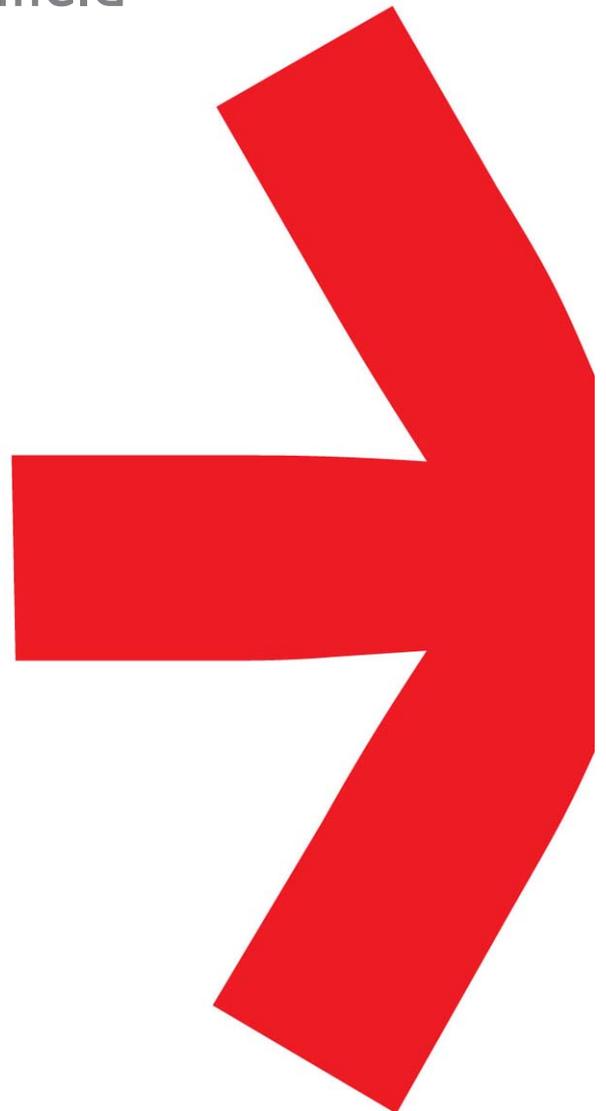


# Section 8.2 Review of Determination

17 Broughton Road, Strathfield  
DA 2020.70

January 2021



## Document status

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# 1 Introduction

## 1.1 Summary of the Application

This letter supports a Section 8.2 Review of Determination Application requesting Council to review the refusal of development application – DA 2020.70 under Section 8.2 of the *Environment Planning and Assessment Act 1979*. The refusal relates to a boarding house development with retention of the existing dwelling and a two storey rear addition at 17 Broughton Road, Strathfield.

This document has been prepared by Planik Pty Ltd on behalf of the owners of the subject site.

The review of the determination can be made under Section 8.2 of the Act noting the development application for review is made within 6 months of the date of determination being 1 October 2020 and allowing time for adequate reconsideration.

In seeking a review, the applicant has considered the Strathfield Local Planning Panel's reasons for refusal, Planning Officer's Assessment Report, Design Review Panel comments and previous Pre-development Application Meeting advice. Amended information is submitted in plan and document format to support the proposal. This report describes in detail the proposed amendments and issues resolved by the amended proposal.

This application carefully considers Council's planning controls and provides an assessment of impacts as required by the EP&A Act 1979. It will demonstrate that the proposal has been amended to address previous issues raised, including a reduction in its overall bulk and scale, provision of a basement carpark, and the resulting built form is not antipathetic to:

- The objects of the EPA & Act 1979.
- The aims of the Strathfield LEP.
- The objectives of the R2 zone, and
- The provisions of the SEPP-ARH.

This report also addresses the relevant privacy, visual impact, and overshadowing concerns raised by objectors to the previous development application.

## 1.2 Amendments to the Proposal

The proposed development has been amended to address the reasons for refusal of the Strathfield Local Planning Panel, Council's previous assessment of the application (noting the application was recommended for approval by Council), and comments from the Design Review Panel. The amended plans submitted dated 12 January 2020 can be summarised as follows:

- Deletion of at-grade carparking and new basement carpark proposed to remove any cantilevering/undercroft beneath the built form.
- Reduction in the overall building footprint proposed and part increase in eastern side setbacks
- Terraced link between existing and new building significant increase in size and link through from dining to living areas with communal open terrace between.
- Sitting room added to the first floor and voids created to allow light into ground floor lounge.
- Balconies to the proposed boarding rooms have been deleted.

- Relocation of manager's suite to the front building to allow for more appropriate layout of management of the premises.
- Small pitched roof form above rear building to a maximum height of 6.92m a significant reduction from the 7.9 m of the previous proposal and maximum height permissible of 9.5 m.

### 1.3 Previous Development Application

Two pre-development application meetings have been held between Council and the applicant prior to lodgement of the application on 17 April 2020. The application was referred to Council's Design Review Panel on 20 May 2020 for comment.

Development Application DA 2020.70 was recommended for approval by Council's development assessment officer in its report presented to the Strathfield Local Planning Panel Meeting on 1 October 2020, proposing the conservation of the existing house and addition of a new structure to create a new boarding house. The proposed development comprises of 11 boarding rooms and one manager's room with associated parking. This application was subsequently refused by the Planning Panel.

The following is a summary timeline of relevant planning events for the subject site, more specific to Unit 2 being the new dwelling on the site which is the subject of the modification:

- Pre-development Application meetings were held on 20 November 2019 and 15 January 2020 prior to the lodgement of the application on 17 April 2020.
- A preliminary assessment letter dated 4 May 2020 was issued by Council raising concerns related to flooding, acoustic impacts, asbestos and waste management.
- A Design Review Panel meeting was held on 20 May 2020, raising comments related to the character of the local area, built form, internal amenity, and landscaping.
- Amended Plans / modifications were submitted to Council on 7 July 2020 to address the issues raised in Council's preliminary assessment and Design Review Panel minutes. Further information was submitted on 29 July 2020.
- The application was recommended for approval by Council's development assessment officer in its report presented to the Strathfield Local Planning Panel Meeting on 1 October 2020. The application was subsequently refused by the Panel.

#### 1.3.1 Reasons for Refusal

The following addresses the reasons for refusal listed in the Strathfield Local Planning Panel meeting minutes for its meeting on 1 October 2020. In responding to the reasons for refusal, the amended plans submitted also refer to and address previous issues raised by Council throughout its assessment of the application (noting the application was recommended for approval by Council), and the Design Review Panel's previous advice.

The reasons for refusal are listed and addressed below:

**Table 1** Reasons for Refusal

<b>Reasons</b>	<b>Response</b>
1. <i>The proposed development is contrary to ss 4.15(1)(a)(i)(iii); (b),(c), (d) and (e) of the Environmental Planning and Assessment Act 1979 in that the proposal is an overdevelopment of the subject site due to the bulk, size and massing of the building and the inability to provide side and rear boundary setbacks.</i>	The proposal has been amended to reduce the number of rooms and overall bulk and scale of the proposal. The rear addition has been designed with a smaller building footprint than previously approved, with increased side setbacks and a significant reduction in building height.  The provisions of S4.15(1) of the EPA Act 1979 have been addressed throughout this report.

<p>2. <i>The proposed development will have an adverse impact on the residential and heritage character of the locality</i></p>	<p>The proposal in its amended form is consistent with the low density residential character of the locality and conservation area noting the reduced scale of the rear addition, location of parking in a basement, and increased setbacks and landscaping.</p>
<p>3. <i>The proposed development does not provide adequate and appropriate communal amenity and private space for the occupants of the building.</i></p>	<p>Increased communal open space and internal communal areas have been provided by the amended proposal, providing a high level of amenity for the residents of the building.</p>
<p>4. <i>The proposed development fails to meet the objects of the R2 residential zone.</i></p>	<p>The amended proposal is consistent with the objectives of the zone as addressed further within this report.</p>
<p>5. <i>The proposed development fails to be compatible with the character of the local area as required by clause 30A of the Affordable Rental Housing SEPP.</i></p>	<p>The proposal in its amended form has been significantly reduced in scale noting the reduction in a boarding room and decrease in height of the rear addition, increased setbacks, and basement carparking.</p>
<p>6. <i>The proposed development with its design of undercrofts and cantilevered upper floors over ground level parking reduces the ability to compress the size of the footprint of the building which would provide greater side boundary and rear boundary setbacks.</i></p>	<p>The proposal has been designed with a basement carpark and reduced building footprint to provide greater side and rear boundary setbacks, particularly central to the site.</p>
<p>7. <i>The proposed development is not in the public interest in that it would create an undesirable precedent for boarding house development in the locality</i></p>	<p>The proposal in its amended form is suitable with regard to the provisions of S4.15(1) of the EPA Act and is in the public interest.</p>

## 1.4 Strathfield Local Environment Plan 2012 Development Control Summary

**Table 2** Strathfield LEP 2012 Planning Control Summary

<b>Applicable LEP Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
Maximum Height	9.5m	6.92m	Yes
Floor Space Ratio	N/A	504sqm & 0.517:1	N/A
Exceptions to FSR	0.525:1 & 512.085m <sup>2</sup>	504sqm & 0.517:1	Yes
Heritage Conservation	Yes – Broughton Road Conservation Area C9	Proposal supported by an amended Heritage Impact Statement	Yes

## 1.5 Applicant and Ownership

The applicant for this Development Application is Moderinn Pty Ltd on behalf of the owner of the subject site B Wjaya.

## 1.6 Consent Authority

The consent authority for this review of determination is Strathfield Council.

## 1.7 Structure of the Report

This report is divided in to five sections detailing the nature of the development in the following manner:

- Section 1 Introduction.
- Section 2 Examines the existing site conditions in terms of location, context, access and relevant planning controls.
- Section 3 Describes the development proposal through development statistics, built form, materials and the site conditions.
- Section 4 Assesses the development proposal against relevant planning controls.
- Section 5 Environmental effects
- Section 6 Concludes the Report.

## 2 Site and Context

### 2.1 Site Location and Description

The site is legally referred to as Lot 22 in DP 598554 and has a total area of approximately 975.4m<sup>2</sup> and has a primary frontage of 21.335m to Broughton Road, and a site depth of 45.72m. The subject site is located within an accessible area, being approximately 630m walking distance from Homebush Railway Station.

The subject site currently contains a single storey residential dwelling, with vehicular access to the site through two driveway crossings along the eastern and western side boundaries of the site. The immediate locality consists of a number of 1 – 2 storey residential dwellings according to zone. The site has a gentle fall of approximately 0.78m from the south-eastern corner to its north-western corner. The site is located within close proximity to public transport and community facilities, including Strathfield Library, Fitzgerald Park, the Homebush Mixed Use zone, and is within 630m walking distance of Homebush Railway Station to the north



Figure 1 Site Context Map. Source: SIX Maps



**Figure 2** Aerial Site Photo. Source: SIX Maps



**Figure 3** Fourth Avenue Streetscape. Source: Google Maps Street View

## 2.2 Relevant Legislation

The following assessment has been structured in accordance with Section 4.15(1)(a) of the Environmental Planning & Assessment Act 1979 (EP&A Act).

The proposed development has been assessed in accordance with the relevant state, regional and local planning policies, as detailed below.

### 2.2.1 State

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- State Environmental Planning Policy (Affordable Rental Housing) 2008
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)

### 2.2.2 Local

- Strathfield Local Environmental Plan 2012
- Strathfield Development Control Plan 2012

This report demonstrates that the proposed development is consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

# 3 Amended Development Proposal

## 3.1 The Amended Proposal

The proposal seeks a review of Council's refusal of DA 2020.70 for the retention of the existing house on the site and rear addition to create a new boarding house containing 11 x rooms and a manager's room with at-grade parking.

The amended proposal presents a total of 10 x boarding rooms and one manager's room, a basement carpark, and landscaping along the front, side and rear boundaries.

The proposed development has been amended to address the reasons for refusal of the Strathfield Local Planning Panel, Council's previous assessment of the application (noting the application was recommended for approval by Council), and comments from the Design Review Panel. The amended plans submitted dated 12 January 2020 can be summarised as follows:

- Deletion of at-grade carparking and new basement carpark proposed to remove any cantilevering/undercroft beneath the built form.
- Reduction in the overall building footprint proposed and part increase in eastern side setbacks
- Terraced link between existing and new building significant increase in size and link through from dining to living areas with communal open terrace between.
- Sitting room added to the first floor and voids created to allow light into ground floor lounge.
- Balconies to the proposed boarding rooms have been deleted.
- Relocation of manager's suite to the front building to allow for more appropriate layout of management of the premises.
- Small pitched roof form above rear building to a maximum height of 6.92m a significant reduction from the 7.9 m of the previous proposal and maximum height permissible of 9.5 m.

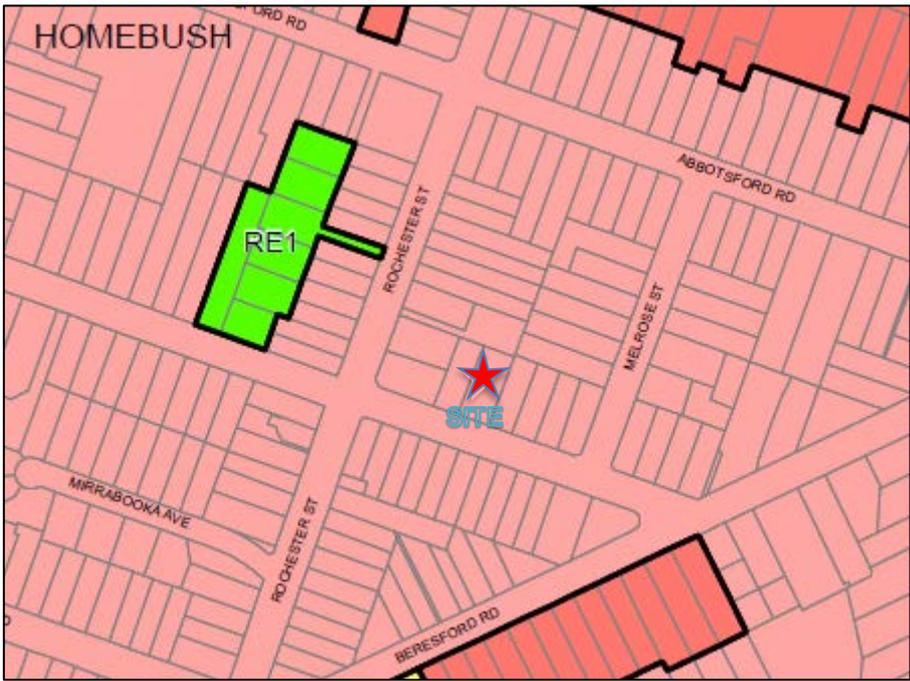
## 3.2 Review of Determination

The Section 8.2 Review application should be read in conjunction with the following plans and documents below:

<b>Plan/Document Title:</b>	<b>Date:</b>	<b>Prepared by:</b>
Architectural Plans	22 01 21	Moderinn Pty Ltd
Section 8.2 Review Letter	22 01 20	Planik Pty Ltd

## 3.3 Land Zoning and Permissibility

The site is subject to the controls of the Strathfield Local Environmental Plan 2012 and is zoned R2 – Low Density Residential under the LEP. Boarding houses are a permissible form of development in the R2 zone.



**Figure 4** Zoning R2 Low Density Residential – Strathfield LEP 2012

# 4 Planning Controls

## 4.1 Environmental Planning and Assessment Act 1979

### 4.1.1 Review of Determination

Section 82A of the *Environmental Planning and Assessment Act 1979* provides opportunity for reviews of determination. It states:

#### **Division 8.2 Reviews**

#### **8.2 Determinations and decisions subject to review (cf previous ss 82A(1), 82B(1))**

(1) *The following determinations or decisions of a consent authority under Part 4 are subject to review under this Division—*

**(a) the determination of an application for development consent by a council, by a local planning panel**, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary),

(b) *the determination of an application for the modification of a development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary),*

(c) *the decision of a council to reject and not determine an application for development consent.*

(2) *However, a determination or decision in connection with an application relating to the following is not subject to review under this Division—*

(a) *a complying development certificate,*

(b) *designated development,*

(c) *Crown development (referred to in Division 4.6).*

(3) *A determination or decision reviewed under this Division is not subject to further review under this Division.*

#### **8.3 Application for and conduct of review (cf previous ss 82A(2)–(4) (6), 82B(2)–(4))**

(1) *An applicant for development consent may request a consent authority to review a determination or decision made by the consent authority. The consent authority is to review the determination or decision if duly requested to do so under this Division.*

(2) *A determination or decision cannot be reviewed under this Division—*

(a) *after the period within which any appeal may be made to the Court has expired if no appeal was made, or*

(b) *after the Court has disposed of an appeal against the determination or decision.*

**(3) In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent** or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development.

- (4) *The review of a determination or decision made by a delegate of a council is to be conducted—*
- (a) *by the council (unless the determination or decision may be made only by a local planning panel or delegate of the council), or*
  - (b) *by another delegate of the council who is not subordinate to the delegate who made the determination or decision.*
- (5) *The review of a determination or decision made by a local planning panel is also to be conducted by the panel.*
- (6) *The review of a determination or decision made by a council is to be conducted by the council and not by a delegate of the council.*
- (7) *The review of a determination or decision made by a Sydney district or regional planning panel is also to be conducted by the panel.*
- (8) *The review of a determination or decision made by the Independent Planning Commission is also to be conducted by the Commission.*
- (9) *The review of a determination or decision made by a delegate of the Minister (other than the Independent Planning Commission) is to be conducted by the Independent Planning Commission or by another delegate of the Minister who is not subordinate to the delegate who made the determination or decision.*

Amended documentation and plans have been provided to address the issues raised by the Local Planning Panel's reasons for refusal. The issues raised by Council relating to bulk and scale, overdevelopment of the site and parking have been addressed in the amended plans which demonstrate that the proposal is suitable for approval.

#### 4.1.2 Objects of the EP&A Act 1979

The following aims of the Act have been considered, in turn, below:

**Table 3** Objects of the Act

<b>1.3 Objects of Act</b>	<b>Response</b>
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	Achieved – The proposal in its amended form will not offend the social and economic welfare of the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	Achieved – The amended proposal's sustainability principles will be continued through BASIX commitments.
(c) to promote the orderly and economic use and development of land,	Achieved – The modified development presents a significantly reduced building form and the development represents an orderly and economic use of the land.
(d) to promote the delivery and maintenance of affordable housing,	Achieved – the proposal is for affordable rental housing pursuant to SEPP-ARH being a boarding house development.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	Achieved – The amended development will not have any significant adverse environmental impacts.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural	Achieved – The amended proposal has reduced its impact upon the heritage significance of the subject

heritage),	site and conservation area.
(g) to promote good design and amenity of the built environment,	Achieved – the amended proposal has reduced its overall height significantly, improved communal areas both internal and external, and removed balconies facing adjoining properties resulting in a proposal that is suitable for the future residents of the site and adjoining properties with respect to amenity.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	Achieved – The building does not present any health or safety concerns.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	N/A
(j) to provide increased opportunity for community participation in environmental planning and assessment.	Achieved – This statement has addressed the relevant planning matters raised by the Strathfield Local Planning Panel. Further, this review application will be notified in accordance with Council's policies.

## 4.2 State Environmental Planning Controls

### 4.2.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Refer to BASIX and thermal performance certificate / evaluation submitted with the application.

### 4.2.2 State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

Pursuant to clause 45 of the SEPP as the development application will be referred to the energy authority.

The application is not subject to clause 101 of the SEPP as the site does not have frontage to a state classified road nominated as a Main Road

The application is not subject to clause 102 of the SEPP as the proposed uses are non-sensitive and are not likely to be adversely affected by road noise or vibration.

The proposal is not adjacent to a rail corridor and therefore Clause 87 of the SEPP does not apply.

### 4.2.3 State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)

The provisions of SEPP No. 55 have been considered in the assessment of the development application. The site does not have a history of a previous land use that may have caused contamination given it has historically been used for residential purposes with a single dwelling house located on the site. Accordingly, the application is satisfactory having regard to the relevant matters for consideration under the SEPP.

### 4.2.4 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The removal of trees on the subject site to accommodate the proposal was found acceptable by Council in its assessment of the application. Further, the removal of trees was not raised as a reason for refusal of the

application by the Planning Panel. The provisions of SEPP – Vegetation in Non-Rural Areas are therefore satisfied.

#### 4.2.5 State Environmental Planning Policy (Affordable Rental Housing) 2009

The proposal is for a boarding house development under the provisions of SEPP – ARH 2009. The relevant clauses contained within the SEPP are addressed as follows:

**Clause 27(2) and (3)** – The provisions of Clause 27(1) of the SEPP do not apply to development in the R2 zone unless it is located within an accessible area. The site is located within an accessible area noting it is located within 630m walking distance of Homebush Railway Station

**Clause 28** – Indicates that development for a boarding house to which the SEPP applies may be carried out with consent.

**Clause 29** – Contains standards that cannot be used to refuse consent. The proposal complies with these provisions as addressed within Table 2 below.

**Clause 30** – Contains minimum standards for boarding house development. The proposal complies with these provisions as addressed within Table 2 below.

**Table 4** SEPP (Affordable Rental Housing) 2009 – Applicable Controls.

<b>SEPP (Affordable Rental Housing) 2009 – Applicable Controls</b>	<b>Response</b>	<b>Compliant</b>
<b>Division 3 – Boarding Houses</b>		
<p><b>26 Land to which Division applies</b></p> <p>This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:</p> <p>(a) Zone R1 General Residential,            (b) Zone R2 Low Density Residential,            (c) Zone R3 Medium Density Residential,            (d) Zone R4 High Density Residential,            (e) Zone B1 Neighbourhood Centre,            (f) Zone B2 Local Centre,            (g) Zone B4 Mixed Use.</p>	Subject site is identified as being zoned R2 Low Density Residential under the Strathfield LEP 2012	Yes
<p><b>27 Development to which Division applies</b></p> <p>(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.</p> <p>A 'boarding house' is defined under the RLEP2010 as:</p> <p><i>boarding house means a building that:</i></p> <p><i>(a) is wholly or partly let in lodgings, and</i></p>	The proposal is for a boarding house development as defined by the SEPP.	Yes

<b>SEPP (Affordable Rental Housing) 2009 – Applicable Controls</b>	<b>Response</b>	<b>Compliant</b>
<p><i>(b) provides lodgers with a principal place of residence for 3 months or more, and</i></p> <p><i>(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and</i></p> <p><i>(d) 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, hotel or motel accommodation, seniors housing or a serviced apartment.</i></p>		
<p>(2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.</p> <p>accessible area means land that is within:</p> <p>(a) 800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates</p>	<p>The subject site is located within 630m walking distance of Homebush Railway Station</p>	<p>Yes</p>
<p><b>29 Standards that cannot be used to refuse consent</b></p> <p>(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:</p> <p>(a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or</p> <p>(b) if the development is on land within a zone in which no residential accommodation is permitted—the existing maximum floor space ratio for any form of development permitted on the land, or</p> <p>(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State</p>	<p>a) The subject site has an area of 975.4m<sup>2</sup> and therefore in accordance with Clause 4.4C of the LEP has an applicable FSR of 0.525:1.</p> <p>The maximum allowable GFA is therefore 512.085m<sup>2</sup>. The amended proposal presents a reduced GFA of 504m<sup>2</sup> being an FSR of 0.517:1 which therefore complies.</p>	<p>Yes</p>

<b>SEPP (Affordable Rental Housing) 2009 – Applicable Controls</b>	<b>Response</b>	<b>Compliant</b>
<p>Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:</p> <p>(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or</p> <p>(ii) 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.</p> <p>(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:</p> <p>(a) <b>Building height</b> if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,</p> <p>(b) <b>Landscaped area</b> if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,</p> <p>(c) <b>Solar access</b> where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,</p> <p>(d) <b>Private Open Space</b></p> <p>if at least the following private open space areas are provided (other than the front setback area):</p> <p>(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,</p> <p>(ii) if accommodation is provided on site for a boarding house manager— one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,</p> <p>(e) <b>Parking</b></p> <p>If:</p> <p>(i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and</p>	<p>a) The proposed height of 6.92m complies with the height development standard.</p> <p>b) The landscaped front setback of the site will be retained and improved.</p> <p>c) The location of the communal lounge room ensures it will receive 3 hours sunlight in midwinter between 9am – 3pm.</p> <p>d)</p> <p>i) A communal open space area is provided at the rear of the site with an area &gt;20m<sup>2</sup>.</p> <p>ii) An on-site boarding house manager is proposed with a private open space of 8.3m<sup>2</sup> with a minimum dimension of 3.25m</p> <p>e)</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

<b>SEPP (Affordable Rental Housing) 2009 – Applicable Controls</b>	<b>Response</b>	<b>Compliant</b>
<p>(ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and</p> <p>(iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and</p> <p>(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,</p> <p><b>(f) Accommodation size</b></p> <p>If each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:</p> <p>(i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or</p> <p>(ii) 16 square metres in any other case</p>	<p>iia) The proposed 10 rooms generate a requirement of 5 spaces. The proposal provides 6 x at-grade car spaces.</p> <p>iii) A manager’s space is provided.</p> <p>f)</p> <p>ii) The boarding rooms have an area of 16m<sup>2</sup> + excluding kitchen and bathroom. All rooms are below the 25m<sup>2</sup> maximum with bathrooms and kitchens excluded. Each room can accommodate a maximum of 2 x lodgers.</p> <p>Total lodgers 20 and one manager</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>(3) 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.</p>	<p>Each room is provided with private kitchen/bathroom facilities</p>	<p>Yes</p>
<p>(4) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).</p>	<p>The proposal complies with the standards that cannot be used to refuse as well as the minimum standards.</p>	<p>Yes</p>
<p><b>30 Standards for boarding houses</b></p> <p>(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:</p> <p>(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,</p> <p>(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,</p>	<p>a) Multiple communal areas are proposed with various functions to maximise the amenity of residents on the site including lounge and dining areas, communal kitchen, and reading room.</p> <p>b) Maximum room area is 25m<sup>2</sup> excl. kitchen/bathroom.</p>	<p>Yes</p> <p>Yes</p>

<b>SEPP (Affordable Rental Housing) 2009 – Applicable Controls</b>	<b>Response</b>	<b>Compliant</b>
<p>(c) no boarding room will be occupied by more than 2 adult lodgers,</p> <p>(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,</p> <p>(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,</p> <p>(f) (Repealed)</p> <p>(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,</p> <p>(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.</p> <p>(2) Subclause (1) does not apply to development for the purposes of minor alterations or additions to an existing boarding house.</p>	<p>c) 10 x double rooms and 1 x manager's room proposed.</p> <p>d) Each room provided with individual kitchen/bathroom facilities.</p> <p>e) On-site manager proposed</p> <p>g) N/A</p> <p>h) 2 x motorcycle and 3 x bicycle spaces are provided to comply.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
<p><b>30AA Boarding houses in Zone R2 Low Density Residential</b></p> <p>A consent authority must not grant development consent to a boarding house on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone unless it is satisfied that the boarding house has no more than 12 boarding rooms.</p>	<p>10 rooms provided (including manager's room)</p>	<p>Yes</p>
<p><b>30A Character of local area</b></p> <p>A 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.</p>	<p>The proposed boarding house development has been designed to retain and preserve the existing dwelling on the subject site which forms part of the Broughton Road Heritage Conservation Area.</p> <p>The amended development has been designed in a 2 storey form with small pitched roof with a maximum height of 6.92 m to reduce its visibility from the street, and be of a form consistent with the low density residential character of the locality.</p>	<p>Yes</p>

### 4.3 Strathfield Local Environmental Plan 2012

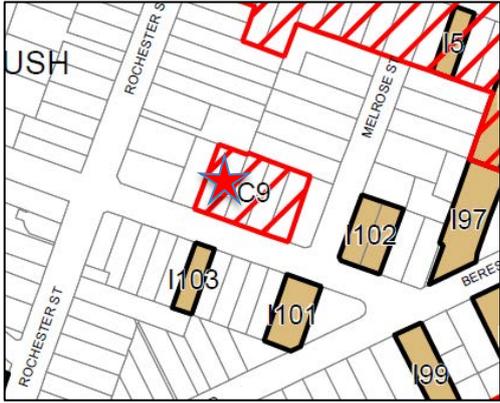
The Strathfield Local Environmental Plan 2012 (SLEP2012) is the primary planning instrument applicable to the subject site. The site is zoned R2 – Low Density Residential under the SLEP 2012 which permits boarding house development with consent.

The following table provides applicable clauses from the SLEP2012.

**Table 5** Strathfield Local Environmental Plan 2012 Applicable Controls.

<b>SLEP 2012 Relevant Controls</b>	<b>Response</b>	<b>Compliant</b>
<p><b>Clause 1.2 [Relevant] Aims of Plan</b></p> <p>(2) The particular aims of this Plan are as follows:</p> <p>(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,</p> <p>(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,</p> <p>(c) to promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community,</p> <p>(d) to provide opportunities for economic growth that will enhance the local community,</p> <p>(e) to promote future development that integrates land use and transport planning, encourages public transport use, and reduces the traffic and environmental impacts of private vehicle use,</p> <p>(f) to identify and protect environmental and cultural heritage,</p> <p>(g) to promote opportunities for social, cultural and community activities,</p> <p>(h) to minimise risk to the community by identifying land subject to flooding and restricting incompatible development.</p>	<p>The proposal contributes to a range of accommodation within the low-density residential environment.</p> <p>The proposal is located within an accessible area and provides low cost rental accommodation within close proximity to public transport.</p>	<p>Yes</p>
<p><b>Zone R2 – Low Density Residential</b></p>		<p>Yes</p>

<b>SLEP 2012 Relevant Controls</b>	<b>Response</b>	<b>Compliant</b>						
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a low density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To ensure that development of housing does not adversely impact the heritage significance of adjacent heritage items and conservation areas.</li> </ul>	<p>The proposal contributes to a range of accommodation within the low density residential environment.</p> <p>The proposal is located within an accessible area and provides low cost rental accommodation within close proximity to public transport.</p> <p>The proposal has been designed in the form of a rear addition at the rear of the dwelling noting the site is located within the Broughton Road Conservation Area. The amended proposal has a height of 6.92m, with reduced side setbacks central to the site to reduce the overall bulk and scale of the proposal.</p>							
<p><b>4.3 Height of buildings</b></p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <u>Height of Buildings Map</u>.</p>	<p>The Height of Buildings Map lists the maximum height of buildings for the site as 9.5m.</p> <p>The proposal has a maximum building height of 7.8m</p>	Yes						
<p><b>4.4 Floor space ratio</b></p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <u>Floor Space Ratio Map</u>.</p>	<p>The FSR map does not indicate an applicable FSR for the subject site.</p>	Yes						
<p><b>4.4C Exceptions to floor space ratio (Zone R2)</b></p> <p>Despite clause 4.4, the maximum floor space ratio for a building on a lot being land in Zone R2 Low Density Residential, with an area specified in Column 1 of the Table to this clause, is the floor space ratio specified opposite that lot in Column 2 of the Table.</p> <table border="1" data-bbox="193 1794 715 1933"> <thead> <tr> <th data-bbox="193 1794 392 1843">Column 1</th> <th data-bbox="392 1794 715 1843">Column 2</th> </tr> </thead> <tbody> <tr> <td data-bbox="193 1843 392 1892"><b>Lot area (m<sup>2</sup>)</b></td> <td data-bbox="392 1843 715 1892"><b>Floor space ratio</b></td> </tr> <tr> <td data-bbox="193 1892 392 1933">900-999</td> <td data-bbox="392 1892 715 1933">0.525:1</td> </tr> </tbody> </table>	Column 1	Column 2	<b>Lot area (m<sup>2</sup>)</b>	<b>Floor space ratio</b>	900-999	0.525:1	<p>The subject site has an area of 975.4m<sup>2</sup> and therefore in accordance with Clause 4.4C of the LEP has an applicable FSR of 0.525:1.</p> <p>The maximum allowable GFA is therefore 512.085m<sup>2</sup>. The proposal presents a GFA of 504m<sup>2</sup> being an FSR of 0.517:1 which therefore complies.</p>	Yes
Column 1	Column 2							
<b>Lot area (m<sup>2</sup>)</b>	<b>Floor space ratio</b>							
900-999	0.525:1							
<p><b>5.10 Heritage conservation</b></p>	<p>The subject site is located within the Broughton Road Conservation Area C9</p>	N/A						

SLEP 2012 Relevant Controls	Response	Compliant
<p><b>(2) Requirement for consent</b></p> <p>Development consent is required for any of the following:</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(f) subdividing land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p>	<p>identified under Schedule 5 of the Strathfield LEP 2012 as indicated in the below LEP extract:</p>  <p>The application is accompanied by an amended heritage Impact Statement prepared by Perumal Murphey Alessi Heritage Consultants that addresses the relevant heritage provisions of the LEP.</p>	
<p><b>6.1 Acid sulfate soils</b></p> <p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p>	<p>The subject site is identified as Class 5 Acid Sulfate Soils. The amended proposal includes a basement carpark. Excavation is unlikely to result in the disturbance of acid sulfate soils.</p>	Yes
<p><b>6.2 Earthworks</b></p> <p>(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>(2) Development consent is required for earthworks unless—</p> <p>(a) the earthworks are exempt development</p>	<p>The proposed excavation for basement carpark is contained within the building footprint and is unlikely to result in significant impacts with respect to environmental functions, soil stability, or neighbouring amenity..</p>	Yes

<b>SLEP 2012 Relevant Controls</b>	<b>Response</b>	<b>Compliant</b>
under this Plan or another applicable environmental planning instrument, or  (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.		
<b>6.3 Flood planning</b>  (1) The objectives of this clause are as follows— (a) to minimise the flood risk to life and property associated with the use of land,  (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,  (c) to avoid significant adverse impacts on flood behaviour and the environment.  (2) This clause applies to land at or below the flood planning level.	Council has advised at Pre DA that the proposed finished floor levels are considered acceptable with regard to the flood affectation of the site.	Yes

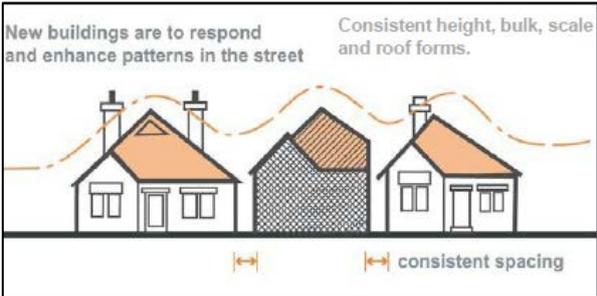
#### 4.4 Strathfield Development Control Plan 2012

The Strathfield Development Control Plan 2012 (SDCP) is used to provide comprehensive planning and design guidelines for development within the LGA. In cases of inconsistency with the SEPP – ARH, the provisions of the SEPP prevail.

The Strathfield DCP does not provide controls relating to boarding house development. In this regard, as a guide the proposal has been assessed in accordance with the design provisions of Part A – Dwelling houses, with the remaining relevant planning controls contained within Part H – Waste minimisation and Management, Part I – Off-street Parking, Part N – Water Sensitive Design, Part P – Heritage, and Part Q – Urban Design Controls have been addressed.

**Table 6** Strathfield Development Control Plan 2012 - Applicable Controls

<b>Strathfield DCP 2012 Relevant Controls</b>	<b>Response</b>	<b>Compliant</b>
<b>PART A Dwelling Houses and Ancillary Structures</b>		
<b>2 Architectural Design and Streetscape Presentation</b>		
<b>2.2.1 Streetscape Presentation</b>		
1. New dwellings must be positioned and oriented on their site to address the street frontage with a clearly	1. N/A – existing building at front of site retained.	Yes

<p>identifiable entry.</p> <p>2. Consistently occurring positive building façade features within the existing streetscape should be incorporated into the proposed dwelling design such as roof shape, pitch and overhangs; entry porches, verandas, balconies and terraces; materials, finishes, fixtures, patterns, fenestrations, colours and detailing; and the location and proportion of windows and doors. Excessive parapets, irregular- shaped and irregular-spaced windows, excessive glazing to building facades and double-height vertical elements including columns are not permitted.</p> <p>3. Streetscape elements that should be taken into account in the design of new and altered residential development include topography; width and location of carriageway; street tree planting and landscaping; allotment size/width; boundary fences; setbacks; building character and scale; bulk; setback and rhythm; and roof forms.</p> <p>4. Where security grilles/screens, ventilation louvres and garage doors are proposed, they must be integrated into facade designs. Solid security shutters will not be permitted.</p>	<p>2. Proposal retains existing building façade of dwelling.</p> <p>3. Achieved.</p> <p>4. N/A</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p>
<p><b>2.2.2 Scale, Massing and Rhythm of Street</b></p>		
<p>1. The overall scale, massing, bulk and layout of the proposed building must complement the existing streetscape. New buildings and alterations and additions should reflect the dominant building rhythm in the street as illustrated in Figure A.4.</p>  <p>2. Building height and mass must not result in loss of amenity to adjacent properties, open space or the public domain.</p>	<p>1. Achieved – existing dwelling at front portion of the lot is retained.</p>	<p>Yes</p>
<p><b>2.2.3 Building Forms</b></p>		
<p>1. The building form must be articulated to avoid large expanses of unbroken wall. Articulation can be provided by setbacks, verandahs, awnings, recesses,</p>	<p>1. Achieved. The amended proposal includes reduced setbacks central to the site, providing articulation and a</p>	<p>Yes</p>

<p>blade walls or projecting bays.</p> <p>2. Where a dwelling is located on a street corner it shall be designed to address both street frontages as shown in Figures A.5 and A.6. Blank walls shall not be presented to either frontage and walls shall be articulated or staggered so as to avoid appearing unduly bulky or long.</p> <p>3. An attic may be built in the roof space of either a two (2) storey dwelling or a single storey dwelling or garage provided access to the attic is via internal stairs.</p> <p>4. Attics are prohibited in flat roofed developments.</p> <p>5. Rooftop terraces are prohibited in dwelling houses, secondary dwellings and ancillary developments.</p>	<p>break in built form when viewed from adjoining properties.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
<p><b>2.2.4 Architectural Detailing, including Roof Forms, Materials and Colours</b></p>		
<p><b>Roof Forms</b></p> <p>1. The proposed roof design must be similar in pitch, materials and colour to roofs in the immediate streetscape. Roof forms should complement, but not necessarily replicate the predominant form in the locality.</p> <p>2. 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. First floor additions must complement the architectural style of the ground floor and where possible permit the existing roof form, slope and ridge to be easily discerned.</p> <p>3. For flat roofed dwellings, the height of the parapet is to be kept to the minimum height required to ensure adequate screening of the proposed flat or low pitch skillion roof.</p> <p>4. Roof structures must be designed so that roof installations including solar energy panels, telecommunication facilities, hot water tanks or skylights are not visible from the public domain and are integrated into the design of the development.</p> <p><b>Materials</b></p> <p>5. Materials must be compatible with the existing dwelling house (in the case of alterations and additions) and compatible with adjoining dwelling houses and the streetscape in terms of type, form and colour.</p> <p>6. Monotone face brick walls and terracotta tiles for roofs shall be used where they are existing in the immediate streetscape. Alternative materials may be considered as architecturally appropriate to the style of</p>	<p>1. New roof form at rear is pitched/tiled to conform to conservation area and complement existing dwelling, and is now reduced in height to reduce its visibility from the street.</p> <p>2. Achieved</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. Achieved – a colours and materials schedule has been submitted with the application.</p> <p>6. Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>

<p>the dwelling and the locality in some circumstances.</p> <p>7. Highly reflective materials are not acceptable for roof or wall cladding. 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.</p> <p><b>Colours</b></p> <p>8. New development must incorporate colour schemes that have a hue and tonal relationship with the traditional colours or the predominant colours of the street.</p> <p>9. The colours of garages, window frames, ventilation and downpipes and balustrading on main facades and elevations must be integrated harmoniously with the external design of the building.</p>	<p>7. Noted</p> <p>8. Achieved.</p> <p>9. Achieved</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><b>2.2.5 Two (2) Storey Porticoes</b></p>		
<p>1. Two (2) storey porticoes may be considered only where they are in scale with the proposed dwelling and compatible with the streetscape and any adjoining heritage items.</p> <p>2. Two (2) storey porticoes are to be vertically articulated or broken to reduce their height as illustrated in Figure A.7.</p> <p>3. No porticoes or associated porches shall protrude more than 1m forward of the front building façade.</p> <p>4. Porticoes are not to extend higher than the understorey of the eaves/guttering.</p>	<p>1. N/A</p>	<p>N/A</p>
<p><b>2.2.6 Dormers</b></p>		
<p>1. Where compatible with the architectural design of a dwelling, dormers (whether gabled, hipped or eye-lid) need to be traditionally proportioned and rectilinear.</p> <p>2. The form and location of dormer windows to existing buildings should not overwhelm or detract from the integrity of the original building, especially heritage items and dwellings in heritage conservation areas.</p>	<p>N/A</p>	<p>N/A</p>
<p><b>4 Building Envelope</b></p>		
<p><b>4.2.1 Floor Space Ratio</b></p>		
<p>1. The maximum floor space ratio (FSR) permitted on a site is indicated on the SLEP 2012 Floor Space Ratio Map.</p> <p>2. Development must be compatible with the lot size. Larger sites should not allow dwellings that are so large and bulky that they would create undesirable environmental impacts. Smaller sites must provide for</p>	<p>1. The subject site has an area of 975.4m<sup>2</sup> and therefore in accordance with Clause 4.4C of the LEP has an applicable FSR of 0.525:1.</p> <p>The maximum allowable GFA is therefore 512.085m<sup>2</sup>. The proposal presents a GFA of 504m<sup>2</sup> being an</p>	<p>Yes</p>

adequate sized dwellings.	FSR of 0.517:1 which therefore complies.							
<b>4.2.2 Building Height</b>								
<p>1. The maximum height of dwelling houses in accordance with the SLEP 2012 Height of Buildings Map is 9.5 metres.</p> <p>2. The maximum height to the top of parapet for flat roofed dwelling houses is to be 7.8 metres.</p> <p>3. The maximum height of the parapet wall for flat roofed dwelling houses is to be 0.8 metres above the uppermost ceiling level.</p> <p>4. The maximum height of the external wall from the existing ground level to the underside of the uppermost ceiling level is to be 7.2 metres.</p> <p>5. The maximum internal floor to ceiling height is to be 3.0 metres for any residential level.</p> <p>6. The maximum height of outbuildings, detached garages and carports is to be 3.5m to the highest point on the roof above natural ground level</p> <p>7. Dwelling houses and any ancillary structures are to be no more than two (2) storeys high.</p> <p>8. The building height should respond to the gradient of any given site and minimise the need for cut and fill.</p>	<p>1. The proposed maximum height of 6.92m complies.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. Achieved</p> <p>5. Achieved</p> <p>6. N/A</p> <p>7. Achieved</p> <p>8. N/A</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p>						
<b>4.2.3.1 Street Setbacks</b>								
<p>1. The street setbacks in Table A.1 and illustrated in Figure A.10 apply to new dwellings and extensions (where the building footprint is proposed to be altered) except where exempted below in Subclause 2:</p> <table border="1"> <thead> <tr> <th></th> <th>Minimum street setback required</th> </tr> </thead> <tbody> <tr> <td>Primary street setback</td> <td>9m</td> </tr> <tr> <td>Primary street frontage for battle-axe lots</td> <td>4.5m</td> </tr> </tbody> </table> <p>2. Despite Subclause 1 above, a primary street setback of less than 9m may be considered where:</p> <p>a) The predominant front setback in the street is less than 9m;</p> <p>b) The proposed setback is not less than the setback of the existing dwelling; or</p> <p>c) The proposed setback would not conflict with the character of the existing streetscape.</p>		Minimum street setback required	Primary street setback	9m	Primary street frontage for battle-axe lots	4.5m	<p>1. Existing street setback retained and is acceptable in accordance with Section 4.2.3.1 Control 2b.</p>	<p>Existing</p>
	Minimum street setback required							
Primary street setback	9m							
Primary street frontage for battle-axe lots	4.5m							
<b>4.2.3.2 Side and Rear Setbacks</b>								
<p>1. New dwellings and extensions (where the building footprint is proposed to be altered) are to have a combined side setback equivalent to 20% of the width of the block (measured at right angles for splayed frontages). The combined side setback may be</p>	<p>1. The site has a lot width of 21.335m which requires a setback of 4.267m distributed across both sides. The proposal has a western setback of 2.5-3.5m and eastern setback of 1.5-</p>	<p>Yes</p>						

<p>unevenly distributed between both sides as long as a minimum side setback of 1.2m is provided on each side.</p> <p>Where an allotment is deemed to be undersized or irregular, a variation to the minimum setback may be considered (e.g. blocks less than 12m wide). Examples of side and rear setbacks are provided in Figure A.11.</p> <p>2. Dwellings are to have a minimum rear setback of 6m to provide adequate open space and deep soil areas for shading/screening trees.</p> <p>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.</p> <p>4. Garages and carports are to comply with the minimum setbacks in Table A.2.</p> <table border="1" data-bbox="193 931 785 1104"> <thead> <tr> <th>Detached Garages and Carports</th> <th>Minimum setback required</th> </tr> </thead> <tbody> <tr> <td>Minimum setback from side and rear boundaries for carports (open on three (3) sides)</td> <td>Nil</td> </tr> <tr> <td>Minimum setback from side and rear boundaries</td> <td>0.5m</td> </tr> <tr> <td>Where the side of the dwelling, garage or carport is proposed to face the secondary frontage</td> <td>1.5m</td> </tr> </tbody> </table>	Detached Garages and Carports	Minimum setback required	Minimum setback from side and rear boundaries for carports (open on three (3) sides)	Nil	Minimum setback from side and rear boundaries	0.5m	Where the side of the dwelling, garage or carport is proposed to face the secondary frontage	1.5m	<p>3.5m which complies.</p> <p>2. Achieved – Rear setback: 6m providing communal open space for residents.</p> <p>3. N/A</p> <p>4. N/A</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p>				
Detached Garages and Carports	Minimum setback required													
Minimum setback from side and rear boundaries for carports (open on three (3) sides)	Nil													
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Where the side of the dwelling, garage or carport is proposed to face the secondary frontage	1.5m													
<p><b>4.2.4 East-West Lots</b></p>														
<p>1. For east-west oriented lots with the primary street frontage facing east, the minimum side setback should be on the north and the larger side setback should be on the south so that overshadowing is reduced.</p> <p>2. The southern side setback should be utilised for the driveway/garage entry so that potential overshadowing of adjacent properties is reduced.</p>	<p>1. N/A</p> <p>2. N/A</p>	<p>N/A</p> <p>N/A</p>												
<p><b>5 Landscaping</b></p>														
<p><b>5.2.1 Landscaped Area</b></p>														
<p>1. The minimum landscaped area required on each lot is indicated in Table A.3 below.</p> <table border="1" data-bbox="193 1585 785 1697"> <thead> <tr> <th>Area of site</th> <th>Minimum Landscape Area</th> </tr> </thead> <tbody> <tr> <td>200 - 500m<sup>2</sup></td> <td>35%</td> </tr> <tr> <td>501 - 600m<sup>2</sup></td> <td>38.5%</td> </tr> <tr> <td>601 - 700m<sup>2</sup></td> <td>41.5%</td> </tr> <tr> <td>701 - 799m<sup>2</sup></td> <td>43%</td> </tr> <tr> <td>800 - 1300m<sup>2</sup></td> <td>45%</td> </tr> </tbody> </table> <p>2. At least 50% of the minimum landscaped area should be located behind the building line to the rear boundary.</p> <p>3. At least 50% of the front yard should be maintained as deep soil soft landscaping.</p> <p>4. The amount of hard surface area (in the form of concrete/brick/stone paving and bitumen) shall be minimised to reduce run-off and to maintain the prevailing early twentieth century garden character.</p>	Area of site	Minimum Landscape Area	200 - 500m <sup>2</sup>	35%	501 - 600m <sup>2</sup>	38.5%	601 - 700m <sup>2</sup>	41.5%	701 - 799m <sup>2</sup>	43%	800 - 1300m <sup>2</sup>	45%	<p>1. The site area requires a minimum landscaped area of 45% - 438.9m<sup>2</sup>.</p> <p>The proposal provides a landscaped area of: 324.5m<sup>2</sup> – 33.2%</p> <p>The proposed landscape area is considered acceptable as the proposal seeks the retention of the existing dwelling on the site which limits the opportunity to provide additional landscaping. The proposal conserves the heritage significance of</p>	<p>No, but justified</p>
Area of site	Minimum Landscape Area													
200 - 500m <sup>2</sup>	35%													
501 - 600m <sup>2</sup>	38.5%													
601 - 700m <sup>2</sup>	41.5%													
701 - 799m <sup>2</sup>	43%													
800 - 1300m <sup>2</sup>	45%													

<p>Run off from hard surfaces is to be directed to permeable surfaces such as garden beds.</p> <p>5. Planting areas shall include a mix of low-lying shrubs, medium-high shrubs and canopy trees in locations where they will soften the built form.</p> <p>6. The design and quality of front gardens must respond to the character of the street and surrounding area and contribute to the garden character of Strathfield.</p> <p>7. Where the landscape pattern in the prevailing streetscape and surrounding locality is desirable, this must be retained and reinforced, particularly in relation to heritage items and heritage conservation areas.</p> <p>8. In relation to conservation and energy efficiency, plant species must be retained, selected and planted to:</p> <ul style="list-style-type: none"> <li>- shade buildings in summer;</li> <li>- reduce glare from hard surfaces;</li> <li>- permit sunlight access into living rooms in cooler months;</li> <li>- cool air currents channeled into the dwelling in summer; and</li> <li>- act as windbreaks where desirable</li> </ul>	<p>the dwelling whilst providing adequate landscaped setback areas to soften the built form and create visual separation between neighbouring sites. Further, the proposal complies with the SEPP-ARH landscape requirement which prevails over the DCP.</p> <p>2. Achieved.</p> <p>3. Achieved – existing landscaped front setback retained &amp; improved.</p> <p>4. Achieved.</p> <p>5. Achieved</p> <p>6. Existing front garden retained/improved.</p> <p>7. Achieved.</p> <p>8. Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>5.2.2 Tree Protection</b>		
<p>1. Applicants must engage an Australian Qualification Framework (AQF) Level 5 Arborist to prepare an Arboricultural Impact Assessment Report in accordance with Australian Standards 4970: Protection of trees on development sites to determine the feasibility of retaining existing site trees prior to the design of a development.</p> <p>2. The Arboricultural Impact Assessment Report must include a site plan and at a minimum indicate the following for trees on the subject site, adjoining sites and nature strip:</p> <ul style="list-style-type: none"> <li>Number of tree(s);</li> <li>Location of tree(s);</li> <li>Species of tree(s);</li> <li>Whether the tree(s) is proposed to be retained or removed;</li> <li>Stockpile(s);</li> <li>Detailed scaffold plans accurately depicting setbacks from buildings and trees;</li> <li>Detailed and complete map of all underground services; and</li> <li>Where necessary, recommendations of detailed tree</li> </ul>	<p>1. No significant trees are proposed to be removed which will require an Arboricultural Impact Assessment Report.</p>	<p>N/A</p>

sensitive construction methods.

3. Development shall provide for the retention and protection of existing significant trees, especially near property boundaries and within the front setback, and natural features such as rock outcrops. The proposed removal of any significant tree will need to be considered based on the submission of an Arboricultural Impact Assessment Report. The significance of a tree must be checked at the pre-lodgement development application stage.

4. With the exception of trees that are first approved by Council for removal, new dwellings and alterations and additions to dwellings must be set back an appropriate distance from all trees in accordance with the Arboricultural Impact Assessment Report to ensure that tree branches and roots will not be affected by the works. Building works should be located outside of the canopy spread of existing trees, with suitable setbacks depending upon species and size. Hand excavation is mandatory in the immediate vicinity of trees especially within the dripline.

5. Where applicable, Council may request the applicant to engage a project Arborist. Council shall not issue an Occupational Certificate until Council is satisfied that relevant "hold points" have been reviewed and endorsed by the project Arborist to ensure tree protection measures have been implemented for trees to be retained onsite.

6. New developments should provide opportunities for planting new canopy trees within the front setback, except where the existing front setback already contains at least two

(2) trees. These trees should achieve a minimum mature height of 10m.

7. At least one (1) canopy tree must be provided in the rear yard if not already provided.

8. Generally, the trunk of a proposed canopy tree must be planted a minimum of 4m from built structures, or a minimum of 3m from pier beam footings. New trees must have a minimum setback of 3m from all boundaries, unless a species with non-invasive root system is proposed.

9. Provided existing trees are not adversely affected, new trees planted on side boundaries adjacent to neighbouring dwellings and structures must have a minimum 0.6m deep root deflection barrier provided for a minimum of 1.5m either side of the tree centre.

10. The construction of driveways must not result in the removal, lopping or root damage to any street tree.

<p>11. A minimum of 25% of canopy trees and other vegetation shall be locally sourced indigenous species.</p> <p>Note: A canopy tree is a tree which is expected to have a minimum mature height of 10m planted within a minimum 50 litre container (Refer to Appendix 1 of General Introduction of SCDCP 2005 for weblink to Council's recommended tree list).</p>		
<p><b>5.2.3 Private Open Space</b></p>		
<p>1. Private open space is to be provided in a single parcel rather than a fragmented space and shall be directly accessible from internal living areas of the dwelling.</p> <p>2. The principal private open space area should be generally level and may be in the form of a deck, patio, terrace or paved area. The principal private open space must include a deep soil area compliant with the minimum landscaped area.</p> <p>3. For terraces and decks to be included in calculations of areas for private open space, they must be of a usable size (at least 10m<sup>2</sup>) with one length or width being at least 3 metres and be directly accessible from an internal living area of the dwelling. To be included in a calculation of private open space, decks cannot be located more than 500mm above natural ground level.</p> <p>4. Areas within setbacks are not to be included as private open space unless they have a minimum width of 3m.</p> <p>5. The primary private open space is to be located at the rear of the property.</p>	<p>1. Primary P.O.S is to the rear of the site.</p> <p>2. Achieved.</p> <p>3. N/A</p> <p>4. Noted</p> <p>5. P.O.S areas are located behind the built form.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>
<p><b>5.2.4 Fencing</b></p>		
<p>1. Front and side fencing including fencing facing the secondary street on a corner site must be designed to be sympathetic to the particular style of the dwelling and be compatible with the style and height of fencing on adjoining properties and the streetscape. A number of different styles of fencing appropriate to particular architectural styles are illustrated in Figure A.12 and Figure A.14 below.</p> <p>2. 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.</p> <p>3. 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 1.5m. In these cases, a solid fence shall not exceed a height of 0.7m above</p>	<p>1. No front fence proposed. Height of western boundary fence to be raised as per requirements of previous officers report - draft conditions of consent.</p>	<p>Yes</p>

natural ground level and 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. Where the predominant height of fencing in the street is higher, the solid fence component shall not exceed a height of 1m.

4. Solid fencing up to a maximum 1.8m in height may be permitted along a secondary street frontage, provided it only encloses private open space. The design of any section of solid fencing along a secondary street frontage shall be consistent and compatible with the style of fencing provided along the primary frontage.

5. Side and rear fences (including any retaining walls) are to be no taller than 1.8m, but may be capped with a maximum 300mm of open weave timber lattice privacy screen where the consent of the neighbouring property owner has agreed.

6. Side fences forward of the front building line shall be designed to taper down to the height of the front fence.

7. Front fences should be designed to be visually permeable and where applicable, the main infill panels should have an appropriate width and spacing to provide an open appearance and enable casual surveillance.

8. Front fences, particularly on busy roads, must be designed to provide adequate acoustic attenuation whilst ensuring an appropriate level of visibility and outlook, casual surveillance, privacy and security.

9. The following materials and finishes are not permitted to be used in any fence forward of the front building line (including the building line to a secondary street frontage on a corner site):

- unrendered cement block;
- galvanised or aluminium sheeting;
- fibre-cement board;
- brushwood; or
- barbed wire.

10. Fencing on corner allotments shall incorporate a minimum 1.5m x 1.5m splay adjacent to the road intersection to maintain sight distances for pedestrians and motorists as illustrated in Figure A.13.

11. Solid fences adjoining vehicular access driveways (including driveways on adjoining properties) are to be

<p>provided with a minimum 1m x 1m splay to maintain sight distances for pedestrians and motorists.</p> <p>12. The remaining areas created by providing a splay adjacent to a road intersection or driveway entrance must be landscaped with low-growing vegetation or suitable paving.</p> <p>13. Council will not allow significant trees to be removed to facilitate a fence design.</p> <p>14. Side and rear fences on a slope must be designed to allow stormwater to flow through or under the fence without the flow becoming unduly concentrated.</p> <p>15. Dividing fences between private property and Council parks, reserves, open space, etc. must be constructed only of timber palings (lapped and capped) with a maximum height of 1.8m.</p> <p>16. Gates or entries from private property onto Council parks, reserves, open space, etc. are permitted, subject to them being kept locked when not in use.</p> <p>17. Gatehouses are not permitted unless they are compatible with the surrounding streetscape.</p>		
<p><b>6 Solar Access</b></p>		
<p><b>6.2.1 Sunlight Access</b></p>		
<p>1. In new dwellings, solar access to the windows of habitable rooms and to at least 50% of private open space must be provided or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 21).</p> <p>2. In the case of alterations or additions to existing dwellings, solar access to the windows of habitable rooms and to the majority of private open space must be substantially maintained or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 21).</p> <p>3. 50% of the principal private open space of any adjoining premises should receive solar access for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 21).</p> <p>4. Where the principal private open space of an adjoining development currently receives less than the required amount of solar access (on 21 June), the proposed development must not further reduce the amount of solar access.</p>	<p>1. Solar access provisions of the SEPP-ARH prevail.</p> <p>2. N/A</p> <p>3. Achieved – solar access diagrams submitted with the application demonstrate that adjoining properties will receive adequate solar access.</p> <p>4. N/A</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p>
<p><b>7 Privacy</b></p>		
<p><b>7.2.1 Building Envelope and Dwelling Layout</b></p>		
<p>1. Private open space, bedrooms, balconies and living</p>	<p>1. Achieved – windows of the new</p>	<p>Yes</p>

<p>rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking by locating living areas on the ground floor and orientating them towards the rear and front setback.</p> <p>2. Provide adequate separation of buildings.</p> <p>3. Ensure finished floor levels are not excessively elevated above natural ground level.</p> <p>4. Appropriate evergreen screen plants and trees may assist in providing improved privacy to adjacent properties.</p>	<p>addition are highlight windows to ensure no overlooking over side boundaries. The amended proposal has ereomved first floor balconies to reduce impact of overlooking upon neighbours.</p> <p>2. Achieved.</p> <p>3. Achieved.</p> <p>4. Achieved – landscape plans submitted with the application demonstrate adequate screen planting.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><b>7.2.2 Windows</b></p>		
<p>1. Windows should not directly face the windows, balconies and courtyards of adjoining dwellings.</p> <p>2. Where a transparent window is to be located within 9m of any window of a habitable room of an adjoining dwelling, the window must:</p> <p>a) be offset from the edge of any windows in an adjoining dwelling by a distance of at least 0.5m; or</p> <p>b) have a sill height of at least 1.7m above the finished floor level or have fixed, obscure glazing in any part of the window less than 1.7m above the floor level.</p> <p>3. Where windows directly face a balcony or courtyard of an adjoining dwelling, the windows should:</p> <p>a) be narrow; and/or</p> <p>b) incorporate obscure glazing; and/or</p> <p>c) have a sill height of at least 1.7m above the finished floor level.</p>	<p>1. Achieved – Highlight windows orientated to the side boundaries will not overlook adjoining properties.</p> <p>2. Achieved.</p> <p>a) N/A</p> <p>b) Achieved – Highlight windows</p> <p>3. Achieved – Highlight windows</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><b>7.2.3 Elevated Decks, Verandahs and Balconies</b></p>		
<p>1. Elevated decks, verandahs and upper storey balconies are not permitted on side boundaries, except where facing the secondary frontage of a corner lot, and provided other setback controls can be achieved.</p> <p>2. Elevated decks, verandahs and balconies shall incorporate privacy screens where necessary.</p> <p>3. Small upper floor rear balconies measuring no more than 1m in depth by 2m in length may be permitted where an applicant can demonstrate that the balcony would not unreasonably impact upon the privacy of</p>	<p>1. No balconies are proposed as part of the amended proposal.</p> <p>2. N/A.</p> <p>3. N/A.</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p>

<p>adjoining premises (including buildings and outdoor spaces).</p> <p>4. Second storey balconies extending for the full width of the front façade are not permitted.</p>	<p>4. N/A</p>	<p>N/A</p>
<p><b>7.2.4 Acoustic Privacy</b></p>		
<p>1. The provisions of State Environmental Planning Policy (Infrastructure) 2007 and Development near Rail Corridors and Busy Roads Interim Guideline must be taken into consideration when designing a development to minimise impacts of busy roads and railway corridors on dwelling houses.</p> <p>2. Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas, recreation areas and the like. Conversely, entries, halls, storage rooms, bathrooms and laundries should be located in areas more affected by noise.</p> <p>3. Suitable acoustic screen barriers or other noise mitigation measures such as double glazing, laminated glass, vibration-reducing footings or other materials, should be considered to minimise the effects of noise and/or vibrations where physical separation cannot be achieved.</p> <p>4. Development applications for dwellings affected by high levels of external noise must be accompanied by an acoustic report demonstrating that habitable rooms of dwellings may achieve internal noise levels of no greater than 35 dBA.</p>	<p>1. N/A – site is not located along a busy road/rail corridor.</p> <p>2. Achieved</p> <p>3. Noted</p> <p>4. N/A</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
<p><b>8 Vehicle Access and Parking</b></p>		
<p><b>8.2.1 Driveway and Grades</b></p>		
<p>1. Existing driveways must be used unless the applicant can demonstrate that:</p> <p>(a) relocation would improve solar access to the property and/or adjoining properties;</p> <p>(b) the amenity of any adjoining residences would not be unduly affected (with regard to sleeping areas);</p> <p>(c) relocation would not impact on street trees, bus stops, bus zones, powerlines and other services, on street parking, heritage values or the streetscape; and</p> <p>(d) relocation would not adversely impact the safety of motorists or pedestrians.</p> <p>2. The width of driveways at the property boundary is to be 3m.</p> <p>3. The edge of driveway crossings, including apron and layback shall be located a minimum of 1m clear of any existing stormwater pits or poles and 2m clear of the trunk of any trees within the road reserve.</p>	<p>1. The proposal will retain the location of the existing western driveway on the site and will remove the eastern second driveway.</p> <p>2. The driveway width is increased to 3m.</p> <p>3. Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

<p>4. Vehicle access points and parking areas must:</p> <ul style="list-style-type: none"> <li>- be easily accessible and recognisable to motorists;</li> <li>- not disrupt pedestrian flow and safety; and</li> <li>- be located to minimise traffic hazards and the potential for vehicles to queue on public roads.</li> </ul> <p>5. A maximum of one (1) vehicular crossing to any public road will be permitted per property except for corner allotments where Council may consider one on each frontage in appropriate circumstances.</p> <p>6. Vehicles accessing sites which front main roads shall be capable of entering and exiting in a forward direction (i.e. vehicle manoeuvring shall be fully maintained within the site).</p> <p>7. Vehicular turning areas for garages shall comply with the relevant Australian Standard.</p> <p>8. Where properties have access to a rear lane or secondary street frontage, parking and access shall be provided from the secondary street/lane.</p> <p>9. Driveways must be designed to avoid a long and straight appearance by using landscaping and variations in alignment.</p> <p>10. A driveway should be set back a minimum of 0.5 metres from side boundaries to provide for landscaping between the driveway and side boundary.</p> <p>11. Driveways within the property boundary should incorporate unit paving into the design.</p> <p>12. Areas of concrete visible from a public road (including driveways and pedestrian ways) are to be kept to a minimum and coloured charcoal, grey or brown.</p> <p>13. Kerb and footpath crossings as part of the public domain must only be finished in natural finished concrete and not customised finishes that match the property driveway. Coloured concrete is not permitted in the driveway crossing outside the property boundary.</p>	<p>4. Achieved.</p> <p>5. Achieved – secondary existing driveway to be removed.</p> <p>6. Achievable.</p> <p>7. N/A</p> <p>8.N/A</p> <p>9. Achieved – landscaping proposed to soften driveway.</p> <p>10. The existing driveway to be retained adjoins the western side boundary.</p> <p>11. Achieved.</p> <p>12. Achieved.</p> <p>13. N/A</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
<p><b>8.2.2 Garages, Carports and Car Spaces</b></p>		
<p>1. Two (2) car parking spaces are to be provided and maintained behind the front building line of all new dwellings (i.e. garage, carport or car space). For lots less than 15m wide consideration may be given to one (1) car space. Where alterations and additions to existing dwellings are proposed and two (2) spaces are available, these spaces must be maintained.</p> <p>2. Garages are to be recessed behind the main front facade of the dwelling and/or designed so as not to</p>	<p>N/A – the proposal is for a boarding house and provides basement parking to meet the requirements of the SEPP-ARH.</p>	<p>N/A</p>

<p>dominate the appearance of the building or streetscape.</p> <p>3. Garages should be no more than 150mm above natural ground level at their entry unless the slope of the site exceeds 1:8 (12.5%) in which case a suspended garage may be acceptable.</p> <p>4. The minimum dimensions of parking spaces and garages shall comply with the relevant Australian Standards.</p> <p>5. Garages are not to be converted or used for any purpose other than that for which they are approved, that is, garages must not be converted into rumpus rooms, living areas, bedrooms, offices, etc.</p>		
<p><b>9 Altering Natural Ground Level (Cut &amp; Fill)</b></p>		
<p><b>9.2 Controls</b></p>		
<p>1. Fill is limited to a maximum of 1m above natural ground level.</p> <p>2. For all excavation works that require the use of fill, only clean fill is to be used.</p> <p>3. Cut and fill batters must be stabilised consistent with the soil properties.</p> <p>4. Vegetation or structural measures are to be implemented as soon as the site is disturbed.</p> <p>5. All areas of excavation shall be setback from property boundaries in accordance with the building setback controls. No excavation is permitted within the minimum required setbacks.</p> <p>6. Where excavation work is proposed, the work must not affect or undermine the soil stability or structural stability of any buildings and Council assets on adjoining properties.</p> <p>7. Applicants may be required to produce a dilapidation report for all buildings which adjoin proposed excavation areas, a copy of which will be made available to the relevant neighbour.</p> <p>8. Avoid excessive fill that may create the potential for overlooking of adjoining properties.</p>	<p>The proposed excavation for a basement car park will not result in cut and fill beyond 1m from natural ground level. The proposed excavation will not impact upon soil stability or amenity of adjoining properties. The proposed excavation is setback from property boundaries in accordance with the DCP setback controls and is generally contained within the building footprint.</p>	<p>N/A</p>
<p><b>10 WATER AND SOIL MANAGEMENT</b></p>		
<p><b>10.2.1 Stormwater Management and Flood Prone Areas</b></p>		
<p>1. Applicants seeking to develop on lands identified as flood prone are advised to contact Council before designing their proposal.</p> <p>2. Developments shall comply with Council's</p>	<p>1. Stormwater Management plans are submitted with the application addressing the relevant provisions of the DCP with regard to water</p>	<p>Yes</p>

<p>Stormwater Management Code. On site detention devices may be required to assist in the management of stormwater on site.</p> <p>3. Flood affected properties must comply with Council's Interim Flood Prone Lands Policy (Flood Prone Areas and Through Site Drainage).</p> <p>4. Where a site is subject to flooding applicants should seek written advice from Council's Planning &amp; Environment section in relation to minimum habitable floor height for the site.</p> <p>5. In areas subject to major overland flow from adjoining properties, applicants are required to engage a suitably qualified hydraulics engineer and lodge a drainage/flood report prepared by a hydraulics engineer.</p> <p>6. Applicants must comply with Council's Stormwater Management Code with regard to drainage and stormwater detention matters. Full details and plans of the stormwater system are to be submitted for approval as part of the development application.</p>	<p>management.</p>	
<p><b>10.2.2 Acid Sulfate Soils</b></p>		
<p>1. Development is to ensure that sites with the potential to contain acid sulfate soils are managed in a manner consistent with the provisions contained in Clause 6.1 (Acid Sulfate Soils) of SLEP 2012 and the relevant standards and guidelines.</p> <p>2. Applicants seeking to develop on lands subject to acid sulfate soils are advised to contact Council before designing their proposal.</p>	<p>1. The site is identified as containing Class 5 Acid sulfate soils. The proposed development is unlikely to involve the disturbance of ASS within any adjacent Class 1-4 land and is unlikely to lower the water table.</p>	<p>Yes</p>
<p><b>10.2.3 Soil Erosion and Sediment Control</b></p>		
<p>1. Appropriate soil erosion and sediment control measures during construction must be detailed in the development application and implemented prior to the commencement of work.</p> <p>2. The following sediment control measures are recommended:</p> <ul style="list-style-type: none"> <li>(a) Perimeter bank and channels;</li> <li>(b) Turf filter strips;</li> <li>(c) Sediment fences;</li> <li>(d) Sediment traps; and</li> <li>(e) Roof guttering.</li> </ul> <p>3. Applicants may be required to provide plans showing stormwater quality treatment techniques to prevent sediments and polluted waters from discharging from the site during the construction phase. Such plans will show temporary measures designed in accordance with the Managing Urban</p>	<p>1. Soil Erosion/Sediment control measures are detailed within the stormwater management plans submitted with the application.</p>	<p>Yes</p>

Stormwater (MUS): soils and construction vol.1 (commonly referred to as the Blue Book), published by Landcom		
<b>11 ACCESS, SAFETY AND SECURITY</b>		
<b>11.2.1 Address and Entry Sightlines</b>		
<p>1. Buildings are to be designed to allow occupants to overlook public places in order to maximise passive surveillance.</p> <p>2. Design landscaping around dwellings and ancillary structures so that when plants are mature they do not unreasonably restrict views of pathways, parking and open space areas.</p> <p>3. External lighting should enhance safe access and security around the dwelling and light spill must not adversely impact on adjoining properties. Lighting must be designed and located so that it minimises the opportunity for vandalism or damage, is appropriate for the street and minimises glare.</p> <p>4. The incorporation of Crime Prevention through Environmental Design (CPTED) principles in the design of developments should not detract from the amenity of the streetscape.</p>	<p>1. Achieved – manager’s office and windows orientated towards the street and communal spaces to facilitate passive surveillance.</p> <p>2. Achieved.</p> <p>3. Achievable.</p> <p>4. Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>11.2.2 Pedestrian Entries</b>		
<p>1. Pedestrian entries and vehicular entries should be suitably separated to ensure the safety of pedestrians and residents.</p> <p>2. Dwelling entrances should be easily identifiable with walkways and landscaping used to direct visitors to the main dwelling entrance.</p> <p>3. House numbers are to be clearly visible from the street. As a minimum, one set of house numbers will be displayed on the front fence. House numbers should generally be no less than 100mm high.</p>	<p>1. Achieved.</p> <p>2. Achieved – existing dwelling entrance retained.</p> <p>3. Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>PART H Waste Minimisation and Management Plan</b>		
<b>2.3 Waste and Recycling Generation Rates</b>		
<p>Waste and recycling generation rates are provided in Appendix B and should be used to calculate an appropriate waste storage and collection capacity for development and uses. This will determine the waste storage area capacity requirements.</p> <p>Boarding House – 60L/occupant space/week Waste generation 20L/occupant space/week Recyclable material generation</p>	<p>The proposal provides for 6 x waste bins and 2 x recycling bins in accordance with the waste generation rates of the DCP. The application is accompanied by a waste management plan addressing the relevant remaining matters of Part H of the DCP.</p>	<p>Yes</p>
<b>PART I Provision of Off-Street Parking Facilities</b>		
<b>3.2.2 Non-Licensed Hotels, Boarding Houses, Houses to Let in Lodgings</b>		

<p>(a) Parking</p> <p>1 space per bedroom; plus</p> <p>1 space per 6 employees; plus</p> <p>1 space for the manager.</p>	<p>The proposal provides 6 x car spaces for 10 x rooms in accordance with the requirements of the SEPP-ARH which prevails over DCP parking requirements.</p>	<p>Yes</p>
<p><b>PART P Heritage</b></p>		
<p><b>4 Development in Conservation Areas</b></p>		
<p><b>4.1 Setting</b></p>		
<p>(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.</p> <p>(ii) No new structures should be built forward of the established street building line.</p> <p>(iii) 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.</p> <p>(iv) 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.</p>	<p>i. Achieved.</p> <p>ii. Achieved.</p> <p>iii. Achieved.</p> <p>iv. Existing driveway retained.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><b>4.2 Scale</b></p>		
<p>(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.</p> <p>(ii) 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.</p>	<p>i. Achieved – the addition at the rear has been reduced in height and footprint, and will not dominate the existing building on the site as it will not be highly visible from the public domain. When viewed from neighbouring properties the built form on the site is significantly broken up compared to that originally approved.</p> <p>ii. Achieved.</p>	<p>Yes</p>
<p><b>4.3 Form</b></p>		
<p>(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.</p> <p>(ii) New development in a Conservation Area is to complement existing nearby buildings that contribute to the Conservation Area.</p> <p>(iii) Chimneys and roof features such as ventilation gables should not be removed from contributory</p>	<p>i. Achieved – existing building on the site will be retained.</p> <p>ii. Achieved.</p> <p>iii. Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

<p>buildings in a Conservation Area.</p> <p>(iv) Dormer windows should generally be confined to rear or side roof slopes to minimize visibility in the streetscape.</p> <p>(v) Additions and alterations to existing buildings that contribute to the character of a Conservation Area should not detract from the original form of the existing building as viewed from the Public Domain.</p> <p>(vi) 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.</p>	<p>iv. N/A - No dormer windows proposed.</p> <p>v. Achieved – no change is proposed to the original form of the existing building.</p> <p>vi. Achieved.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
<p><b>4.4 Siting</b></p> <p>(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.</p> <p>(ii) For Conservation Areas where first floor additions are appropriate, the first floor must be located behind the main roof form in a manner that does not detract from the streetscape character of the Conservation Area. (Refer to Figure 3)</p> <p>(iii) 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.</p> <p>(iv) The orientation of new development should follow the established pattern of development in the Conservation Area.</p> <p>(v) Where trees are important to a Conservation Area, new buildings should be sited away from the drip line of the trees.</p>	<p>i. N/A – no change is proposed to the existing front setback on the site.</p> <p>ii. N/A – no first floor addition is proposed to the existing building on the front portion of the site.</p> <p>iii. Achieved – a greater side setback is proposed to the eastern boundary.</p> <p>iv. Achieved.</p> <p>v. N/A</p>	<p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
<p><b>4.5 Materials and Colours</b></p> <p>(i) Original materials of contributory buildings in Conservation Areas should not be replaced with different materials or with materials of different colours.</p> <p>(ii) Non-original materials of existing contributory buildings in Conservation Areas that are being replaced shall, if possible, be replaced with material that matches the original material as closely as possible.</p> <p>(iii) Painting, rendering or bagging of face brickwork and sandstone is not permitted.</p>	<p>i. Achieved.</p> <p>ii. Achieved.</p> <p>iii. Noted</p>	<p>Yes</p> <p>Yes</p>

<p>(iv) The texture of original rendered finishes should not be changed.</p> <p>(v) 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</p> <p>(vi) The use of fluorescent paint on buildings in Conservation Areas is not permitted.</p>	<p>iv. Noted</p> <p>v. Noted</p> <p>vi. Noted</p>	
<p><b>4.6 Doors and windows</b></p> <p>(i) Extensive areas of glazing are not permitted for doors and windows visible from the Public Domain on buildings within a Conservation Area.</p> <p>(ii) Original door and window joinery visible from the Public Domain on contributory buildings in a Conservation Area should be conserved.</p> <p>(iii) 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.</p> <p>(iv) Roof structures (i.e. skylights) should be located on roof slopes where they will not be visible from the Public Domain.</p>	<p>i. Achieved</p> <p>ii. Achieved.</p> <p>iii. N/A – no new openings are proposed to the existing building on the site.</p> <p>iv. N/A – no roof structures are proposed.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>
<p><b>4.7 Car parking</b></p> <p>(i) Garages and carports must be located as far behind the front building line as possible.</p> <p>(ii) Garages should not be incorporated into the front façade of a building in a Conservation Area.</p> <p>(iii) Where a new garage or carport is on the same side of a building as a front verandah, the garage or carport must be located entirely behind the verandah.</p> <p>(iv) Carports will only be allowed in front of the front building alignment where there is no possibility for side or rear access for car parking. Any such carports shall be limited to a single carport.</p> <p>(v) Applications that propose basement additions may be required to provide a Structural Report from a practicing structural engineer with experience in heritage buildings to confirm that the proposed excavation will not adversely affect the building or adjoining properties. This report should be provided as part of the development application. The placement of the basement entrance should not detract from the street presentation of the item of the streetscape.</p> <p>(vi) Placement of basement entries toward the rear of the property and parallel to the side boundary is</p>	<p>i. Achieved.</p> <p>ii. Achieved.</p> <p>iii. N/A</p> <p>iv. N/A</p> <p>v. N/A</p> <p>vi. N/A</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

encouraged. (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.	vii. N/A	N/A
<b>4.8 Fencing</b> (i) Fencing and gates that are constructed at the same time as the contributory building should not be demolished. (ii) New fencing and gates to contributory housing in a Conservation Area should be designed to complement the style of the house. (iii) New fencing and gates to infill development in a Conservation Area should be in keeping with the dominant character of the Conservation Area. (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. (v) Original face brick or sandstone fencing in a Conservation Area should not be painted. (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).	i. Existing front fencing on the site will be retained.  ii. N/A  iii. N/A  iv. N/A  v. N/A  vi. N/A	Yes  N/A  N/A  N/A  N/A  N/A
<b>4.9 Landscape elements including paving and driveways</b> (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. (ii) Existing driveways and footpath crossings that relate to original development in a Conservation Area should not be relocated. (iii) Double driveways and footpath crossings will not be permitted in Conservation Areas.	i. N/A – no street trees are proposed for removal.  ii. Achieved – existing driveway retained.  iii. N/A	N/A  Yes  N/A
<b>4.10 Outbuildings</b> (i) Outbuildings should be located in the rear yard of properties within a Conservation Area. (ii) Outbuildings should be single storey and designed so that they have negligible if any impact on the streetscape.	i. N/A  ii. N/A	N/A  N/A

<p><b>4.11 Modern technologies</b></p> <p>(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.</p> <p>(ii) 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.</p>	<p>i. N/A</p> <p>ii. N/A</p>	<p>N/A</p> <p>N/A</p>
<p><b>4.12 Demolition</b></p> <p>(i) Contributory buildings within a Conservation Area must not be demolished.</p> <p>(ii) 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.</p> <p>(iii) Demolition of rear outbuildings in Conservation Areas may be acceptable. For places listed as heritage items, additional restrictions might apply.</p>	<p>i. N/A</p> <p>ii. N/A</p> <p>iii. N/A</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
<p><b>5 Additional controls for development within the Residential Conservation Areas</b></p>		
<p><b>5.9.5 Broughton Road Conservation Area, Strathfield Federation Houses Group</b></p> <p><b>Statement of Significance</b></p> <p>Built within a three-year period, this group of houses has a similarity of scale, form, details and materials. As examples of the Federation Queen Anne style, they have characteristic features including terracotta and slate roofing with hipped and gabled forms, face brickwork contrasting with imitation half timbering to the gables, verandahs supported on timber posts with timber detailing and casement windows. As a group, they are an important part of the Broughton Road streetscape.</p> <p><b>Additional Controls</b></p> <p>(i) The predominant gable pattern which is characteristic of the Broughton Road Conservation Area should be retained or restored in any development.</p> <p>(ii) Existing original front verandahs with brick piers and timber posts which are characteristic of dwellings in this Conservation Area are to be kept and repaired or reinstated where possible.</p> <p>(iii) The original shape and materials of the front and side walls of dwellings within this Conservation Area shall not be altered. Characteristic imitation half timbering and imitation timber shingles along with face</p>	<p>The proposal is accompanied by a Heritage Impact Statement prepared by Perumal Murphy Alessi Heritage Consultants which addresses the relevant heritage provisions of the DCP.</p> <p>i. Achieved.</p> <p>ii. Achieved.</p> <p>iii. Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

brickwork should be retained, replaced or repaired where appropriate.		
<b>PART N Water Sensitive Urban Design (WSUD)</b>		
<b>3.1 Water Conservation</b>		
<p>For all development types identified in Section 2.1, water conservation requirements are:</p> <ul style="list-style-type: none"> <li>• All residential buildings are to demonstrate compliance with State Environmental Planning Policy - Building Sustainability Index (BASIX), as required</li> <li>• All buildings not covered by the State Environmental Planning Policy - BASIX: o that are installing any water use fittings must demonstrate minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme. Minimum WELS ratings are 4 star dual-flush toilets, 3 star showerheads, 4 star taps (for all taps other than bath outlets and garden taps) and 3 star urinals.</li> </ul> <p>Water efficient washing machines and dishwashers are to be used wherever possible</p> <p>are to install rainwater tanks to meet non-potable demand including outdoor use, toilets, and laundry are to install dual reticulation for toilet flushing, laundry, irrigation and potentially cooling towers in large redevelopment areas</p> <p>are to incorporate passive cooling methods that rely on improved natural ventilation to supplement or preclude mechanical cooling,</p> <p>where cooling towers are used they are: to be connected to a conductivity meter to ensure optimum circulation before discharge.</p> <p>to include a water meter connected to a building energy and water metering system to monitor water usage.</p> <p>to employ alternative water sources for cooling towers where practical •</p> <p>Water use within public open space (for uses such as irrigation, pools, water features etc.) should be supplied from sources other than potable mains water (eg stormwater, greywater or wastewater) to meet 80% water use demand.</p>	The application is accompanied by a stormwater management plan addressing the relevant matters of Part N of the DCP.	Yes
<b>3.2 Stormwater Quality</b>		
<p>Requirements For all development types identified in Section 2.1, stormwater quality requirements are:</p> <ul style="list-style-type: none"> <li>• 90% reduction in the post development mean annual load of total gross pollutant (greater than 5 mm).</li> <li>• 85% reduction in the post development mean annual load of Total Suspended Solids (TSS).</li> <li>• 60% reduction in the post development mean annual load of Total Phosphorus (TP).</li> <li>• 45% reduction in the post</li> </ul>	The application is accompanied by a stormwater management plan addressing the relevant matters of Part N of the DCP.	Yes

development mean annual load of Total Nitrogen (TN). Modelling for the determination of the mean annual loads of landuses must be undertaken in MUSIC and in accordance with the Strathfield Council WSUD Reference Guideline.		
<b>PART Q Urban Design Controls</b>		
<b>2 Built Form Controls</b>		
<b>2.1 Public Domain and Place making</b>	The proposal has been designed in accordance with the public domain principles.	Yes
<b>2.2 Streetscape</b>	The proposal retains the existing building on the front portion of the site and retains the appearance from the streetscape as existing.  The additional built form at the rear of the site has been significantly reduced in height and footprint being consistent with the dwelling house controls off the DCP demonstrating that the proposal is of a form and scale consistent with the desired future character of the locality.	Yes
<b>2.3 Siting</b>	The proposal has been sited in accordance with Council's Pre DA advice and site context analysis. The proposal provides adequate separation to adjoining properties, addresses the street and will not have significant adverse impacts upon adjoining properties.	Yes
<b>2.4 Building envelope</b>	The bulk and scale of the proposal is consistent with other two storey forms in the locality and is located at the rear of the site to minimise its appearance from the public domain. The increased setbacks central to the site allow for soft landscaping – garden terrace which break up the built form on site and present a more suitable low density form to adjoining neighbours.	Yes
<b>2.5 Building massing and scale</b>	As detailed previously, the proposal complies with the relevant form and scale controls and is acceptable for the site.	Yes
<b>2.7 Building frontages to Public Domain</b>	The proposal retains the existing public domain presentation of the subject site by retaining the existing	Yes

	built form.	
<b>2.8 Roof forms</b>	The proposed roof form of the development has been amended with a small roof pitch to minimise its impact upon the heritage significance of the site and conservation area.	Yes
<b>3 Amenity Guidelines</b>		
<b>3.1 Accessibility and connectivity</b>	The proposal provides well-defined and separate pedestrian and vehicular access points to the development.	Yes
<b>3.2 Building entries</b>	The proposed building entry is well-defined and addresses the street.	Yes
<b>3.3 Visual and acoustic privacy</b>	As addressed previously, the proposal will not have a significant adverse impact upon the amenity of adjoining properties with regard to visual/acoustic privacy.  Balconies have been removed, and windows are glazed or highlight windows were possible to reduce overlooking opportunities.	
<b>3.4 Acoustic amenity and air quality</b>	The proposal is not located within proximity to rail corridors or major roads.	Yes
<b>3.5 Solar access and cross ventilation</b>	The proposal provides adequate solar access to boarding rooms and complies with the solar access requirements of the SEPP-ARH with regard to POS and communal areas.	Yes
<b>3.6 Safety and security</b>	The proposal has been designed with regard to CPTED principles with windows and manager's office orientated towards communal areas on the site to promote casual surveillance.	Yes
<b>3.7 Essential criteria</b>	Natural surveillance is maximised by the proposal with ground floor communal areas allowing for outlook towards the street and communal areas on the site. Lighting will be provided as required.	Yes
<b>3.8 Views</b>	The proposal will not impact upon any significant views enjoyed by adjoining properties.	Yes
<b>3.9 Landscaping</b>	The proposal retains and improves the landscaped front setback of the site. Further, the proposal complies	Yes

	with the landscape requirements of SEPP-ARH.	
<b>3.10 Private and communal open space</b>	The proposal provides open spaces on the site as required by the SEPP. These areas have been designed to minimise their amenity impacts upon adjoining properties.	Yes
<b>3.11 Energy efficient design</b>	The application is accompanied by a BASIX certificate.	Yes

## 5 Environmental Effects

Under the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act), in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development subject of the development application.

**Table 7** Section 4.15(1) Provisions to consider

<b>EPA Act 1979 - Section 4.15(1)</b>	
<b>a) The Provisions of</b>	
	Response
i) any environmental planning instrument	The key relevant planning instrument is the Strathfield Local Environmental Plan 2012. The proposal supports the aims of the LEP and is in accordance with all other relevant provisions of the documents, as discussed in section 4. The proposal has been assessed against all the relevant planning instruments and complies.
ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	There is no draft planning instrument
iii) any development control plan	The proposal has been assessed against the relevant development control plans and complies, as outlined in section 4.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	There is no planning agreement.
iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	There are no relevant matters prescribed by the regulations.
v) (Repealed)	N/A

The environmental impacts of the proposal have been considered throughout this report. The table below provides further assessment of all potential impacts considered within Section 4.15(1)(b) of the EPA Act 1979.

**Table 8** Response to Potential Environmental Impacts

<b>Potential Impacts</b>	<b>Response</b>
<i>Context and Setting</i>	The site is zoned R2 – Low Density Residential under the SLEP 2012. The proposed development will allow for the provision of low cost rental accommodation within this locality being within close proximity to transport and services.
<i>Access, Transport and Traffic</i>	The site is within close proximity to the Homebush Railway Station and the Homebush Mixed Use zone. The traffic Impact Assessment explored the turning paths of the B85% vehicle, car park dimensions and driveway gradients noting that the proposal is compliant.
<i>Public Domain</i>	The proposal complements the public domain by presenting a domestic scale building to the street and maintaining site lines to and from the development to encourage passive surveillance.
<i>Utilities</i>	Utilities will be provided to meet the demand of the proposed development.
<i>Heritage</i>	The site is located within a heritage conservation area. The design of the proposal and its setting into the streetscape will not detrimentally impact heritage values.
<i>Other Land Resources</i>	No other land resources will be impacted by the proposal.
<i>Water Quality</i>	Stormwater Plans are submitted with the development application.
<i>Air and Microclimate</i>	The air and microclimate will be maintained as a result of this proposal.
<i>Ecological</i>	The proposal will not impact any existing ecological areas in the vicinity of the site.
<i>Waste</i>	An approved contractor will dispose of all construction waste. A WMP has been submitted with this application which details on-going waste disposal on the site.
<i>Energy</i>	Energy saving devices will be utilised wherever possible.
<i>Noise and Vibration</i>	All construction activities will take place in accordance with the hours of operation stipulated in any consent to ensure the neighbourhood amenity is maintained.
<i>Natural Hazards</i>	The subject site is not identified as bushfire prone land or flood prone land.
<i>Technological Hazards</i>	All installations at this facility will be best practice and comply with relevant Australian Standards.
<i>Safety, Security and Crime</i>	The proposal will not result in any safety or security issues and has been designed to ensure passive surveillance both to and from the

<b>Potential Impacts</b>	<b>Response</b>
<i>Prevention</i>	property.
<i>Social Impact in Locality</i>	The proposal will have a positive social impact in the locality by providing flexible and affordable rental accommodation future within the locality. The proposed boarding house will be operated to a strict Plan of Management that ensures the amenity of neighbours is maintained.
<i>Economic Impact in Locality</i>	The proposal will positively impact the locality during the construction phase by offering potential employment to trades people.
<i>Site Design and Internal Design</i>	The proposed development is of a suitable form and scale.
<i>Construction</i>	A construction management plan will be implemented to ensure there are no off site impacts resulting from construction activities on the site.
<i>Cumulative Impacts</i>	No cumulative impacts are expected from this proposal.

## 6 Conclusion

This report demonstrates that the plans subject to this S8.2 Review application have addressed the reasons for refusal as follows:

- The proposal will not have an undue environmental impact upon the heritage conservation area or nearby items with a significantly reduced height, building footprint and overall scale.
- No element of the proposal can be easily read from the street frontage of the site or public domain and so would not have an impact upon the public domain.
- The amended height of the rear addition compared to the original proposal has been reduced, and would not result in any significant visual, bulk and scale, or overshadowing impacts upon adjoining properties. The amended plans submitted with the review application demonstrate the smaller nature of the new works which will not result in a built form on the site that is significantly different to that originally approved.
- The amended proposal complies with the relevant development controls and relevant environmental planning instruments, including the LEP building height and FSR controls and is therefore considered to be of a form and scale envisioned by the planning controls. Further, the two storey form of the rear addition has been reduced in height to 6.92m, parking has been relocated to a basement level to allow for ample soft landscaping along side and rear boundaries and central to site which serve to break up the built form, and a reduction in building footprint with increased setbacks central to the site reduce impacts upon neighbouring properties..
- The public interest is served by the consistent application of the relevant environmental planning instruments to ensure appropriate and sustainable development. It is considered that the proposal would not contravene the public interest given that it has been sufficiently demonstrated that the amended proposal would not have a significant adverse environmental impact and this statement has addressed the Planning Panel's reasons for refusal.
- Considering the previous reasons for refusal have now been addressed and amended plans and supporting documentation submitted, approval is sought on the grounds that the proposal in its amended form is suitable with respect to the low density residential character of the locality, the heritage significance of the conservation area, and with respect to impacts upon neighbouring properties.