanical ventilation engineer.

At the completion of the installation of the mechanical exhaust ventilation system, a certificate from a practising mechanical engineer shall be submitted to the Principal Certifying Authority, prior to issue of the Occupation Certificate demonstrating compliance with the above.

(Reason: To ensure the mechanical exhaust ventilation system complies with the relevant requirements/standards.)

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80. VENTILATION SYSTEMS – NATURAL (OC)

Any natural ventilation systems are to be designed, constructed and installed in accordance with the provisions of:

- i) The Building Code of Australia; and
- ii) Protection of the Environment Operations Act 1997.

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

(Reason: To ensure any natural ventilation systems comply with the relevant regulations/standards.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES (OU)

81. BOARDING HOUSES - OPERATIONAL PLAN OF MANAGEMENT (OU)

An Operational Plan of Management is to be formulated and submitted to Council for approval, prior to the issue of any Occupation Certificate.

The Plan of Management must include the minimum criteria as stipulated in Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation, 2005 under the Local Government Act 1993, the Public Health Act, 1991, Boarding Houses Act 2012 and Boarding Houses Regulation 2013.

The plan shall be dated and the name and signature of the author of the document shall be included. The Plan of Management shall be displayed in prominent locations within the premises and a copy of the Plan shall be provided to all residents of the boarding house. The on-site Caretaker shall be responsible for ensuring that the terms of the Plan are adhered to at all times.

This Operational Plan of Management must incorporate the following:

- i) All the measures to be implemented on the premises in terms of safety & security, amenity and health including but not limited to matters relating to curfews and after-hours access, bringing of visitors on to the site, drug and alcohol policy (including smoking), and use of communal areas etc.
- ii) All the responsibilities of the Caretaker/Manager.
- iii) An Incident Register to be maintained by the Caretaker. This Register must be produced upon demand by any Council officer or NSW Police Officer. The Register must contain a direction that all incidents of a criminal nature are to be reported to the Police immediately.
- iv) Prior to commencement of the boarding house use, a notification letter shall be forwarded to Council, the Police and neighbours providing contact details for the Caretaker/Manager so that any issues regarding the operation of the premises etc can be addressed promptly. Evidence of this letter being forwarded as required in this condition shall be provided to the Principal Certifying Authority, prior to the issue of any Occupation Certificate and commencement of the use.

The Plan of Management referred to in this condition shall be reviewed by Council annually from the date of issue of an Occupation Certificate by the Principal Certifying Authority. The operator of the boarding house shall contact Council annually to carry out this review and the review shall include the Incident Register referred to in point (iii) above. Should amendments be made to the Plan of Management an updated version of same shall be provided to Council and the residents of the boarding house within one (1) month of the

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LOT 1 DP 119223 (Cont'd)

annual review being completed.

(Reason: To minimise the impact of the use on surrounding residences.)

82. BOARDING HOUSE - ONGOING USE OF (OU)

Ongoing operation of the approved use for the purpose of a boarding house shall comply with the following:

- i) Use of the premises shall remain consistent with the definition of 'boarding house' as defined under Strathfield Local Environmental Plan 2012 as a building that:
 - is wholly or partly let in lodgings, and
 - provides lodgers with a principal place of residence for 3 months or more, and
 - may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers but does not include backpackers" accommodation, a group home, a serviced apartment, seniors housing or hotel or motel accommodation.
- ii) Subdivision of the approved boarding house under strata or community title is prohibited.
- iii) The use and operation of the boarding house shall comply with all applicable legislation/regulation and standards, including:
 - Boarding Houses Act 2012;
 - Boarding Houses Regulation 2013;
 - Local Government Act 1993; and
 - Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation 2005.
- iv) The maximum number of persons accommodated in a bedroom, or in a cubicle of a dormitory, must not exceed the number determined by allowing a minimum floor area within the bedroom or cubicle in accordance with the relevant provisions under the Public Health Act 1991 for each person.
- v) No speakers or music is permitted outdoors or in the communal areas.
- vi) The Boarding house is required to be registered on a register administered by NSW Fair Trading.

(Reason: To minimise the impact of the boarding house on surrounding residences.)

83. 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.)

DA2019/094- 421 Liverpool Road Strathfield
LOT 1 DP 119223 (Cont'd)

84. 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.)

85. 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.)

86. POLLUTION - COMPLIANCE WITH PEOA 1997 GENERALLY (OU)

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.)

ATTACHMENTS

1. [↓](#) DA2019/094-Revised Architectural Plans-421 Liverpool Rd, Strathfield

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DRAWING SCHEDULE

- A-0000 TITLE PAGE
- A-0010 BASIC COMMENTS
- A-0020 UNIT SCHEDULE [B]

- A-1000 SITE ANALYSIS
- A-1010 SITE PLAN
- A-1020 STREETSCAPE ANALYSIS

- A-1101 SURVEY PLAN
- A-1102 CONSTRUCTION PLAN
- A-1103 FUTURE ROAD WIDENING PLAN [A]

- A-1201 BASEMENT 01 AND BASEMENT 02 [B]
- A-1202 GROUND FLOOR AND LEVEL 01 PLAN [B]
- A-1203 LEVEL 02 AND ROOF PLAN [B]

- A-1250 TYPICAL KITCHEN AND LAUNDRY LAYOUT [A]

- A-1301 ELEVATIONS [B]
- A-1302 ELEVATIONS [B]

- A-1401 SECTIONS [B]
- A-1402 SECTIONS [B]

- A-2000 GFA CALCULATIONS [B]
- A-2010 3D SOLAR ACCESS DIAGRAM [B]
- A-2030 LANDSCAPE CALCULATION [B]

- A-2101 SHADOW DIAGRAM 9.00 AM 22 JUNE [B]
- A-2102 SHADOW DIAGRAM 12.00 PM 22 JUNE [B]
- A-2103 SHADOW DIAGRAM 3.00 PM 22 JUNE [B]

- A-2201 MATERIAL SCHEDULE

- A-2202 3D HEIGHT DIAGRAM

GFA CALCULATION

SITE AREA: 594.3 m²
 PERMISSIBLE FSR: 1.15:1
 PERMISSIBLE GFA: 683.45 m²

TOTAL GFA: 644.12 m²
 TOTAL FSR: 1.08:1

UNIT MIX

SINGLE ROOM: 6
 DOUBLE ROOM: 13
 MANAGER'S ROOM: 1

 TOTAL ROOMS: 20 (INCL MANAGER)

 OFFICE: 1
 COMMUNAL ROOM: 1

T. +612 9744 7035 | E. office@ghazialali.com
 ACN: 67167121843
 UNIT 2 LEVEL 2 14 RAILWAY PARADE,
 BURWOOD, NSW 2124



GHAZI AL ALI
 ARCHITECT
PTY LTD
 NSW reg. no. 7542

421 LIVERPOOL RD

421 LIVERPOOL ROAD, STRATHFIELD
 PROPOSED BOARDING HOUSE DEVELOPMENT
 PURSUANT TO SEPP ARH 2009



GROUND FLOOR

GROUND FLOOR

UNIT NO.	TYPE	TOTAL AREA	HABITABLE ZONE	WET ZONE
G02	DOUBLE	26.79 SQM	17.73 SQM	9.06 SQM
G03	DOUBLE	27.22 SQM	21.08 SQM	6.14 SQM
G04	DOUBLE	27.22 SQM	18.77 SQM	8.45 SQM
G05	MANAGER	23.56 SQM	17.57 SQM	5.99 SQM



LEVEL 01 PLAN

LEVEL 01

UNIT NO.	TYPE	TOTAL AREA	HABITABLE ZONE	WET ZONE
101	SINGLE	20.71 SQM	13.51 SQM	7.20 SQM
102	SINGLE	20.71 SQM	13.51 SQM	7.20 SQM
103	SINGLE	20.71 SQM	13.51 SQM	7.20 SQM
104	DOUBLE	31.88 SQM	21.44 SQM	10.44 SQM
105	DOUBLE	31.88 SQM	21.44 SQM	10.44 SQM
106	DOUBLE	33.31 SQM	25.79 SQM	7.52 SQM
107	DOUBLE	27.98 SQM	20.45 SQM	7.53 SQM
108	DOUBLE	24.59 SQM	18.61 SQM	5.98 SQM
109	DOUBLE	24.59 SQM	18.61 SQM	5.98 SQM

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LEVEL 02 PLAN

LEVEL 02

UNIT NO.	TYPE	TOTAL AREA	HABITABLE ZONE	WET ZONE
201	SINGLE	19.65 SQM	12.49 SQM	7.16 SQM
202	SINGLE	19.65 SQM	12.49 SQM	7.16 SQM
203	DOUBLE	24.95 SQM	16.43 SQM	8.52 SQM
204	DOUBLE	24.95 SQM	16.43 SQM	8.52 SQM
205	SINGLE	20.34 SQM	14.23 SQM	6.11 SQM
206	DOUBLE	26.94 SQM	20.35 SQM	6.59 SQM
207	DOUBLE	27.40 SQM	19.84 SQM	7.56 SQM

TOTAL NUMBER OF SINGLE: 6
 TOTAL NUMBER OF DOUBLE: 13
 MANAGER'S ROOM: 1

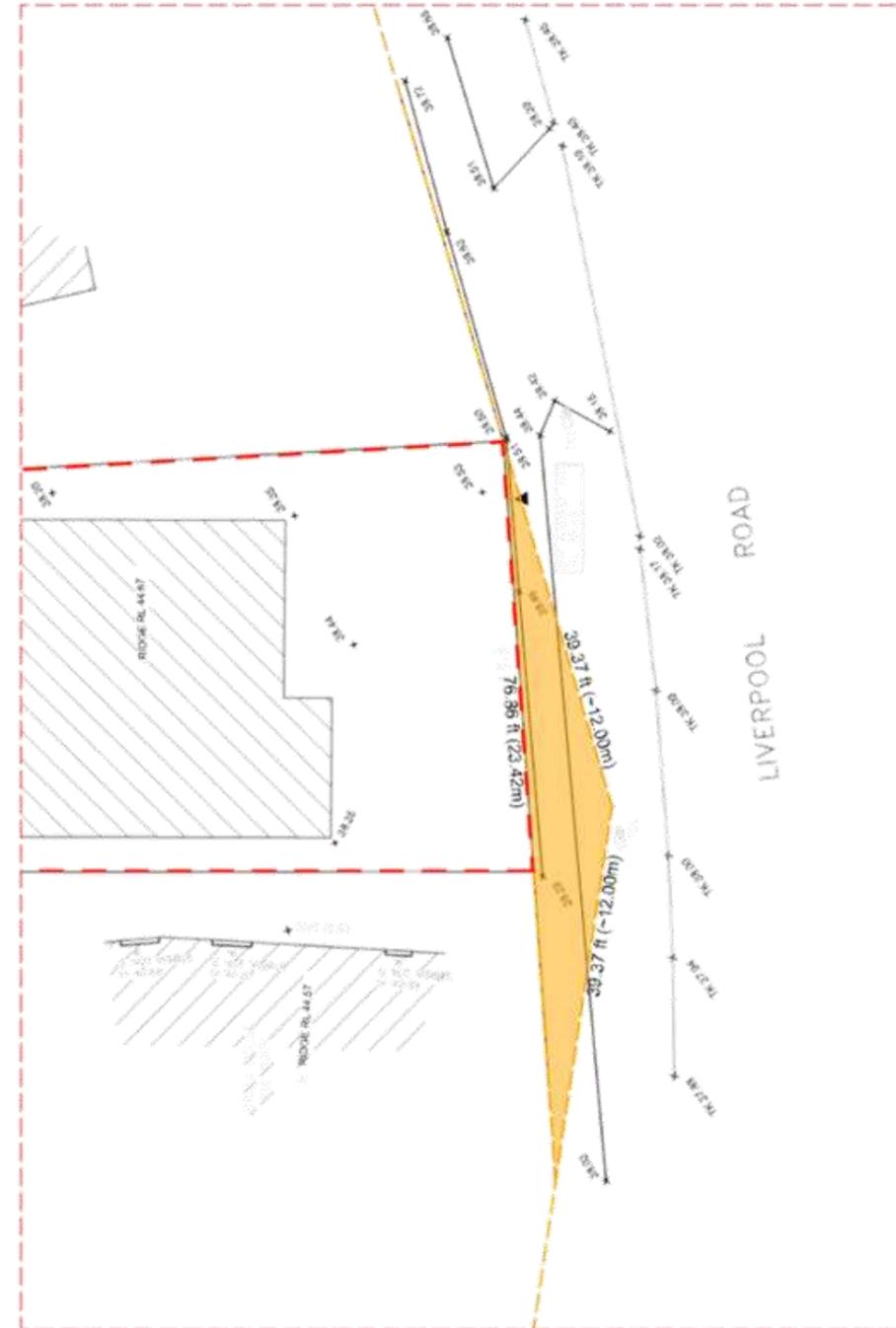
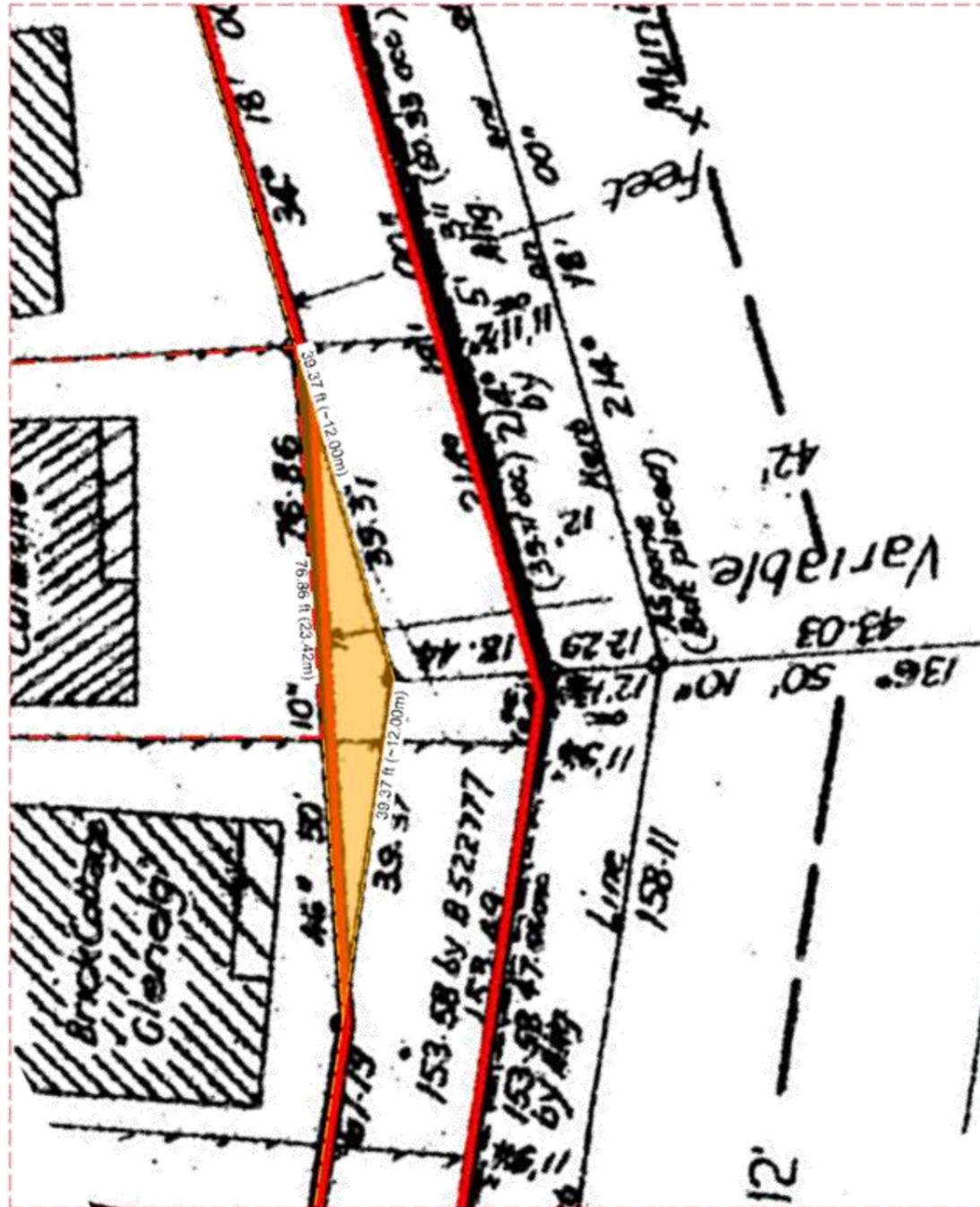
TOTAL ROOMS: 20

COMMUNAL ROOM: 1
 OFFICE: 1

UNIT SCHEDULE

1:300

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DRAWING LEGEND

- ROAD WIDENING AREA
- SUBJECT SITE BOUNDARY



ROADS AND MARITIME SERVICES (RMS) ROAD WIDENING DIAGRAM (RETRIVED FROM RMS DATA) 1:200

EXTRAPOLATION OF FUTURE ROAD WIDENING PLAN 1:200

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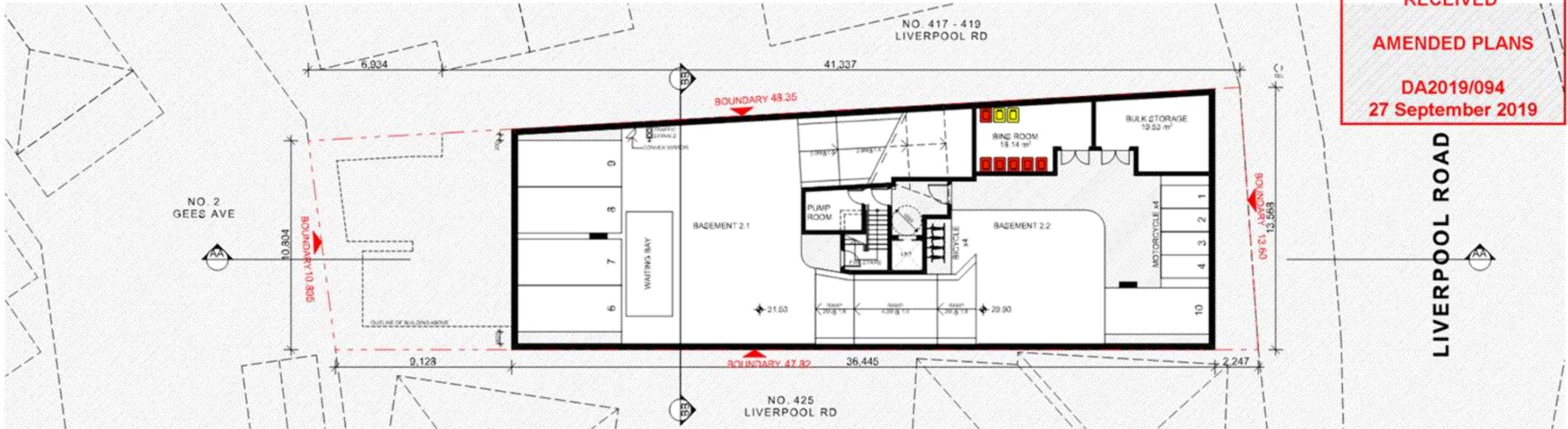
FUTURE ROAD WIDENING PLAN
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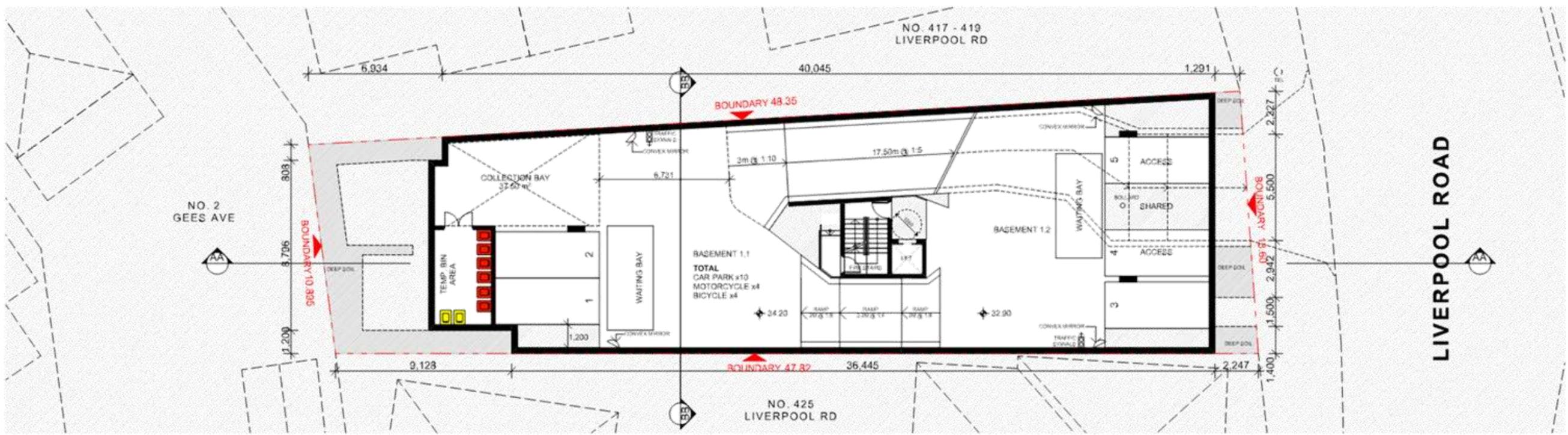
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BASEMENT 02
1:200

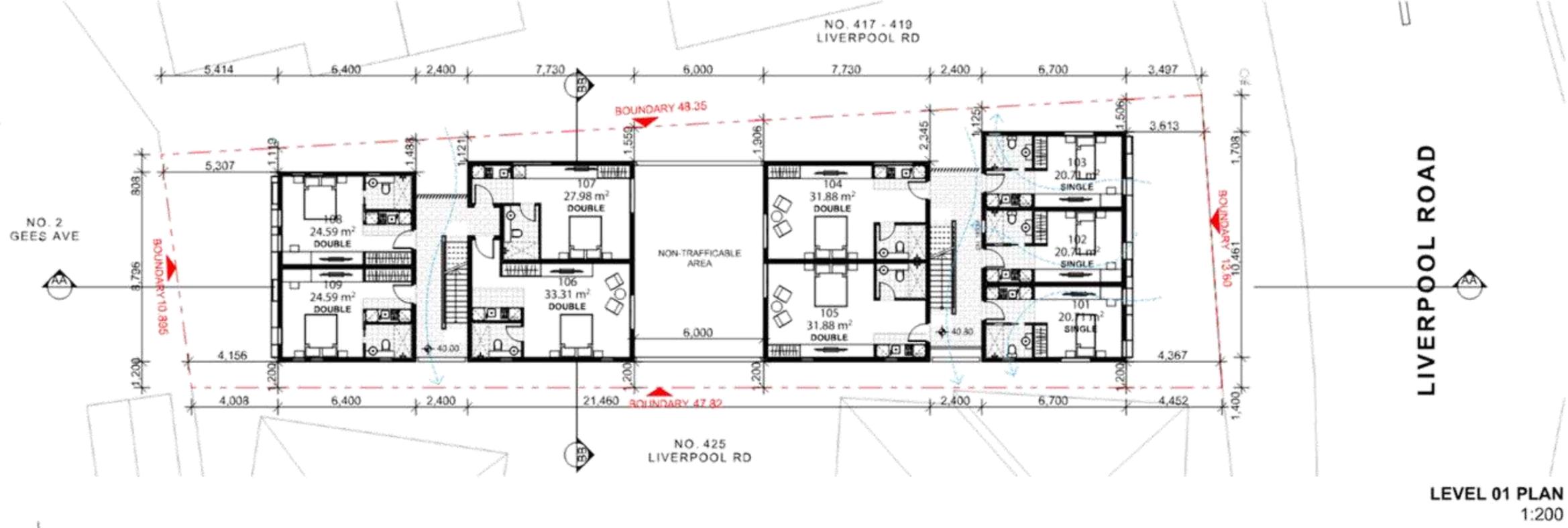
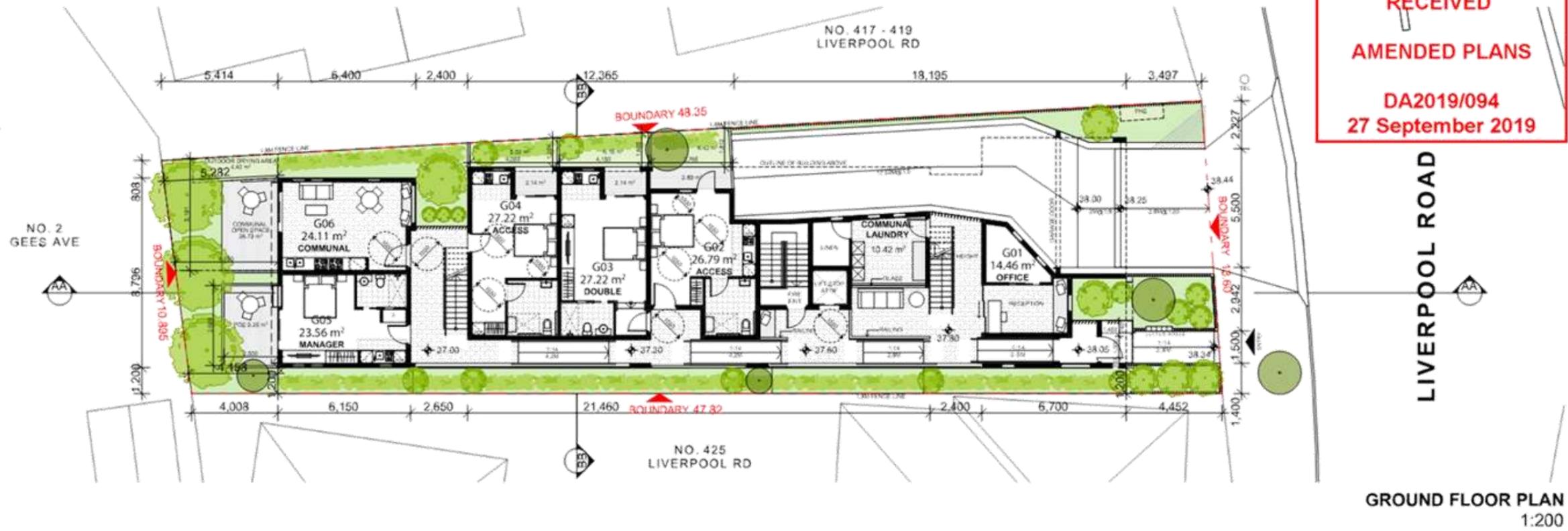


BASEMENT 01
1:200



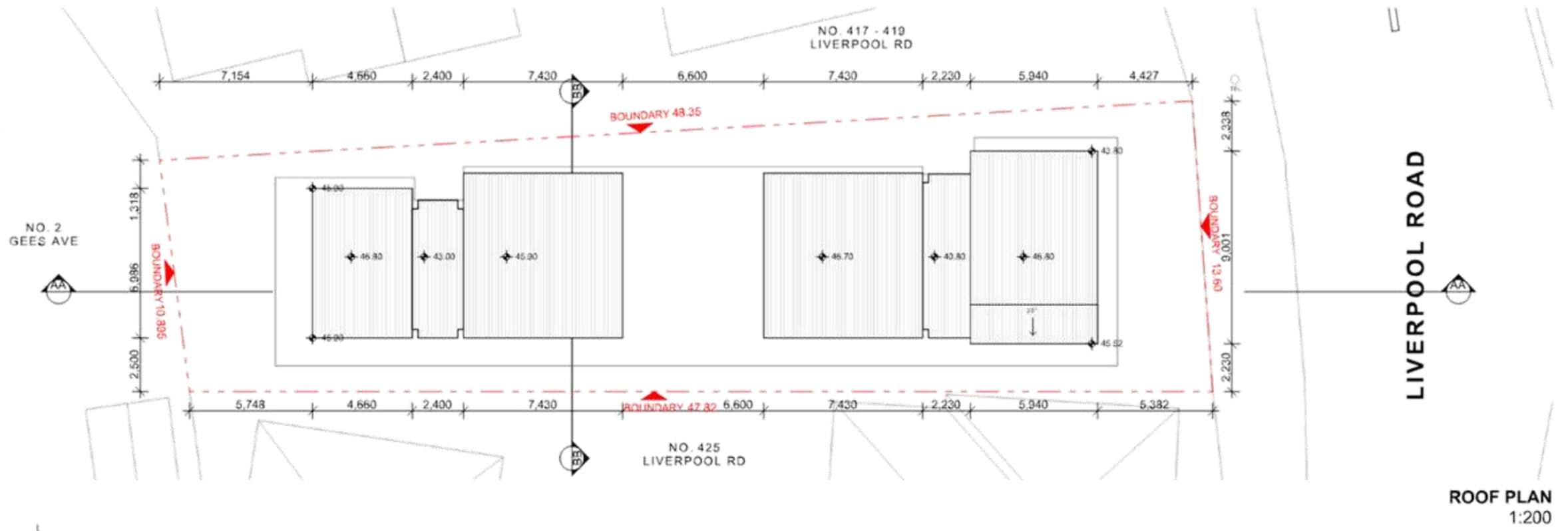
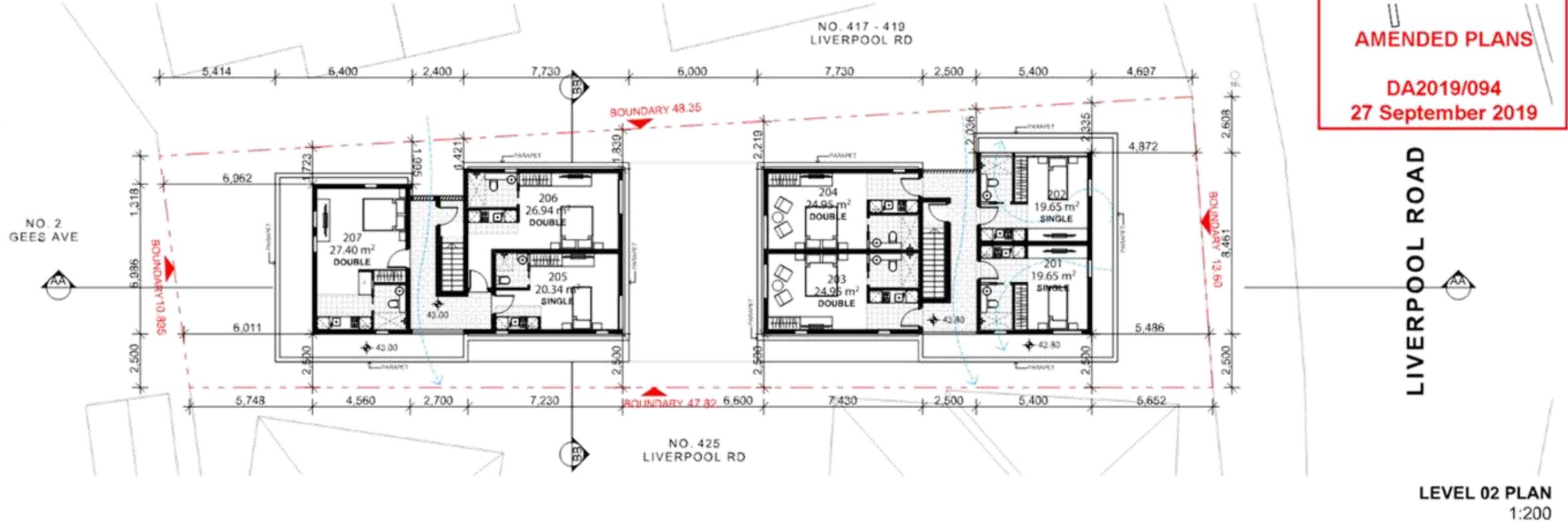
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			<p>QUANTITY SURVEY DESIGNER: [Name]</p>	<p>MECHANICAL DESIGNER: [Name]</p>	<p>LANDSCAPING DESIGNER: [Name]</p>	<p>WASTE MANAGEMENT DESIGNER: [Name]</p>	<p>PROJECT NUMBER A-1201</p>	<p>SCALE B</p>						

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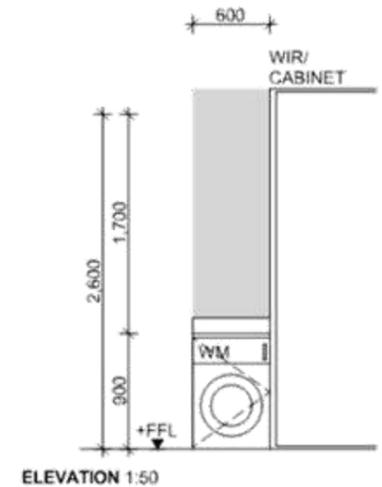
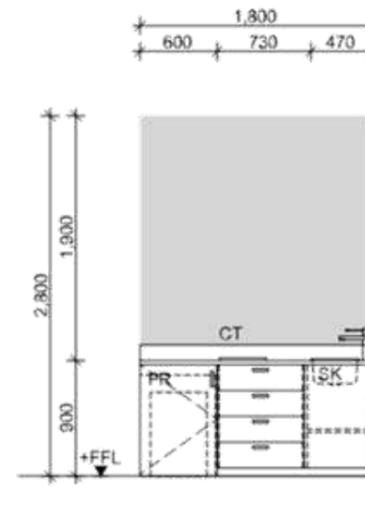
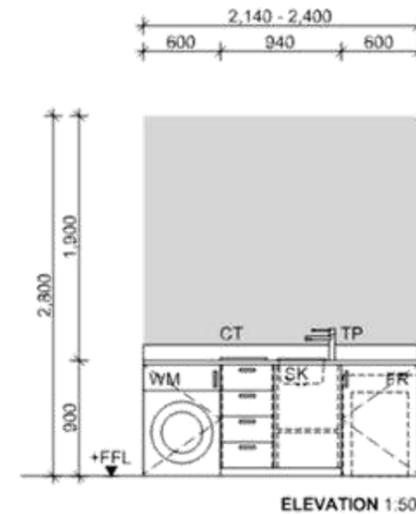
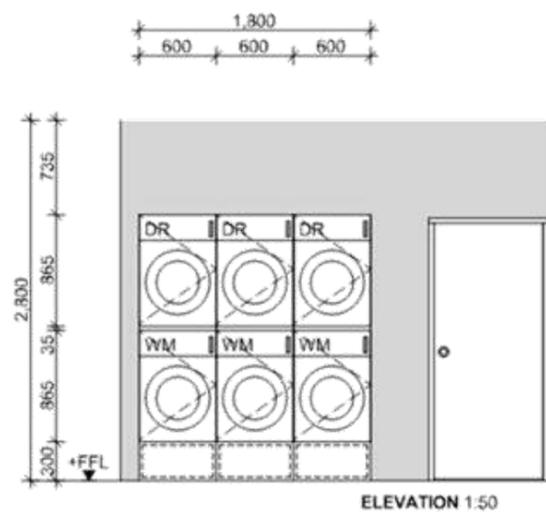
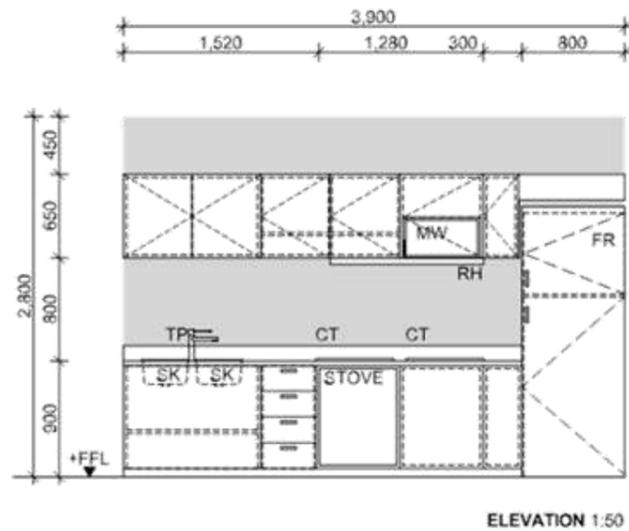
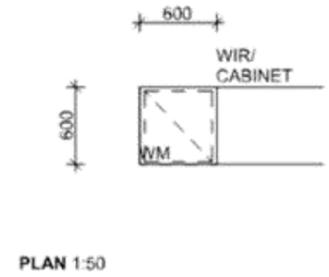
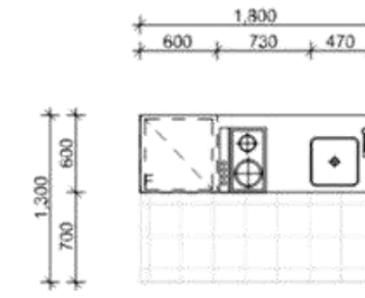
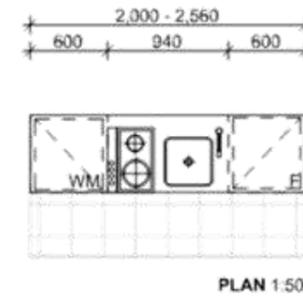
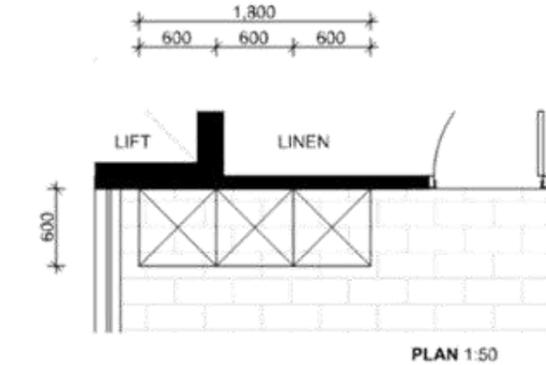
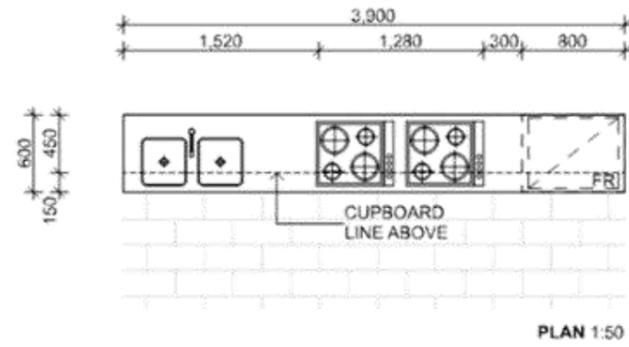


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COMMUNAL KITCHEN
1:50

COMMUNAL LAUNDRY
1:50

ROOM TYPICAL - TYPE 01
1:50

ROOM TYPICAL - TYPE 02
1:50

TYPICAL KITCHEN AND LAUNDRY LAYOUT
1:50

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27 September 2019**



EAST ELEVATION
1:200



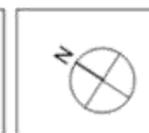
WEST ELEVATION
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PROJECT
421 LIVERPOOL RD, STRATHFIELD
CLIENT
YG INVESTMENT (NSW) PTY LTD
DATE
27/09/2019

PROJECT NUMBER
DA
PROJECT TITLE
A-1301
PROJECT CODE
B

PROJECT NUMBER
DA
PROJECT TITLE
A-1301
PROJECT CODE
B

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27 September 2019**



**NORTH ELEVATION
1:200**



**SOUTH ELEVATION
1:200**

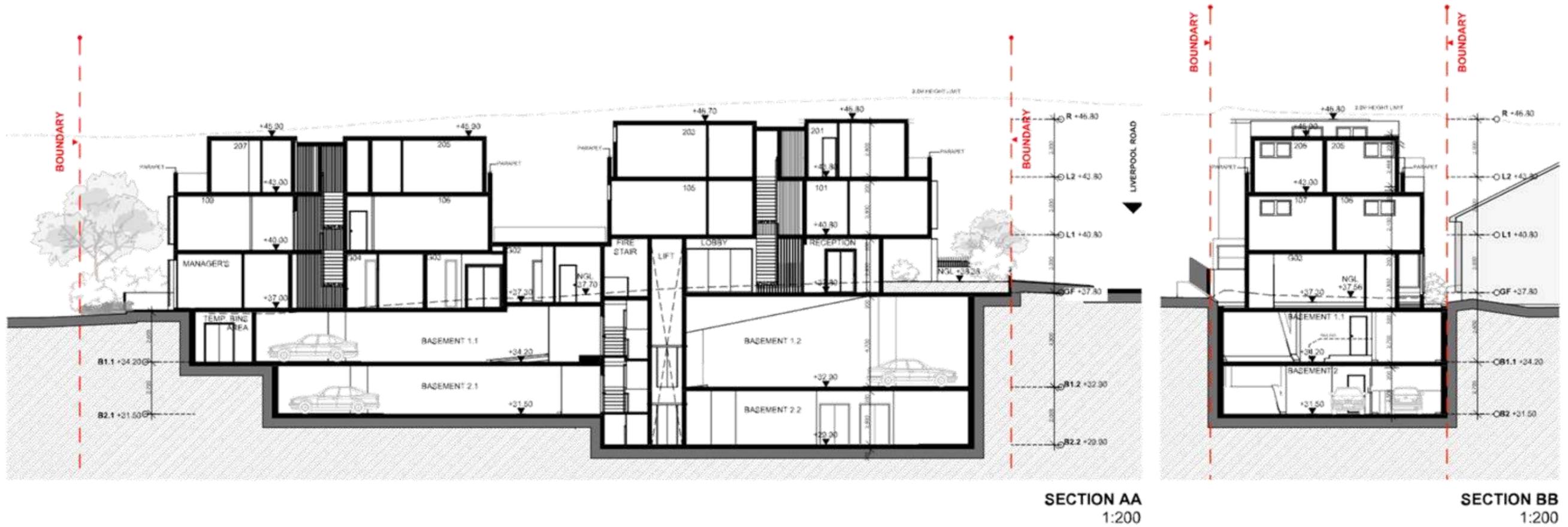


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27 September 2019**

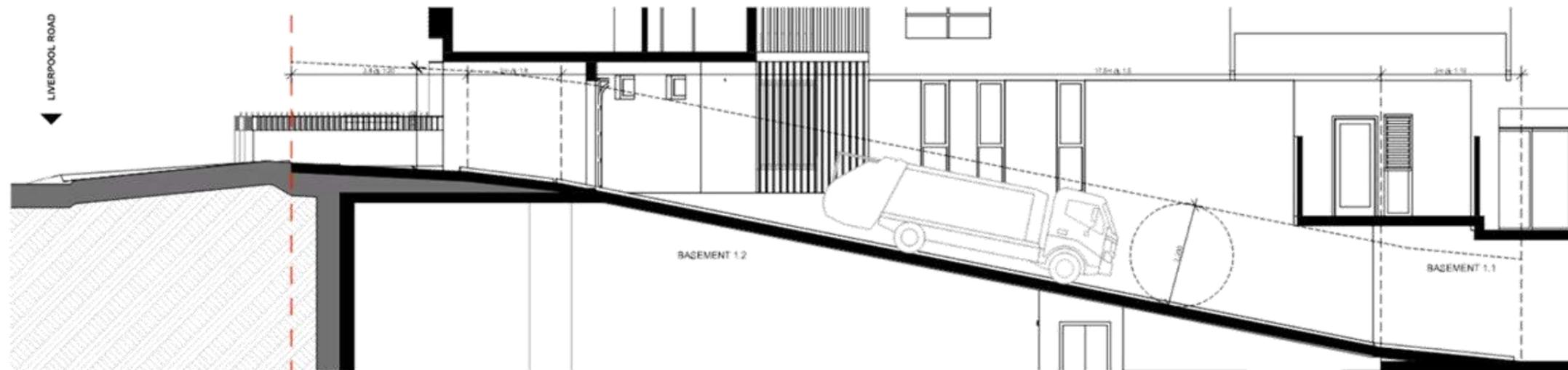


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**STRATHFIELD COUNCIL
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AMENDED PLANS

**DA2019/094
27 September 2019**



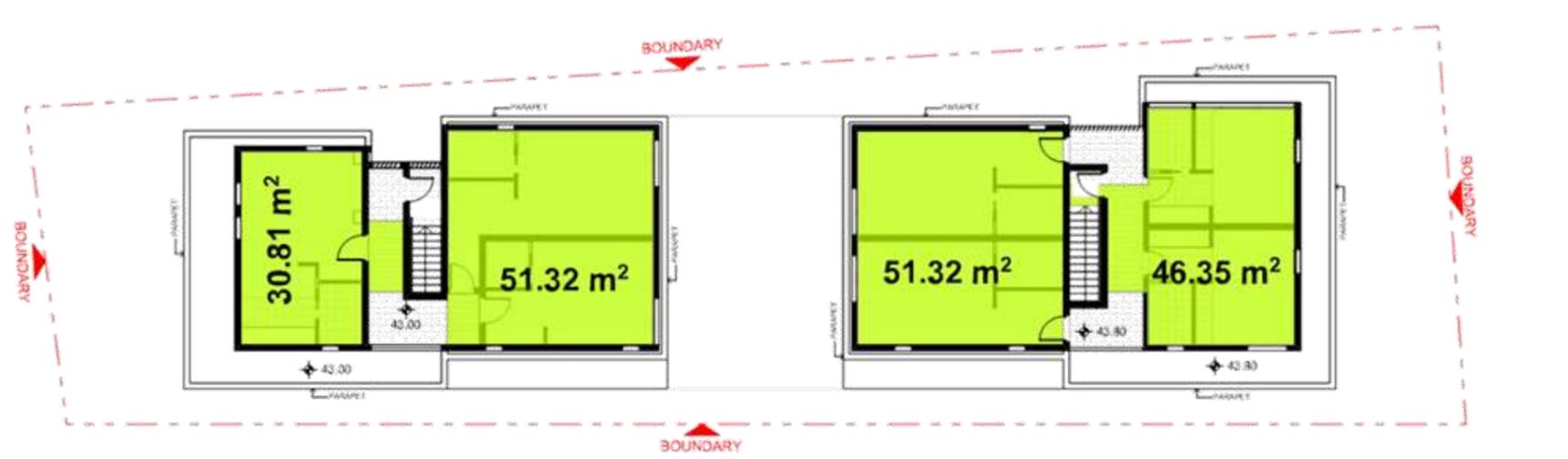
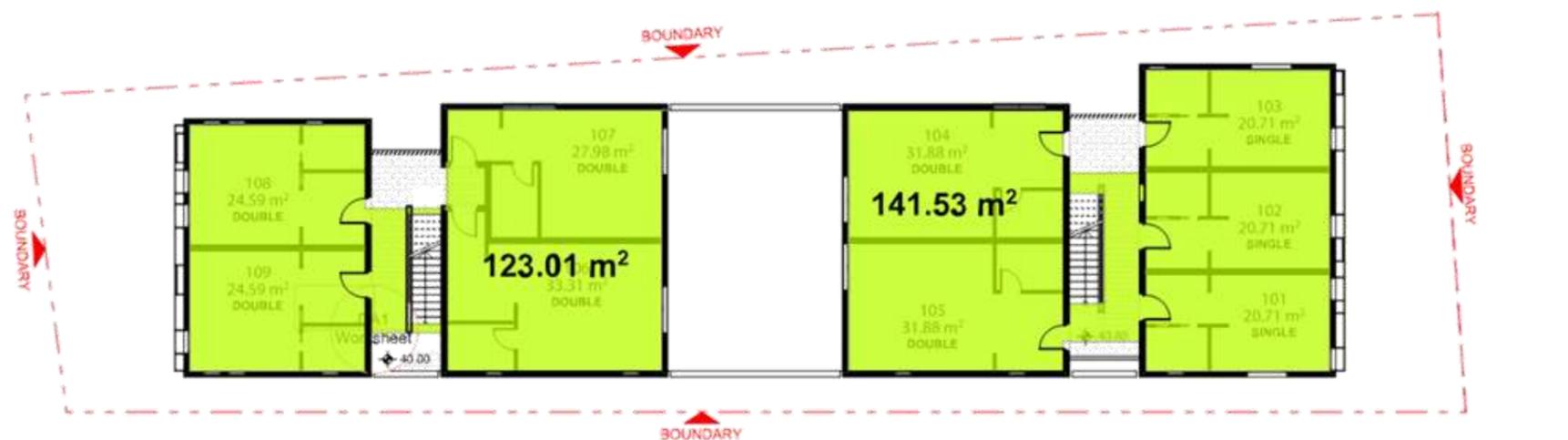
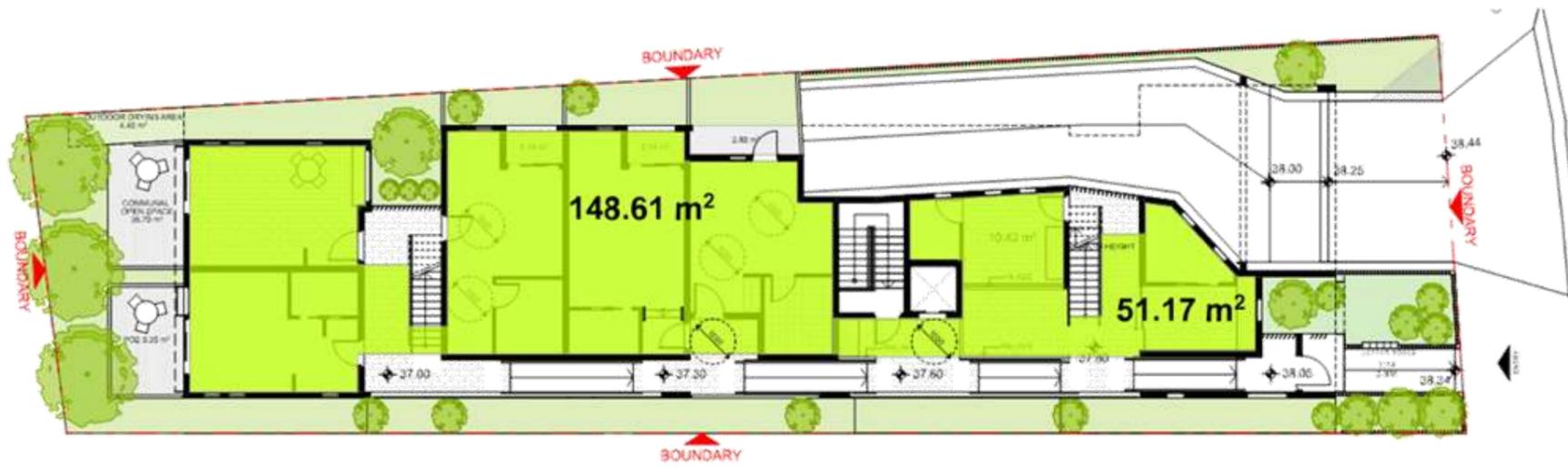
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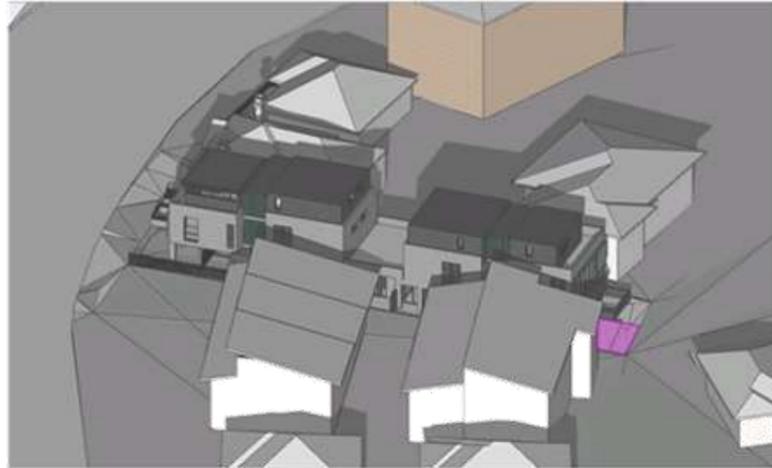
GFA CALCULATION

SITE AREA: 504.3 m²
 PERMISSIBLE FSR: 1.15:1
 PERMISSIBLE GFA: 683.45 m²

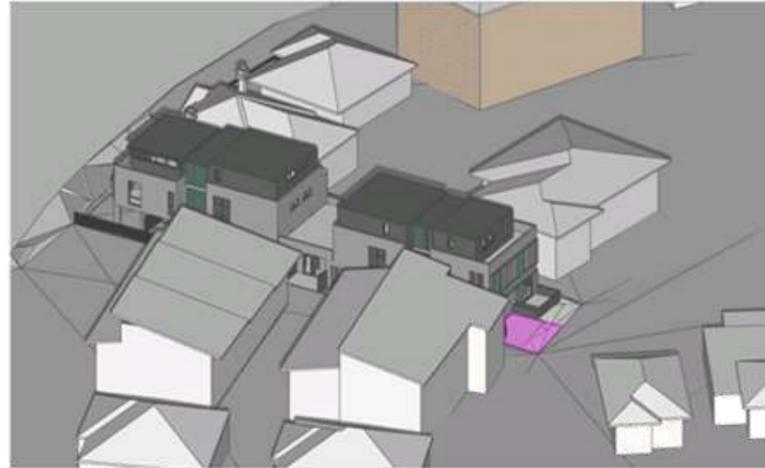
644.12 m²
TOTAL GFA: 644.12 m²
TOTAL FSR: 1.08:1



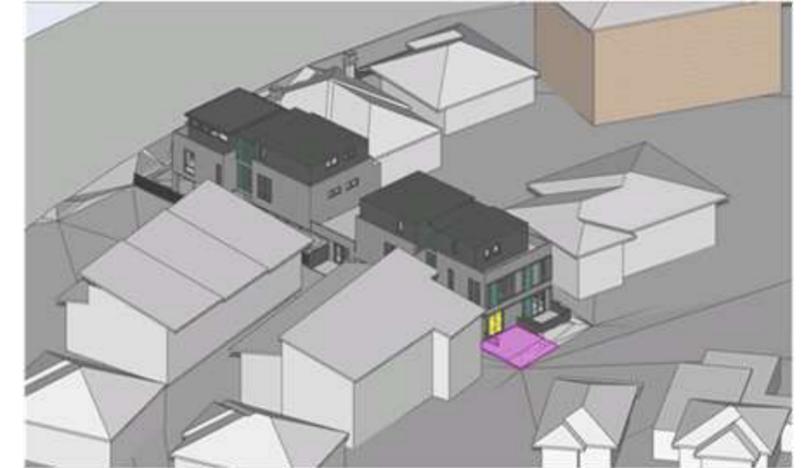
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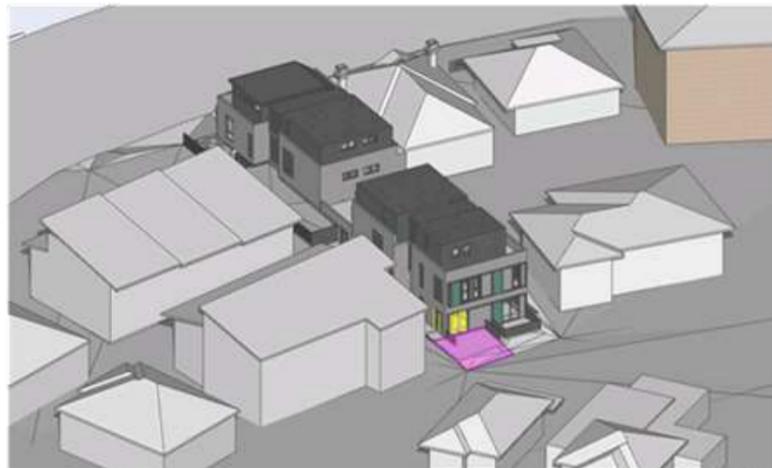
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10 AM
22 JUNE WINTER SOLSTICE



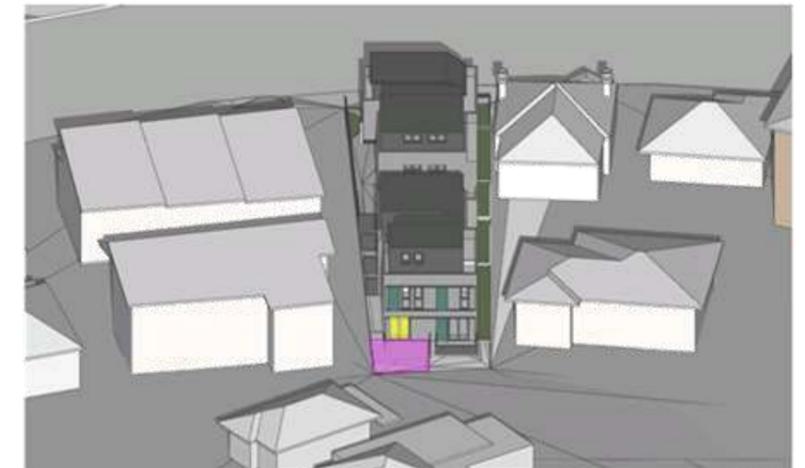
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12 PM
22 JUNE WINTER SOLSTICE



1 PM
22 JUNE WINTER SOLSTICE



2 PM
22 JUNE WINTER SOLSTICE



3 PM
22 JUNE WINTER SOLSTICE



3D SOLAR ACCESS STUDY

- SOLAR ACCESS TO COMMUNAL
- SOLAR ACCESS TO COMMUNAL OPEN SPACE

SOLAR ACCESS ≥ 3HRS: 1 (100%)
 LIMITED SOLAR ACCESS ≤ 3HRS: 0 (0%)
 NO SOLAR ACCESS : 0 (0%)
 TOTAL NUMBER OF COMMUNAL ROOMS : 1

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27 September 2019

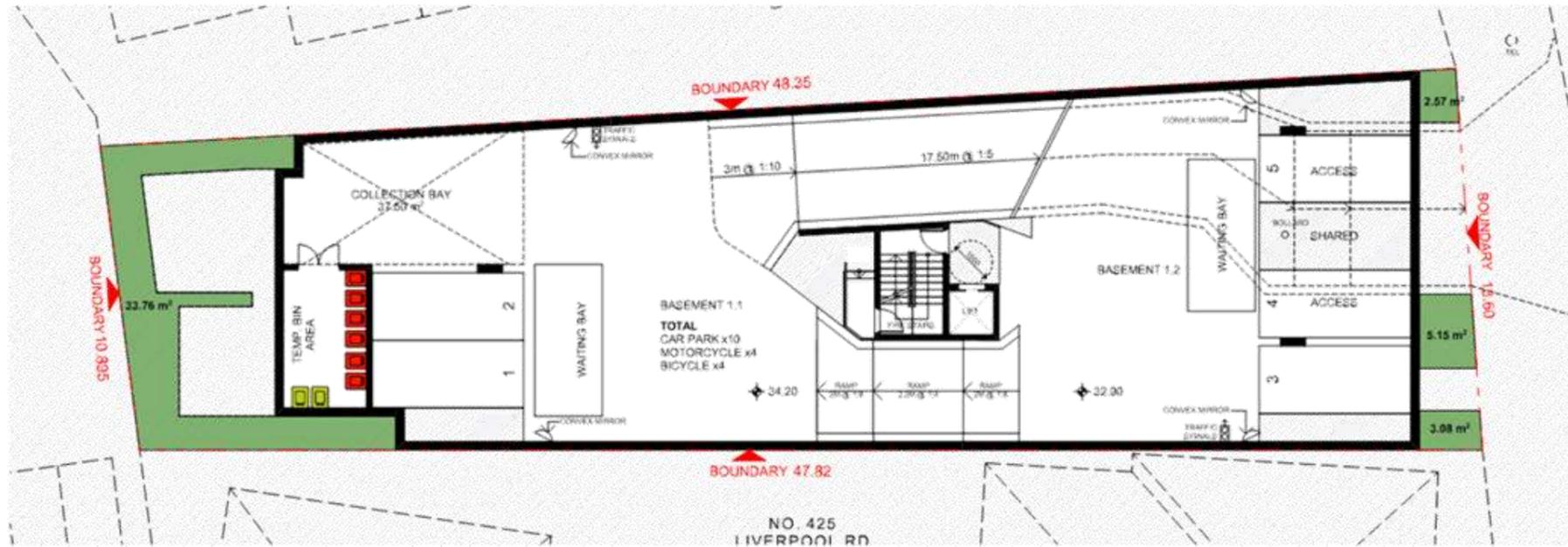
3D SOLAR DIAGRAM

FOR DA PURPOSES ONLY NOT FOR CONSTRUCTION DA	A3 Drawing: 3D Solar Diagram	<p>© COPYRIGHT</p> <p>DO NOT SCALE DIMS. USE DIMENSIONS ONLY. REFER ANY DISCREPANCIES TO ARCHITECT PRIOR TO CONSTRUCTION.</p> <p>THESE DRAWINGS ARE SUBJECT TO COPYRIGHT.</p>		<p>ACCESS</p> <p>DESIGN TEAM CONSULTING 100/107 ST JOHN ST SYDNEY NSW 2000 P: (02) 9239 2000 E: info@design-team.com.au</p>	<p>ARCHITECT</p> <p>GHAZI AL ALI ARCHITECTS 100/107 ST JOHN ST SYDNEY NSW 2000 P: (02) 9239 2000 E: info@ghazi.com.au</p>	<p>STRUCTURAL</p> <p>DESIGN TEAM CONSULTING 100/107 ST JOHN ST SYDNEY NSW 2000 P: (02) 9239 2000 E: info@design-team.com.au</p>	<p>MECHANICAL</p> <p>DESIGN TEAM CONSULTING 100/107 ST JOHN ST SYDNEY NSW 2000 P: (02) 9239 2000 E: info@design-team.com.au</p>	<p>ELECTRICAL</p> <p>DESIGN TEAM CONSULTING 100/107 ST JOHN ST SYDNEY NSW 2000 P: (02) 9239 2000 E: info@design-team.com.au</p>	<p>PLANNING</p> <p>DESIGN TEAM CONSULTING 100/107 ST JOHN ST SYDNEY NSW 2000 P: (02) 9239 2000 E: info@design-team.com.au</p>	<p>PROJECT</p> <p>421 LIVERPOOL RD, STRATHFIELD CLIENT: YG INVESTMENT (NSW) PTY LTD DATE: 23/09/2019</p>	<p>3D SOLAR DIAGRAM</p> <p>PROJECT NUMBER: DA A-2010 B</p>
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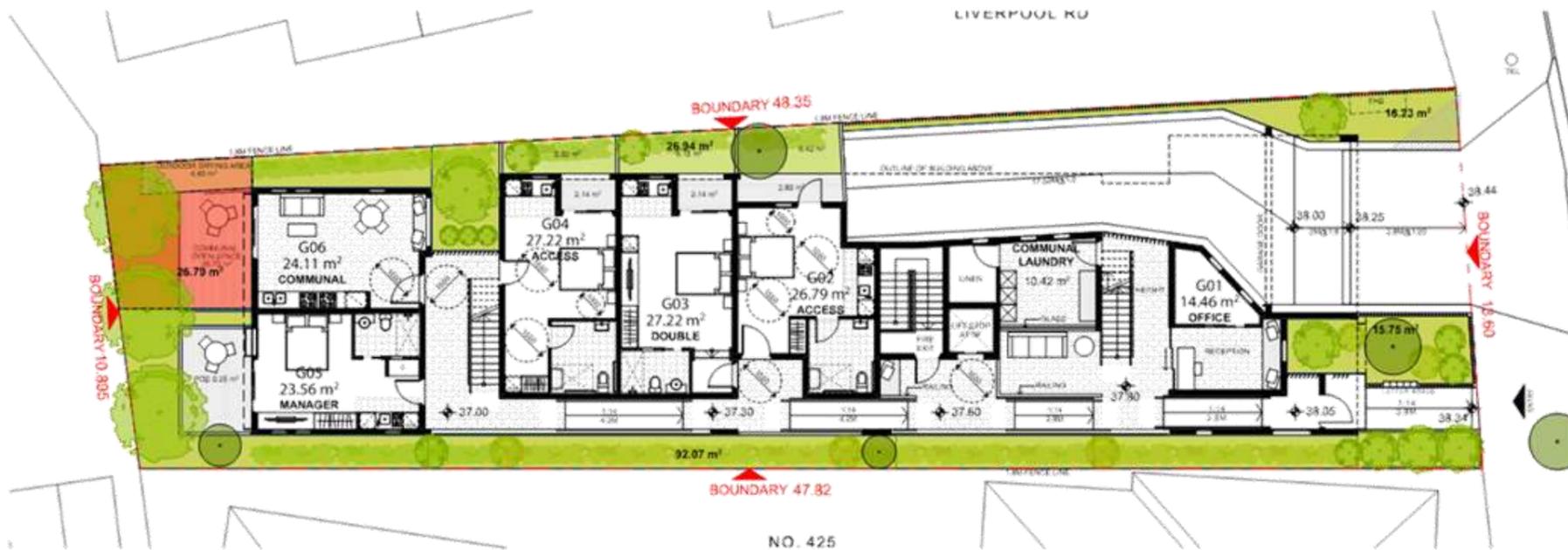
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27 September 2019**



BASEMENT 01
1:200



GROUND FLOOR
1:200

LANDSCAPE AREA CALCULATION

SITE AREA: 594.3 SQM

DEEP SOIL	45.16 SQM
LANDSCAPE	150.00 SQM
COMMUNAL OPEN SPACE	26.79 SQM



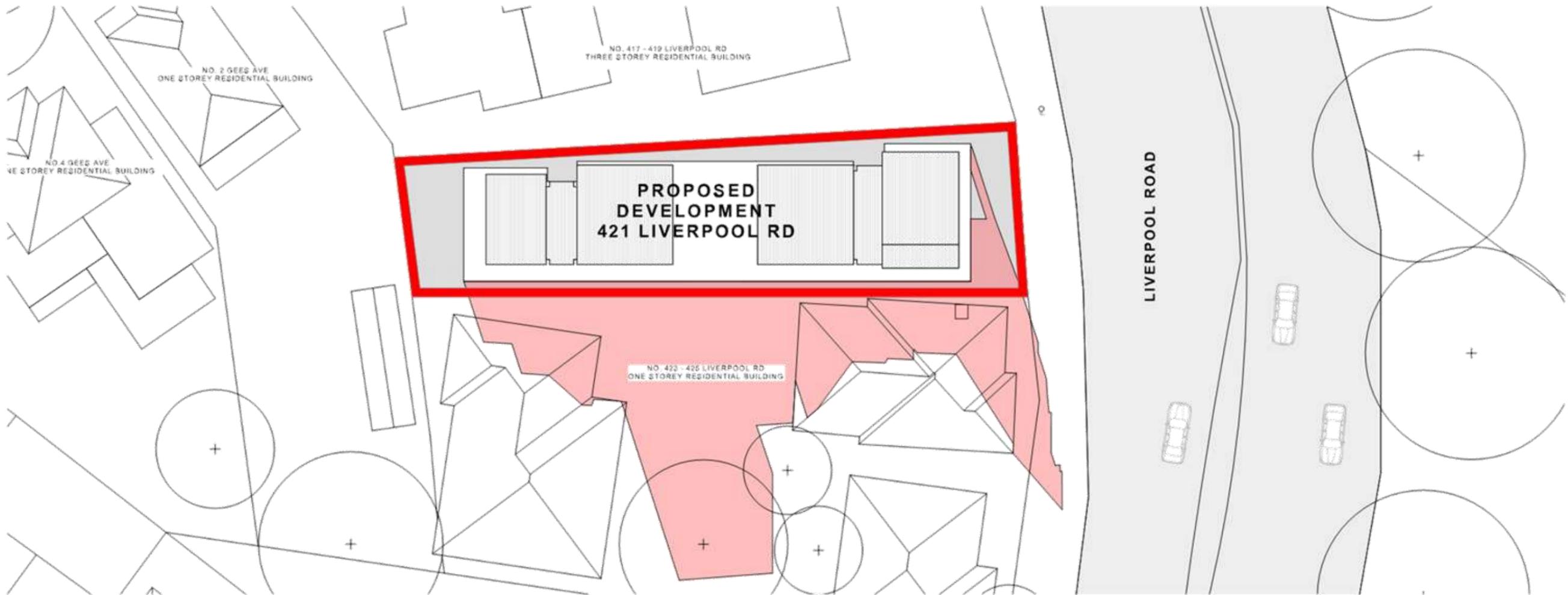
LANDSCAPE CALCULATION

<p>FOR DA PURPOSES ONLY NOT FOR CONSTRUCTION</p> <p>DA</p>	<p>©COPYRIGHT DO NOT SCALE DIMS. USE DIMENSIONS ONLY. REFER ANY DISCREPANCIES TO ARCHITECT PRIOR TO CONSTRUCTION. THESE DRAWINGS ARE SUBJECT TO COPYRIGHT.</p>	<p>ACCESS QUANTITY SURVEY</p>	<p>TRADING SUSTAINABLE SOLUTIONS</p>	<p>ACQUISITION ENVIRONMENTAL</p>	<p>HYDRAULIC LANDSCAPING</p>	<p>WASTE MANAGEMENT WASTE MANAGEMENT</p>	<p>PLANNING ARCHITECTURE</p>	<p>PROJECT 421 LIVERPOOL RD, STRATHFIELD YG INVESTMENT (NSW) PTY LTD</p>	<p>LANDSCAPE CALCULATION</p>	<p>PROJECT NUMBER P18-044</p>
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**DA2019/094
27 September 2019**



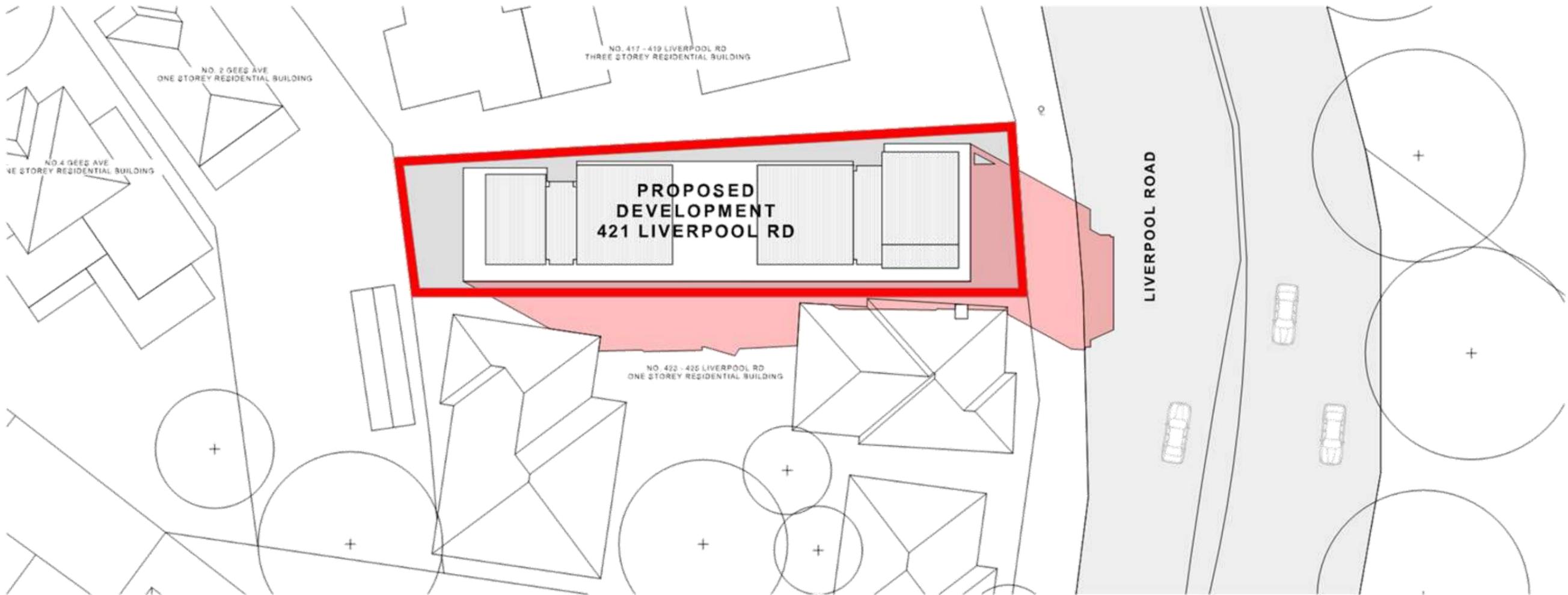
**SHADOW DIAGRAM
9.00 AM 22 JUNE**

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				<p>DATE: 27/09/2019</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO: DA-2101</p> <p>ISSUE: B</p>									

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27 September 2019**



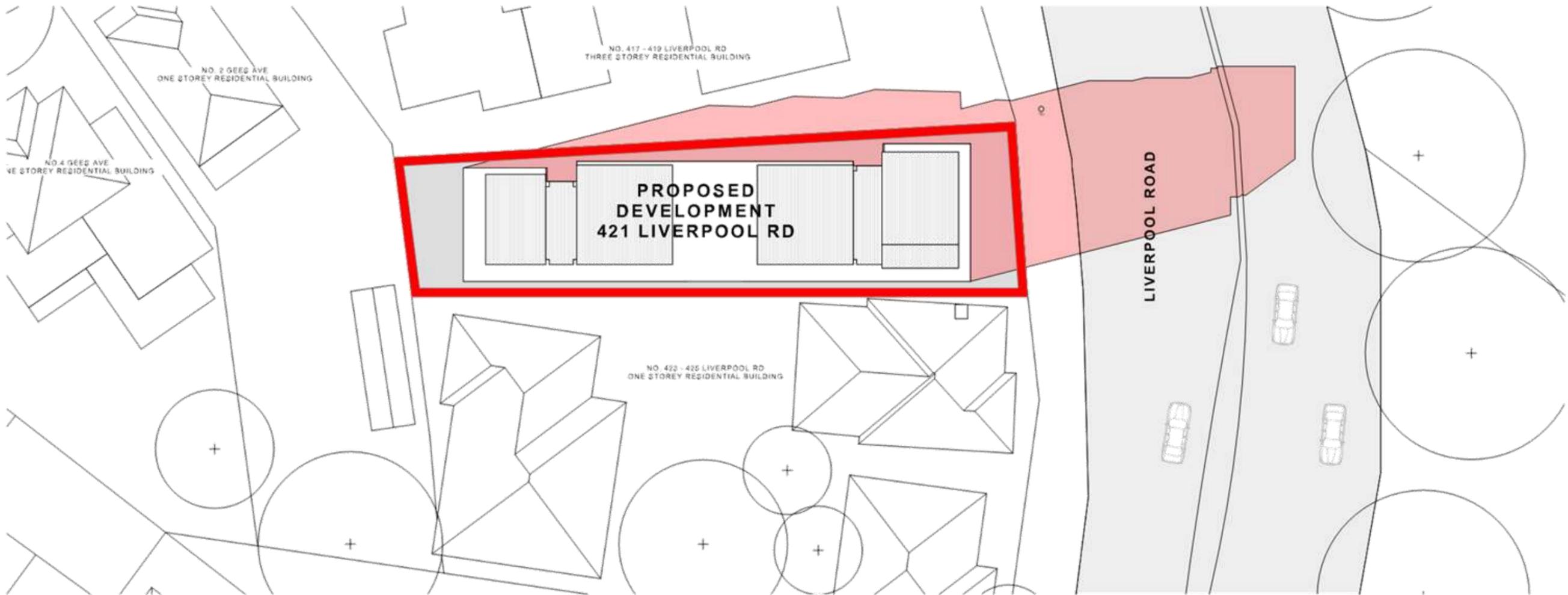
**SHADOW DIAGRAM
12.00 PM 22 JUNE**

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				<p>QUANTITY SURVEY WSP 100/107 ST JOHN PLACE SYDNEY NSW 1585 P. 02 9550 9999 A. www.wsp.com.au</p>	<p>BIOMIMETIC SUSTAINABLE SOLUTIONS 100/107 ST JOHN PLACE SYDNEY NSW 1585 P. 02 9550 9999 A. www.biomimetic.com.au</p>	<p>GEOTECHNICAL AND ENVIRONMENTAL DESIGNER CONSULTING 100/107 ST JOHN PLACE SYDNEY NSW 1585 P. 02 9550 9999 A. www.designerconsulting.com.au</p>	<p>LANDSCAPING DESIGNER CONSULTING 100/107 ST JOHN PLACE SYDNEY NSW 1585 P. 02 9550 9999 A. www.designerconsulting.com.au</p>	<p>WASTE MANAGEMENT DESIGNER CONSULTING 100/107 ST JOHN PLACE SYDNEY NSW 1585 P. 02 9550 9999 A. www.designerconsulting.com.au</p>	<p>CLIENT YG INVESTMENT (NSW) PTY LTD</p>		<p>DATE 27/09/2019</p>		

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**DA2019/094
27 September 2019**



**SHADOW DIAGRAM
3.00 PM 22 JUNE**

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